

TO MAKE THE BETTER FILM: MOVIES, WOMEN'S CLUBS AND THE FIGHT  
OVER CENSORSHIP IN THE AMERICAN SOUTH, 1907-1934

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## ABSTRACT

At the beginning of the twentieth century, the motion picture industry and its allies waged a long battle with the political and religious establishment over control of the content of the motion pictures. The new medium relied on titillation and violence to attract and hold massive audiences. Religious and civic organizers reacted to this content by applying political pressure to censor or reform the pictures. Their concerns led states and municipalities to create censor boards and other legal instruments to monitor the movies. In the early days of this battle, the film industry lost a series of political and legal fights to pro-censorship forces through the North, Midwest and West.

The only region where the pro-censorship forces had not gained traction was the South. In order to maintain this status quo, the motion picture industry and allies like the National Board of Review of Film built alliances with southern women's clubs. These clubs lobbied local legislatures against censorship, created volunteer film review boards and acted as advocates for the motion pictures in their home communities. This thesis examines the creation, nurture and ultimately disintegration of the alliance between the women's clubs and the motion picture industry.

These alliances succeeded because the nature of the pro-censorship argument in the North and West, which often relied on anti-immigrant and anti-Catholic biases, did not have the same social resonance in the South. In the South, theater owners and patrons came from the business and middle classes. Religious and civic leaders found it more difficult to arouse widespread support for censors, but this did not deter religious lobbies from courting support from southern

Congressmen and attempting to spread their ideas through lectures and meetings with community leaders.

The social climate in the South allowed the movie industry's agents to have some success in sending agents to lecture against censorship, with the industry allied New York-based National Board taking the lead. The National Board founded its own local women's clubs, known as the Better Films Committees, to speak out against legal censorship. Members of the clubs gained prominence through their public work on behalf of the industry and rose to positions of responsibility as local censors. With the coming of sound film and the industry's reliance on risqué content in the 1930s, the Better Films women and other industry allies revolted against the content of movies. Their criticism, combined with new financial pressures from the cost of wiring the nation's theaters for sound, convinced the industry to embrace self-censorship in the form of a Production Code.

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DEDICATION

To My Father

## INTRODUCTION

When the nation celebrated the coming of a new century 106 years ago, motion pictures remained a novelty for the majority of Americans, something to pay a nickel to see in a sideshow tent or urban street-side nickelodeon. In less than thirty years, this sideshow attraction would become one of the most popular pastimes for American across the nation. This transformation did not occur smoothly or enjoy universal acceptance. As popular audiences embraced the medium, political and religious figures rushed to regulate and censor it.

The film industry, through the use of proxies and allies, spent an enormous amount of time and money creating a network of pro-industry voices in the American South during the first two decades of the twentieth century. As the industry lost a series of legal and political battles over control of the content of the motion pictures in the North and West, it realized the need to create local alliances to prevent similar regulation in the South. To accomplish this, the industry built a fragile and often contentious alliance with the region's woman's clubs. This thesis examines how the industry built, nurtured and ultimately lost the support of these powerful political groups.

Historians have largely ignored the history of the movies in the South, focusing instead on the urban Northeast and California. The American film industry was born in New York and migrated to California for financial reason. Likewise, the first battles over censoring the movies took place in cities like Boston, Chicago and New York. Urban anxieties over immigrants, industrialization and the corruption of public morals brought about by the exploding populations of the working poor informed both the content of the first films and the motivations of the earliest censorship advocates. The first filmmakers,

studio bosses and movie theater owners in these cities were the sons of these immigrants. Nativist and religious prejudice against both the producers of the films and their audiences by Protestant elites informed the rhetoric and concerns of the early censorship battles.

The South had different concerns. Race, not class and immigration, was the major concern of the region's elites. Poor Scotch-Irish whites and African Americans manned its factories. The region's few theaters were owned not by the children of Jewish immigrants, but by white Protestant businessmen. Censorship efforts came late to the region and took on a different form – focusing more on morality and the impact of movies on children. Because of this, the story of the southern censorship battles has to begin not in places like Atlanta, Birmingham and Memphis but in New York.

The first mass audiences for the movies were in New York and its neighboring northeastern cities. Entrepreneurs quickly realized that workers on their way to and from factories would pay for the opportunity for a brief escape from their toil. The first filmmakers created product that would appeal to these audiences. Patrons who plopped a nickel into the street-side nickelodeons could view portrayals of headline murder cases, dancers at the Moulin Rouge and striking workers. Since these early silent films did not rely on dialogue and could be followed without understanding the brief title screens, children, immigrants and their fellows among the working poor made up the bulk of the early audiences. Almost as soon as motion pictures appeared, critics began to call for their regulation and censorship. From their earliest incarnations, movies relied on sex, violence and sensationalism. The popular perception in the press and among politicians and social reformers was that the movies were solely a lower class amusement. When the



movies transitioned from the sidewalk boxes to indoor theaters, audiences swelled. Films became longer, evolving from short reels of dancers and boxers to narratives, stories. These stories catered to the dreams and fears of their audiences. The villains were factory bosses, bankers and corrupt policemen and politicians. Like the nickelodeon shorts, sex, adultery and murder remained central themes of films.

As more and more people flocked to the movies, religious groups, social reformers, journalists and politicians attempted to gain control of their content. The movies violated the social order, undermined community morals, corrupted children and made it more difficult to assimilate immigrants into American society, they charged. The court system entered the fight in 1897, when a New York judge ruled that a film portraying a couple's honeymoon as an "outrage against decency." Other justices followed suit and in 1915, the Supreme Court ruled that movies were "a business, pure and simple" and did not warrant the freedom of speech protections of the First Amendment. This ruling cleared the way for state legislatures and city councils across the country to craft their own restrictions on the movies. Forces on both sides geared up to take the urban battles to the rest of the nation, eventually coalescing into a movement to convince the federal government to take on the role of censor. To accomplish this, they moved the battle southward. This thesis examines the manner in which that move played out in the region.

The majority of the scholarship of these censorship efforts has focused heavily on the reception and regulation of films in the urban Northeast. The South had far fewer theaters per capita than any other region, did not produce more than a handful of films and had no major indigenous censorship movement. Much as critics at the time viewed

film indecency as an urban, northeastern issue, historians of the period have focused on the manner in which the films evolved in the fractious environment of industrial America. The few scholarly histories of the issue written before the 1980s focused on the role of the Catholic Church – whose ranks and political power had swelled as millions of Catholic immigrants fled conflicts and poverty in Europe to a life labor in cities like New York, Boston and Chicago. These early histories portrayed the censorship battle as a struggle between the Catholic Church and Hollywood. In this interpretation, Hollywood was forced to enact self-censorship in 1934 as a defense against its critics. This remained the dominant theme of scholarship until the 1970s. The field experienced a revival in the late 1970s and early 1980s as major sources of evidence unavailable to earlier scholars became available. The Motion Picture Association of America – the movie industry trade association that has protected the industry’s interests since 1922 – and the National Board of Review – a New York agency that reviewed and approved the content of the majority of the nation’s films until the 1930s - opened their archives to scholars. The documents within led to a revival of interest in the field.

Historians examining this new evidence found that the relationship between Hollywood and its critics was more nuanced and complex than previously thought. The resulting works on the issue revealed that the Catholic Church and Hollywood operated not as antagonists, but as partners hoping to use each other’s image and influence to hold off mutual antagonists – the Protestant reform groups who wished to pressure the nation’s politicians into instituting their morality into law.

Because neither the movies nor the censorship movement originated in the South, understanding its introduction in the region and the actors involved requires some

examination of the northern roots of the debate. The first motion pictures flickered across American screens in the late nineteenth century. As the pictures, and the images and ideas they brought with them, spread across the nation, so too did a movement to control their content. Politicians, reformers with secular and religious inspirations, businessmen and civic clubs across the nation took up the question of what to do about the movies and their occasionally sensationalist, seditious and obscene images. In the major cities such as Chicago and New York created censoring bodies for film. The states followed. Pennsylvania created the first state board in 1912 and Ohio and Kansas followed two years later.<sup>1</sup>

The battle over film censorship reached the halls of Congress three times during the period between 1914 and 1934. These hearings did not result in the creation of any federal laws, but they did give the opponents a chance to air their arguments before a national audience. The first two hearings received heavy coverage in *The New York Times* and regional newspapers. After the U.S. Supreme Court ruled in 1915 that movies were solely a commercial product and did not qualify for the legal protections afforded to other forms of art, local and state governments across the country felt empowered to follow the example of places like Chicago and Ohio in empowering censor boards to demand cuts, ban and pull films.

Although largely absent from the histories and contemporary accounts of the period, the South became a central battlefield in the war to prevent legal censorship. Pro-censorship forces found southerner elites receptive to the idea that movies undermined traditional morality. The movie industry turned to the region as part of an aggressive

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<sup>1</sup> Eileen Bowser, *The Transformation of Cinema, 1907-1915*, (New York: Charles Scribner's Sons, 1990), 51.

nation-wide campaign to battle back censorship advocates and keep the industry as free from legal oversight as possible. The principal coordination of this response at first came from The National Board of Review, a New York-based organization created by city officials and Progressive immigrant advocates in the aftermath of legal battle directly following a 1908 legal battle that led to the closing of the city's theaters for showing obscene films.<sup>2</sup> This campaign occurred on a national scale, although the battles took place at local and regional levels. In the South, the censorship advocates built alliances and effectively spread their message among local audiences, but they had not yet convinced any state to create a censorship board to police the morality of the movies. Realizing that this created an opportunity for them, the National Board of Review and other movie industry allies and agents spent significant amount of time and resources to keep the South free of legal censorship.

The first chapter of this thesis examines the formation of the censorship campaigns from the urban, northeastern context of an immigrant industry and how that campaign became reinterpreted for the different political and economic climate of the South. Southerners had shied away from support of federal legislation of morality springing from concerns over slavery before the Civil War and racial issues after the war. Christian lobbyists had worn down this reticence among southern Congressmen through extensive contacts and developed a history of working together to successfully pass legislation drawn from their shared Protestant backgrounds and moral concerns. Three

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<sup>2</sup> Nancy J. Rosenbloom, "From Regulation to Censorship: Films and Political Culture in New York in the Early Twentieth Century," *Journal of the Gilded and Progressive Age*, October 2004 <<http://www.historycooperative.org/cgi-bin/justtop.cgi?act=justtop&url=http://www.historycooperative.org/journals/jga/3.4/rosenbloom.html>> (26 Jan. 2006).

southern states eventually passed laws regulating film content, but none focused on moral grounds. Virginia created a state censor board in 1922, although it focused more on depictions of race than sexuality. Likewise, Louisiana passed but never enacted a statute making it a felony to show a film depicting race relations as anything other than positive in the aftermath of the African American boxer Jack Johnson's 1910 victory against a white opponent. The third exception, Florida, actually counted more as a victory for the studios than a defeat. Florida's legislature ruled that, to show a film in the state, the film had to display the seal of approval from the National Board of Review and, later, the New York state censor board.

The second chapter examines the National Board of Review's response to the Christian lobbyists in the South and on the national stage. The National Board organized its response in the region through a campaign centered on the region's woman's clubs, both independent clubs and groups known as Better Films Committees set up by the National Board. Lecturers toured the region speaking on the evils of legal censorship and the educational possibilities of film. In Atlanta, the relationship between the city government and the city's Better Films committee led to the promotion of the Better Films chair to the post of city censor. This approach allowed the National Board to bring allies like the Atlanta censor to Congress during the 1926 round of hearings and provide a counter-voice to the Protestant reformers. The distinct southern voices the National Board relied on sprang from the different social acceptability of movies in the South. Theater owners and audiences in southern cities segregated by race, not class. African American audiences attended different theaters and city censoring decisions and municipal statutes did not always apply or were not enforced in black theaters. Small-

town theaters became central attractions for middle-class residents. Even in urban Atlanta, the stigma of the theater as a working-class amusement did not take hold. The city's middle and upper classes largely attended different theaters than the African American and working class populations, but they all attended the theater.

The way in which the transition from silent to sound film changed both the financial structure of the industry and the nature of the censorship battle is the focus of the third chapter. While the organized Protestant religious groups that had proved the industry's strongest adversaries in the early decades of the century faded from national prominence, the allies in the South and elsewhere the studio had worked hard to cultivate began voicing strong complaints about the state of the movies. The women the National Board of Review allied with to create the Better Films Committees moved on to positions of power as local censors. The manner in which their new positions put them in conflict with the National Board of Review illuminates the national dynamic that led the industry to adopt strong self-censorship in the form of the Production Code Authority in 1934.

#### HISTORIOGRAPHY

Before the 1980s, the majority of scholarly work on film censorship came from the political science and legal disciplines. Since few early scholars examined the South as a primary topic, the majority of literature focused on the national or northeastern perspectives. Working primarily with journalistic accounts and state records, these scholars responded to changing social and legal conventions regarding existing censor boards that still existed when they wrote their studies. The original censorship battles in the 1920s inspired the first book on film censorship in 1922. In *Motion Pictures: A Study in Social Legislation*, Donald Young argued that the rise of the censor boards came about

as a result of the movie industry having to create films for two different audiences. The suburban and urban audiences desired different entertainments and the coarser desires of the urban audiences prompted the suburbanites to erect censorship boards as a defense. Young's response to the situation was to urge politicians and civic leaders to develop a standard set of social standards by which to judge films.<sup>3</sup>

The 1930s and 1940s saw the publication of several works by Hollywood insiders and allies defending the motion picture code. Many of these early works on film censorship relied on what historian Clayton Koppes referred to as the "heroic interpretation" of the period.<sup>4</sup> Put simply, the heroic interpretation grouped together a diverse body of scholarship that examined the censorship battle as a conflict solely between the studios and the Catholic Church. For those who supported the industry's self-censorship, the imposition of the code of conduct known as the Hays Code allowed Hollywood to hold off the pro-censorship Roman Catholic hierarchy. Under the stewardship of the Hays Office, these scholars believed that Hollywood ushered in a golden age of family friendly films whose quality and profitability stand as testament to the wisdom of the Hays Code. For foes of this self-censorship, Hollywood's self-regulation marked the advent of a corporate homogeneity and toothlessness that contrasted strongly with the artistic freedom and political radicalism of the silents. Under the pressure of business and religious interests, Hollywood neutered itself in order to protect its profits. In her 1937 handbook for screenwriters on how to write within the

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<sup>3</sup> Donald Young, *Motion Pictures: A Study in Social Legislation*, (Philadelphia: University of Pennsylvania Press, 1922), 8.

<sup>4</sup> Clayton R. Koppes, "Film Censorship: Beyond the Heroic Interpretation." *American Quarterly* 44, No. 4 (Dec. 1992), 643.

new studio specifications, Olga Martin gives a history of the need for the Production Code which painted the Church as an outside institution that demanded the studios to clean up their act.<sup>5</sup> Koppes' points to the 1945 publication of Raymond Moley's *The Hays Office*, written with the sponsorship of the Motion Picture Producers and Distributors Association, as the originator of this historical frame. This interpretation was reinforced by academic studies such as Paul Facey's 1945 *The Legion of Decency: A Sociological Analyses of the Emergence and Development of a Social Pressure Group*.<sup>6</sup>

Jerome Adler wrote the first scholarly study of the censorship battle a decade before the publication of *The Hays Office*. Adler's study of the rhetorical methods used by the reformers and industry advocates sought to place the arguments in historical context. To accomplish this, *Art and Prudence* divided the reformers into categories that would appear again in later historical works on the early twentieth century censorship advocates. The reformers did not comprise a monolithic front, but a variety of groups "affiliated with particular churches, organizations of parents and teachers, woman's clubs, groups organized for the specific purpose of studying the problem of the movies, committees of social hygienists and the like, or by unaffiliated individuals who as moralists, reformers, publicists or cranks, raise their voice for the public weal or the private good of man."<sup>7</sup>

Written only three years after the Catholic Legion of Decency declared victory in the war against screen filth, Adler noted that the Protestant reformers still pursued their

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<sup>5</sup> Koppes, "Film Censorship: Beyond the Heroic Interpretation." 643-649.

<sup>6</sup> Olga Martin. *Hollywood's Movie Commandments: A Handbook for Motion Picture Writers and Reviewers*. (New York: Wilson Pub., 1937), 6.

<sup>7</sup> Jerome Mortimer Adler. *Art and Prudence: A Study in Practical Philosophy*, (New York: Green and Co., 1937), 149.



fight against the theaters with considerable zeal. The Legion wrote that, through its efforts, “the motion picture has shown improvement from the moral standpoint: crime and vice are portrayed less frequently; sin no longer is so openly approved and acclaimed; false ideas of life no longer are presented in so flagrant a manner to the impressionable minds of youth.” Even so, other reformers did not call off their crusades against Hollywood.<sup>8</sup> While he did not explore this topic in depth, Adler’s skepticism toward the motives and stated accomplishments of the Legion’s early 1930s censorship drive also anticipated later scholarship on the collusion of the Church and the motion picture industry.

A decade after Adler’s work, Ruth Inglis’s *Freedom of the Movies: A Report on Self-Regulation from the Commission on Freedom of the Press* similarly portrayed the Protestant censorship movement as an active force in public life. *Freedom of the Movies* provided an overview of the censorship battles of the 1920s and 1930s that highlighted the relative impotence of the National Board of Review of Motion Pictures and other industry groups to hold off the creation of state-level censorship boards. Inglis credited the turning of public sentiment over regulating the movies with the movie industry’s recruitment of Will Hays. While she noted the alliance with the Catholic Church, Inglis focused on the broad range of organizations that the Hay’s Office constantly and effectively lobbied. As she recorded, the Hay’s Office in the 1930s kept an address file of more than 100,000 influential people and developed professional relationships with a broad swatch of religious, industry, civic and social groups. Inglis’s work expanded the

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<sup>8</sup> Ibid. 152.

complexity of the Hays era, showing the depth of contacts and negotiations that occurred between the Hays Office and the nation's civic organizations.<sup>9</sup>

The next burst of academic interest in movie censorship originated in the legal and political science studies of the 1960s, during a period when the foundations of the censor apparatus faced challenges from the nation's courts and in public opinion. The legal structures of the nation's censorship laws formed the focus of Ira Carmen's 1966 study, *Movies, Censorship and the Law*. Written in a period when many of the censor boards still functioned, Carmen's study examined the historical and legal rationales that created the censor boards and the ways in which the practice of those boards often depended more on personal idiosyncrasies than on adherence to the legal statutes. Richard S. Randall's *Censorship of the Movies: The Social and Political Control of a Mass Medium* examined an institution that still existed but had begun to decline in influence. Randall's examination of the early days of the industry discussed how the Supreme Court's 1915 ruling in the *Mutual Film Corp. v. Ohio* case led to the movies losing their protections as an art form under the First Amendment. Randall argued that the Supreme Court case opened the floodgates of the censor battles, as it stripped the industry of a major defense against the prior restraint of its product by government agencies. While Randall's study showed some skepticism over the current functioning of the then existing censor board, it did not question their utility or the need for their existence. Instead, it aimed to point out problems in the functioning of censorship in order to convince states and municipalities to improve the process.

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<sup>9</sup> Ibid. 95, 101-102.

The 1980s brought a major change in the study of film censorship that resulted not from a shift in methodology or contemporary social concerns, but from the appearance of thousands of internal documents from studios, the Production Code Authority (PCA), the National Board of Review and other involved agencies and groups. The most important new depository opened when the MPAA-supported Margaret Herrick Library in Los Angeles opened the Production Code's archives to the public. In 1983, the MPAA made available 240 linear feet of documents, including production material, memos, correspondence and internal publications, covering the Production Code Authority's activities from 1927 to 1967.<sup>10</sup>

The donation of the National Board of Review's archives to the New York Public Library expanded the scope of available material, since the bulk of the National Board of Review's records covered the period from 1907 to 1930 where the National Board assumed much the same role in the industry during the period as its successor, the Production Code (also known as the Hays Office). In the mid-70s, the National Board of Review donated more than 1,000 feet of documents to the New York Public Library, including records dating from 1907 to 1971. That collection was fully accessed and indexed in 1983. Since the 1980s, numerous institutions also opened archives from individual studios, producers and directors, reform agencies and individuals like Will Hays. The research relying on these records has gone beyond the "heroic interpretation." The existence of memos and correspondence detailing the involved politicking, infighting and multiple motives among all involved in the censorship campaigns waged from the first decade of the century has significantly muddled the narrative and opened new

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<sup>10</sup> Linda Harris Mehr, *Motion Pictures, Television and Radio: A Union Catalogue of Manuscript and Special Collections in the Western United States*, (G.K. Hall, 1977), 49.

avenues of research. No longer could scholars view the history of Hollywood censorship as a battle between the Catholic Church and the studios. The archival material revealed that the two groups worked in alliance as well as in opposition. It also revealed that both institutions considered themselves in opposition to Protestant agents determined to convince legislators to adopt their views on morality into law.

Two early works relying on the National Board archives began focusing on areas outside of the conflict between the studio and the Catholic Church. In the 1976 *Film: The Democratic Art*, Garth Jowett identified the movies as a leading edge of urbanization that destroyed regional differences and helped create the social freedom that allowed for the creation of a national American identity. Jowett used the National Board material to show how the board's activities in promoting the art film and the movie as wholesome recreation helped ease the transition between the regional and the national. He also posited that the backlash over film by clergy, reformers and politicians came as part of the larger social contest between new and old elites that shook the American social system at the turn of the century.

Matthew Feldman made a much narrower use of the archive for his history of the National Board. Feldman's *The National Board of Censorship (Review) of Motion Pictures* traced the board's evolution from a local New York City-based censoring board to the nation's main arbiter of film morality to irrelevance. Feldman spent significant time addressing evidence on whether the National Board acted as an independent agent or as a paid adjunct to the Hollywood studio system. In the end, Feldman saw the National Board as a paid agent of the studios and concluded his history shortly after the arrival of Will Hays. As the National Board became mired in scandal and bad publicity, the studios

looked for alternatives. With Hays, the industry shifted its focus from fighting censorship through the National Board to accepting the reality of censorship and choosing self-censorship through Will Hays's Production Code Authority to federal censors chosen by Congress. Describing the National Board as irrelevant after Hay's hire in 1922, Feldman concluded without addressing the later activities of the National Board before the strict implementation of the Production Code in 1934.

Relying on these same archives, Francis Couvares collected a series of articles for the December 1992 issue of *American Quarterly* that sought to problematize the heroic interpretation. Couvares's central essay "Hollywood, Main Street, and the Church: Trying to Censor the Movies Before the Production Code" portrayed the Catholic Church and the studios not so much as antagonists, but as partners in a "mutual embrace, motivated by an urge on the part of both movie moguls and Catholic clerical and lay leaders to defend their institutional interest and cultural authority in twentieth-century America."<sup>11</sup> Couvares wrote that the Church and Hollywood came together to fend off their mutual adversaries, the Protestant "Main Street" religious and civic leaders who felt threatened both by the power of the immigrant-strengthened Church and the radical social, sexual and political messages contained in some Hollywood products. Couvares also noted that the power of the Protestant leaders dwindled in the 1920s as dissatisfaction amongst the industry's Main Street allies, including the theater owners and distributors, signaled the need for some kind of reform. The Hays Office and the

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<sup>11</sup> Francis Couvares, "Hollywood, Main Street, and the Church: Trying to Censor the Movies Before the Production Code." *American Quarterly* Vol. 44, No. 4 (December 1992), 584.

Catholic Church capitalized on this and collaborated in creating the public pressure that convinced the studios to strengthen Hays's control and the Production Code.

In his 1992 work *Behind the Mask of Innocence*, Kevin Brownlow made use of the growing collection of archival films rescued by museums, studio vaults and collectors to evaluate the content of silent film. Brownlow wrote that he discovered that many of these films contained pointed political and social commentary. The silents reflected the concerns of the films working class audience and often contained anti-establishment themes. Villains often took the form of crooked cops, evil bankers, corrupt politicians and greedy landlords. Sexual situations and nudity abounded. Violence and sensational accounts of murder and rape featured prominently in many of the films. In a variety of ways, Brownlow painted the picture of a medium whose products routinely feature messages that directly and indirectly challenged the nation's Protestant and small town elites and their mores. Brownlow's broad use of archival films expanded the historical view from the consideration of a handful of classics into a representative synthesis of the totality of the content of film during the silent age. Since the vast majority of films shown during the silent era have not survived into the modern period, Brownlow's study became the first serious attempt to determine what early audiences saw when they ventured into the theaters. Of the tens of thousands of silent feature length films produced worldwide before Warner Brothers perfected the sound film in 1929, only around seven thousand titles exist in accessible archives. An additional number of films have been preserved in the private collections of fans.<sup>12</sup> The majority, however,

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<sup>12</sup> Paolo Cherchi Usai, *Burning Passion: An Introduction to the Study of Silent Cinema*. (London: British Film Institute Pub., 1994), 24-25.

succumbed to decay and exist in the form of screenplays, stills, movie ads and studio memorandum, if at all.

Other historians followed the older concerns of the field by studying the relationship between the Catholic Church and the studios. In his 1993, *The Cross and the Cinema*, James Skinner used the newly opened archives of the Catholic League of Decency to expose the conflicts within the Catholic Church at the height of influence in 1940s-1950s Hollywood. Skinner showed that internal church policies and politics created an increasingly flexible organization. The transition from a Pope who believed cinema was a vice to be controlled to a Pope who felt that movies could be used as a teaching tool led the Legion to adopt a softer stance toward the movies in the 1950s.

In the 1990 work *The Dame in the Kimono*, Leonard Leff and Jerold Simmons made use of the Church and studio records to examine the work of the censors inside the studio system. Leff and Simmons showed the negotiations and conflict between the Production Code Authority, the studios and the Catholic Church by examining the productions of eleven “problem” films for the censors. Lea Jacobs explored the period of operation between the adoption of the Production Code in 1930 and the strict imposition of the code in 1934. Before the Code became ironclad, the Production Code authority relied on a review board made up of directors, producers, writers and other industry workers. The negotiations between the Production Code Authority and the board often created room for the studios’ artists to frankly discuss issues of sex and sexuality. In this period, films would often be allowed to challenge traditional sexual mores, such as showing protagonists commit adultery and engage in prostitution and premarital sex, provided they ended in a way that reaffirmed conventional morality. The institution of

the Code Administration in 1934 eliminated this space, as it substituted hard rules of contact for the negotiated space of the pre-code films.

Less a desire to dominate American culture and more a fear of American nativism drove the Catholic Church into an alliance with Hollywood in the 1930s, according to Gregory Black's 1994 book *Hollywood Censored: Morality Codes, Catholics and the Movies*. The Roman Catholic Church feared the entry of the federal government into regulating morality, especially at the behest of the Protestant reformers, since the Church thought it could represent the first wave of legislation that would restrict their freedom of religion. To prevent this, and to give the Church a platform to project a positive image to the America public, the Church leaders entered into a partnership with the Hollywood studios, who were also eager to prove their allegiance to American values.

Steve Allen Carr found that the same desire to escape the stigma of anti-Semitism from Protestants fueled the studios desire to ally with the Catholic Church in his 2001 book *Hollywood and Anti-Semitism: A Cultural History Up to World War II*. Religious reformers like Episcopal Canon William Sheafe Chase and religious lobbyist Rev. Willard Crafts relied on direct attacks on Jewish studio owners, anti-Jewish imagery and allusions in their appeals for state legislation of the films. To counter the power of this rhetoric, Jewish studio owners hired Protestant Will Hays to act as their spokesman and the Catholic Legion of Decency to approve their products.

Not everyone accepted the new morality. Strict control of content by the Production Code Authority and the Catholic Church allowed an economic and cultural space to develop for filmmakers who wished to violate the code. The businessmen, hustlers and poverty row filmmakers in Eric Shaefer's *Bold! Daring! Shocking! True!: A*



*History of Exploitation Films* existed as the Code's dark shadow. They plied their product in backwater towns and skid row urban theaters, promising to show the sex, violence and depravity audiences knew they would not find in mainstream theaters. In regions such as the South, these wildcat filmmakers often intensified calls for censorship, as audiences and politicians refused to distinguish between studio films and those of the independents in making their case against the industry.

The manner in which the movies subverted Protestant attempts to control the sexuality of immigrants and the working class also plays a role in a group of histories of the period examining the relationship between urban working-class women, their sexuality and the movie industry. The industry got its start in the urban working-class leisure economies of end of the century Northeast. Nickelodeons met the desire of factory workers and other wage earners for quick and easy entertainment. The filmmakers created products to appeal to these often illiterate, or at least non-English-literate, audiences. Women flocked to the movies as well as men. The desire of the middle-class to institute hegemonic values on the working class, especially in terms of female sex and sexuality, lay behind efforts to regulate the cinema in turn-of-the-century New York, according to Andrea Friedman in her 2000 work *Prurient Interests*.

Relying heavily on Kathy Peiss's 1986 study of the leisure habits of working class New York women, *Cheap Amusements*, Shelley Stamp's 2001 *Movie-Struck Girls: Gender, Democracy and Obscenity in New York City* showed that the nascent movie industry in the 1910s entered into a conversation with their audience, creating films that would appeal to the rising number of women who attended motion pictures. As Stamp revealed, single working women of the period began to exercise their freedom and

spending power on pursuits like attending the pictures. This trend led filmmakers in two directions. Some decided to use the opportunity to create uplifting and literary adaptations in hopes of attracting a feminine audience. Others created films that spoke to woman's concerns on controversial subject matters including sex, abortion, divorce and suffrage.<sup>13</sup>

Unintended controversy began to bedevil the industry after its transition to Hollywood. The growing influence of the movie industry was mirrored by an increasing focus by the public on its most visible representatives: the actors who headlined a growing number of films. In his analysis of the scandal that destroyed the star comedian Fatty Arbuckle titled "Roscoe 'Fatty' Arbuckle and Hollywood Consolidation," Sam Stoloff connects movie censorship and the growth of the Hays Office with a growing public uneasiness about the state of the nation in general. Through news accounts, trade magazines and fan and society publications, Arbuckle had gained unprecedented fame. Rumors of debauchery, drug abuse and a general moral decay surrounded the industry. In the Fatty Arbuckle scandals, Stoloff sees in the public denouncement of Arbuckle a reaction to the political and economic crises that engulfed the nation after World War One. Censorship and the rise of the Hays Office came about in an environment where the nation's citizens felt disoriented by inflation and depression, the aftermath of a major war, high unemployment, a flu epidemic that killed half a million Americans and urban and rural strife that included riots and lynch mobs.<sup>14</sup>

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<sup>13</sup> Larry Langman, *American Film Cycles: The Silent Era*. (Greenwood Publishing Group, 1998), 114.

<sup>14</sup> Sam Stoloff. "Normalizing Stars: Roscoe 'Fatty' Arbuckle and Hollywood Consolidations," Gregg Bachman and Thomas J. Slater, eds. *American Silent Film*:

Stoloff left off the growing penetration of the theories of Sigmund Freud and Charles Darwin into middle class popular culture through literature, magazine and newspaper coverage and media controversies like the 1925 Scopes Trial. In the midst of this turmoil, Stoloff noted that incoming Republican politicians emphasized a return to “normalcy.” In Hollywood, the staunchly Republican Will Hays mirrored that message by steering the industry away from sleaze toward the safer and more staid Hollywood style focused on respectability, glamour and wholesomeness. Expelling Arbuckle and tightening control over the morals of the movies came about as steps toward Hays’s normalization.<sup>15</sup>

In *Hollywood v. Hard Core*, historian Jon Lewis portrayed the concerns of business over these and other public controversies as the central factor in the move toward censorship. According to Lewis, the studios saved themselves by placing business concerns over artistic considerations in all of their decisions. After the movie industry transitioned from a regional industry run largely by self-made immigrants to one financed and controlled indirectly by Wall Street, the need for homogenized product capable of being shown profitably in markets across the U.S. and world led to the imposition of the Hay’s Code. Morality had little to do with the decision and the efforts of religious reformers only mattered in the amount they pointed to the economic instability of an industry seen as producing unreliable product.<sup>16</sup>

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*Discovering Marginalized Voices*. (Carbondale: southern Illinois University Press, 2002): 148.

<sup>15</sup> Ibid., 150.

<sup>16</sup> Jon Lewis, *Hollywood v. Hard Core*, 6.

Morality played a significant role in three social histories of the pro-censorship Protestant lobbies. The place of film censorship in the early twentieth century's battles over morality is discussed in *Hellfire Nation*. Immigration and race play a central part in the moral panics that led not only to film censorship, but also to the concurrent Prohibition drive, the white slave "crisis" and the campaigns to ban contraceptives and abortion in James Morone's *Hellfire Nation*. Morone wrote that film censorship was a front in a larger war against the changing of the nation from a Protestant farming culture to a heterogeneous urban society. The tremendous surge in immigration after the Civil War and the resulting growth of the Catholic Church, anarchism and other foreign ideas led to a thirty-year backlash against social vice among American Protestants.

Foster Gaines's *Moral Reconstruction* placed the religious reformers firmly outside the Progressive sphere. Gaines focused on the efforts of groups like the Woman's Christian Temperance Union (WCTU) and International Reform Bureau (IRB) to directly lobby Congress for religiously motivated reform. In the case of the International Reform Bureau, this allowed the small organization to bypass the need to create a national following to support their legislative efforts. Instead, the International Reform Bureau and similar Christian groups cultivated a small group of like-minded Congressmen. While the two strains of reformers shared similar aims, rhetoric and methods, they had separate histories and motivations. The religious reformers of the early twentieth century descended from organizations dating back to the early nineteenth such as the American Bible Society and believed their aim to be not the improvement of American society, but the ultimate creation of a Protestant Christian republic. The pro-censorship Christian political lobbies of the 1900s had steadily worked toward that goal

since their formation in the 1820s, when they coalesced in a successful campaign to convince Congress that a Christian nation should not have mail on Sundays. The move by the International Reform Bureau's Wilbur Crafts to establish a federal film censor board occurred concurrently with campaigns by the organization to have Congress add "In God We Trust" restored to the currency, national Blue Laws passed regulating what businesses could operate on Sundays and prohibitions on alcohol.

The manner in which these and other Christian causes led Crafts's allies in the WCTU to turn their attention from Prohibition to the regulation of Hollywood is the subject of Allison Parker's 1997 history of the WCTU's censorship efforts, *Purifying America*. The WCTU initially embraced the motion picture, funding efforts to create educational films for general audiences. As the film industry began to mature in the 1920s, the WCTU increasingly turned its organizational power toward censoring its output. The WCTU had spent the late nineteenth century involved in a series of censorship campaigns against immorality in plays, literature and paintings. Parker wrote that the group wished to remove art it believed demeaned women and their place as society's mothers. The organization added the increasingly popular motion picture to its campaigns, eventually turning the full weight of the organization toward a push for federal censorship.

Other women's organizations played a crucial role in fighting for and against film censorship. Leigh Ann Wheeler's *Against Obscenity* traced the experience of two leaders of the General Federation of Women's Clubs (GFCW) as a case study in the ways in which outside organizations like the Hays Office manipulated the internal politics of woman's clubs for their own ends. When the GFCW broke with the National Board of

Review, the organization began a series of disputes with the movie industry. This would leave Will Hays and other movie studio forces to lobby for leadership candidates within the organization and actively work to undermine the authority of the pro-censorship leaders from within the GFWC.

In his 1995 *Main Street Amusements: Movies and Commercial Entertainment in a southern City*, George Waller explored the manner in which the small Kentucky city of Lexington developed a separate understanding of film than that which existed in the North. Film came first to Lexington through lecture series and outdoor showings put on by the city's civic organizations. When the first theaters arrived in the 1910s, the city's "business" class had accepted the movies as a favorite and frequent amusement. Conflicts over morality, such as over Sunday showings of films, pitted the city's religious leaders against the town's business leaders.

Waller's and Wheeler's studies pointed to the manner in which regional and local studies of film censorship often revealed aspects of the social and political functions of censorship not visible to the leading figures in New York and Hollywood. The nation made different accommodations with the movies depending on local circumstances. This thesis explains how these local circumstances shaped the political battles over legal censorship in the American South.

“OBSCENE, INDECENT, IMMORAL”: CENSORSHIP AND THE DRIVE TOWARD  
FEDERAL REGULATION OF FILM, 1908-1920

The United States House of Representatives Committee on Education opened its first round of hearings on the creation of a Federal Motion Picture Commission with a statement from the Rev. Wilbur Crafts, superintendent and treasurer of the Protestant lobbyist organization the International Reform Bureau. The 1914 hearing was the culmination of decades of effort and showed the growing strength of Crafts and fellow religiously oriented reformers in the nation’s capitol. Sponsored by Crafts’s allies from Georgia, a state whose politics once shunned federal efforts to control morality, the bill would have created congressional oversight over nearly every film shown in the nation.

More than any one figure, Wilbur Crafts was responsible for shepherding the idea that the federal government should take over the duties of overseeing the movie industry. The federal censorship bill arose late in a career marked by dozens of successful and failed attempts to lobby Congress to implement a Protestant Christian agenda. The International Reform Bureau’s agenda included the passage of a portfolio of laws that would enshrine a very specific interpretation of Christianity into the federal legal code. While film censorship formed only a small part of this agenda in 1914, the fight against the movie industry would become the central fight of the twilight of Crafts career, just as it would become the central focus of the International Board’s allies the Woman’s Christian Temperance Union and the International Reform Federation headed by Reverend William Sheafe Chase. Crafts had begun work as a lobbyist in 1895 and, as head of the International Reform Bureau, he and his fellow religious reformers virtually

invented the private citizens lobby, which modern congressmen recognize as one of the fundamental power centers in the nation's capital.<sup>17</sup>

Crafts had written the 1914 bill and placed it in the hands of two Georgia congressmen, one of whom did not even read it before presenting it for legislative review. If passed into law, the bill would have created a federal commission with the power to censor any film that crossed state lines on the way to a theater, effectively placing the entire output of the motion picture industry under congressional oversight. Unlike Crafts's later efforts at drafting laws against the industry, this bill left the definitions of what constituted a prohibited film vague. While any "obscene, indecent, immoral" film or one that depicted a bull or prizefight corrupted the morals of children or incited adults to crime would be banned, the members' federal commission would decide what exactly this encompassed.<sup>18</sup>

Crafts then assured any representatives unsure about the legality of federal censorship that the inter-state commerce clause of the U.S. Constitution not only applied, but that "I do not know of anything in the United States that is more essentially and exclusively an article of interstate commerce than a motion picture film."<sup>19</sup> With the legal niceties covered, Crafts began to articulate his real arguments. Hollywood, according to Crafts, had become a sleaze factory. Motion pictures were corrupting the nation's youth. He argued that, for a boy who witnessed a crime on the screen, "the natural tendency under such circumstances is for them to want to get a pistol and shoot

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<sup>17</sup> Foster Gaines, *Moral Reconstruction*, 132.

<sup>18</sup> Motion Picture Commission Hearings Before the Committee on Education of the House of Representatives, Sixty-Third Congress, Second Session, Bills to Establish a Federal Motion Picture Commission, 1914, 3.

<sup>19</sup> *Ibid.*, 3.



somebody in order to make life more interesting.” Immediately, he followed this warning with one that resonated even more strongly with the passions he and his allies in organizations like the International Reform Bureau and the Woman’s Christian Temperance Union shared. Girls and boys watching movies could feel the temptation to imitate “indecent dances” and “indecent scenes.”<sup>20</sup> For the religious critics, the greatest threat from Hollywood came from the industry’s suggestion that sex, marriage and love could take place outside the strictures of the church and still bring happiness and pleasure. These religious lobbying organizations had spent the decades since the Civil War battling the corruptive influence of theater, dance, prose and poetry on the Victorian values many of them held dear. Their campaign seamlessly shifted to include motion pictures early in the industry’s life, although the fact that movies enjoyed a much wider audience and could reach uneducated, illiterate citizens outside the range of many of the other arts added urgency to their efforts. The potential harmful effects of films on immigrants, women and children brought them new allies in the progressives and other reformers who also believed that the state had an interest in keeping the public safe from harmful ideas.

In the WCTU, the International Reform Bureau would find a staunch ally. The WCTU’s interest in films pre-dated that of the International Reform Bureau by at least a decade. By the turn of the century, the group already had decades of experience mounting campaigns against obscenity in literature, sculpture, painting, tableaux vivantes. In *Purifying America*, Alison M. Parker argued that the WCTU aims transcended merely removing impure morality from the arts. The reformers aimed to transform the emerging

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<sup>20</sup> Ibid., 6.

modernistic discourse of art completely. In an age when the critics divided art into high culture for the educated and lower popular culture for the masses, the WCTU wanted to switch the discourse into a frame that divided art instead into pure and impure work. Pure work would avoid a sexualized portrayal of women in favor of one that “rejected the notion that woman’s power lies in her weakness and celebrated her ‘strength’ and ‘seriousness.’ This paragon of womanhood asserted her equal role in both individual relationships and in politics.”<sup>21</sup>

Compared to the rhetoric Crafts and his allies would employ against the motion picture industry in the next two decades, the testimony of the moral reformers before the 1914 hearings seemed amicable and sedate. In his testimony, Crafts couched his criticisms of the industry’s most visible ally, the New York-based National Board of Censorship, the New York, in compliments. The National Board and Crafts’s organization had worked at cross purposes across the country in their efforts to craft the censors’ takes on morality into the law, but Crafts never regressed into the anti-Semitic and nativist insinuations that permeated his writings and public statements throughout his career. Instead, his testimony painted the International Reform Bureau’s efforts as well-meaning but flawed. In faint praise, he noted the board had no authority to compel filmmakers to submit their films and they often chose to keep their worst films from the National Board. State and local boards often ignored or rejected the decisions of the National Board. Even if the National Board had the highest motives, he noted, they did not have the staff or resources to screen all the films.<sup>22</sup>

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<sup>21</sup> Alison M. Parker, *Purifying America* (Urbana and Chicago, Illinois: University of Illinois Press, 1997), 116.

<sup>22</sup> Federal Motion Picture Commission Hearings, 1916, 5.

The National Board of Review had the right motives, he told Congress, but lacked the political power and will to prevent obscenity from appearing on the nation's screens. Finishing with the observation that "[t]he country in general is not satisfied with this unofficial nominal board," Crafts then moved the agenda from the National Board to his specific criticism of Hollywood and its films.<sup>23</sup>

This amicability would not last through the next two decades as Hollywood grew into the nation's largest source of amusement. Twelve years after the first round of hearings, Crafts would find legislators to sponsor his bills who would outdo even him in rhetorical excess against Hollywood and its products. In 1914, the nation's politicians faced worse crises than a flash of skin in the movie theater. Compared to problems like the outbreak of a world war in Europe and the possibility of the Mexican Revolution spilling across the border, a rash of obscenity in a medium mostly aimed at immigrants did not have the capacity to arouse much worry in the public or their elected representatives in Congress. After 1905, many northern politicians also shied away from the hint of scandal around Crafts that resulted when two Massachusetts Congressmen admitted to using their franking privileges to illegally post mass mailings from the IRB on Crafts's behalf. With the loss of support, it would take another decade before Crafts could mount a full assault on the industry before Congress.

#### REVEREND CRAFTS AND THE CRISES OF MORALITY

When Rev. Crafts's gave his testimony before Congress in 1914, he dismissed the National Board of Censorship with faint praise. Crafts must have felt confident about his chances of convincing Congress to regulate films without relying on direct attacks against

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<sup>23</sup> Ibid., 5.

the National Board. The theater owner trade paper *The Moving Picture World* presents him as a nearly victorious and powerful figure who had courted congressmen and child welfare organizations from Georgia and, “converted many people to his way of thinking and had no trouble inducing them to write their representatives in the national halls of legislation. He followed this up by disseminating all through the state of Georgia and, indeed, in some measure all through the United States, considerable quantities of literature asking cooperation for the establishment of federal censorship of motion pictures.”<sup>24</sup>

These lecture tours provided the local support that Crafts needed to convince southern congressmen to support his cause. In addition to Georgia, Crafts also lectured in Arkansas, Louisiana and Texas on the tour. He had a prior record of victory pressuring Washington to regulate the film industry on moral grounds. Besides his victory on prize fight films, Crafts had convinced Congress in 1913 to ban “immoral” films from being screened in the nation’s capitol, although he saw that victory fade when President William Taft vetoed it for fear the D.C. police did not have enough resources to police the movie theaters.<sup>25</sup>

The IRB had a history of successfully lobbying Congress. Crafts founded the International Reform Bureau in 1895 as a Christian lobbying association and had set up an office in Washington D.C. near the Capitol.<sup>26</sup> Before founding the International Reform Bureau, Crafts worked for the International Reform Bureau, an organization founded after the Civil War to convince Congress to amend the Constitution to include

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<sup>24</sup> W. Stephen Bush, “For National Censorship” *Moving Picture World*.

<sup>25</sup> Foster, *Moral Reconstruction*, 153.

<sup>26</sup> *Ibid.*, 2.

references to “Almighty God” and “The Lord Jesus Christ.” Despite the failure of this effort, Crafts and other International Reform Bureau members managed to forge a coalition of Protestant churches and women’s clubs to support further initiatives aimed at molding the federal government into a national arbiter of public morals, based largely on the Protestant middle class’s understanding of the morality. Along with film censorship, the IRB worked for federal bans and restrictions on polygamy, divorce, prostitution, obscenity, prizefighting, gambling, drugs and alcohol. Most of the moral and monetary support for these efforts came from northeastern Protestants. According to Gaines Foster’s *Christian Lobbyists and the Federal Legislation of Morality*, the IRB had almost no support in the South during the nineteenth century. This began to change after the Spanish-American War, when a growing realization that the federal government had no intentions of restricting white supremacy in the region diminished anti-federal feelings in the region. Crafts embrace of civil service.

Working with his wife and a small staff, Crafts supported the organization through lectures, the sale of literature and donations. Outside of a small number of large contributors, most of the funding for the organization came in the form of one-dollar donations from individuals. Nearly half of his financial support came from New York, Pennsylvania and Ohio, although he drew support from across the nation. That support increased after the turn-of-century, as contributions increased from \$4,000 in the International Reform Bureau’s early years to \$18,000 a year by 1920. The International Reform Bureau fostered close ties to other Christian reform organizations, particularly the Woman’s Christian Temperance Union, in which his wife was a member. A new phenomenon in American politics, single interest lobbyist groups like Crafts discovered

that a relatively small number of citizens could influence Congress to pass legislation that did not necessarily enjoy popular support.<sup>27</sup>

Craft's interest in movies flowed naturally from the IRB's other mandates. While he first believed that movies served as a valuable counter-weight to the saloons and even considered making them himself, he began putting his organization's influence behind film censorship in 1910.<sup>28</sup> Even so, he ignored the medium in his 1910 book on the importance of Christian reform, *National Perils and Hopes*. Still, the book serves as Crafts's manifesto, outlining the moral and political motivations that underlay all of his organization's lobbying efforts. His analysis of the nation's ills detailed the mix of religious and secular thought common in turn of the century reformers. While the basis of his arguments against the "thirteen increasing evils" of alcohol use, murder, divorce, lynchings, labor riots, "impure" theater, yellow journalism, brutal sports, judicial maladministration, graft and "general lawlessness" came from Christian theology, Crafts buttressed his case with extensive use of statistical evidence and anecdotal field reporting.<sup>29</sup> Elaborating on this position, Crafts wrote, "The Church therefore has a right to appeal to the state to remove all unnecessary obstacles to the fundamental work which it is expected to do, the production of honesty and good morals..." At the heart of his argument lay the idea that the church must resume the role mandated for it by God, that of the nation's "chief of police."<sup>30</sup>

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<sup>27</sup> Ibid., 112.

<sup>28</sup> Foster, 154.

<sup>29</sup> Wilbur Crafts, *National Perils and Hopes: A Study Based on Current Statistics and the Observations of a Cheerful Reformer*, (Cleveland: F.M. Barton, 1910), 1.

<sup>30</sup> Ibid., 33.

The more significant victory came when Crafts managed to secure the sponsorship of his bill by two southern congressmen, a pattern that would continue over the next two decades. Before the hearings, the South had largely avoided the censorship battles that swept the Northeast, West and Mid-West. *The Moving Picture World's* comprehensive coverage of censorship activities at the municipal, state and federal level rarely included mention of the South.<sup>31</sup> Censorship battles took a different tone in the South, often revolving more around whether a theater could play films on Sunday than the specific content of the films shown. These exceptions, such as an effort by New Bern churches to prevent the city from showing Sunday films in the park because they violated the Sabbath, arose from the different level of community support and social integration of theaters among middle-class southerners.<sup>32</sup>

The censorship battles over sexuality and immigration that had periodically swept the nation since the Civil War had largely missed the South, whose legislators seemed far more worried about the regulating films whose message would lead to a disturbance in the racial norms. The nineteenth battles of the fanatical postal censor Anthony Comstock had also left out the South, mostly focusing on Comstock's fellow northerners like Margaret Sanger and Walt Whitman. Missourian Mark Twain had tangled with Comstock, who considered his *Huckleberry Finn* obscene, but the campaign focused on Twain as a national, not southern, celebrity. While Comstock battled indecency, citizens of the old Confederacy bridled under the federal troops and Reconstruction policies. In

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<sup>31</sup> For more on southern sentiment for and against censorship, see Chapter Two.

<sup>32</sup> *Moving Picture World*, "Exhibitor Notes," 19 Feb. 1914, 1661.

Washington, their elected representatives maintained a firm opposition to moral regulation from federal authorities.<sup>33</sup>

Southern disdain for moral legislation actually predated the Civil War, growing out of the abolitionist movement backlash against the South in the North. Antebellum southern politicians and citizens identified the religious-based northern organizations calling for moral renewal with the Prohibition movement and voted against any attempt to legislate morality, fearing such measures could provide precedent for outlawing slavery.<sup>34</sup> The end of the nineteenth century brought national reconciliation through the coming together of soldiers from both sides of the Mason-Dixon line to fight the Spanish-American War. Northern politicians turned a blind eye not only to the imposition of Jim Crow laws, but also to the violent suppression of Republicans and blacks in 1898 by southerners.

In this new national environment, the Christian lobbyists began to rely on southerner politicians for support and leadership in their moral campaigns.<sup>35</sup> In 1893, Crafts worked with southern politicians to pass a law mandating the closing of the Columbian Exposition on Sunday. While a minor victory, it marked the beginning of an alliance between southern politicians and Christian moral reformers that would flower in the next century.<sup>36</sup> By the second decade of the twentieth century, Crafts relationship with southern politicians had developed to the point that when the Christian lobbyist

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<sup>33</sup> Gaines Foster, *Moral Reconstruction: Christian Lobbyists and the Federal Legislation of Morality, 1865-1920*, (Chapel Hill: The University of North Carolina Press, 2002), 70.

<sup>34</sup> *Ibid.*, 5-18.

<sup>35</sup> *Ibid.*, 228.

<sup>36</sup> *Ibid.*, 104-105.



handed the bill authorizing the Federal Motion Picture Commission to Georgia Senator Hoke Smith, the senator sent the bill to a committee for debate without even reading it.<sup>37</sup> Not all southerners embraced the idea that Congress should legislate the morality of the South. The Ku Klux Klan, which never lost its distrust of the federal government, preferred to leave morality to local leaders, noting in its newspaper *The Searchlight* that the “dispenser of salacious and immoral pictures will not be patronized, because the best people do not want this kind of thing, and the best persons of a community are the leaders of thought.”<sup>38</sup>

Crafts had worked hard to ensure southern support for the bill. He traveled throughout the region giving lectures on immorality in the film industry, passing out literature and urging his audiences to write their representatives.<sup>39</sup> Crafts’s definition of immorality did not exactly coincide with those of his southern allies. In 1910, he called that the lynching epidemic then sweeping the South one of the “thirteen increasing evils” threatening Christian civilization.<sup>40</sup> Like many other northern-based moral reformers, Crafts’s prejudices were directed more against immigrants, whom he blamed in whole or part for eleven of the remaining “increasing evils” and Jews, whose influence he grew to see as the root of Hollywood’s evils. When his values did coincide with those of southern racists, though, Crafts did not scruple about holding an alliance. As Crafts

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<sup>37</sup> W. Stephen Bush, “For National Censorship,” *Moving Picture World*, 6 March 1914, 793.

<sup>38</sup> Steve Allen Carr, *Hollywood and Anti-Semitism: A Cultural History Up to World War II*, (Cambridge: Cambridge University Press, 2001), 70.

<sup>39</sup> *Ibid.*, 793.

<sup>40</sup> Wilbur Crafts, *National Perils and Hopes*, (Cleveland: F.M. Barton Company), 1.

noted in his testimony, he wrote the bill banning prizefight films and had a Georgian Congressman introduce it to successful passage.<sup>41</sup>

Crafts may have considered brutal sports like boxing one of his thirteen evils, but southern politicians perceived another evil entirely. In 1909, African American boxer Jack Johnson won a world title over white boxer Tommy Burns. In the wake of the victory and the screenings of the fight film, whites rioted in several cities. Southern states banned the films. Johnson won other victories against white boxers, leading former champion Jim Jeffries out of retirement on a mission to regain the belt for his race. Jeffries had declined to fight Johnson years before when Jeffries held the title and the press billed him as the “Great White Hope” against Johnson. Johnson hammered the “Great White Hope” for 15 rounds before K.O.ing him. This victory directly fed the anti-fight film sentiment and convinced Crafts and his southern allies in Congress that the time had come to look into a national ban on fight films.<sup>42</sup> Crafts’s old allies in the WCTU joined the effort, asking Congress to ban all boxing films. Congress passed Crafts’s bill prohibiting prizefights films in 1912, although theaters across the nation violated the law and continued to screen fight films with great success.<sup>43</sup> Racial issues would continue to dominate southerners’ concerns over film content. When southern states like Louisiana and Virginia passed laws regulating films, they did so with race and not morality in mind.

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<sup>41</sup> Federal Motion Picture Commission Hearings, 1916, 4.

<sup>42</sup> Lee Grieveson, *Policing Cinema: Movies and Censorship in Early-Twentieth-Century America*, (Berkeley: University of California Press, 2004), 124-129.

<sup>43</sup> Alison M. Parker, *Purifying America*, (Urbana and Chicago, Illinois: University of Illinois Press, 1997), 135.

With the increasing alliances between the national Christian reformers and politicians, opponents and proponents of film censorship began to move into the South. However, the concern about the movies in the 1910s remained a mostly urban, northern concern. With its roots in northern Protestant's unease with immigrants, industrialization and the changing social and sexual mores as the nation modernized, it would take another decade before the battle fully moved to the South. In its belief that the church had the mandate to police the morals of society, the religious groups and the Progressive reformers mirrored each other. When the International Reform Bureau, the WCTU and the other Catholic and Protestant religious groups turned their attention toward the possibility that movies may have a harmful effect on the nation's morals, they joined an argument that arose first from the issues and concerns of the urban-oriented settlement house and immigrant rights reformers.

#### THE FIRST STIRRINGS OF CENSORSHIP

In the two and a half decades since they first appeared in the larger American cities, movies had grown from a novelty to a major industry by the 1910s. Theaters, outdoor screenings and traveling fairs had spread awareness and familiarity with the technology across the country, but they first took hold as a facet of everyday life in the urban areas. The urban street provided the perfect showcase for the coin-operated nickelodeons, but showmen were unsure how to handle or market the new art as more than street entertainment. Vaudeville circuits slotted movies into the schedule between performances and county fairs set up tents to show a reel or two for a nickel. The demand for these sideshows pointed to untapped potential in the growth of the movie industry, but the heart of moviemaking remained in the profitable urban Northeast. By 1903,

entrepreneurs had discovered that working class audiences in northeastern cities would deposit their spare change for 15 to 20 minutes of entertainment.<sup>44</sup> For a nickel, a passerby could peer into a slot in the machine and watch a few minutes of a horse running, a woman dancing or two lovers kissing. By 1914, the nickelodeon operators had moved into storefront theaters and the films had grown from a single scene to long-form narratives.

The middle-class magazines reported on the new phenomenon with a mixture of amusement and contempt. Articles focused on the simple-minded nature of the films and their appeal to the urban masses. Before the 1920s, the urban middle class had not yet begun to patronize the nickelodeons or the indoor theaters and the articles focused on the industry as a poor man's alternative to educated pastimes such as the play or novel.

An article in the November 23, 1907 edition of the *Saturday Evening Post* an article titled "The Nickelodeon: The Poor Man's Elementary Course in Drama" described the typical demographics of the film audience:

The character of the attendance varies with the locality, but, whatever the locality, children make up about thirty-three percent of the crowds. For some reason, young women from sixteen to thirty years old are rarely in evidence, but many middle-aged and old women are steady patrons, who never, when a new film is to be shown, miss the opening. In cosmopolitan city districts the foreigners attend in larger proportion than the English speakers. This is doubtless because the foreigners, shut out as they are by their alien tongues from much of the life about them can yet perfectly understand the pantomime of the moving pictures. As might be expected, the Latin races patronize the shows more consistently than Jews, Irish or Americans. Sailors of all races are devotees.<sup>45</sup>

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<sup>44</sup> John Izod, *Hollywood and the Box Office, 1895-1986*, (New York: Columbia University Press, 1988), 5-9.

<sup>45</sup> Joseph Medill Patterson, "The Nickelodeons: The Poor Man's Elementary Course in Drama," *The Saturday Evening Post*, 23 Nov. 1907, 10-11.

As the *Post* noted, the movies drew a diverse and difficult to define crowd, as children mingled with middle-aged women before the screens. While the *Post* portrayed the nickelodeon as a mostly harmless diversion, the focus of the article made it clear that the author considered the movies to be a product of and for the teeming masses, not the literate and respectable members of the magazine's readership.

Other publications took the tact of enveloping the medium within popular stereotypes of the various segments of the audience. The lure of the movies for children would prove particularly problematic for filmmakers, as many of the medium's critics focused on the films ability to corrupt the young. An article written for the *Harper's Weekly* readership the same year embraced the nickelodeon as "an innocent amusement and a rather wholesome delirium" for its poor and immigrant audience, but included a mention of the link between children and film reformers.<sup>46</sup> Unlike the *Post* piece, the *Harper's* article focused not just on the simple amusements gained by the audiences swept up in the "nickel madness," but also on the concerns of the movie censorship advocates. While ultimately dismissive of the reformers' concerns, the article noted that the idea that movies could corrupt children may be valid because of the large number of children who attend these films. The article found that the content of the films, though, tended to portray not an endorsement of vice, but "a quick flash of melodrama in which the villain and criminal are getting the worst of it. Pursuits of malefactors are by far the most popular of all nickel deliriums."<sup>47</sup> One thing both of these and other mainstream portrayals of the new industry did note, though, was that the moving picture had become

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<sup>46</sup> Barton W. Currie, "The Nickel Madness," *Harper's Weekly*, 24 Aug. 1907, 1246.

<sup>47</sup> *Ibid.*, 1247.

big business. As the *Post* mentioned, “Two million people a day are needed before profits can begin, and the two million are forthcoming. It is a big thing, this new enterprise.”<sup>48</sup> Less than a decade after the *Post*’s and *Harper*’s pieces appeared, journalists had ceased treating the industry as just an amusing or dangerous diversion. In 1916, the *New York Times* surveyed the extent of the industry’s reach and holdings in an article titled “At Least \$500,000,000 Invested in ‘Movies.’” Citing government estimates that more than 10,000,000 people a week attended motion pictures, the *Times* named the industry the fifth in importance among industries in the United States, behind agriculture, transportation, oil and steel.<sup>49</sup>

The booming industry needed a steady stream of product, leading to a new Gold Rush in California as dozens of companies and thousands of investors set up studios. Most of these studios would disappear by the end of the 1910s, but in their brief existence they produced thousands of feet of film.<sup>50</sup> While most of these companies attempted to create films that appealed to the largest audience possible, more than a few discovered a substantial audience existed for films featuring more adult content.

Industry consolidation eventually killed most of these studios. As the audience for movies exploded in the 1920s, the larger studios bought a monopoly of the nation’s theaters to serve as proprietary stages for their products and the independents became increasingly locked out of the distribution channels. Those that survived either became adjuncts to the studios that produced cheap B-movies, mostly low-budget genre films, to

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<sup>48</sup> Patterson, 10.

<sup>49</sup> “At Least \$500,000,000 Invested in ‘Movies.’” *New York Times*, 2 Jan. 1916.

<sup>50</sup> Richard Koszarski, *An Evening’s Entertainment: The Age of the Silent Feature Picture, 1915-1928*, (New York: Charles Scribner’s Sons, 1990), 63.

fill double bills with major studio productions or went underground on the exploitation circuit, churning out cheap tales filled with sex, drugs and nudity marketed by traveling salesmen who often rented theaters under false pretenses and fled immediately after a showing before the law could arrive.<sup>51</sup> Hollywood and its agents and allies like the National Board of Review of Film and the Hays's Office fought as hard against the existence of these filmmakers as they did against the censors. In the 1910s, though, these wildcat producers still streamed thousands of feet of film out to the nation's theaters and the advocates for censorship often latched onto the worst of these to make their arguments. These films also broadened the standards in which ordinary filmmakers worked, allowing the cultural space for directors like DeMille and Griffith to feature nude dancers in their biblical epics.

In a 1914 editorial, the trade journal *Moving Picture World* featured an editorial titled "The Lowering of Standards" denouncing the wildcat filmmakers. While the editorial specifically focused on "freak" pictures – movies built around the casting of deformed actors – it could equally have applied to the "white slavery" prostitution films and the risqué divorce comedies that enjoyed waves of popularity in the period. *Moving Picture World* editor W. Stephen Bush denounced the makers of these films as "men of insufficient talent and training" whose cheap product devalued the industry and increased the risk of censorship.<sup>52</sup>

The reasons for Bush's concern could be seen in every issue of the weekly trade paper in the mid-1910s. Coverage of the growing number of states and communities

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<sup>51</sup> Eric Shaefer, *Bold! Daring! Shocking! True!: A History of Exploitation Films, 1919-1959*, (Durham: Duke University Press, 1999), 2-3.

<sup>52</sup> W. Stephen Bush, "The Lowering of Standards," *Moving Picture World*, Jan. 1914, 389.

attempting to censor movies dominated the journal. An ardent foe of government censorship, Bush admitted, “It is quite possible that a little pruning and a little cutting here and there might do the pictures some good.” Putting that power in the hands of legislators, though would not accomplish this, he argued, because “Censorship in every age and in every country has never been anything but an instrument of oppression and bigotry ... Even the best of men cannot be entrusted to such arbitrary power. It is human nature to abuse such power.”<sup>53</sup> Instead, Bush called on the industry to develop a way to better police itself. The argument that Hollywood, not government, made the best censors would become the central argument of the industry and form the basis for the creation of the Hays’s Office in 1922.<sup>54</sup>

These early censorship battles arose as the motion picture moved from a novelty to a permanent presence. Legal censorship followed close behind the first movies. In 1897, a New York judge issued the first legal judgment against the industry, calling a film depicting a honeymoon as an “outrage on public decency.”<sup>55</sup> The Supreme Court settled an important area of the law, and demolished one of the industry’s most used defenses, when they ruled against the Mutual Film Corporation in their 1915 case brought by the Industrial Commission of Ohio. In the decision against the film distributor Mutual, the Supreme Court brushed asides the company’s claim that filmmaking was an art and deserved First Amendment protections against prior restraint on its contents by

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<sup>53</sup> W. Stephen Bush, “The Previous Restraint,” *Moving Picture World*, Jan. 1914, 25.

<sup>54</sup> Koszarski, *An Evening’s Entertainment*, 206.

<sup>55</sup> Garth Jowett, “‘A Capacity for Evil’: The 1915 Supreme Court Mutual Decision,” *Controlling Hollywood: Censorship and Regulation in the Studio Era*, Matthew Bernstein, ed., (New Brunswick, New Jersey: Rutgers University Press), 21.



government authorities. Movies, the majority decision affirmed, were “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.”<sup>56</sup> This decision stripped movies of the freedom of speech guarantees of the First Amendment and allowed states and localities not only to censor existing films, but to exercise prior restraint against the content of films in production.

Determining whether the concern over silent films accurately reflected their content can be a difficult task, since only 20 percent of the pictures produced during the era survived.<sup>57</sup> To some extent, historians managed to reconstruct films through surviving production stills, scripts, diaries and studio notes. Many, though, exist only as ads and reviews in newspapers and trade magazines like *The Moving Picture World* and *Harrison’s Reports*. A Lower East Side Manhattan exhibitor in 1907 said that his audiences craved “blood-and-thunder melodrama” while a manager at a 116<sup>th</sup> Street theater craved more literate fare for his customers.<sup>58</sup> By 1913, feature films started to replace the short subject films whose content and techniques still showed traces of their genesis in the nickelodeons.<sup>59</sup> Judging from the ads contained in the weekly editions of *The Moving Picture World* between 1913 and 1916, comedies, historicals, romances and literary adaptations dominated the marketplace.

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<sup>56</sup> *Mutual Film Corp. v. Industrial Commission of Ohio*, (236 U.S. 230), 1915.

<sup>57</sup> National Film Preservation Foundation, “Saving the Silents,” [http://www.filmpreservation.org/projects/saving\\_silents.html](http://www.filmpreservation.org/projects/saving_silents.html).

<sup>58</sup> Bowser, *The Transformation of Cinema*, 3.

<sup>59</sup> Bowser, *The Transformation of Cinema*, 213

Evidence does point out to violence, drugs and sexual themes playing a significant role in early silent films. In his history of the social problem films of the silent age *Behind the Mask of Innocence*, Kevin Brownlow notes that from their earliest inception silent films explored the concerns and realities of the inner city audiences they attracted. Filmmakers wrapped their simple melodramas around questions of morality of poverty, sexual rebellion, political and economic repression and the many slights and injustices suffered by the poor, immigrants and women at the hands of the elite. Villains of these early films often took the form of corrupt policemen, cruel factory owners and immoral clergy, and politicians. The one and two reel films often drew their inspiration from the day's headlines and reflected the concerns of urban reformers and the working class, to the point that a member of the Canadian parliament denounced their importation into his country on the grounds that they would inspire the working classes to revolt.<sup>60</sup>

Just as disturbing to many in the middle and upper classes, filmmakers frequently relied on sex to sell their films during the silent film era. Brownlow notes that filmmakers became expert at justifying ways to show nudity that deflected the moral purity advocates. In one instance, a 1916 American Film Company picture titled *Purity* revolved around the creation of the memorial coin for the San Francisco Exposition. In the course of the film, the director managed to "show as much as was possible" of the nude figure of the model for the coin, Audrey Munson.<sup>61</sup> Other filmmakers like D.W. Griffith and Cecil B. DeMille used the pretext of historical or biblical accuracy to justify the use of fully nude actresses and dancers in their screen epics

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<sup>60</sup> Kevin Brownlow, *Behind the Mask of Innocence*, (New York: Alfred A. Knopf, 1990), xvi.

<sup>61</sup> *Ibid.*, 7.

Some of the Victorian models of literature carried over to the new medium. For example, the fallen woman genre popular in novels and magazine exposes during the late nineteenth century appeared in films like *Romance of a Gypsy Camp*, which featured a gypsy girl who ended her life when she discovered her lover already had a wife.<sup>62</sup> Dating from the early nineteenth century, the rhythms of this genre would have been familiar to most early twentieth century audiences. A good woman gives into sexual temptation and loses everything. The climax almost invariably comes when the ruined woman either takes her own life or dies tragically in the gutter. In “The Rise of the Fallen Woman,” Nina Auerbach notes that these morality tales could “punish women more effectively for an offstage and unnamed trespass than civilized society was permitted to do” while still maintaining a sense of pity for the unfortunate lost soul.<sup>63</sup>

In her study of the image of women of film *From Reverence to Rape*, Molly Haskell observed that the image of women in silent era film often owed more to Victorian values than to the emerging image of the “new woman.” Their content existed in an uneasy state of flux between the two conceptions of sexual morality.<sup>64</sup> Filmmakers in the 1910s often sought to create dramas that indirectly undercut the fallen woman model. In *A Slave to Satan*, a banker’s daughter grows bored of her daily routine and becomes an artist’s model under an assumed name. When the artist falls in love with her, she spurns his advances. The spurned artist, who learns her identity through some

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<sup>62</sup> Andrea Friedman, *Prurient Interests: Gender, Democracy, and Obscenity in New York City, 1909-1945*, (New York: Columbia University Press, 2000), 27.

<sup>63</sup> Nina Auerbach, “The Rise of the Fallen Woman,” *Nineteenth-Century Fiction*, Vol. 35 (June, 1980), 50.

<sup>64</sup> Molly Haskell, *From Reverence to Rape: The Treatment of Women in the Movies*, (Chicago: The University of Chicago Press, 1987), 44.

unmentioned twist of the plot, tells all to her father and the woman finds herself driven from the family home by her enraged father. After wandering the streets, the woman succumbs to hunger and collapses. The artist discovers her and, upon regaining consciousness, she realizes the error of her ways and reciprocates his love.<sup>65</sup>

For the *Quality of Mercy* the filmmakers concoct an equally convoluted plot to simultaneously play out and undermine the fallen woman template by way of the equally tired corrupt city slicker versus naïve country girl device. A devious city man concocts a scheme to deflower an innocent country girl by faking a marriage through the use of a fake minister. His more honest friend disapproves of the scheme and swaps the fake minister for a real one. After the wedding night, the man abandons the pregnant girl to ostracism in her rural community, who somehow learn of the illusionary nature of the marriage. As the film draws to a close, the evil urban seducer and friend die in a car crash, a country boy falls in love with the girl and agrees to marry her and take care of her bastard child. The real minister from the previous ceremony shows up to marry the couple, the community learns that the girl is actually a widow and the baby is not illegitimate.<sup>66</sup> Whether the creators of these films intended them as a subversion of the fading sexual order or as a way to introduce tension by playing on audience expectations based on a creaky, overly familiar literary device, the evidence does not say.

#### WHITE SLAVERY AND THE BIRTH OF CENSORSHIP

Urban reformers like settlement house founder Jane Addams often mentioned the destructive effects of depictions of violence and drug use on children, concerns over sexual content provided the thrust that drove the censorship movement. In her 1909 book

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<sup>65</sup> *Moving Picture World*, "A Slave of Satan," 13 Nov. 1913, 596.

<sup>66</sup> *Ibid.*, "Quality of Mercy," 24 Nov. 1913, 835.

*The Spirit of Youth and City Streets*, Hull House director Jane Addams condemned the movies for filling children's heads with a false view of the world and morality. Like many early critics of the movies, Addams condemnation of the motion pictures flowed not from their content, but from their possible effects on the audience in the abstract.<sup>67</sup> Addams actually screened motion pictures in her settlement house in the belief that they would attract and educate her immigrant clientele.<sup>68</sup>

Addams lobbying convinced Chicago officials to create a censor board in 1907 that became known as the harshest in the United States. In fact, many of the complaints Addams laid against the movies directly echoed her attacks on the stage theaters that produced plays that appealed to the working class, including her recycling of an anecdote about children committing robbery to pay for tickets to a show.<sup>69</sup> Both in her transformation from embracing the possibility of the medium to enlighten audiences if properly managed by "responsible" censors and in her centering her criticism of film content on its effects on children, Addams' 1907 Chicago campaign became the template for decades of movie censorship efforts. Seven years after Addams' efforts, Ohio created a statewide board of censors. When interviewed, one of the censors explained the censorship urge by saying "Do you know what is at the bottom of all the censorship agitation? I will tell you: it is the child and the mother of the child. If there were no

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<sup>67</sup> Jane Addams, *The Spirit of Youth and City Streets*, (New York: Macmillan Company, 1909), 74-80.

<sup>68</sup> Eileen Bowser, *The Transformation of Cinema, 1907-1915*, (New York: Charles Scribner's Sons, 1990), 38.

<sup>69</sup> Addams, *The Spirit of Youth and City Streets*, 74-80.

motion picture theaters in the residential sections, where children compose so large a part of the audience there would be none of this demand for censorship.”<sup>70</sup>

Other northern reformers followed Adams’s lead, pointing to film vice as a corrupting influence in the turbulent world of turn-of-the-century urban America and local and regional politicians responded. When religious and reform groups’ condemned the influence of overly sexual films on minors, New York City Mayor caused an early legal clash when he revoked the licenses of all of the city’s 500 theaters on Christmas Day, 1908.<sup>71</sup> The theater owners received an immediate injunction from a city judge allowing them to keep the projectors on, and another judge overturned the ban in its entirety. Even with the legal victories, the movie industry decided the time had come to act against its opponents. The New York City controversy led to the creation of the National Board of Censorship [later Review] of Film, designed to act as a cultural arbiter between the motion picture industry and the audience. The New York City’s Mayor’s Office turned to the People’s Institute, an institution founded in 1897 by Charles Sprague Smith to teach American, middle-class civic and cultural values to immigrant and working class workers. As Janet Staiger notes in *Bad Women*, the role of the National Board of Censorship encompassed not only the explicit mission to regulate specific incidents and themes, but also an understood mission to uphold the traditional American middle class view of women and sexuality. As the National Board developed its reviewing criteria, this mission began to shift into one that promoted protecting legitimate artistic expression, furthering the schism between the NBR and moral reformers.

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<sup>70</sup> W. Stephen Bush, “The First American Censors,” *Moving Picture World*, Jan. 1914, 26.

<sup>71</sup> Friedman, *Prurient Interests*, 26-27

The National Board of Censorship had its first test with the “white slavery” films that began to appear in 1913. The “white slavery” films, which featured shady immigrants luring innocent girls into forced prostitution, employed the familiar sensationalist tactic of deploring a situation in the most lingering, voyeuristic manner possible. The National Board reviewed these films and, after listening to several Progressive reformers, determined that they provided a valuable social service by exposing a legitimate problem plaguing American society.<sup>72</sup> These films came in wake of a *McClure’s* magazine article detailing an epidemic of Jewish men abducting unsuspecting innocents into the life of a prostitute. The panic caused by this article spawned a minor industry, with books, pamphlet, movies and magazines detailing the horrors of beautiful young women forced into a life of sexual service. At the urging of panicked middle class Protestants, Congress rushed passage of the Mann Act, which prohibited a man from crossing state lines with a woman for illicit purposes. The WCTU and the IRB strongly supported the bill. Rushed into law at the end of a long, tiring legislative session, the Mann Act passed into law without much public comment. Like the Comstock Act before it, the moralists who urged passage of the act would began to lobby for its application to uses Congress had neither intended nor foreseen, such as prosecuting adulterous and unmarried couples who crossed state during their affairs.<sup>73</sup>

The first “white slavery” films by the major studios proved extremely popular, leading to a glut of films on the subject. Increasing lurid, this films snuck in female nudity and strongly suggested sex packaged between moralistic denunciations. With a couple of exceptions, The National Board passed all of them. As the city’s religious and

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<sup>72</sup> Ibid., 47-57

<sup>73</sup> Morone, *Hellfire Nation*, 260-268.

civic leaders squared off with the National Board about the films, reformers began their own investigation of the crisis.<sup>74</sup> Progressives went into the nation's brothels and found, to their increasing discomfort, that they could not find any kidnapped women. Instead, they found women who entered the life to escape abusive fathers, poverty and bad marriages. For many of the women, economics, not swarthy foreigners, provided the lure. A working class woman could earn several times as much in the trade than she could make in a factory.<sup>75</sup> While these findings started to see print, the National Board's defense of the "white slavery" genre had morphed into a stand-off about nudity. In 1914, the National Board issued a statement declaring "frank exposure of the person is much less objectionable than the exposure which is partly hidden and partly revealed." Under intense pressure from religious groups, who had come to see the National Board as an adversary, the Board finally reversed its position on nudity in 1917.<sup>76</sup> The nature of the National Board's response to the "white slavery" films would define its relationship with censorship advocates for the entirety of its existence as a nationally relevant institution.

That an organization founded by socially Progressive reformers should fall out of favor with religious reformers should not surprise, given their differing goals and ideologies. Concerns over motion pictures arose in an era when the agendas of Progressive and religious critics of society shared numerous goals. Reformers on both sides opposed corporate monopolies and unfair wages, suffrage and regulation of food and medicines, looking for government at every level to enact changes. In an example of how the aims of the two strains of American reform can come together and separate on an

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<sup>74</sup> Friedman, *Prurient Interests*, 47-51

<sup>75</sup> Morone, 269-271.

<sup>76</sup> Friedman, 45.



issue, *Hellfire Nation* author James Morone described the reformers response to the white slavery “moral panics” that partially led to Mayor McClellan ordering all of New York City’s theaters to close. Since the early audiences for these films in New York and its northern urban neighbors came primarily from working class immigrants, many reformers came to view the movie theaters as one more form of urban corruption. As the nation transformed from a rural agrarian economy to a modern industrial one, unrest at the pace and nature of the change swelled up from the Protestant middle classes. For the most part, those who spoke for these “real Americans” traced their unease to the habits of immigrants flooding urban areas to provide labor for the new factories, mixed with the perennial American concern about race.<sup>77</sup> A 1910 study found that three-fourths of those attending the movies came from the working class.<sup>78</sup>

This situation change in the 1920s, as the association between immigrants and movies faded in the face of national adoption of the moving screen as a past-time suitable for the entire family. When sociologists Robert and Helen Merrell Lynd probed the inner life of the residents of a “typical” small American city in Muncie, Indiana, they found that movies had become a fixture of middle-class American life. By 1923, the city had nine motion picture theaters, drawing an audience that composed the majority of the city’s working and middle class population. As in the urban sphere, children and teens flocked to the theaters, but the city’s business class families actually attended more often

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<sup>77</sup> James Morone, *Hellfire Nation: The Politics of Sin in American History*, (New Haven: Yale University Press, 2003), 277-283.

<sup>78</sup> Kathy Peiss, *Cheap Amusements: Working Women and Leisure in Turn-of-Century New York*, (Philadelphia: Temple University Press, 1986), 146.

than their laboring class neighbors.<sup>79</sup> Perhaps more worrisome for the religious reformers, audiences sought out franker depictions of sexuality in their movie pictures and other media.<sup>80</sup> As in Middletown, the motion picture in the 1920s became a staple of the urban and small-town southern life, bringing with it a new wave of censorship battles as advocates on both sides attempted to center their campaigns on an old battleground, the welfare of the child and the role of the mother.

The campaign for movie censorship began in the North and the majority of its constituency flocked to the issue because of its relevance to other northern debates, primarily the social unease caused by the influx of immigrants and unskilled laborers into the nation's largest cities. These issues did not have the same constituency in the South, but the region did have strong constituencies concerned about religious immorality and the dangers of modernization. Southern leaders had embarked on a renewal scheme to transform the old South of plantations and sharecroppers into the "New South" of factories and modern conveniences. Northern activists like Wilbur Crafts hoped that the message against the movies could be modified for southern audiences. The movie industry and its allies such as the National Board of Review hoped that they too could build a southern constituency opposed to federal censorship efforts. The 1920s would see the two sides square off in a public relations campaign designed to influence state and federal legislators on the issue of whether the government had a role in policing the movies.

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<sup>79</sup> Robert Lynd and Helen Merrell Lynd. *Middletown: A Study in American Culture*, (New York: Harcourt, Brace and Co., 1957), 263-264.

<sup>80</sup> *Ibid.*, 241-242.

“TO PROMOTE THE BETTER FILM”: WOMEN’S CLUBS, STATE CENSORSHIP  
AND THE AMERICAN SOUTH, 1920-1926

In 1920, an article appearing in the *Atlanta Constitution* noted that the local chapters of the WCTU strongly supported any effort by local legislators to clean up what appeared on the screens of the state’s movie houses. The newspaper noted that supporters of the bill included not only the members of the WCTU, but also their allies in “five leading woman’s organizations.”<sup>81</sup> Similar efforts of the WCTU and its allies had succeeded across the Northeast. Due to the efforts of the censorship advocates, the state governments of New York, Pennsylvania, Maryland, Ohio, Massachusetts, Virginia, Louisiana and Kansas, along with various municipalities and counties, created censoring boards that reviewed and passed films for local markets between 1908 and 1921. In making the appeal for the laws creating these boards, censorship opponents frequently couched their arguments as attacks against the New York based National Board of Review.

In response, the National Board of Review began a campaign of its own to win the support of southerners in its fight against legal censorship. Through lectures, correspondence, newspaper editorials and direct lobbying of local and regional politicians, the National Board of Review attempted to turn the debate against the groups that had formed against the industry in the 1910s. Board secretaries drafted plans that copied the methods and rhetoric of its primary political adversaries in the region, the Protestant woman’s groups. The National Board often adopted the tactics of its adversaries, including sending female speakers on a drive through the South in the 1920s

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<sup>81</sup> “Georgia Women Arise Against Censorship Proposal,” *Atlanta Constitution*, 21 July 1920.

that mirrored WCTU President Frances Willard's speaking tours of the region at the end of the nineteenth century and adopted much of the WCTU's message on the importance of women being the driving force behind cleaning up the screens, although modified for the anti-censorship cause.<sup>82</sup>

The focus on women's clubs also relied on an mental association formed in the last century partly as a result of the WCTU's efforts. The WCTU promoted women as the mothers of the community with the moral authority to regulate the moral content not just of the home, but of the community at large. Civic clubs remained an active part of American life in the first decades of the twentieth century, in every region of the country. In their study of the "typical" small town in the early 1920s, sociologists Robert and Helen Merrell Lynd found that not only did women's clubs remain a vital force in the community, but that they had actually become more active. Middle and upper class women gravitated toward the clubs in higher numbers, but the organizations also attracted women from the working class.<sup>83</sup>

The NRB and the studios targeted the South in particular because the region had not embraced legal censorship at the state level. The different demographics and the smaller numbers of screens per capita in the region had insulated it from the immigrant-based battles that had led to censorship in the industrial North. However, the campaign to censor motion pictures in the 1920s flowered outside the South and began to make inroads in southern legislatures. By 1921, thirty-seven state legislators including North

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<sup>82</sup> Anne Firor Scott, *Natural Allies*, (Urbana and Chicago, Illinois: University of Illinois Press, 1993), 102.

<sup>83</sup> Robert and Helen Merrell Lynd, *Middletown: A Study in American Culture*, (New York: Harcourt Brace, 1957), 276.

Carolina and Georgia had taken up debate on censorship bills.<sup>84</sup> As secular Progressive reformers came to see the film industry as a source of corruption instead of education, a growing number of religious and civic organizations aligned themselves with the International Reform Bureau and the Woman's Christian Temperance Union in their quest for federal censorship. Their voices swayed legislatures and led to increased negative publicity for Hollywood.

With record profits and business interests in every city in America, the film industry began its nationwide campaign to change the nature of the rhetorical war by indirectly and directly influencing the nation's women's clubs. By adopting the strategies and discursive techniques of their foes in the Protestant lobbying organizations and woman's groups, Hollywood and its allies like the National Board of Review of Motion Pictures crafted a message that they hoped would change the public's mind about the film industry and the need to regulate its content.

The National Board came into existence as a bulwark against censorship advocates and took upon themselves the task of overseeing 90 percent of all the films shown commercially in the United States. Criticism of the industry continued, though, and the National Board undertook a quiet lobbying campaign to stop lawmakers from interfering with the industry. While these efforts took place in meeting halls, legislatures and newspapers across the nation, the anti-censorship advocates paid special attention to the women's clubs in the South. In much of the nation, these women's clubs, mostly Protestant and often led by middle and upper middle class women, came from the rural and small town Protestant elites who felt threatened by a medium they associated with

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<sup>84</sup> Ruth A. Inglis, *Freedom of the Movies: A Report on Self-Regulation from the Commission of Freedom of the Movies*, (Chicago: University of Chicago Press, 1947), 70.

urbanity, immigrants and Jews. Historian Francis Couvares' "Hollywood, Main Street, and the Church" located the majority of the industry's critics among these unsettled rural elites and saw the emergence of the Catholic Decency League and Hollywood studio-based Hays Office not as the result of a collision between the values of Catholicism and Hollywood, but as a mutual embrace against the multitude of Protestant voices whose calls for censorship had dogged the film industry from its beginnings.<sup>85</sup> In the American South, the clash between the immigrant-allied motion picture industry and its white, middle-class allies was complicated by the fact that a different pattern of theater attendance and ownership arose in the region, one where the majority of both the audience and theater owners came from the middle classes.

The National Board of Review realized that the best solution for preventing the type of legislative censorship that had swept through the Northeast came in wooing these middle class audiences by influencing the civic-minded women among them. Women already played a large role at the National Board. Of the 233 volunteers who reviewed films for the NBR, 156 were women. Of these women, one-hundred and fifteen were married and 60 of the women had children.<sup>86</sup> On June 10, 1916, General Secretary for the National Board of Review of Motion Pictures O.G. Cocks drafted a letter to a librarian at the Newark Museum in New Jersey. The recipient, Louise Connolly, worked in the field of visual instruction and had written approvingly of the educational possibilities of motion pictures. Her relationship with the NBR dated back to the

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<sup>85</sup> Francis G. Couvares, "Hollywood, Main Street, and the Church: Trying to Censor the Movies Before the Production Code," *American Quarterly* 44 (December 1992): 584-615.

<sup>86</sup> William Hathaway Boatwright. "A Study of Selected Proposals to Establish a Federal Motion Picture Censorship Commission in the United States from 1914 to 1934." University of North Carolina at Chapel Hill, 1977, thes., 337.

organization's founding. In the letter, Cocks asked if Connolly had any interest in assisting the board in creating an outreach program that "includes the establishment of sane standards, constant selection of pictures, continuous publicity, assistance to various cities and towns and the selection of subjects for films to the motion picture producers."<sup>87</sup> She responded to the letter the next week and began preparing a lecture program that would promote the good works of the National Board and the various evils of legal censorship.<sup>88</sup>

That the NBR's rhetoric and tactics resembled that of the censorship advocates was partially through design, but also the result of the similar motivations of the two groups. The civic clubs were good audiences for the message of both groups and targeting them made tactical sense, but both the WCTU and the NBR also sprang from the same civic-mindedness that led to the creation of both the Protestant groups and the women's clubs. The National Board began its existence as an offshoot of the People's Institute, a New York settlement house agency founded by Charles Sprague Smith in 1897. The People's Institute focused its efforts on educating immigrants and the working class in order to assimilate them into mainstream American society. To that end, the Institute offered adult education classes in literature, health and hygiene, science and other subjects, as well as craft guilds, music appreciation societies and theater companies.<sup>89</sup> It is telling of the associational relationship in urban American between

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<sup>87</sup> Letter from O.G. Cocks to Louise Connolly, June 10, 1916, National Board of Review of Motion Picture Archives (NBR).

<sup>88</sup> Letter from Louise Connolly to O.G. Cocks, June 17, 1916, NBR.

<sup>89</sup> People's Institute Records, (New York: New York Public Library, 2003), 5.

immigrants and the movies that, in the midst of a 1908 censorship controversy, New York City Mayor George McClellan turned to the group to clean up the movies.

As Larry May observed in *Screening Out the Past*, the structure and mission of the National Board owed much to Victorian Protestant values. The National Board relied on a staff of 113 female volunteers to screen the films, but their efforts had to pass the approval of an all-male executive committee, so that “men had the ultimate authority, but women were the moral guardians who enforced the code.” The National Board self-consciously chose its volunteers and committee members from the middle and upper middle class, to better reflect the standards of the general public. While a small number of Jews served with the National Board, its values and judgments reflected the values of the Anglo-Saxon “democratic family.” Its rhetoric and ambitions reflected the organizations genesis in the center of the Progressive movement, in particular its belief that it represented the view of “the great civic majority ... the eight-tenths lying above the depraved and submerged tenth, and beneath the few who belong to the moneyed aristocracy.”<sup>90</sup> While the original name and purpose of the organization revolved around censorship, the National Board soon changed both its name and motivation. In 1916, the National Board adopted the slogan “selection not censorship” as part of its evolution toward the rhetorical stance that the true path to improving the industry lay in educating the public to appreciate more artful product.<sup>91</sup>

The NBR’s campaign adopted as its core the idea that the nation’s women had the primary duty and ability to oversee the film industry. The campaign would rely on the

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<sup>90</sup> Larry May, *Screening out the Past: The Birth of Mass Culture and the Motion Picture Industry*, (New York: Oxford University Press, 1980), 54-55.

<sup>91</sup> Charles Matthew Feldman, *The National Board of Censorship (Review) of Motion Pictures, 1909-1922*, (New York: Arno Press, 1977), 155.



efforts of NBR-allied women's clubs to convince movie theaters to set aside blocks for the screenings of films made for children, write reviews of approved films in local newspapers and lobby for a greater role for female oversight instead of censorship legislation among their local politicians. This rhetoric did not deny the immorality of Hollywood's output. Instead, it attempted to shift the role for dealing with it out of the political realm, sidestepping the normal rhetorical devices of the reformers. In *Hellfire Nation*, James Morone observed that the rhetoric of Protestant moral reform in the United States invariably revolved around four core issues: "the woman's role in society, lust, dangerous people at the gate (with bad blood and low morals), and moral traps for the children."<sup>92</sup> While many secular reformers did not embrace the entirety of this discourse, they often exhibited parallel concerns. The movies and the worldview they revealed sat at the axis of these concerns. Jane Addams, for instance, followed her worries over the effects of obscene plays and movies on children into support for a Chicago board to censor film. The WCTU saw the movies as existing on a continuum with immoral plays and literature that degraded womanhood. For Wilbur Crafts and his International Reform Bureau, the movies fit neatly into his narrative that immigrants and non-Christians threatened the foundations of American society. Ministers, clubwomen and theater owners in rural America objected to the sexual content of movies. The majority of those fighting what they saw as the movie's corrosive and alien influence on their society shared some measure of each of these concerns.

Like Addams, the WCTU framed their message around concern for the children and the home. In 1906, the editors of the organization's house paper *Union Signal* issued

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<sup>92</sup> James Morone, *Hellfire Nation: The Politics of Sin in American History*, (New Haven: Yale University Press, 2003), 222.

a warning that the nickelodeons needed reform, noting that the sensational nature of the films undermined traditional values.” While other reform societies like the General Federation of Women’s Clubs welcomed the theaters and nickelodeons as a positive alternative to the saloons, the WCTU continued a steady campaign against the movies that would lead it to rename its Department of Purity in Literature and Art into the Motion Picture Department in 1925. While the WCTU and other Protestant groups like Craft’s International Reform Bureau would experiment with making films to their own tastes, the experiments would prove fleeting. Whether through unhappiness with their product or the growing realization that the growing studio control of the nation’s theaters prevented audiences from ever seeing their efforts, most of these groups abandoned these efforts. Between 1925 and 1933, film censorship became the primary focus of the WCTU.<sup>93</sup>

Librarians like Louise Connolly had long experience dealing with the censorship activities of groups like the WCTU. Questions of how to handle “immoral” literature while keeping the patrons happy roiled the American Library Association in the nineteenth century.<sup>94</sup> At least in her public life, Connolly came down firmly against the moral purifiers. Before the National Board enlisted her services, Connolly had worked for woman’s suffrage, lectured to support her educational work, and served a stint as the superintendent of the Summit, N.J. public school system from 1906 to 1910.<sup>95</sup> She also had long experience working with the National Board, since she had served as one of its

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<sup>93</sup> Alison Parker, *Purifying America: Women, Cultural Reform, and Pro-Censorship Activism, 1873-1933*. (Urbana: University of Illinois Press, 1997), 136-155.

<sup>94</sup> *Ibid.*, 109.

<sup>95</sup> *Louise Connolly*, (Newark: Newark Public Library and Museum, 1928), 14.

founding members and was appointed as a member of the Moving Picture Commission of New Jersey.<sup>96</sup>

The appointment to the New Jersey commission occurred as a result of Connolly testifying on the educational benefits of motion pictures and the dangers of censorship on the National Board's behalf before the body.<sup>97</sup> On Connolly's sudden death in 1927, the NBR executive secretary Wilton Barrett described her as "one of the foremost exponents of freedom for the motion picture screen and a program of liberal advance looking toward the realization of cinema art as inspiring entertainment and visual education."<sup>98</sup> To what extent Connolly shaped or reflected the NBR's rhetoric is not clear, but her insistence of focusing on the artistic and educational aspects of film instead of the realities in the cinema and in linking government censorship with the totalitarian impulse and corruption mirrors the shape of the anti-censorship discourse followed by the National Board during the 1920s and early 1930s.

In its southern campaign, the National Board would rely on three separate efforts to forestall legislative attempts to censor film content. Publicly, the National Board would write to newspapers, local leaders and theater owners and send its acting director and other agents to the region to plead the case against legislating censorship. Outside of those efforts, advocates like Connolly would tour the South giving lectures on the evils of film censorship, keeping their financial ties to the NBR a secret to most of their audiences. More covertly, the NBR allied with the southern film industry to create a

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<sup>96</sup> Ibid., 26.

<sup>97</sup> "Notes," *Moving Picture World*, 5 Nov., 1913, 719.

<sup>98</sup> Louise Connolly, 27.

network of seemingly independent women's clubs named the Better Film Bureaus which would advocate the NBR's preferred stance on censorship.

The National Board of Review's recruitment of Connolly and women like her to act as advocates on the NBR's behalf mirrored the tactics that had brought several reform efforts to fruition in the South. With the aid of these women, the National Board of Review copied the success of its primary political adversaries in the region, the Protestant women's groups that had rapidly expanded in the South after the Civil War. The WCTU's focus on the clergy and woman's clubs may have developed out of mutual affinity among like-minded groups, but efforts among these groups had spurred change in the region in two previous reform battles. The South's enthusiastic embrace of Prohibition germinated in the churches and clubhouses. When Irene Ashby took the American Federation of Labor's struggle against child labor to the South in 1901, she first built her support through these avenues and left it to the ministers and clubwomen to lobby their legislators.<sup>99</sup>

Women's clubs in the South date back to at least the early nineteenth century. The first of these organizations appeared as Protestant benevolent societies aimed raising money for the poor, supporting missionary work and other activities deemed to fall within the nurturing and civilizing sphere allowable to middle class nineteenth century women.<sup>100</sup> The Woman's Christian Temperance Union had chapters in the South dating back to the 1890s and had won battles on prohibition, clerical control of woman's groups and woman's suffrage. Unlike many Protestant woman's groups, the WCTU recruited

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<sup>99</sup> Edward L. Ayers, *The Promise of the New South: Life After Reconstruction*, (New York: Oxford University Press, 1992), 414-415.

<sup>100</sup> Anne Firor Scott, *Natural Allies: Woman's Associations in American History*, (Urbana: University of Illinois Press, 1993), 19.

black members and the South and immigrant members in the North.<sup>101</sup> Their members frequently had letters and articles printed in the region's newspapers and had personal relationships with state and federal legislators. Like other reformers such as New York Civic League head and Episcopal Canon William Sheafe Chase and Crafts, the WCTU turned its attention initially to a campaign of criticism against the National Board of Review of Motion Pictures.

The nation's women's reform societies did not have a unified position on the censorship issue. From its earliest days, the NBR had counted women's groups among its strongest supporters. In particular, the million member strong General Federation of Women's Clubs worked closely with the board. GFCW members had toured the country as advocates for the National Board and its National Committee for Better Films program and its association with the NBR lent legitimacy to the National Board's position as an independent arbiter of the film industry.

The alliance did not survive into the 1920s. Its dissolution occurred publicly and bruised the National Board's reputation nationwide. In response, the National Board decided to insulate its Better Films movement by bringing its members under their control, not rely on unreliable independent organizations. The break with the GFWC had surprised the board, although it did not come suddenly. The continuing agitation against the NBR in the press over the previous decade had steadily weakened its alliances with the GFWC, leading to a decisive break between the Federation and Board in 1918. At the 1918 convention, the General Federation voted unanimously to endorse federal

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<sup>101</sup> Ibid., 102-103.

ensorship.<sup>102</sup> The alliance had fallen apart partially because of blunders made by the NBR and other Hollywood allies. The first major crack in the alliance came in the wake of a speech by Jacob Binder, executive secretary of the Motion Picture Board of Trade of America, in July 1915 to the National Exhibitors League in San Francisco. Jacob told the assembled audience that the NBR knew how to manage politicians. The true danger came, then, from a “second class” of “ignorant [...] but sincere” reformers who could not be reached through reasons or coercion. The NBR, he said, is “organizing propaganda to reach this second class.”<sup>103</sup>

Along with upsetting many politicians, Binder’s statement offended GFWC members, some of whom felt they belonged to the “second class” and caused some to question whether the Better Films movement served merely as the industry “throwing a bone to the women.”<sup>104</sup> These questions came to a head after the General Federation’s Biennial Convention in 1916, when members agreed to conduct a survey of motion pictures at the local level. The General Federation’s concerns followed the results of such a survey in Chicago by the Chicago Political Equality League of 1,765 films. The Chicago group found only 20 percent of the films worth qualifying as good, with the rest “bad or not worthwhile.” The General Federation agreed to conduct similar surveys in South Dakota, Arkansas, New York, Michigan, Rhode Island and Virginia.<sup>105</sup> The GFWC announced its final separation with a 1918 pamphlet that blasted the NBR for using the women’s clubs to provide “camouflage” to the industry’s evils. The literature

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<sup>102</sup> Florence Butler Blanchard, *Censorship of Motion Pictures*, 1919.

<sup>103</sup> Charles Matthew Feldman, *The National Board of Censorship*, 139-140.

<sup>104</sup> *Ibid.*, 140.

<sup>105</sup> *Ibid.*, 140-141.

and bulletins sent by the NBR only provided “harmless busy work” for reform minded women. In addition, the pamphlet charges that the NBR:

[H]ave persistently captured local movements for better motion pictures. They have sent their speakers out over the country using the letterheads of our own and other kindred organizations. By devious and misleading propositions, they have befogged the thinking, befuddled, delayed, diverted, emasculated and perverted the activities of many club women honestly interested in a crusade for better motion pictures.<sup>106</sup>

With the pamphlet, the GFWC reframed the rhetoric and goals of the NBR from the high-minded altruism claimed by the National Board to one of cheap propaganda on behalf of a dishonest industry. Drawing from this experience, the National Board changed direction. Instead of jettisoning the tactics that led to the split with the independent women’s clubs, the directors of the National Board decided to ditch its dependence on the independent clubs.

#### INTO THE SOUTH

The National Board knew it had to recruit local allies in its fight against censorship and recruited women like Connolly to aid in the task, either working directly through the board or acting as semi-independent proxies for the board through its newly reorganized Committees for Better Films. The Committees for Better Films movement originated from the October 31, 1916 report of a committee formed to study the National Board’s next steps in the censorship wars. The committee concluded that the best hope the NATIONAL BOARD OF REVIEW had of spreading its message would come not just from allying with sympathetic but independent groups which, as the experience with The General Federation of Women’s Club’s demonstrated, could prove unreliable allies,

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<sup>106</sup> Florence Butler Blanchard, General Federation of Woman’s Clubs, “Censorship of Motion Pictures,” 1919.

but in the creation of a new network of women's clubs that would receive direction from the board's offices. In the South, this would require the recruitment of allies and the building of a grass roots voice in the board's favor. As Mrs. Wood Allen Chapman of The Committee on Community Cooperation of The National Committee for Better Films wrote to Asheville, N.C. clubwoman Mrs. S. Elizabeth Bolton, "This organization recognizes the paramount importance of southern women in establishing fine home standards for motion picture entertainment and in their power to influence the thought of their communities."<sup>107</sup>

The 1916 report highlighted the idealistic face of the new committees – to be known as the Committees for Better Films. The first draft of the report stressed the ways these local groups would uplift the standards of film by recognizing and publicizing the most artistic and worthy films. Not only could these committees encourage the better instincts of the industry by improving the tastes of adult theatergoers, but they also could work to create children's matinees that would focus on educational and entertaining films created solely for the children. Buried among the idealism, though, the report contained more pragmatic reasons for this move. Noting the growing antagonism to the board and the industry by the coalition of Protestant ministers and women's clubs, the report stressed the importance of the board harnessing the public discontent over the content of film. The coalescing of some sort of consensus toward action was "inevitable" the report notes, and if the International Reform Bureau did not harness this discontent, someone

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<sup>107</sup> Letter from Mrs. Wood Allen Chapman for The Committee on Community Cooperation of The National Committee for Better Films to Mrs. S. Elizabeth Bolton, Asheville, N.C., Oct. 8, 1921, NBR.



else would.<sup>108</sup> The motto it would adopt for the Committees for Better Films “Promote the Best. Ignore the Rest” defined the approach. NBR advocates and agents like Connolly stressed the idea that if the public had a guide to the better films, it would choose to patronize these movies to the extent that the ignoble strains of motion pictures would eventually die out. To achieve this end, the NBR published lists, magazines and pamphlets such as *Motion Picture Aids to Sermons, Pictures Boys and Grown-Ups Endorse, Best Motion Pictures for Church and Semi-Religious Entertainments* and the *Monthly List of Selected Pictures*.

For decades following their establishment, the committees worked as a combination subscriber base and advocacy club in communities outside of the nation’s major metropolitan areas – although Better Films Committees also actively worked in cities like New York and Chicago, as well. Members paid yearly dues, part of which went to pay for local activities of the club and part went to the NBR. In return, the NBR sent each member a magazine filled with articles on how to promote better films, film reviews and testimonials from fellow Better Films members and weekly bulletins alerting members of worthy films.

National Board executives and agents frequently traveled the country speaking to Better Films meetings, sponsored visits by studio executives, directors and stars and arranged regional and national conferences so group members spread across the nation could congregate and share ideas. In some areas, the Better Films Committees operated as independent groups, while in others they were subsumed in larger woman’s organizations as Better Films subcommittees. The group’s motto “Promote the Best,

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<sup>108</sup> O.G. Cocks, “Report of the Sub-Committee on the Advisability of a Federation for Better Films,” Oct. 31, 1916, NBR.

Ignore the Rest” encapsulated the anti-censorship, pro activist slant of the organization. As part of this philosophy, the drive to create children’s matinees formed an integral part of the Better Films movement as it drew upon a direct appeal to women as mothers and the conscience for their communities. Members saw hundreds of movies a year and wrote articles for small town and regional papers suggesting film choices for adults and families. Along with the children’s matinees, members worked through the National Board to bring artistic and foreign films like Carl Theodor Dreyer’s *La Passion de Jeanne d’Arc* and Dimitri Buchowetzki’s *Peter the Great* to small city audiences.

The NBR’s publications provided the direction. The *National Board of Review Magazine*’s reviews captured the tone behind the enterprise. Its rapturous review of the 1921 German Expressionistic silent *The Cabinet of Dr. Caligari* extolled the film as a “revelation and challenge. It is a revelation of what the motion picture is capable of as a form of artistic expression [...] If the appreciation fails, the motion picture itself, and all that it has promised is in danger of failing.”<sup>109</sup> The publications tended toward the upbeat and positive, their editorial direction provided by the “promote the best, ignore the best” motto of the Better Films movement. Reviews pointed members toward artistic triumphs and, when they did warn viewers away from the film, often commented on the artistic merits anyway. In its commentary on the gangster genre given in a review of 1931 films *The Public Enemy* and *City Streets*, the magazine regretfully noted that “gangster pictures have more vitality in them than any other class of pictures beign made. Even the poorest

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<sup>109</sup> Stanley Hochman, *From Quasimodo to Scarlett O’Hara: A National Board of Review Anthology, 1920-1940*. (New York: Frederick Unger Pub., 1982), 12.

and most repellent of them are not likely to be dull – sordid, shocking, repetitious though they may be.”<sup>110</sup>

A year after the report recommending the creation of the Committees for Better Films, the NBR had recruited three committees in Georgia; two each in Alabama, Tennessee, and Virginia and single committees in North Carolina, Mississippi, and Louisiana. While this represented a fraction of the 86 Committees for Better Films that had formed by 1917, these few would receive special attention from the National Board.<sup>111</sup> Unlike states in the Northeast, no southern state had created a statewide censor board and the NBR intended for that not to change. The National Board’s political opponents had spent the 1910s gaining support in the South. In particular, the International Reform Bureau’s Wilbur Crafts had worked hard to ensure southern support for film censorship. He traveled throughout the state in the first part of the decade giving lectures on the immorality of the film industry, passing out literature and urging his audiences to write their representatives.<sup>112</sup> The WCTU established a larger presence in the South after Frances Willard’s lecture tours in the nineteenth century and its support provided a visible voice for pro-censorship ideas.

After these efforts, Louise Connolly found skeptical audiences for her first tour in 1920. Experience led her to change tactics. In some cities, she openly advocated for the National Board and spoke as its ambassador. For other more hostile bookings, she appeared billed as a visual educational librarian and studiously avoided mentioning her

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<sup>110</sup> Ibid., 144.

<sup>111</sup> Report on Committees for Better Films, National Board of Review, 1917, NBR.

<sup>112</sup> Ibid., 793.

ties to the Board. Always, though, she spoke against legalized censorship and advocated that women should take the lead role in policing what films the community, especially the community's children, should view. She used these tactics before thousands of audience members across the region. For the next two years, she would travel by train across South Carolina, Georgia, Alabama, and North Carolina giving lectures to woman's clubs, schools, churches and citizen's groups. In Georgia, she spoke to 450 men and 1,500 women, including motion picture men, clubwomen, school people, business and professional women and religious and welfare workers. On her 1921 North Carolina trip, Connolly visited 10 cities and gave 38 talks to religious groups, educators and general audiences at museum, lecture halls and movie theaters. Organizations like the Greensboro Woman's Club, the Woman's Club of Goldsboro, N.C. and the Savannah, Ga. Women's Federation invited her to speech before their meetings. Connolly even brought her message to a Fitzgerald, Ga. chapter of the WCTU. The National Board, or sources within the film industry, paid her expenses. At the end of her North Carolina trip, she itemized the cost of that single tour at \$718.25, which included food, lodging, train tickets and "two ginger ales to ladies on trains."<sup>113</sup>

Working in the region occasionally taxed Connolly's patience. Clubwomen who graciously invited her into their halls would react angrily when they realized she spoke against censorship campaigns, since many of the southern woman's organizations had come out in favor of legal, even federal, censorship. Connolly's view of the South also suffered from these engagements. Witty and acerbic, Connolly's reports to the NBR

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<sup>113</sup> Connolly, "Financial Statement for Miss Connolly," June 3, 1921, NBR.

mocked southern racism – alien to her in its vehemence – and found them overly parochial and close-minded.

Despite the women’s resistance, Connolly wrote that she made some traction with the argument that their duties as mothers and wives should translate to overseeing the content of motion pictures. This argument had stood at the center of the NBR’s work with women’s clubs for more than a decade. Not every group succumbed to the rhetoric. Connolly’s travels found “the most open minded were school people, club women and welfare workers. The most closed minds were among motion picture exhibitors and clergymen.”<sup>114</sup> Among the southern clergy, Connolly wrote, there was little hope of gaining support as they “simply lump movies with theatres, dances, and the Devil, and are *agin* them all.”<sup>115</sup> She maintained a list of a handful of influential ministers and rabbis who seemed to, at least, listen to her arguments, if not completely agree with them. On the whole, though, she found it “almost impossible to get the southern clergymen to open his mind to any message, either educational or social.”<sup>116</sup> Describing the typical reaction of southern clergymen to her lectures, she wrote that she often met with clergymen whose minds she had no chance of swaying. These men, with “faces puckered into expressions of suspicion and minds evidently dead-set to resist any attempt” to argue with them in fear that Connolly might “hoodwink them as to the amount of blackness which Satan has besmeared over the movies with an intention to capture souls for himself through their sex feelings.”<sup>117</sup>

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<sup>114</sup> Connolly, Report of Work Done, July 3, 1921, NBR.

<sup>115</sup> Connolly, Report of Louise Connolly for North Carolina, Jan. 3, 1921, NBR.

<sup>116</sup> Connolly, Report of Work Done, July 3, 1921, NBR.

<sup>117</sup> Connolly, Report on the State of Alabama, 1921, NBR.

Ted Ownby's study of southern leisure habits in the period *Subduing Satan* suggests that the resistance of the clergy to Connolly's message may have come from their having heard it before. Picture shows had become a routine part of the carnival circuit early in the century and the barkers who sold their tent screenings often relied on a similar cant to Connolly. The early carnies had convinced ministers and congregations that the movies would serve to educate and enlighten, becoming a new avenue to bring people to the Lord. Clergy wrote of the marvels of the "moving photographs" and theorized at how best to use if for church purposes. When movie houses did open in the South, the Protestant churchmen and women lost their fervor for the technology in the face of a steady stream of pictures that challenged their worldview.<sup>118</sup> Support for censorship occasionally merged with this optimism about the medium. In 1916 letter to the *Charlotte (N.C.) Observer*, Rev. William Vines of the First Baptist Church offered an endorsement of national censorship with the observation that such a board offered "our only hope of eliminating from the motion picture its pernicious influence and saving for the world its marvelous educational potentialities."<sup>119</sup>

Connolly found that southerners had internalized every slight uttered by federal censorship advocates like the WCTU, Craft's International Reform Bureau, New York Civic League President Rev. William Sheafe Chase and Pennsylvania State Censor Ellis Oberholtzer – all of whom published their views in magazines, pamphlets, books, and through the lecture circuit. Allies and like-minded orators carried their message across the region. These speakers, and native prejudices, inculcated in southern audiences a

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<sup>118</sup> Ted Ownby, *Subduing Satan: Religion, Recreation, and Manhood in the Rural South* (Chapel Hill: University of North Carolina Press, 1990), 195-199.

<sup>119</sup> William Vines, "Favors a Board of Censorship." *Charlotte Observer*, 17 April 1916.

special loathing for the Hollywood trusts and the National Board of Review, whom they felt had willfully polluted their communities with obscene films. On several stops, she noted that her lectures followed in the heels of pro-censorship advocates, and she would have to spend her time countering the charges left behind. Among the many charges leveled against the National Board, Connolly found that the idea the Board operated as a front for the motion picture studios particularly hard to combat. This charge had received major public attention in the late 1910s, as several newspapers and magazine had published articles leveling charges that studios had the Board in their pocket.

Connolly found that southern audiences had strong, if contradictory, feelings about the movies. At Connolly's lectures, the question and answer sessions revealed "every kind of knocker thinks he is being slyly influenced for or against hatred of the Jew; they [the movies] teach Roman Catholicism, they are used to 'inflare the nigger;' but chiefly they increase sexual vice."<sup>120</sup> Despite her aversion to racism, she recommended promotional materials should remind southerners of the work of their native son D.W. Griffith and his pro-southern, pro-Klan films like *Birth of the Nation*, while downplaying mention of his anti-racism film *Intolerance*.<sup>121</sup> Connolly justified these tactics by noting "there is no such thing as using the argument of personal liberty and freedom of the press in this campaign. Only radicals without influence and a few intellectuals care anything about principles in this matter. The argument that tells is that the censors will be a center of graft."<sup>122</sup>

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<sup>120</sup> Connolly, Report of Work Done, July 3, 1921, NBR.

<sup>121</sup> Connolly, Report of Work Done, July 3, 1921, NBR.

<sup>122</sup> Connolly, Report of Work Done, July 3, 1921, NBR.

Such tactics had actually formed a central part of the NBR's outreach to southern censorship opponents before Connolly's trip. In 1917, NBR Executive Secretary W.D. McGuire drafted a letter to W.S. Lockhart of the Men's Federation of Louisville, Ky. McGuire's letter mixed appeals to reason with an appeal to southern prejudice. McGuire stressed that legislating morality differed from enforcing standards for the purity of commodities like food or industry because laws could not encompass reasonable differences of opinion in regard to moral matters. McGuire capped his appeal with a nod to southern anti-Catholicism, noting that in some localities with police censorship, the authorities had bent to pressure from the Catholic Church to condemn "would offend people of Catholic faith [even though] the population of the given city might be overwhelmingly Protestant."<sup>123</sup>

Two years later, McGuire would respond to a letter from P.W. Wells, owner of several Wilmington, N.C. theaters and president of the civic organization the N.C. League about a proposed state censorship law with an argument that hinged on anti-German sentiment lingering from World War I. In his letter urging Wells to oppose the state censorship bill, McGuire appealed, "There have been some rather notorious cases of German influence being brought to bear during the war to suppress pictures which were opposed to German interests. The state censorship idea only gives opportunity for various interests to bring influence to bear to further their particular propaganda to suppress pictures in which they may be opposed."<sup>124</sup> That McGuire would have to resort to an appeal to nativism to convince a theater owner to oppose laws against his industry,

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<sup>123</sup> Letter from W.D. McGuire to W.S. Lockhart, Dec. 4, 1917, NBR.

<sup>124</sup> Letter from W.D. McGuire to P.W. Wells, Jan. 2, 1919, NBR.



though, reveals much about the tenuous relationship between the National Board and southern exhibitors.

In his portrayal of turn-of-the-century film-going in Lexington, Ky., historian Gregory Waller showed both of the combatants at work in the small city. Lexington's film experience resembled that of southern cities like Atlanta, Raleigh and Memphis, in that the first theaters drew an audience of middle class citizens from their inception and never attracted many of the social stigmas common to northern attitudes toward film. The largest battle against Lexington's film row came as the result of a larger campaign by local religious leaders against leisure in general and the operation of any business on Sundays that had a nearly 10 year history when the matter came before a judge in 1915. Crafts showed up in person for the case in his role as president of the American Sabbath Union, which advocated blue laws across the nation. Crafts used the platform to blast the International Reform Bureau and protest any "commercialized amusement" from operating on a Sunday.<sup>125</sup> Lexington relied on an ad hoc board of censors and, in the event they cited a theater for showing an improper film, the exhibitors would rely on the fact that the International Reform Bureau had approved a film as defense. Several theaters advertised to patrons that they could be trusted to show films approved by the International Reform Bureau for their "refinement and clarity."<sup>126</sup> By the late 1920s, many theater owners would openly revolt against the industry and join groups with reformers like the WCTU and Chase in not only demanding the government clean up film, but also break up the Hollywood monopoly on theater ownership and distribution.

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<sup>125</sup> Gregory Waller, *Main Street Amusements, Movies and Commercial Entertainment in a southern City, 1896-1930*, (Washington, D.C.: Smithsonian Institution Press, 1995), 133-134.

<sup>126</sup> *Ibid.*, 138.

The practice of block booking, in which the studios forced distributors and theaters into buying large blocks of films sight unseen, turned many of the industry's business partners into political opponents. Their discontent about being forced to buy, and sometimes show, movies inappropriate for their local audience led to widespread discontent with the industry.<sup>127</sup>

Unaware of this, Connolly found the reactions of southern theater owners perplexing. Unlike northeastern theater owners, they did not rally around the industry that made their movies. Instead, they projected their discontent onto the industry, echoing the complaints of their fellow southerners and advocating legal censorship. The exhibitors "seem unconscious of their social relations and of what menaces them. They throw the blame on the distributors when they are locally criticized which leads good men to think state censorship the only way to the control of the screen."<sup>128</sup>

Connolly had reason to worry. Theater owners nationwide had grown increasingly irritated by the content of the movies they were forced to show. While some theater owners tried to distance themselves from their product, such as the manager of a small town theater manager who announced to the local press, "We will endeavor to offer at all times only such entertainment as will be consistent with the dignity of American manhood. Our house is a theater for mothers, daughters, sisters and wives, where the purity of thought will be conserved above all things."<sup>129</sup> The theater owners felt trapped

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<sup>127</sup> Francis G. Couvares, "Hollywood, Main Street, and the Church: Trying to Censor the Movies Before the Production Code." *American Quarterly*, 44 No. 4 (Dec. 1992), 585.

<sup>128</sup> Connolly, Report of Work Done, July 3, 1921, NBR.

<sup>129</sup> Louise Reeves Harrison, "The Exhibitor as Censor," *Moving Picture World*, Jan. 1914, 37.

between their audience and Hollywood because of the nature of their business relationship. While the nature of the contracts differed from distributor to distributor, the industry standard had not changed overly from its earliest days. When nickelodeons ruled, distributors rented films by the foot. Content mattered less than volume. This persisted, as studios would market their wares to theaters in blocks. A movie theater owner would commit to a full slate of a studios product, with little recourse if the films offered did not meet local standards. When faced with a film they believed immoral, theater owners faced the choice of either swallowing the costs of not showing a film or attempting to make money on a film that might incite protest in the press and pulpit.

In 1914, complaints from theater owners and pro-censorship advocates led the Federal Trade Commission to issue a complaint against Famous Players-Lasky Corporation, later Paramount. Famous Players provided inconsistent but important support of the National Board's anti-censorship efforts. The studio, through its business partnership and eventual takeover of the South's largest theater chain, dominated the southern market. National Board records show that the studio provided some financial support for lecture tours like Connolly's and worked closely with the NBR in creating political strategy to fight censorship efforts at the state level. Paramount's southern holdings, when combined with the studio's monopolies in New England and the upper Midwest, made the studio the largest in the world. The other studios had few holdings in the southern states. Instead, Warner Brothers dominated the mid-Atlantic region and Loews and Fox shared the West.<sup>130</sup>

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<sup>130</sup> Douglas Gomery, *Shared Pleasures: A History of Movie Presentation in the United States*. (Madison: University of Wisconsin Press, 1992), 60-62.

It took 12 years, but the complaint against Famous Players led to the industry and theater owners agreeing to meet to discuss the dispute. Much of the conference was spent discussing Famous Players hold on the nation's screens. While they faced competitors in much of the nation, Famous Players practically owned the southern market. Through subsidiary corporations like Atlanta-based southern Enterprises and New Orleans-based Saenger Enterprises, Famous Players held the majority share of the Carolinas, Georgia, Florida, Tennessee, Alabama, Mississippi, Louisiana, Texas, Arkansas and Oklahoma markets, as well as a portion of the Florida market.<sup>131</sup> The South represented a small share of the company's holdings. With more than 6,000 theaters, Famous Players dominated the industry. At the conference, the government maintained that 67 cents of every dollar made at the movies in the United States went to the studio that would shortly become Paramount.

Alongside theater owners' complaints about block booking, the government complaint that led to the conference alleged that, in markets like the South where it dominated, Famous Players used coercive monopoly tactics to capture markets. If a theater owner refused to sell out to Paramount, the company would build or lease a theater to directly compete with the recalcitrant owner. A theater owner would then face a campaign where Famous Players executives would try to interfere with their leases, offer lower rental rates to competitors and higher rents to the holdouts, and reduce the

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<sup>131</sup> Trade Practice Conference for the Motion Picture Industry, "Federal Trade Commission v. Famous Players-Lasky Corporation, Realart Pictures Corporation, the Stanley Company of America, Stanley Booking Corporation, Black New England Theaters inc., southern Enterprises, Inc., Saenger Amusements Co., Adolphy Zukor, Jesse L. Lasky, Jules Mastbaum, Alfred S. Black, Stephen A. Lynch and Ernest V. Richards, Jr." 10-15 Oct. (Washington: Government Printing Office, 1927), 4.

price of admission at competing theaters. Theater owners that did sell or contract with Paramount found themselves under pressure to show only the company's films.<sup>132</sup>

During the 1914-1916 hearings, Jesse Lasky and other Famous Players executives made statements supporting federal censorship in exchange for Congress removing criminal penalties for distributing immoral material from any bill. At the end of the 1916 hearings, the Famous Players lawyers even introduced a new bill for consideration when it appeared Wilbur Craft's draft would not pass. This led the Motion Picture Board of Trade of America's attorney to assert that Famous Players did not speak for the rest of Hollywood, which still opposed any legal censorship efforts.<sup>133</sup> Famous Players would renew its support for a federal compromise on the censorship issue during the 1926 congressional hearings, evidently in a hope that a national censorship program would eliminate state efforts. In the fight at the state level, though, Famous Players maintained close contacts with the National Board and other censorship foes.

As Connolly and other agents traveled across the South, they received logistical and financial support from southern Enterprises. Mrs. Phillip Speed of the University of Virginia, made a trip across South Carolina paid for by \$500 from Southern Enterprises. Unlike Connolly's lecture, Speed found little success in convincing anyone of the need to oppose censorship. Her report of detailed descriptions of garden parties and elegant dinners given by southern elites from Charleston to Columbia reflected a much sunnier

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<sup>132</sup> Ibid., 7.

<sup>133</sup> William Seabury, "Brief of the Motion Picture Board of Trade of America., in opposition to H.R. 456", Briefs and Statements Filed with the Committee on Education, House of Representatives, Sixty-Fourth Congress, First Session on H.R. 456: To Create a New Division of the Bureau of Education to Be Known as the Federal Motion Picture Commission, and Defining its Powers and Duties, (Washington, D.C.: Government Printing Office, 1916), 37.

view of the South, but did not disguise the very gentle and southern brush-off she received from her intended audience.<sup>134</sup>

On Dec. 17, 1921, National Board Secretary Cocks wrote Howard T. Jones of southern Enterprises informing him of the NBR's decision to dispatch Connolly to South Carolina following Speed's failed trip. Records from the trip show that southern Enterprises had spent \$500 on the trip, but Cocks noted that the money had bought little more than a series of ineffectual meetings, garden parties and lectures where Speed had shown a general aversion for discussion about her affiliation with the NBR or censorship in general.<sup>135</sup> Speed wrote Cocks in defense of her trip, claiming that inexperience and a lack of proper letters of introduction hindered her. If the board considered her for another trip, she asked to go somewhere beside South Carolina since "as far as I can discover, no group of people have shown the zeal of crusaders except those working for state censorship."<sup>136</sup> In his reply to Speed, Cocks spent much of the letter praising Connolly's efforts in fighting the ranks of the pro-censorship southern clubwomen. Through her effort, Connolly had "broken the solid front of women and has made it impossible to lobby at the Capitol as they have in other years."<sup>137</sup>

Despite Connolly's success, Cocks's letters from the periods shows discontent with the National Board's southern efforts, as a growing number of states still had strong legal censorship movements. Cocks displeasure with the Board's progress in the South

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<sup>134</sup> Mrs. Phillip Speed, Report on South Carolina, 1921, NBR.

<sup>135</sup> Letter from O.G. Cocks to H.T. Jones, Dec. 17, 1921, NBR.

<sup>136</sup> Letter from Mrs. Phillip Speed to O.G. Cocks, 1921, NBR.

Speed, "Financial Accounts," 1921, NBR.

<sup>137</sup> Letter from O.G. Cocks to Mrs. Phillip Speed, Dec. 17, 1921, NBR.

did not end with Speed's performance. The inability of Southern Enterprises to stem the ire of the reformers and the complaints it generated led Cocks to write to Connolly asking for a list of sympathetic Georgians to help fight against a censorship bill before the state legislature, noting that the board needed allies to correspond with "instead" of Southern Enterprises.<sup>138</sup> Whether they found such allies depends on how one reads the records of the fight against the Georgia bill.

In choosing Southern Enterprises as its primary southern ally, the NBR had sided with a powerful political player in Southern Enterprise's owner S.A. Lynch. A southerner who built his fortune during the vaudeville era and achieved a prominence in the Atlanta community, Lynch contrasted strongly with the immigrant theater-owners of the Northeast, wielding power more like that of the Hollywood studio moguls. Southern Enterprises Corporation – a subsidiary of S.A. Lynch Enterprises, Inc. – controlled more than 200 theaters across the South and Paramount film exchanges in Atlanta, Dallas, New Orleans, Charlotte, and Oklahoma City. When Lynch sold Southern Enterprises to the Famous Players-Lasky Corporation – the theater and film distribution arm of Paramount – in 1920, *The New York Times* referred to the deal as "one of the biggest business deals ever to be consummated in the South."<sup>139</sup> Following the sale, Lynch gained significant influence in the Paramount organization. *A Dearborn Independent* investigation of the Famous Players-Lasky Corporation in 1921 referred to him as a "heavy stockholder" in Paramount who had the backing of the company's Wall Street financiers to take Paramount Vice-President Jesse Lasky's place should studio head Cecil De Mille fall

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<sup>138</sup> Letter from O.G. Cocks to Louise Connolly, June 10, 1921, NBR.

<sup>139</sup> New York Times, "Famous Players Get 200 southern Houses," Jan. 7, 1923.

from favor.<sup>140</sup> While the *Independent's* analysis of the state of the company must be evaluated in light of the Henry Ford Sr.-owned paper's record of anti-Semitism, its reporting can be accepted to the point that Lynch did have a major role in the company's affairs. Along with several silent films produced by Southern Enterprises, Lynch left behind the Lynch Building in Atlanta, a still standing 17-story office building and a string of theaters across the South.

Despite Lynch's prominence, both Speed and Connolly noted that his organization had drawn the particular ire of reformers. Describing her visit to the Visual Instruction Department of the N.C. State Educational Bureau in Raleigh, Connolly noted that "They complain of one company -- the Southern Enterprises, I think -- because of a list of illustrated literature offered, in some of which the men and the general plot has been retained, but a lot of sex stuff and melodrama introduced artistically unsuitable, psychologically unsound and ethically unjustified."<sup>141</sup>

An organizational chart from southern Enterprises located in the National Board's archives shows that Southern Enterprises operated an extensive public relations and lobbying organization with divisions in Dallas and Atlanta and agents assigned to Alabama, Florida, Georgia, the Carolinas, and Texas. The chart lists responsibilities that included "political relations" involving "general public good will, opinion, patronage, new patrons and legislation" and advertising efforts in newspapers, on the screen and through direct mail. Beneath its Dallas and Atlanta Divisions, the chart shows a box containing "Better Films Committees" and "Boys and Girls Matinees" included as

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<sup>140</sup> The Dearborn Independent, "Baring the Heart of Hollywood Part III," Nov. 12, 1921.

<sup>141</sup> Louise Connolly, "Report of Louise Connolly for North Carolina," Jan. 3, 1921, NBR.



divisions within the organization. The list of agents also contains a clue as to the involvement of Southern Enterprises in the NBR's Better Films Bureaus, as the North Carolina agent A. Richardson may bear some relationship to then Better Films Bureau Chairman and anti-censorship advocate Mrs. A.R. Richardson. Richardson would play a large role in the NBR's future southern efforts, as she would trade her role as Better Films Bureau Chairman in later years to become the censor for the City of Atlanta.<sup>142</sup>

As part of its alliance with the NBR, Southern Enterprises spokesmen directly endorsed the mission of the Better Films Committees. At the Southeastern Conference of Better Films in Atlanta in 1922, pro-censorship advocate Mary Caldwell – General Chairman of the Women's Censorship Committee of Chattanooga, Tennessee – noted that Cocks correspondee Howard T. Jones, who she describes as “Public Relations Representative, Southeastern Enterprises, Inc.” gave a lecture on the role of women in preserving the moral standards of film. Caldwell came away unconvinced, noting, “All this sounds well, but let us see how it works out. Is it not in a large degree propaganda to defeat censorship by woman's influence?”<sup>143</sup>

With the exception of several race-based laws in Louisiana and Florida's law requiring theaters to show only films passed by the National Board of Review or the New York state censor board, Southern Enterprises' did not have to deal with the tangle of censorship laws that that characterized the northeastern market. While many southern cities – like Atlanta – had city film censors, no southern state had successfully passed a law authorizing a state-level censor board. On July 21, 1920, a joint committee of the

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<sup>142</sup> southern Enterprises organizational flowchart, NBR.

<sup>143</sup> Mary R. Caldwell, “The Urgent Need of National Censorship of Motion Pictures,” April 28, 1922.

Georgia House and Senate Temperance Committee approved the passage of a state censorship bill. An Atlanta *Constitution* article on the bill focused on the women's clubs role in bringing the bill to a vote. Supporters for the bill included the WCTU and "five leading women's organizations"<sup>144</sup> Clubwomen across the South had called for censorship laws since at least the middle of the 1910s, but the crescendo for action had increased across the nation after a series of Hollywood scandals. "America's Sweetheart" Mary Pickford faced charges of fraud and perjury after getting a 1920 quickie divorce in Nevada followed immediately by a marriage to Douglas Fairbanks. Comedian Roscoe "Fatty" Arbuckle's career ended in 1921 when a woman attended one of his parties died at a hotel bootleg party put on by the star. Arbuckle defeated charges of rape, but pressure from the WCTU and other church groups led the industry to blacklist the star. An unknown assailant murdered Director William Desmond Taylor in 1922, although the tabloids speculated wildly about the unsavory nature of the star's dalliances. The drug-induced death of actor Wallace Reid in 1923 also brought headlines. Pressure from legislators intensified after National Association for the Motion Picture Industry head William A. Brady publicly bragged that the industry would "become a factor in the election of every candidate from alderman to President, from assemblyman to United States Senator."<sup>145</sup> While the nadir for the industry came in 1922, the year 32 states considered censorship bills and the number of

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<sup>144</sup> "Georgia Women Arise Against Censorship Proposal," *Atlanta Constitution*, 21 July 1920.

<sup>145</sup> Ruth A. Ingliss, *Freedom of the Movies: A Report on Self-Regulation from the Commission of Freedom of the Movies*, (Chicago: University of Chicago Press, 1947), 87.

negative newspapers increased sharply.<sup>146</sup> The industry responded by hiring Postmaster General and White House insider Will Hays to provide a public face for the industry that year, but early enthusiasm for Hays faded when his efforts did not bring a noticeable reform on the screen. When the House convened another hearing on federal censorship in 1926, politicians felt much more comfortable attacking Hollywood.

#### THE FEDERAL MOTION PICTURE COMMISSION

On April 14, 1926, the House Committee of Education convened its first meeting on two bills introduced by Pennsylvanian Congressman William Swoope and Georgia Rep. W.D. Upshaw. After a decade lull, Canon William Chase convinced the two legislatures to revive and revise the Smith-Hughes Bill and attempt once again to create the Federal Motion Picture Commission. Wilbur Crafts did not dominate this meeting. Instead, the leader of the charge came from Chase, head of the International Reform Federation. The hearings began on an awkward note for Chase, when Ohio Rep. Brooks Fletcher questioned Chase on public support of the bill, noting that he had not received many requests to support the measure. Committee chairman John Robsion of Kentucky responded that the only correspondence he had received on the issue came from the WCTU and “[t]hat is all.”<sup>147</sup>

Chase responded by accusing the industry of relying on the lowest common denominator in subject matter in exchange for profits. In particular, he blasted old foe the National Board of Review and his new target, Will Hays. The studios had widely

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<sup>146</sup> Rodney A. Wambeam, “Lights! Camera! Policy! Regulating the Morality of American Entertainment”, University of Nebraska, 1999, diss., 42-43.

<sup>147</sup> Proposed Federal Motion Picture Commission, 406-407.

proclaimed the addition of Hays as the answer to their problems four years earlier. Hays's initial efforts fell far short of expectations and criticism of the industry from politicians externally and Wall Street financiers internally increased under his tenure. The introduction of Hays's Production Code Authority shifted much of the attention and efforts of censorship proponents from the National Board of Review to Hays's PCA, but it also highlighted the studio's seeming inability to police itself. In his opening remarks at the hearings, Rep. Upshaw highlighted Hays's failures as a central rationale for creating a federal motion picture commission. Using language couched in Biblical terms, he lamented that he hoped Hays "with keen discernment, lofty ideas, and masterful ability, would strike the shackles that bound the motion-picture business to do so much that was unclean. I think Will Hays really meant to do it, but he has been like the Irishman who joined the Methodist Church, when the preacher asked: "Will you renounce the devil and all his works?" Pat, feeling the limitations of human weakness and knowing the power of temptation, replied: "Yes Parson, as far as the divil [sic.] will let me."<sup>148</sup>

Along with the focus on Hays's, Rep. Upshaw's introductory remarks highlight another facet of the pro-censorship campaign, the continued employment of religious, and even apocalyptic, rhetoric in the campaign against motion picture "sin." Upshaw goes beyond using religious imagery for rhetorical purposes in his remarks. Calling on Congress to preserve the nation's "purity, security, and perpetuity" for the sake of both the children and purity, Upshaw stated that the industry's films cast "insidious reflections

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<sup>148</sup> Proposed Federal Motion Picture Commission, 24.

on Christian ministers and on the essence and spirit of vital Christianity.”<sup>149</sup> While Upshaw avoids the blatant and direct anti-Semitism employed by Chase and Henry Ford’s *Dearborn Independent* in his arguments against the industry, his remarks take on additional import to those proponents of motion picture regulation who formulated the fight as one of Christianity against Jewish influence.

Both sides relied on religious leaders to make their cases before the committee. Along with Canon Chase, Clifford Twombly, an Episcopal rector from Lancaster, Pennsylvania, made the case against the movies. He noted that filmmakers frequently add sensational material to their films to gain an audience. As evidence, he presented the case of two literary adaptations, *20,000 Leagues of the Sea* and *The Merry Widow*, where filmmakers had inserted rape scenes not contained in the original novels.<sup>150</sup>

Hollywood brought forth its own religious spokesmen to make the case against the bill. The president of the International Federation of Catholic Alumni Thomas McGoldrick testified that the bill would mark an unacceptable growth of federal authority. Warning that control of the movies would start the slide toward other unwelcome intrusions by the national government, McGoldrick firmly stated that his organizations’ members “do not want Federal control, which is really political control of anything that affects the general public, such as its amusements, its readings, its music or its religion.”<sup>151</sup> The industry also elicited the testimony or affidavits of other Christian and Jewish leaders linking the legislation, and by extension Crafts and Chase, as a danger to the nation’s freedom of religion.

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<sup>149</sup> Ibid., 25.

<sup>150</sup> Ibid., 27.

<sup>151</sup> Ibid., 31.

The two sides also made use of the voice of its female allies, with both arguing the role of mothers and the government in protecting both the community's morals and its youngest members. Mrs. A.R. Richardson, in her role as Atlanta city censor, testified before the committee and told the politicians in no uncertain terms that her city did not need Congress to regulate its theaters. Morality in the city needed no further regulation as "[o]n the first of the month the entire booking of the theaters in Atlanta is on my desk. I go over every one of them. I take not only the advertisements, if you please, but consider the criticisms and everything that I can find about the picture. I sometimes ask for a previews, and I have never yet met anything but the utmost courtesy from the managers whenever I have asked for a preview, and I have always gotten it"<sup>152</sup> In her role as a club woman, she said, she went to nearly every small town and city in her state and they had similar procedures in place. In the course of the hearings, she did not mention the long-time relationship she held with the International Reform Bureau, although she did deny working for Hays with the accurate observation that her time as head of the Better Films Bureau predated Hays arrival in Hollywood.<sup>153</sup>

In order to counter Richardson, Chase brought in another southern woman, a WCTU member from Chattanooga, Tenn. Mary Caldwell, superintendent of motion pictures for the Tennessee chapters of the group, however, angered members early into her testimony when she personally attacked Will Hays as a liar. When pressed for evidence, she changed tactics and turned her argument from the proposed federal motion

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<sup>152</sup> Ibid. 41.

<sup>153</sup> Ibid. 42.

picture commission to the expansion of federal authority into cleaning up books and magazines.<sup>154</sup>

Enthusiasm for the hearings vanished in the wake of President Calvin Coolidge's declaration for support of Will Hays and opposition to film censorship on April 20, interrupting the hearing before the body could reach a conclusion.<sup>155</sup> The president's statement appeared on the front page of the *New York Times* and seemed to sap the last interest of the majority of the committee in continuing the hearings. As the hearings concluded on April 27, the tone toward Chase and Upshaw from committee members became increasingly tense. This tension turned into combativeness when Chase suggested that Coolidge had either not read the bill or had been influenced by agents of Hollywood. As the following excerpt of the testimony shows, members of the committee began to challenge many of the assertions made by Chase:

Canon Chase. My feeling is that the President either has not seen the Upshaw bill or that it has been misinterpreted by some one representing the Movie Trust.

Mr Robsion. Now, right there: I hear you speak only in terms of "the Movie Trust" with reference to moving pictures. I have not been here all the time; but have you introduced proof showing that it is a trust?

Canon Chase. There is the statement of the Federal Trade Commission, after four years of exceedingly careful gathering of testimony.

Mr. Robsion. That is the statement of the complainant, is it not?

Canon Chase. It has not yet been settled.

Mr. Robison. That is the charge that is made?

Canon Chase. That is the charge that is made.

Mr. Robsion. I hear you make the charge every few minutes, and I wondered if you had submitted evidence establishing it as a fact.<sup>156</sup>

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<sup>154</sup> Ibid., 128.

<sup>155</sup> *New York Times*, "Coolidge Likes Our Films; Would Leave States to Censors." 21 April 1926, pg. 1.

<sup>156</sup> Proposed Federal Motion Picture Commission, 409-410.

Chase demurred, citing complaints made against the industry before previous committees of Congress. As the exchange grew more combative, Rep. Douglass asked Chase if he really wished to stand by the assertion that the president did not have knowledge of the bill. When Chase refused to back down, Rep. Fenn interjected, "I do not think the President would make any statement without forethought and knowledge and care of what he is saying. I say that without hesitancy."<sup>157</sup> As the Chairman called for an ending of the testimony of the bill's proponents, both Upshaw and Chase found themselves spending the final minutes of hearings alternating defenses of their statements with apologies to the president, committee members and F.H. LaGuardia, who appeared at the last moment to protest accusations that he was in the employ of the motion picture trust.<sup>158</sup>

#### FILM IN THE SOUTH

As the 1926 hearings ended, the prospects for federal censorship appeared bleak. Discontent among religious groups in the North and South would remain, however, as would the existence of censorship laws in seven states. Richardson's testimony presented the picture of Georgia as a state that had forged its own relationship with film, outside the need of federal control. In that, her testimony resembled the truth. Although the region's legislators would consider legislating against films, and many cities and small towns did develop censor boards, the region did develop a separate character from the North in regards to film. While the metropolitan character of Film Row in Atlanta in the teens and twenties resembled that of the urban North, the composition of the audience drew as much from the city's middle class as from its laboring and black citizens. In rural areas,

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<sup>157</sup> Ibid., 110.

<sup>158</sup> Ibid., 451-452.



the movie experience centered on small town theaters that also brought in a cross-section of townspeople and mill theaters created to entertain and educate poor white mill workers. Outside of the relatively urban areas, movies were a novelty. southern states had the lowest density of movie theaters per capita than any other region in the period. Many southern towns had their sole exposure to movies from traveling exhibitors who screened their showings in churches and lodge halls, a practice that had largely died out in the Northeast in favor of permanent theaters. The rural nature of the South did not favor the industry, as the majority of the population lived on farms and did not have access to automobiles or other easy transportation to urban centers. Race also played a part in discouraging the growth of the industry. As the northern distribution houses factored in the total population of a city in determining film rental rates, screenings at the segregated theaters could not garner the same profits as their northern and Western counterparts.<sup>159</sup>

As Randy Gue observes in his article on the rise of storefront theaters in Atlanta in “Nickel Madness,” the picture show never attracted the lower class stigma it developed in the industrialized North. When entrepreneurs began installing nickelodeons in 1906 Atlanta, they attracted a substantial middle-class following. As the nickelodeon business matured into the motion picture theater industry, respected Atlanta capitalists built theaters near the city’s respectable shops on Whitehall Street, as well as separate working class theaters outside the city center. In 1907, a white businessman opened the first known black theaters in the South on Decatur Street. These first theaters became the core of the city’s black entertainment district. By 1911, the city had nineteen theaters that

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<sup>159</sup> Kathryn H. Fuller, *At The Picture Show* (Washington and London: Smithsonian Institution Press, 1996), 30-32.

attracted a sizeable middle class, lower class and black clientele. Even the city's palatial DeGive Opera House screened movies, although the twenty-five cents to one-dollar ticket prices discouraged all but the wealthiest clientele.<sup>160</sup>

Atlanta's experience with film matched that of other southern metropolises. Entrepreneurs in southern cities like Birmingham, Alabama; Wilmington, North Carolina; New Orleans, Louisiana; Memphis, Tennessee and Lexington, Kentucky all built movie theaters in their cities' downtowns not long after the medium gained popularity in New York. In Lexington, for example, white middle and upper class audiences had enjoyed screenings of films since 1897.<sup>161</sup> The city's Opera House and Chautauqua Assembly lecture series began screening films as part of their educational programs soon after the technology became available. By the time the first theater opened in 1905, the city's residents had nearly a decade of familiarity with the medium. When the first 400-seat picture palace opened in 1911, movie-going quickly became the most popular past-time for all of the city's residents.<sup>162</sup>

In size and character, Atlanta differed greatly from the rural nature of the turn-of-the-century South. In most areas, southern life revolved around a series of small towns linked by road and rail to a handful of major city centers. These growing urban centers of the South also developed a separate movie theater trade. In Georgia and the Carolinas, the newly industrialized urban centers became home to a separate set of motion picture

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<sup>160</sup> Randy Gue, "Nickel Madness: Atlanta's Storefront Movie theaters, 1906-1911," *Atlanta History*, 34-43.

<sup>161</sup> Gregory Waller, *Main Street Amusements: Movies and Commercial Entertainment in a Southern City, 1896-1930*, (Washington: Smithsonian Institution Press, 1995), 57.

<sup>162</sup> *Ibid.*, 65-66.

houses. In “Early Patterns of Movie-Going in Two Cities,” Robert C. Allen and Douglas Gomery outlined the shape of this movie trade in Durham, N.C. The Durham of the 1910s typified the small southern city of the New South. Agriculture still dominated the region, but no longer did the farms exist solely to serve industries in the North and abroad. Factories turned the tobacco planted by the region’s farmers into cigarettes and the demand for labor swelled the town’s population from 100 in 1865 to 26,000 in 1910. A commercial Main Street sprang up to serve this population. By 1913, four movie theaters served both the citizens of the town and the local mill villages, which did not have their own theaters. The theaters segregated African Americans - 35 percent of the city’s population – to the balconies and ran ads stressing the cleanliness of the theaters, family friendly nature of the fare and the literary and historical value of the films.<sup>163</sup> Theater owners often came from the town – although many were bankrolled by larger chains – and did not suffer much stigma for the content of their films. Connolly noted the effect of this trend, observing that, in terms of agitation for censorship in the small southern cities, “things are best where the exhibitor is a member of a respectable local family.”<sup>164</sup>

As southern businessmen embraced the concept of an industrialized “New South,” many of these towns grew in population as laborers settled into their roles as factory employees. Unlike the North, the majority of these laborers came from the ranks of poor white southerners or blacks. Along with the growing industrial towns, entrepreneurs created a string of mill towns. A 1924 article in *Nation’s Business* described a highway

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<sup>163</sup> Robert C. Allen and Douglas Gomery, “Early Patterns of Movie-Going in Two Cities,” *Film History*, 205-206.

<sup>164</sup> Connolly, “Report of Work Done,” July 3, 1921, NBR.

that stretched from Virginia through the Carolinas to Atlanta as “Manufacturers’ Avenue.” In North Carolina, alone, the 177 stretch of highway passes along “the front doors of 128 cotton mills open upon it, an average of one cotton mill for each 1.38 miles.”<sup>165</sup>

Movies played an integral part in mill life in the factory belt that ran through the Carolinas and Georgia, according to Douglas Flamming’s *Creating the Modern South*. Owners would screen films in mill-owned theaters or mill workers would gravitate toward town on the weekend to take in a show. Like most Americans of the period, taking in a movie featured prominently in their weekend plans. In a village near Spartanburg, S.C., Flamming recounted that mill workers not only spent their days together in the mill, “but they spent their leisure time together as well. Every Saturday they went to town to stroll the streets or catch a ‘picture show’ at the Crescent Theater.”<sup>166</sup>

The linkage of movies to the mill’s civilizing mission provided some insulation from reformers attacking them directly as they did other theater owners. Since they virtually controlled their communities and publicized their showing of movies as part of a mission to bring civilization to their ignorant rural workers, these communities did not create activists targeting local theaters. As the *Nation’s Business* article communicated the owners’ message, “The mill villages, with its schools, its churches, its community life, its moving picture show, its visiting nurses, its resident physicians, has taught the primitive folk what the world has learned of the art of living.”<sup>167</sup>

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<sup>165</sup> Ashmun Brown, “Industry is Giving Us a New South,” 34.

<sup>166</sup> Douglas Flamming, *Creating the Modern South*, 161.

<sup>167</sup> Brown, “Industry is Giving Us a New South,” *Nation’s Business*, 34.

Since the industry differed in practice and audience composition from the Northeast and the South had traditionally opposed censorship legislation, the question of legalized censorship came later to the South and did not enjoy the support of the class and nativist prejudices as it did northwards. The National Board had a major victory two years before its Atlanta conference with a campaign to defeat a bill intended to create a state-wide censor board in Georgia. The aforementioned Mrs. Alonzo Richardson, Chairman of the Department of Citizenship of the Georgia Federation of Woman's Clubs and member of the Better Films Committee of Atlanta, protested the move in a letter sent to every Georgia legislator and newspaper. Richardson made the case that the work of improving films had already begun through the state's Better Films Committees. In the cities where the committees operated, Richardson wrote, theater owners cooperated to select a better class of film and brought in movies suitable for children. The National Board assisted by sending the Better Films Committees films to show during matinees. In her argument, Richardson made the point that adult amusements should not be standardized for children, and in places laws had been passed to improve films with this in mind, failure followed. Attempts at state regulation had failed, since they had not succeeded in improving the state of motion pictures. Instead, she said, the "vast majority" of Georgia women did not want censorship. Instead, they supported a "desire to follow a community program of education, leadership and selection based upon the democratic principle of cooperation."<sup>168</sup>

Along with the Georgia bill, the NBR found itself fending off not only the national bill in Congress, but also a successful measure to institute legal censorship in its

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<sup>168</sup> Open letter from Mrs. Alonzo Richardson, Aug. 2, 1920, NBR.

home state of New York. In the case of Georgia, though, the efforts of Better Films clubwomen like Richardson stalled the bill and prevented its passage. Richardson's efforts had won her the office of censor in 1925, John William Peacock, Atlanta's censor since the institution of the office in 1914, stepped down. Richardson's donning of the title was one example of dozens of Better Film Committee members who joined city and state censor boards across the nation. In neighboring Decatur and other cities across the nation, the Better Films Committee chapter would actually become the official city censor.

As the 1920s drew to a close, no southern state had passed laws authorizing censor boards. The pro-censorship campaigns Congress and the rest of the nation's states appeared equally moribund. The efforts of Louise Connolly and other agents of the National Board of Review had not only successfully advocated against legal censorship, but had succeeded in establishing Better Films Committees across the South. These committees published recommendations in local papers and negotiated with theater owners about what films to show both for children and adults. As southern cities instituted local censorship efforts, Better Films Committee members filled the ranks of censors and in some cases became the city's official censors. Despite its loss of power in the Northeast to scandal and state censorship, the New York organization still maintained a strong presence in the American South and influenced the public perception over the movie industry that would last until the 1930s, when the coming of sound film and a growing disconnect between the views of the National Board and the local committees would begin to unravel their alliance. On the national stage, though, southern congressmen increasingly lent their support to federal censorship efforts. As the National

Board celebrated its southern victories, it found itself contending with an increasingly contentious national press and the heated rhetoric of the religious reformers and their southern political allies in Washington.

## THE END OF REFORM: MOVIE CENSORSHIP

### IN THE AGE OF SOUND, 1926 TO 1934

In less than three decades, the motion picture industry had transformed from a regional, immigrant-run purveyor of street corner amusements to one of the largest industries in the United States. Entrepreneurs erected motion picture theaters in the nation's towns and leading actors and actresses became household names, with newspapers and fan magazines filling thousands of columns with news of their personal and professional activities. In this climate, theaters reform advocates faced a growing loss of interest in their cause among the public and politicians. In the South, which had become a center of political support for the religious and moral reformers, the legislative pushes for censorship were largely moribund.

At the offices of the National Board of Review, though, the leading opponents of national censorship found themselves increasingly worried. The nature of the industry had changed and old allies like the Paramount executives began making positive statements about the possibility of federal censorship. The previous decade had led the NBR, its southern allies, and the movie studios in very different directions. Allying itself with groups like the American Civil Liberties Union, the NBR had begun to adopt its stance of freedom of expression for the films as fact as well as rhetoric. At the same time, many of the southern women who made up the membership of the NBR-sponsored Better Films Bureaus found themselves appointed as local censors and found their priorities and duties changed with their new responsibilities. Most crucial to the fight over federal censorship, the self-made men who ran the studios and rejected the attempts



of politicians to take control of their product found themselves losing power to another outside group, the investment bankers and financiers of Wall Street.

### THE TALKIES

As Scott Eyman noted in *The Speed of Sound*, his history of the transition from the silent screen to the talkies, “Sound changed everything.”<sup>169</sup> Hollywood itself immortalized the effect of the change on actors and directors in later films like *Singing in the Rain* and *Sunset Boulevard*, but the changes went beyond what was immediately evident on the screens and in the fan magazines. The entire financial and hierarchical structure of the industry also did not survive the transition without major modifications.

Editing sound films cost more money than silents. Allowing local and states censors the same degree of control as they had during the silent era could financially cripple the industry, especially if another round of controversy led to the creation of more censor boards. In 1929, the movie studios had successfully held off censorship efforts in most of the states, including all of the South except Virginia. With these new pressures, the movie studios wanted an assurance that local politics would not cripple their business model. Unlike the National Board, which continued to advocate fighting the censorship advocates on a incident by incident basis, the studios thinking had turned toward embracing a national solution.

Hollywood in the late twenties little resembled the gold rush days of the early silents. The dozens of independent studios consolidated, went under or turned to low-budget and risqué productions. The remaining major studios reigned in the cost of filmmaking and adopted accounting practices more in line with the expectations of Wall

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<sup>169</sup> Scott Eyman. *The Speed of Sound: Hollywood and the Talkie Revolution*, (New York: Simon & Schuster), 20.

Street. These studios also gained control of their supply chains, buying distributors and theaters nationwide and forcing those who would not sell into coercive contracts.

Investors rewarded the new professionalism, flooding the industry with money beginning in 1925. In 1921, invested capital in the industry did not total \$10 million. By 1930, investors had poured \$300 million into the major studios.<sup>170</sup>

With the advent of sound film, studios needed the additional capital. Wiring the theaters for sound cost the industry more than \$300 million. The studios had hoped to phase in sound over a decade, but the public demanded a speedier transition. Almost immediately, audiences turned away from the silents in favor of sound. This shift forced studios to switch major productions from silent to sound in mid-filming. The immediate need for cash also meant that the studios had to cede control to the investment bankers and the electronics firms responsible for wiring theaters. By 1929, the studios' boards of directors included more than 40 presidents of investment and electrical firms.<sup>171</sup> The transformation increased professionalism within the industry. The need to meet the demands of their new heavily invested partners on Wall Street led to a reticence to offend that went beyond a need to placate the religious reformers. The studios began to shy away from the type of radical societal statements that marked many silent films. Films with overt political messages faced heavy cuts by censors. The studios pulled films for criticizing industrial products, to the point where Fox shelved comedy about a man struggling against an uncooperative furnace after a protest from the anthracite mining industry. The need to shy away from offending foreign audiences and governments led

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<sup>170</sup> Richard Koszarski, *An Evening's Entertainment: The Age of the Silent Feature Picture, 1915-1928*, (New York: Charles Scribner's Sons: 1990), 92.

<sup>171</sup> Scott Eyman. *The Speed of Sound*, 242.

to numerous cuts in films, with villains and settings being changed to anonymous or fictional nations to avoid specific offense and the potential loss of revenue and market access. Toward the same end, the industry expanded its alliance with the Catholic Church. Studios had listened to church leaders for years. While this religious accommodation sometimes took the form of pressure resembling the antagonism with the Protestant censorship proponents, the Church also developed a mutually respectful behind-the-scenes relationship with the studios that the Protestant groups lacked. With the ability to coordinate and reach large audiences through the pulpit, organizations like the National Catholic Welfare Council and the International Federation of Catholic Alumnae and Church publications, the Catholic Church had the ability to lobby the studios to change policy and remove films from circulation. These contacts blossomed when the studios invited the Church to help draft the Production Code in 1930.<sup>172</sup> The extent of cooperation between the Church and the Production Code Authority in the period between 1930 and 1934 forms a significant part of the historiography on the censorship efforts. All historians agree that the Church played an integral role in the events which led the studios to reject the National Board of Review's tactics of embracing artistic freedom while combating censorship efforts at the local level in favor of strict self-censorship aimed at nullifying the complaints of the censor advocates and heading off federal involvement in film content.

Bankers also played a role in the adoption of the Production Code in 1934.

Satisfying the demands of the nation's diverse censor boards became much more

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<sup>172</sup> Ruth Vasey, "Beyond Sex and Violence: 'Industry Policy' and the Regulation of Hollywood Movies, 1922-1939." *Controlling Hollywood: Censorship and Regulation In the Studio Era*. Matthew Bernstein, ed. (New Brunswick, N.J.: Rutgers University Press, 1999), 103.

complicated and costly in the age of sound. Cutting a silent film required effort and expense, but at manageable levels. Studios and regional distributors could satisfy the needs of state or local censor board by cutting a scene or changing a storyboard. With the more impressionistic flow of silent film, most audiences would not notice the absence. This system could not be transferred to sound films. Changes in dialogue would require reshooting scenes. With the tighter construction of sound features, audiences would notice the crude scissoring of a piece of dialogue or scene.

The dialogue itself became a problem. While the transition from wildcat production to national industry meant that the studios relied less on explicit titillation, the pictures still needed violence, innuendo, and some degree of overt sexuality to keep audiences interested. As many of the silent-era scripters proved incapable of producing the dialogue necessary for a sound film, the studios found themselves forced to recruit writers from the racier environs of the New York stage.

The introduction of the Broadway outsiders worried Barrett and Joy. Joy warned that these newcomers would bring trouble and could possibly “overthrow much of the work work that has been done in convincing the country with regard to silent film that censorship is unnecessary” as they came from an industry where ““the dirtier they are the greater the success.”<sup>173</sup> Barrett commiserated, “I can say right here roughly that the tendencies that should be watched are smutty and overly profane dialogue in the talking films which, together with suggestive action, is going to raise the devil.”<sup>174</sup>

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<sup>173</sup> Letter from Jason Joy to Wilton Barrett, June 8, 1929, NBR.

<sup>174</sup> Letter to Jason Joy, Hays Office, from Wilton Barrett, June 17, 1929, National Board of Review archives, New York Public Library.

## THE FINAL HEARINGS

This change in the structure of the industry goes a long way toward explaining why the studios intensified self-censorship during a period when the fortunes of the motion picture reformers nationwide had fallen far on the national stage from their heights in the 1910s and 1920s. By 1929, the reformers had failed in three attempts to push a national censorship board through Congress, despite widespread support among legislators. In the same period, Hollywood had built its audience to 100 million moviegoers a week and made taking a trip to the movie theater an integral part of daily American life.<sup>175</sup> Widespread skepticism about the industry's switch to sound dissolved as the public quickly embraced the new "talkies." A final hearing on the possibility of establishing a Federal Motion Picture Commission with the power to censor any film that crossed state lines in its path from producer to theater ended with Dr. William Sheafe Chase, General Secretary of the pro-censorship Federal Motion Picture Council, begging the hearing chair for more time.<sup>176</sup>

Unlike previous hearings, which had served as forums for Congressmen to attack the industry, the 1934 hearing began with a statement from the bill's sponsor, Wright Paxton of Texas, that seemed more apologetic than accusatory. "Like many other people, we feel that something can be done in the way of improving the movies without placing them within a straight jacket, without destroying that great business," Paxton said, adding that he knew it was a great business because of the "\$2,000,000,000 invested in the

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<sup>175</sup> Andrew Bergman, *We're in the Money: Depression America and Its Films*, (New York: New York University Press, 1971), xix.

<sup>176</sup> Federal Motion Picture Commission, Hearing Before the Committee on Interstate and Foreign Commerce, House of Representatives, Seventy-Third Congress, Second Session, 19 March, 1934, 73.

industry of the United States.” After reiterating once again that he had no desire to “harm or retard” the industry, he added, somewhat tentatively, that “I think that the people generally have a right to make suggestions as to what should be done in order that a business be improved.”<sup>177</sup>

Much had changed in the nine years since Congress had convened hearings on another bill to establish federal censorship sponsored by another southern politician. In the 1926 hearing before the House Committee on Education, Representative W.D. Upshaw from Georgia told the committee in his opening remarks that “the motion-picture lobby has nobody to blame but itself for arousing the militant decency of America to san protection of the very ‘seed corn’ of the Nation ... we are simply proposing to stand at the door of our homes, our churches, and our schools and fight back the wolves of immorality, that are crouching to destroy the hope and strength of the Nation.”<sup>178</sup>

Nowhere did this shift in the political winds appear more evident than in the contrast of the respect afforded to one of the nation’s leading censorship advocates, Rev. William Sheafe Chase at the two hearings. In 1926, Chase could present himself as the voice of the nation’s religious community. By 1934, the Catholic Church had publicly sided with the studios self-regulation efforts and many other churches and synagogues spoke and wrote opposing federal regulation of the movies. The amount of deference Chase received at the hearings from the Congressmen had waned. At the 1926 hearing, the Representatives sponsoring the bill deferred technical questions to Chase. Chase had personally written the New York bill whose passage had established a censor board

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<sup>177</sup> Ibid., 9.

<sup>178</sup> Proposed Federal Motion Picture Commission, Hearings Before The Committee on Education, House of Representatives, Sixty-Ninth Congress, First Session, 14-17, 27 April and 4 May, 1926, 24-25.

widely seen as a direct repudiation of the authority of the New York-based National Board of Review. At the end of the short 1934 hearing, however, Chase found himself telling Congress that “on my seventy-fourth birthday I retired and am living on a pension, and I have never received any income whatsoever from this organization, not one penny” after being rebuffed after asking “can we not have another hearing?”<sup>179</sup>

Following Chase’s testimony, Woman’s Christian Temperance Union President Ida B. Wise Smith became the last person to testify on the subject of federal motion picture censorship before the Hays Code nullified the topic as a serious political issue. Unlike the congressmen and Chase, who had modified their rhetoric to suit the changing times, Wise Smith’s statement retained the cadences of the old campaign for social purity. Like Chase, Wise Smith linked motion pictures to the decline in the morals of the young. “The mind of America and especially the mind of its younger generation is being saturated with every kind of crime and social laxity,” she told the assembly.<sup>180</sup> As Alison M. Parker notes in her overview of the WCTU’s censorship campaigns, *Purifying America*, the organization began fighting for legal control of the movies in the 1890s and had, after the repeal of Prohibition in 1933, shifted the central focus of the organization to support of federal censorship of the movies.<sup>181</sup> The WCTU claimed 355,000 members in 1933, more than at any other time in its history, and managed to corral thousands of individual signatures for a petition in favor of the Federal Motion Picture Commission in

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<sup>179</sup> Federal Motion Picture Commission Hearings, 1934, 73-74.

<sup>180</sup> *Ibid.*, 75.

<sup>181</sup> Alison M. Parker, *Purifying America: Women, Cultural Reform, and Pro-Censorship Activism, 1873-1933*, (Urbana, Ill.: University of Illinois Press, 1997), 135-154.

1934.<sup>182</sup> The organization's members, however, stood against millions of dollars in box office receipts, and the full and enthusiastic integration of the moving picture into the American middle-class lifestyle.

While the factions that had historically sought censorship of the motion pictures had clearly become impotent by 1934, the year would see the institution of a censorship regime in Hollywood that would last for three decades. While the compromise may seem a case of the motion picture industry snatching defeat from the jaws of victory, the change in attitude toward censorship among the Hollywood moguls developed from larger economic changes within the industry and a growing discontent about the content of the industry's films from quarters that had previously allied with the moviemakers, such as the theater owners.

The period between the introduction of sound features in 1929 and the strict implementation of the Production Code in 1934 has come to be known as the "pre-code" era in film history. As Joy and Barrett feared, the introduction of the outsider into the Hollywood system produced works that reflected urban and educated norms. Violent gangster pictures gained popularity. The period saw an increase in films featuring seductresses, fallen women and gold-diggers, many of which ended in ways critics and censors felt glorified the transgressor and mocked the virtuous. The industry had spent the decade creating informational networks connecting it to friendly women's clubs, local

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<sup>182</sup> Ibid., 154.



censors, film distributors, theater owners, religious leaders and politicians. These sources had begun telling the industry that something had to be done about the content of film.<sup>183</sup>

### CLUBWOMAN TO CENSOR

In Alabama, Birmingham's City Amusement Inspector Myrtelle Snell found much to dislike about the sound era. Like many of the nation's local film censors, Snell came to the job through a stint as the Recording Secretary for the local Better Films Bureau and, when the time came to register her disgust, she directed her ire toward the Better Films major ally, the National Board of Review. In a Jan. 12, 1929 letter to NBR General Secretary Wilton Barrett, Snell took the board to task, writing that the NBR had become "lax," proof of which lay in the fact that the NBR had recently made no eliminations to submitted films. In light of this, the National Board had either to "clean our own house" or be given a "legal catholic that will be more dynamite than we were ever called to handle, which may be mixed metaphor but is certainly good common sense."<sup>184</sup>

Snell's displeasure came not only from a general distaste for sound film, but also out of a growing frustration with the impotence of the NBR to enforce its own restrictions. The impetus for the letter came from a legal dispute with the owner of the Empire Theater in the city over the showing of a film titled *The Road to Ruin*. The film, according to Snell, portrayed a woman's decision to end an unwanted pregnancy with an abortion. Snell had asked the city's chief of police to shut down the film, but film

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<sup>183</sup> Francis G. Couvares, "Hollywood, Main Street, and the Church: Trying to Censor the Movies Before the Production Code," *American Quarterly* 44 (December 1992): 584-586.

<sup>184</sup> Letter from Myrtelle Snell to Wilton Barrett, Jan. 12, 1929, National Board of Review archives, New York Public Library.

distributor J.M. Brooks had sought an injunction against Snell and the chief, citing the NBR's approval of the film as his chief defense.<sup>185</sup> The resulting flurry of confusion revealed that the distributor had affixed the NBR's seal of approval without making any of the Board's suggested cuts. Barrett assured Snell that the distributor had no right to use the seal, but the letters show a general confusion about whether the distributor had to make the cuts and what power the NBR had to force it to remove the Board's stamp.

As 1929, the National Board found itself dealing with a host of these cases. Without a central authority of any sort overseeing film content or any agreed upon rating system, and with a public that handsomely rewarded the purveyors of scandalous material, the standards for films had become increasingly anarchic by the late 1920s. Few records of *The Road to Ruin* still exist, but the details of the dispute suggest that it arose from the film industry's shadowy underbelly. J.M. Brooks did not own the theater, which Snell observed was "an old theater that has been closed for some time," but rented it after the town's more reputable movie houses refused to show his film.

A year after the dispute, Barrett traveled to Birmingham and gave a speech that could not have done much to ease Snell and her like-minded Alabamans' minds, since within a year the Alabama group issued a formal repudiation of the National Board's methods by the Birmingham Better Films chapter. On Sept. 18, 1931, the chapter's recording secretary Mrs. Neil Wallace mailed a formal resolution of protest to the National Board. The resolution revealed, in the growing split of opinions between the Hays Office and the National Board, that the Alabama women firmly stood in Hays's camp philosophically. In practice, though, the women expressed disgust at the inability

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<sup>185</sup> Letter from Myrtelle Snell to Wilton Barrett, Feb. 27, 1929, National Board of Review archives, New York Public Library.

of both organizations to perform their stated role. Both the Hays Office and the NBR came into being to keep “a reign upon the producers to prevent immorality and indecency obnoxious to the American people,” but both bodies seemed “unable to prevent the producers from putting in films the most subtle immorality and indecency.” The resolution concluded firmly that the Birmingham Better Films Council protested the “growing coarseness and sophistication of the films” and urged the NBR and Hays Office to publish all the information they gathered on films, especially the objectionable scenes. The offices should also “demand that the studios make, at the point of production, cuts that will not allow pictures to lower the standards of American women.”<sup>186</sup>

Barrett responded, in an October letter to Snell, with the rebuke that censorship was the “un-American way out” of the dilemma of poor quality films and that, furthermore, even giving what the National Board considered objectionable about a particular film would be “precisely the same, in a back-handed way, as censorship” that the board had “ceased to function as a censor body in the strict meaning of that appellation.” Censorship, Barrett wrote, “doesn’t work and can’t be made to work.” Even if it did, the National Board had “ceased to function as a censor board in the strict meaning of that appellation” and now performed its role as a citizen’s group outside the industry. Throughout the letter, Barrett declined to define for the Birmingham women what role, if not as censor or advisor, they performed for the National Board.<sup>187</sup> By 1933, the Alabama woman’s relationship to the NBR had deteriorated to the point where a

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<sup>186</sup> From Mrs. Neil Wallace, recording secretary of the Better Films Committee, Birmingham, Ala., to Wilton Barrett, Sept. 18, 1931, National Board of Review archives, New York Public Library.

<sup>187</sup> From Wilton Barrett to Mrs. Neil Wallace, corresponding secretary of the Birmingham Better Films Bureau, Oct. 16, 1931.

showing of the film *So This is Africa* prompted Wallace to ask “Will you please tell me what use the National Board is to its correspondents if it gives them no warning of such filth?”<sup>188</sup>

Nowhere is the deterioration between the southern women of the Better Films Bureaus and the movie industry in general and the National Board of Review in particular more telling than in the decision of the Atlanta censor Mrs. A.R. Richardson to support legalized censorship. Despite the contradiction inherent in being both the official censor of the City of Atlanta and a vocal opponent of legalized censorship, Richardson earned her position by working for two decades against the pro-censorship forces on behalf of the National Board. Richardson had served as chair of the city’s Better Films Bureau, testified about the ability of southern women to police their communities’ films to the U.S. Congress and campaigned against state legislation in Georgia. In 1920, she wrote in an open letter to her state’s legislators arguing that state censorship had always failed where it was tried. Georgia’s women, she wrote, did not want censorship. Instead, they sought a “community program of education, leadership and selection based upon the democratic principle of cooperation.”<sup>189</sup>

By 1930, she had begun to turn away from her previous idealism. After numerous fights with theater owners and the National Board itself, she declared herself a reluctant supporter of legalized censorship. Following a screening of *Red Headed Woman* for the city’s newspapermen, Richardson sat down to pen a lengthy letter Barrett in which she seemed locked in debate not just with the National Board, but also with herself. She admired the intelligence of the film, which dealt with an “unscrupulous woman,” but did

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<sup>188</sup> From Wallace to Barrett, June 30, 1933, NBR.

<sup>189</sup> Open letter from Mrs. Alonzo Richardson, Aug. 2, 1920, NBR.

not believe that the deeper themes of the film would register with her audience. Instead of the moral message, she felt that film-goers would instead see that “the woman gets every man she goes after, has fine clothes, money in abundance and everything she sets her mind to get.” This praise, which comes after a declaration that the film was “the vilest thing I have ever seen,” prompted a highly conflicted confession to Barrett that the problem may lay as much with the audience as the film producers.<sup>190</sup> She admitted her misgivings that the motion pictures that mocked decency, church and marriage reflected a “widespread cynicism” toward sacred institutions. In that case, censorship was useless as “[p]opular forms of expression always reflect the prevalent attitude of the customers.”<sup>191</sup>

In the years since she stood before the U.S. Congress urging them to refuse passage of censorship legislation, Richardson had slowly moved toward embracing censorship. She had also become a power in the state’s politics and the internal debate revealed in the letter was more than sophistry on Richardson’s part. As she wrote to Barrett two days later, support for state censorship among citizens and legislators in Georgia was “crystallizing and something is going to happen.” Unlike the campaigns of the 1920s, Richardson believed that she would support the measure this time. Moreover, the job of state censorship that would be created was hers “if I wanted it.”<sup>192</sup>

The alliances between the movie industry and the nation’s clubwomen had experienced rocky patches in the past. The General Federation of Woman’s Clubs’s

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<sup>190</sup> From Wilton Barrett to Mrs. A.R. Richardson, June 23, 1932, National Board of Review archives, New York Public Library.

<sup>191</sup> Ibid.

<sup>192</sup> From Richardson to Barrett, June 23, 1932, NBR.

Chair of Motion Pictures Mrs. Wood Allen Chapman went from writing letters courting southern women in 1921 <sup>193</sup>

Richardson's letters reveal a very different sort of censorship proponent than the likes of the religious reformers like Crafts and the women of the WCTU. Her letters reveal a love of film. She could look past some impropriety if she found the overall film worthwhile, as in her decision to pass *Trouble in Paradise* because she found it "delightful even if a little bit naughty."<sup>194</sup> The intimate nature of many of the correspondences reflect a decades long relationship with the National Board in general and Secretary Barrett in particular. She owed her position and influence to the National Board and did not turn against its precepts without a long struggle, reflected in the growing irritation with the state of film in the letters sent to the National Board. If anything, Richardson had come to accept the Better Films Bureau's maxim that the audience determined the shape of Hollywood's product. As her letter reveals, she believed that Hollywood and the National Board had not failed so much as the audience had by being presented with the choice between the art and vulgarity and choosing vulgarity. By 1933, she had come to the conclusion that the only way to improve films was for the federal government to force the film industry to institute and follow the Hays Code, which was currently disregarded by many filmmakers.<sup>195</sup>

While Richardson noted problems with depictions of race, profanity and irreverent depictions of religion, she focused the majority of her ire at films that she felt

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<sup>193</sup> Letter from Mrs. Wood Allen Chapman to Mr.s S. Elizabeth Bolton of Asheville, N.C., Oct. 8, 1921, NBR.

<sup>194</sup> From Richardson to Bettina Guency of the NBR, Nov. 8, 1932, NBR.

<sup>195</sup> From Richardson to Barrett, Sept. 19, 1933, NBR.

denigrated women. What the women of Birmingham suggest in their resolution by declaring that they would not allow indecent film to “lower the standards of American women,” Richardson spelled out at length in numerous letters.<sup>196</sup> In a series of letters expressing her dislike of a film called *Party Girl*, Richardson wrote that with the world in a “state of unrest,” moral women were “standing by” to support the community. In such times, it was disgraceful to portray women as “only wantons, lewd women, gold-diggers and in fact any type but the noble women who we are now needing.”<sup>197</sup>

In another letter about *Party Girl*, Richardson lamented that films should be giving noble women “encouragement in their time of stress and strain.”<sup>198</sup> Richardson found *Party Girl’s* depiction of loose women so objectionable that she sought to have it banned and entered into a legal contest with an Atlanta theater owner, using “every bit of the machinery of the city government” to have screenings halted. By August, the legal fight continued on and Richardson declared “we are tired of glorified sin and harlotry shown in most of the pictures.” She returned to a theme she had touched on in earlier letters, that of the women of silent virtue slandered by such films. Of them, she wrote that “Maybe good women are uninteresting, but they are in the majority and they are tired of seeing their frailer sisters exploited, as the only ones in the world worthwhile.”<sup>199</sup>

Richardson repeatedly noted in her letters that her reason for banning films stemmed from their unflattering portrayal of women. She banned *Skyscraper Souls* because the protagonist slapped a woman and “that just isn’t done in this part of the

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<sup>196</sup> From Snell to Barrett, Sept. 18, 1931, NBR.

<sup>197</sup> From Richardson to NBR, July 9, 1931, NBR.

<sup>198</sup> From Richardson to Barrett, June 6, 1931, NBR.

<sup>199</sup> From Richardson to Guenzcy, Aug. 15, 1931, NBR.

country.”<sup>200</sup> She despised the films of Jean Harlow because of what she considered Harlow’s vulgar sexuality, referring to Harlow in letters as “Jean Harlot.”<sup>201</sup> Unlike the religious reformers, Richardson did not believe that movies were inherently tainted, nor did she seem to object to all portrayals of sexuality per se. She also differed from the progressives, in that she may have disliked crime pictures, but did not consider them more than distasteful. Richardson represented something else, a middle-to-upper-class woman whose distaste for political solutions had succumbed to what she believed was an assault on her identity and way of life. She summed up her position in a letter objecting to a Joan Crawford film, writing that the portrayal of “bad women” in so many films had encouraged “the exploitation of the mistress over the wife, the utter disregard of the sanctity of marriage.” This subtle ridicule of the married woman, she believed, was “more harmful to the youth of the land than any crime picture.”<sup>202</sup>

Richardson had served as one of the movie industry’s staunchest allies for decades. The loss of her support and that of other women of the Better Films Bureaus reflected something that the earlier campaigns for film censorship had not. The industry could afford to hold off the limited constituencies of the urban reformers and the Protestant activists, as the urban and middle class audiences still flocked to their pictures. The alliance between the middle class clubwomen and the movie industry had proved fruitful for both sides. The clubwomen’s support gave the movie industry a voice in regions where, before, the churches and other reformers had dominated the public argument. They provided cover for legislators to avoid passing censorship legislation

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<sup>200</sup> From Richardson to Barrett, Sept. 1, 1932, NBR.

<sup>201</sup> From Richardson to Barrett, June 15, 1932, NBR.

<sup>202</sup> From Richardson to Barrett, Dec. 3, 1931, NBR.



years before the industry enlisted the help of Hays to provide a moderate and respectable face to the anti-censorship campaign.

Together, they succeeded, especially in the South. With the exception of race-based laws in Virginia and Louisiana – and a law in Florida enshrining the National Board of Review and then the New York film board as arbiters – no southern state passed laws establishing state censor boards. In the communities where the local leaders did decide to create a censorship body, the members of the industry-allied Better Films Bureaus often moved into the censor positions. By the 1930s, this coalition had eroded, as evidenced by Richardson’s letters. State legislators again took up censorship bills. Critics inside and outside the industry also began efforts to directly lobby the studios, the National Board of Review and the Hays Office to clean up their films.<sup>203</sup>

#### THE “PAYNEFUL STUDIES”

Journalists also took up the fight for censorship, especially the middle class magazines popular with millions of American readers. In January of 1933, the readers of McCall’s Magazine opened the pages of their magazines to learn the stories of Clarabelle and Jonathan. At 16, Clarabelle spent too much time in front of the mirror and “trails languidly” to dinner. Observers of her 14-year-old brother Jonathan occasionally noticed that his “open and sunny” face transformed into a “terrific scowl.” According to the article, “Molded By the Movies” by Henry James Forman, the two youths were among the 62 percent of youths who imitated their screen idols.<sup>204</sup> The article went on to

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<sup>203</sup> Leonard Leff and Jerold Simmons, *The Dame in the Kimono: Hollywood, Censorship and the Production Code*, (Louisville: The University Press of Kentucky, 2001), 38.

<sup>204</sup> Henry James Forman, “Molded By the Movies,” *McCall’s Magazine*, Jan. 1933, 17.

suggest that children retained 96 percent of the information they absorbed through the screen and that what they saw directly influenced their behavior. Children enthralled by movies disdained the poverty of daily life and disobeyed parents. Not only did the movies entice children to experiment with makeup, jewelry and high fashion, the article contended, but it led older children to indulge in “necking and petting experiments.”<sup>205</sup>

Four months later, *The New York Times* would publish an even more alarming summary of the study, noting in the headline that “Overexcitement is Seen” and, in the body of the article, quote researchers Mark May and Frank Shuttleworth that children who frequented the movies average poorer school work, had a poor reputation with teachers and peers and were more disruptive and “less cooperative and less self-controlled as measured by both ratings and conduct test, are slight more deceptive in school situations, slightly less skillful in judging what is the most useful and helpful and sensible thing to do, and are somewhat less emotionally stable.”<sup>206</sup>

These articles spurred Congress to hold the ineffectual 1934 hearings and gave new life to the campaign to legalize censorship. At a March 1933 meeting of Motion Picture Association leaders, organization head Will Hays told the attendees that state legislators had submitted 100 bills to control movie content in the wake of the studies.<sup>207</sup> In front of Congress, Motion Picture Producers and Distributors General Counsel Charles C. Pettijohn made light of the study, drawing a laugh from the room with the observation, “my son, aged 15 years, sitting here in the front row, is a normal, average, American boy, and he goes to see the movies. He does not appear to have been ruined by them, so I

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<sup>205</sup> Ibid., 54-55.

<sup>206</sup> *New York Times*, “Child’s Reaction to Movies Shown,” 28 May, 1933, E7.

<sup>207</sup> Leonard J. Leff and Jerold L. Simmons, *The Dame in the Kimono*, 38.

thought I would take another chance with his morals and let him come here and hear a congressional hearing.”<sup>208</sup> In private, though, those in the industry referred to the studies as the “Payneful Studies.”<sup>209</sup> To the reformers, the study appeared to vindicate a central message that extended back to Jane Addams observations nearly three decades earlier that motion pictures corrupted innocent youths.

The number of newspaper and magazine articles attacking the industry spiked again in 1934.<sup>210</sup> Talk of censorship legislation arose again in state legislators. In the new climate, the industry had little need for the National Board of Review and its defense of the right of the artist to offend. The Production Code’s pledge of uniformity meant that every film out of Hollywood met national standards by default. A number of small studios operated outside the strictures of the Hayes Code, but they often relied on exploitative and titillating subject matter that also had no need of certification by the National Board of Review.

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<sup>208</sup> Federal Motion Picture Commission Hearings, 1934, 56.

<sup>209</sup> Leff and Simmons, *The Dame in the Kimono*, 38.

<sup>210</sup> Rodney A. Wambeam, “Lights! Camera! Policy,” 42.

## CONCLUSION

The fight over legal censorship of the movies did not arise indigenously in the South. The censorship debate over the new medium originated in the North, rising as much from fears of the movies' immigrant and working class audiences as it did from concern over the films' contents. During the first two decades of the century when the debate raged the hottest in the North and states and cities enacted legislation creating local film censors, much of the South did not have access to the movies as the region had the lowest per capita concentration of films in the nation.

In the southern cities where film rows thrived, local elites made their own accommodations to the new medium. Southern cities debated whether films could be run on Sundays as part of a larger dispute over recreation and amusements on the Christian Sabbath, but they did not share the same concerns and attitudes about the medium as their northern neighbors. The film theaters themselves were mostly owned by southern Protestant elites, leading to a more congenial relationship between theater owners and local politicians.

At the national level, Protestant activists like Wilbur Crafts of the International Reform Bureau had longstanding professional relationships with national southern politicians. When these activists sought the support of southern congressmen for a federal commission that would censor films on a national level in 1914, they turned to these politicians for support. In order to help convince them of the need for the commission, Crafts and allies like the Woman's Christian Temperance Union toured the South in hopes of creating a local base of support for their movement. This had the effect

of bringing some southern clergy and women's groups to support their cause, but did not create widespread sentiment against the movies.

Recognizing Crafts's efforts represented both a threat and an opportunity, the film industry's allies in organizations like the New-York based National Board of Review of Film sent their own agents in the region in the early 1920s to turn public support against censorship. These agents relied on southern worries about outside regulation of their morality and distrust of the federal government to fight the censorship movement on the national level.

At the local level, the National Board of Review brought together like-minded women to form a network of women's clubs known as the Better Films Committees. In their local communities, the board-allied clubwomen wrote newspaper articles reviewing movies, ran matinees of acceptable films for children and held showings of artistic films for adults. When local politicians floated the idea of creating state level censorship in places like Georgia and North Carolina, the clubwomen wrote their newspapers and legislators protesting the need for such regulations when women like themselves had the matter under control. In cities like Atlanta and Birmingham, the visibility of these women led to their acceptance as experts on film and they were promoted to positions as local censors.

The dramatic change in movie content brought about by sound weakened these alliances. Sound films brought with them racy dialogue, the realism and violence of the New York stage and a glimpse into the urban revolution in social and sexual mores brought about by modern ideas. The former allies of the National Board began to rebel against these new films and declare their support for censorship. As these women had no

bias against the industry, their protests acted as a bellwether warning of the possibility of another round of censorship battles at a time when the movie industry could least afford it. The film studios had borrowed millions of dollars to finance the conversion of theaters from silent to sound projection and with this debt came a loss of independence.

Censoring sound films to local tastes could cost millions and destroy industry profits. In order to forestall this, the industry embraced the idea of a national solution to the censorship problem.

The National Board of Review still advocated fighting the censorship advocates on a per case basis. The studios rejected this approach as too risky and sidelined the National Board in favor of an internal review system under Motion Picture Production Association President and former Postmaster General Will Hays. In 1934, the studios instituted a hard-line approach to film morality in the form of a list of dos and don'ts known as the Hays Code. This approach forestalled further censorship efforts and effectively shut down censor boards across the nation. Hays's Production Code Authority negotiated with the remaining urban and state boards at the script and shooting level to prevent problems with the release of films.

The introduction of the Production Authority Code quieted the censorship battles over the screen that had lasted for more than 30 years. The question of censorship of the industry did not die, but the post-1934 battles over the freedom of the screen arose around questions of wartime regulation and anti-communist campaigns. When the question of morality-based motion picture censorship rose again to the Supreme Court in the 1960s, it did so in the context of a societal embrace of civil rights and the freedom of the individual. Film distributors began challenging state and local censor in the courts on

freedom of speech grounds again in 1947. In 1952, thirty-seven years after removing freedom of speech protections from films in *Ohio v. Mutual*, the Supreme Court ruled that First Amendment protections applied to the movie screen. The legal tide turned against the censors and the next decade saw state and federal courts follow the Supreme Court in dismantling censor boards and laws across the nation.<sup>211</sup>

The fight for legal censorship died in the South as well. As southern leaders worked to transform the rural South into an industrial society shifting its population and investments from agriculture to factory labor in urban and small town textile mills, the viewing patterns and attendance demographics of southern audiences normalized with the rest of the nation. When Hollywood began embracing the civil rights movement in the 1950s and 1960s, it would release many films critical of the region without fear of legislative reprisal.

The negotiations leading to the final dissolution of the Hays Code as the industry's bible led to a compromise that addressed one of the central concerns of the moralist. The motion picture industry created a voluntary ratings system that noted which films were not suitable for children. This compromise effectively fulfilled the aims of the Better Films Bureaus by placing information on the movies objectionable content into the hands of mothers. Hollywood's new ratings system, while technically voluntary, evolved into a sorting system for the nation's theaters. Filmmakers who did not submit their films were barred from many theater chains. As parents accepted the ratings system and judged that it had some degree of reliability in determining what films

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<sup>211</sup> Laura Wittern-Keller, "Fighting for Freedom of the Screen: The Legal Battle over State Film Censorship, 1930-1965."

they could show their children, the call for legalized censorship died away as a widespread political movement in the United States.



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