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## Progressivism and the New Medium of Film

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Motion pictures were an enormously influential medium of entertainment in the early twentieth century. In order to comprehend the national drive toward film censorship in this period, one must understand the nature of the early film industry. This chapter will examine the growth of the motion picture industry and the reaction of Americans, and specifically Kansans, to this new form of entertainment. The explosive popularity of motion pictures will be examined against the backdrop of Progressivism, the powerful and multi-faceted social movement of the early twentieth century. Finally, the relationship between Progressives and motion picture censorship will be examined.

The first public exhibition of a projected motion picture before a paying audience in the United States took place at Koster and Bial's Music Hall in New York City.<sup>1</sup> This "amazing Vitascope" (an early motion picture device) was one act of a vaudeville show. In 1896, the first motion pictures shown in Kansas toured the state under the management of C. H. Matthews. Matthews built his own moving picture projectors in order to avoid the expense of leasing a machine from Thomas Edison's company, which attempted to monopolize the

1. Joseph H. North, *The Early Development of the Motion Picture, 1887-1909*, 49.

manufacturing, distribution, and exhibition of early films. Matthews purchased a half-dozen films and began showing them. The earliest movies Kansans saw were extremely short in length—barely one to two minutes long. They were also far from exciting, at least by modern standards. The most thrilling on-screen event that happened in Matthews's compendium of films was a fisherman falling into a body of water. Like many early motion picture screenings, a narrator accompanied Matthews's program, explaining to the audience what they were viewing on the screen. Matthews's touring exhibition would stop in a town, city, or hamlet and run several programs a day under a tent or in another temporary structure. Admission to his selection of films ran from ten to thirty cents. Kansans seemed willing to pay the somewhat then hefty price to see this novelty.<sup>2</sup>

Matthews's touring exhibition was not a huge moneymaking success. His company consisted of an advance man who publicized the new entertainment to towns that were on the circuit, a pianist who accompanied the program, and an electrician. Matthews not only had to pay a salary to these three men but also had to cover their travel expenses and the purchase of new films. Since Matthews's projecting machine ran on electricity, he ran into all sorts of problems. First, most of Kansas was not yet electrified, so the exhibition of films in many localities was not possible. Second, several different types of electrical currents were in operation; standardization had not yet taken place. The city fathers of several localities would not allow him to use the motor on his film projectors out of fear that it would wreck the municipal power plant. Matthews eventually built a projector that was turned by hand, avoiding problems with electricity.<sup>3</sup>

Shortly after Matthews began his tour of the state, early film distributor Lyman Howe also began canvassing Kansas. Howe became an enormously successful traveling motion picture showman. His films were often sponsored by religious organizations in rural areas of Kansas, and Howe shared in the profits with the sponsoring group. His films were often accompanied by a phonograph that produced sounds suitable to the action on the screen. Later, he used actors behind the screen to add dialogue.<sup>4</sup>

By May 1897, only one year later, film historians estimate that several hundred projectors were in use across the country, including the state of Kansas.

2. John Lewis Felder, "Sunday Movies in Kansas," 10–11.

3. *Ibid.*

4. Charles Musser, *The Emergence of Cinema: The American Screen to 1907*, 178.

In 1898, film versions of historical events such as the Spanish-American War spurred the popularity of movies. The medium's "capacity as a visual newspaper" demonstrated that motion pictures could go beyond mere entertainment.<sup>5</sup> Filmmakers reenacted the Cuban crisis and the sinking of the *Maine* for a fascinated American public.

In 1902, businessmen John Schnack and R. T. Webb of Larned, Kansas, opened a franchise under the Edison Exhibitors Company. They toured the Great Plains states using the Edison kinoscope machines. Other Kansas entrepreneurs jumped on the bandwagon, hoping to make easy money. Like many start-up businesses, early Kansas exhibitors had mixed financial results.

At the turn of the century, moving pictures were still a novelty. They were shown in arcades, parlors, dime museums, and vaudeville houses. Some vaudeville managers believed that "living pictures" were only a temporary sensation and eventually lost interest in their projection. Managers of photo parlors and arcades eagerly bought these projectors from vaudeville houses and pasted together photographs from their peep shows to make a reel that lasted from four to five minutes. The rear part of the arcade was then partitioned off and filled with chairs and a screen (or a sheet), and a theater was born.

The first semipermanent film exhibition center in Topeka was a tent called the Black Top. The film program began at eight o'clock each evening and lasted for an hour and a half. The admission fee was a quarter. The program included illustrated songs; a short, exciting film of the New York Fire Department making a run; and a western. But the Black Top was not a financial success. Like other touring film exhibitions, the owner of the Black Top had technical problems; the most significant was a flickering projector that made it almost impossible to watch the film.<sup>6</sup>

By 1905, patterns of film exhibition and spectatorship had begun to change in the United States, including the state of Kansas. Whereas motion pictures had previously been exhibited in a number of venues, the specialized storefront moving picture theater became the dominant site of film viewing in the period 1905–1907. These "nickelodeons" (so-named because of their typical five-cent admission) revolutionized the new screen entertainment. Film historians attribute this revolution to Harry Davis, a Pittsburgh, Pennsylvania, vaudeville magnate.<sup>7</sup> Beginning in the latter part of 1904, Davis

5. Ibid., 109.

6. Felder, "Sunday Movies in Kansas," 13.

7. Musser, *Emergence of Cinema*, 418.

began to open these small theaters in Pennsylvania, convinced that motion picture exhibition was a potentially lucrative business. His intuition proved correct, and within a matter of months Davis's "nicolet" was copied around the nation.<sup>8</sup> Nickelodeons changed the nature of spectatorship because audiences paid to see motion pictures exclusively and not other forms of "mixed" entertainment. Although sing-alongs or slides might accompany the moving pictures, films were the primary feature.

Historians have ignored the role of Kansas in this development and have largely focused on large urban areas in their studies. It is important, however, to understand how film culture also transformed the rural Midwest. The first moving picture theater in Kansas was the Patee Theater in Lawrence, one of the first permanent film theaters west of the Mississippi River. The Patee family first established the theater on the 700 block of Massachusetts Street in Lawrence and then permanently moved to 828 Massachusetts later in the decade. The Patee family, who had previously been involved in the vaudeville industry, believed in the possibility of exhibiting moving pictures as an exclusive attraction and not as a part of a vaudeville act. This made them pioneers in the film industry, though several difficulties had to be surmounted before the Patee Theater was operational. In 1903 Lawrence was not fully electrified, and the Patee family had to establish their own generating plant. It was also necessary for the family to send to New York for fixtures, a projector, and films. The theater did not have comfortable seats in the beginning. In many nickelodeons, patrons sat on kitchen chairs.<sup>9</sup> Like many early film exhibitors, the Patee family had limited capital to start their business. There was also a great deal of uncertainty whether the Kansas public would accept a night of entertainment that was based solely on watching short motion pictures. But the Patees were at the forefront of this revolution in cinema in their establishment of a permanent film theater. The vast majority of theaters that exhibited films in 1903 were still of a "mixed" variety, showing short films but also displaying numerous vaudeville acts. Therefore, contrary to most academic accounts, this was not just a phenomenon of the urban East Coast. Entrepreneurs like the Patees were experimenting with the exhibition of films in varied settings.

In 1904, Topeka obtained its first permanent movie house, established by the Stone brothers. The Star Theater exhibited three reels of pictures and had var-

8. Lewis Jacobs, *The Rise of the American Film*, 35.

9. "Lawrence, Today and Yesterday," supplement, *Lawrence Daily Journal World*, October 14, 1956, Kansas State Historical Society, Topeka (hereafter cited as KSHS).



ious vaudeville acts. Topeka obtained a new theater that showed films almost every year from 1905 through 1910, giving its citizens a wide choice of movie houses. The first film theater in Kansas City, Kansas, was the Electric Theater at Sixth and Minnesota. It was owned by businessman Arthur F. Baker.

The booming popularity of nickelodeons was preceded by a fundamental shift in filmic representation. In 1903, the U.S. film industry had begun to rapidly expand with the popularity of story-films such as *The Great Train Robbery*. This film, one of the best known and most commercially successful movies of the early silent era, was one of the first films to play in Davis's Pittsburgh nickelodeon, drawing in droves of audience members. The film was an absolute artistic and box-office success.<sup>10</sup> The Schnack and Webb company was one of the first to exhibit *The Great Train Robbery* in the state of Kansas. Therefore, the development of the story-film, combined with the enormous popularity of the nickelodeon, led to an explosive demand for film product. Motion picture production companies sprang up to meet this new demand. By the fall of 1905, nickelodeons had transformed and superseded other venues for film exhibition. They were simply the place to see motion pictures.

By 1909, eight to ten thousand nickelodeons covered the nation, and sixteen million Americans viewed motion pictures each week. Even in the economic recession of 1907, nickelodeon owners were doing booming business. These storefront theaters sprang up primarily in working-class neighborhoods. As Eileen Bowser points out in *The Transformation of Cinema, 1907–1915*, this does not mean that upper- and middle-class people did not see movies. "Respectable" individuals could see films at high-class vaudeville shows, museums of curiosities, legitimate theaters, or even churches.<sup>11</sup> By 1910, twenty-six million people, more than one-fourth of the American population, attended movies every week.<sup>12</sup>

In traditional accounts of film exhibition, historians mark the progression of films from being part of a vaudeville program (1896–1903), to the nickelodeon stage (1903–1911), to the building of permanent theaters for motion pictures (1912–1918). The rural nature of Kansas (accompanied by several large cities) did not necessarily fit this pattern. The Patee Theater in Lawrence predated most nickelodeons, and it appears that the theater exclusively exhibited

10. Ibid.

11. Eileen Bowser, *The Transformation of Cinema, 1907–1915*, 1.

12. John Whiteclay Chambers II, *The Tyranny of Change: America in the Progressive Era, 1890–1920*, 120.

motion pictures. The rural nature of the state made touring programs much more popular than they were in other parts of the United States. In rural areas, farmers and their families could travel to attend films only on the weekends, once their work was completed. It was difficult for permanent theaters in rural areas to stay financially afloat. In urban Kansas, conditions were more conducive to profit making. The Electric Theater in Kansas City was typical of the type that made the transition from nickelodeon to full-fledged theater. In 1906, the storefront had 144 kitchen chairs set before a screen. By 1910, the theater had 1,100 permanent seats. Baker, owner of the Electric, eventually became head of A. F. Baker Enterprises, which controlled a number of theaters throughout the state.<sup>13</sup> In the eastern part of Kansas, willing businessmen established theaters in many small towns. Earl Van Hyning owned theaters in Coffeyville, Independence, Ottawa, Parsons, and Iola. More isolated and sparsely populated parts of the state faced difficulty in getting the "pictures" to their communities. The town of Kincaid took matters into its own hands. The city government brought films to the citizens and charged them a five-cent admission. Cimarron and Syracuse, in extreme western Kansas, and Colony, in the eastern part of the state, did the same.

Between 1908 and 1913, motion pictures had grown enormously in popularity in the state. A discussion of the burgeoning influence of motion pictures in Kansas is necessary in order to understand the Progressive obsession with the entertainment. Prior to 1908, there was little newspaper advertising for films. Kansans found out what films were playing by the advertising that advance men promoted for traveling film shows or by running down to the local nickelodeon and seeing the list of current films posted on the ticket booth. In 1909, the *Topeka Daily Capital* contained entertainment advertisements but nothing related to motion pictures. It was not until the beginning of the new decade (1910–1911) that potential film patrons could find out what was playing at the nearby nickelodeon or theater by consulting their newspapers. In 1915, *Moving Picture World* claimed, "Five or even three or two years ago such a thing as a moving picture section in a daily paper was not even known. Today the moving picture sections are comparatively common."<sup>14</sup>

In the October 1, 1910, edition of the *Wichita Beacon*, the newspaper printed an advertisement for the Pastime Theater. The program included one hundred minutes of vaudeville and a new picture. Conforming to earlier

13. Felder, "Sunday Movies in Kansas," 13.

14. "Facts and Comments," *Moving Picture World*, December 4, 1915, 1799.

exhibition trends, at the Pastime, films were only one act of a multimedia bill. Other theaters in Wichita in 1910 catered exclusively to moving pictures. The Maple Theater ("Home of the Aluminum Screen") advertised there were "no tiresome waits or intermissions" and that their "pictures . . . do everything but talk." Due to increased competition, the price of admission to Kansas films dropped to a standard five cents, thus the name nickelodeon. The Colonial Theater, at 117 Market Street in Wichita, also charged a nickel for admission. Due to the short running time of most films in 1910, filmgoers were shown a "bill" of films. The Colonial claimed it showed "five big pictures and four of them comedies." In order to distinguish itself from theaters that catered to lower-class people, the Colonial claimed that its pictures were "*Always First Class.*"<sup>15</sup>

For millions of Americans, the storefront theater was the place to find an affordable amusement that transfixed and mesmerized audiences. Most nickelodeon programs were only thirty minutes in length, so it was easy to fit a nickel's worth of entertainment into a workingman or -woman's (or child's) schedule. Davis opened up his Pittsburgh, Pennsylvania, theater at eight in the morning and was still turning away people at midnight.<sup>16</sup>

As movies grew in popularity, city officials and social reformers became concerned with the unrestricted growth of the nickelodeon. Any empty storefront room in which chairs, a screen, and a projector could fit could be transformed into a makeshift theater. Health concerns erupted because many of the nickelodeons were hastily constructed without regard to fire safety or sanitary conditions. In the early twentieth century, communicable diseases such as tuberculosis were still major health problems, so the concern was well founded. Health officials and social workers wanted to make sure these theaters were safe for everyone by having them abide by fire codes and have decent ventilation systems. *Moving Picture World*, one of the earliest trade publications of this dynamic new industry, described such conditions in 1911: "Some of the places are perfectly filthy, with an air so foul that you can almost cut it with a knife. The floor is generally covered with peanut shells . . . and everybody spits on the floor. . . . No wonder the societies and health authorities try to bar children from the moving picture show."<sup>17</sup>

15. Advertisements for Pastime and Maple Theaters, *Wichita Beacon*, October 1, 1910, 7; advertisement for the Colonial Theater, *Wichita Beacon*, October 3, 1910, 7.

16. Jacobs, *Rise of the American Film*, 35.

17. *Moving Picture World*, March 11, 1911, 539.

The beginnings of the American film industry coincided with the development of the golden age of burlesque theater. As early as 1900, American and European producers were making risqué, “bawdy” films that were meant to appeal to a lower class of theatergoers. Sexy and risqué material was introduced to film from almost the beginning of the medium.<sup>18</sup> One example was *What Happened on 23rd Street, New York City* (1901), in which wind blew up women’s skirts, giving men in the audience a forbidden peek of female flesh. *What Demoralized the Barbershop* (1901) was a short film about even shorter skirts. A specific genre of early films was produced to appeal to young men, a significant component of the early moviegoing public. *The Corset Model*, *The Pajama Girl*, and *The Physical Culture Girl*, all produced in 1903, showed women in various stages of undress. Although these films were basically comic in tone, they attracted the ire of moralists and Progressive social workers who worried that such movies could warp young minds.<sup>19</sup>

The explosive growth of nickelodeons, coupled with the widespread popularity of films with somewhat risqué subject matter, caused some Americans to believe that films could be dangerous if not controlled. When motion pictures were first introduced to the American public, they were considered a mere diversion for the entertainment-hungry working class. As motion pictures began to draw in millions of Americans weekly, the creation of specific means to cope with this phenomenon was addressed by concerned citizens. At first, critical reaction to the new entertainment was mixed, and there was no agreement on what mechanisms should be established to ensure the most advantageous use of the medium’s abilities to communicate and educate large numbers of people. Everyone from clergymen to lawyers and social workers offered advice on how to “improve the movies.” As John Whiteclay Chambers II argues, “Americans quickly recognized movies as a powerful new medium capable of influencing masses of people and manipulating thought and behavior.”<sup>20</sup>

The growing popularity of nickelodeons brought movies to the attention of middle-class men and women who served the institutions of social control—the churches, reform groups, and a segment of the popular press. As reformers began examining the content of motion pictures and the effect that the new entertainment was having on American society, many members of

18. Chambers, *Tyranny of Change*, 121.

19. Sklar, *Movie-Made America*, 23.

20. Chambers, *Tyranny of Change*, 122.



the middle class became concerned and alarmed about the medium's growing power. Reformers, educators, clergymen, social workers, and members of civic organizations became troubled that the new medium would be a negative force in American society. Perhaps the major concern was the impact that films were having on children. Vicious attacks were made on the industry, claiming that films were "demoralizing," "crude," and "vulgar."<sup>21</sup> In the early summer of 1908, the Kansas City Franklin Institute sent a settlement worker to investigate films being shown in nickelodeons. Charges were brought against one theater owner, and complaints were brought against several others.<sup>22</sup> Social workers claimed that "the influence of movies is now as important as that of newspapers and schools" and that "the question of the film's morals has become pertinent."<sup>23</sup> As children became exposed to newsreel and fictional accounts of crime, the police promptly blamed the supposed rise in juvenile delinquency on the movies.

In order to understand the community forces that concerned themselves with the persuasive powers of motion pictures, it is important to grasp the predominant political and social movement of the early twentieth century—Progressivism. Motion pictures often ran up against the multitudinous forces of the Progressives. Progressivism and its followers represented a group of remarkable scope and diversity. Progressives included educators such as John Dewey, social workers such as Jane Addams, and politicians such as Theodore Roosevelt. Many members of the growing middle class considered themselves Progressives. Scholars of the period recognized that the growing professional middle class "would form the bulwark of those men and women who dedicated themselves to replacing the decaying system of the nineteenth century."<sup>24</sup> Progressivism was a dynamic reform movement that was composed of many specific social movements.<sup>25</sup>

At the center of the Progressive movement was a campaign to reform politics and society. Progressives believed that urban and industrial growth could not occur as recklessly as it had in the late nineteenth century. Rapid industrialization had caused such problems as business monopolies, dishonest politics, crowded city slums, and poor working conditions in factories. Progressives held that order must be imposed by the government and social agencies to

21. E. J. McKeown, "Censoring the Movie Picture," 11.

22. Bowser, *Transformation of Cinema*, 38.

23. McKeown, "Censoring the Movie Picture," 9.

24. Bernard Bailyn et al., *The Great Republic*, 596.

25. Chambers, *Tyranny of Change*, 138.

reform the glaring injustices of modern industrial American society. Progressives feared that society was becoming too materialistic and devoid of “healthful” values. They believed it was necessary to uplift the quality of modern urban life.<sup>26</sup> The Progressive era was a time of general awakening of social thought, a reexamination of the institutions, attitudes, and culture of the American republic.

The Progressives placed a great deal of faith in science and the use of rational, scientific reasoning as an answer to many of the social problems of the day. This led to the growth of new fields such as psychology and sociology. A dedicated group of trained social workers infiltrated the urban landscape to eradicate visible social ills. Using the settlement house as a base of operations, these social workers also sought to diagnose and combat urban problems that were developing in modern American life. It was in the field of education that Progressivism placed its primary emphasis on scientific methodology. Education was at the mainstream of Progressive thought, and the public school was seen as a lever of social change and moral betterment.<sup>27</sup> Progressives believed that education could curb the irrationality in men and elevate them to a higher calling. They were committed to improving the quality and welfare of all levels of society.<sup>28</sup> Theodore Roosevelt said, “There are two gospels I always want to preach to reformers. The first is the gospel of morality, the next is the gospel of efficiency.”<sup>29</sup>

It was natural that the movie house, an emerging, integral part of any city, would receive attention from Progressive social workers and educators. The vast ability of movies to entertain, influence, and inform the city’s population became an increasingly important concern of these individuals. Social scientists began investigations into the emerging entertainment, and they discovered that movies were not as “innocent or innocuous as originally seemed.”<sup>30</sup> As Progressives began adopting legislation to control the actual physical site of the motion picture theater, they found it difficult to control what was on the screen.

As the concern over motion picture content became more vocal, many concerned citizens began theoretically exploring the role that films could play in

26. See Suzanne Lebock, “Women and American Politics, 1880–1920”; Arthur S. Link and Richard McCormick, *Progressivism*; and Daniel T. Rodger, “In Search of Progressivism.”

27. Chambers, *Tyranny of Change*, 102.

28. Robert Fisher, “Film Censorship and Progressive Reform: The National Board of Censorship of Motion Pictures, 1901–1922,” 143.

29. Chambers, *Tyranny of Change*, 140.

30. Jowett, *Film: The Democratic Art*, 76.

American society. Many dedicated Progressives believed that improvement and reform could be brought to many different industries and forums. Professor T. K. Starr of the University of Chicago argued that motion pictures were “a tremendous vital force of culture as well as amusement.” Thomas Edison argued that the motion picture “will wipe out narrow-minded prejudices which are founded on ignorance, it will create a feeling of sympathy and a desire to help the down-trodden people of the earth, and it will give new ideals to be followed.”<sup>31</sup> The social potential of moving pictures was a marvel to Progressive reformers; the medium’s potential was both awe inspiring and frightening. Social reformer Carl Lathrope believed that the only way to make films a beneficial aid to society was “by some measure of social control.”<sup>32</sup> The more enthusiastic reformers appealed to their political representatives to help prevent the misuse of the new medium.

Objections from reformers about moving pictures and their effect on society focused on the impact of motion pictures on children. There were frequent attacks on the motion picture industry, but no organized groups of any significance emerged to control what some called the “movie problem.” Criticisms and condemnations came from many different sources, each with its own particular solution on how to deal with this “problem.”

Reformers paid a great deal of attention to the supposed negative effects of motion pictures on the child. In the *Nation*, one author wrote, “The truth is that this new means for public amusement has brought with it great perils which we are only beginning to realize, for side by side with its educational possibilities are the dangers of unrestricted propaganda.” Cranston Brenton, chairman of the National Board of Review of Motion Pictures, argued, “Hundreds of thousands of children daily are gaining their impressions of life, of education, of religion, of morality thru the easiest of all mediums—the things they see with entertainment and with little or no mental exertion.” In the initial years of nickelodeons, moving pictures were assumed to be just a passing fad for working-class audiences. Once films increased in popularity, middle-class children began attending them in even larger numbers, symptomatic of the Progressive belief that parents had lost control over children’s moral and social behavior.<sup>33</sup>

31. “The Moving Picture and the National Character,” 317.

32. Jowett, *Film: The Democratic Art*, 82.

33. “The Regulation of Films,” 487; Cranston Brenton, “Motion Pictures and Local Responsibility,” 125; Garth Jowett, “A Capacity for Evil: The 1915 Supreme Court *Mutual* Decision,” 64.

Progressives placed an immense importance on the role and responsibility of society to rear children properly. Garth Jowett, in *Film: The Democratic Art*, suggests that "the child symbolized all that the Progressives held sacred, for his innocence and freedom made him receptive to scientific, rational concepts of men like John Dewey, and he held the positive future of society in his development." Thus, much of Progressive social activism was directed toward the "proper" development of children. Those who were concerned about the negative effects of motion pictures believed that a child's development could be destroyed by the introduction of unacceptable or perverse acts through the cinema. In 1910, Mayor Joseph Seidel of Milwaukee announced that it was useless to provide recreational activities for the children of his city when "the nickelodeons attracted their baser passions." He remarked that one must then compete with the nickel theaters by having motion pictures in the schools.<sup>34</sup> Many Progressive educators and civic leaders agreed with Seidel and concurred that the purpose of films should be to teach rather than to simply entertain.

Jane Addams, a leading figure in Progressive social work, dedicated an entire chapter in her book *The Spirit of Youth and City Streets* to the possible negative influences of motion pictures on children. Her analysis, titled "The House of Dreams," explained that the movies were serving as recreation for children but were creating an unreal world for urban youth. She commented that the motion picture provided a "transition between the romantic conceptions which they vainly struggle to keep intact and life's cruelties and trivialities which they refuse to admit." Addams believed that immigrant youth had to acquire an accurate and clear picture of American life if they were to survive in the United States. She believed that movies had the potential to destroy a generation of children by "filling their impressionable minds with these absurdities which certainly will become the foundation for their working moral codes and the data from which they will judge the properties of life."<sup>35</sup>

Two of the major concerns regarding children and their relationship to film involved the depictions of sexuality and crime. Around 1900, American producers began to make films that pushed community standards of decency regarding dancing, costumes (or lack of them), and sexuality. Although the majority of theaters were reputed to maintain polite standards at all times, the smaller independent theaters and penny arcades were looking for a select audi-

34. Jowett, *Film: The Democratic Art*, 77; "The Socialist Mayor of Milwaukee on Moving Pictures," *Moving Picture World*, June 4, 1910, 928.

35. Jane Addams, *The Spirit of Youth and the City Streets*, 75-76.



ence. Citizens across the country became concerned that motion pictures and a “frank” use of sexuality (by early-twentieth-century standards) would have a disastrous effect on the sexual upbringing and morality of America’s youth. Writing in the *Christian Century*, journalist Fred Eastman stated that “for girls, the harm lies in the love scenes which prematurely arouse their sex impulses.” An author in *Outlook* wrote, “The story of the average screen drama plays upon the weakest, most illogical prejudices and sentimentalities of the less thinking classes far more than old-fashioned melodrama.” He argued that “it is the psychology—or rather the absence of it—in the average moving-picture play that constitutes its greatest danger to the growing mind.”<sup>36</sup> Despite a lack of supporting evidence, thousands of Americans read such claims.

The depiction of crime and its potential influence on children also created an uproar among social workers and educators. Those who were anxious to place the movies under more stringent control argued that children could be persuaded to engage in criminal activities by imitation of what they saw on the screen. As early as 1910, the *New York World* claimed that films were the cause for an increase in crime. The typical argument that films were the bane of Western civilization came from William A. McKeever, a professor at the Kansas State Agricultural College (now Kansas State University) in Manhattan. He stated that movies had come to replace the “cheap yellow paperback as a purveyor of cheap, trashy stories.” He claimed, “The movies were ten times worse, more poisonous and hurtful to character, because they appealed to the senses in flesh-and-blood form.” McKeever argued the movies frequently contained subject matter that was of a “criminal and degrading nature.” Reports from around the nation came in about children who tried to imitate what they had seen on the screen. The *American Review of Reviews* noted that two Pittsburgh youths tried to hold up a streetcar after viewing a train robbery on a motion picture screen. The magazine also reported on a situation in which three Brooklyn boys had committed burglary to get the price of admission to unlimited western pictures.<sup>37</sup> Reformers claimed that such acts proved that there was a direct connection between motion pictures and crime, even though many other causes such as family instability and poverty were conveniently left out of the argument.

The physical setting in which films were shown was also a major concern of Progressive reformers. As previously mentioned, Progressives were worried

36. Fred Eastman, “Our Children and the Movies”; “Movies Morals and Manners,” 695.

37. William A. McKeever, “The Moving Picture: A Primary School for Criminals”; “Moving Picture and National Character,” 315–20.

about fire safety and health issues regarding these makeshift theaters. Progressives led the fight for protective social legislation to improve the physical conditions of public buildings. As they attempted to force cities to adopt sanitary, fire, and building codes to ensure the safety of their citizens, the nickelodeon became a subject of concern. Ordinances about ventilation, lighting, fire safety, and crowd control in public buildings also applied to nickelodeons. Enforcement of these regulations and the construction of actual movie theaters (as opposed to storefront theaters) vastly improved the standards of safety. But concerned citizens also watched in horror as crowds of people, unescorted women, and unsupervised children all crowded into the same theater with adult men. The Chicago Vice Commission found many cases in which young boys and girls were sexually abused in theaters, sometimes even in the middle of the afternoon.<sup>38</sup> William Healey, a pioneer in the study of juvenile delinquency, found that “under cover of dimness, evil communications readily pass and bad habits are taught. Moving picture theaters are favorite places for the teaching of homosexual practices.” Some reformers also worried that young couples would pay more attention to each other than to the movies being shown on the screen. In 1919, Orrin G. Cocks stated what concerned parents had been warning about for years—that “seating accommodations promoted erotic congestion.”<sup>39</sup>

Religious groups were actively involved in the discussion over motion pictures. When films were first introduced to the American public, many religious groups had hoped that films would become a medium of education and would teach youths proper morals and values. The Reverend James J. Durick of the Church of Our Lady of Good Counsel in Brooklyn claimed that films could be a source of moral uplift as well as instructive entertainment. To convince his parishioners, Father Durick invited them twice a week to see such films at the parish hall. In *Moving Picture World*, Father Durick claimed, “I had to fight the evils of moving pictures with its own weapons. At first, [films] were instructive, but suddenly there are pictures insidiously revealing vice and the suggestion of vile things.”<sup>40</sup> Religious leaders such as Canon William Chase of the Christ Church of Brooklyn were some of the chief movers in the crusade to “clean up” the movies.

38. Jowett, *Film: The Democratic Art*, 82.

39. William Healey, *The Individual Delinquent*, 307; Orrin G. Cocks, “A Real Motion Picture Ogre,” 20.

40. “How a Brooklyn Priest Deals with the Problem of Moving Pictures,” *Moving Picture World*, October 29, 1910, 983.

In the field of education, motion pictures gained some early support, but many instructors were hesitant about readily accepting the new medium of expression. Faced with the fact that films were direct competition for the attention of young minds, some educators were convinced that it was better to ally themselves with the new medium. In a lecture to the teachers of Topeka, Kansas, Professor Milton Fairchild of Baltimore advocated the appointment of a "moral" instructor from the University of Kansas who would go about the state with a motion picture projector dispensing "visual education" on the effects of "wickedness and righteousness." On the other hand, Jane Elliott Snow, in *Moving Picture World*, declared that moving pictures were the "working man's college" because they gave him a broad and liberal education. Many educators claimed that industry-produced motion pictures failed to present proper moral instruction. Both religious groups and educators wanted films to teach proper behavior rather than "immoral" sexual behavior and criminal activity. These individuals were simply disappointed and angry over the product that the motion picture industry was providing. Kansas professor William McKeever claimed that motion pictures were causing children to "unlearn all the moral lessons of the schools."<sup>41</sup>

Educators, clergymen, women's clubs, and politicians all attacked the same issue: they claimed that movies taught antisocial behavior. While Progressive reformers were calling for an increased role of the government in curing the social ills of American society, they also looked to the government to control the "poison of the mind" that they claimed the industry spewed. As one reader in *Outlook* expressed, "Unless the law steps in and does for moving picture shows what it has done for meat inspection and pure food, the cinematograph will continue to inject into our social order an element of degrading principles."<sup>42</sup>

When reformers were calling for social control, they were talking about censorship. Censorship was a form of cultural intervention in which reformers could remove "offensive" material. The first recorded protest against a movie was with the film *Dolorita in the Passion Dance* (1897). This brief film showed a young woman in various stages of undress (but never completely nude). The film was a hit in the peep-show parlors of Atlantic City until it was ordered shut down by a judge in 1897 because of its "possible moral harm."<sup>43</sup>

41. McKeever, "Moving Picture," 184–86; Jane Elliott Snow, "The Working Man's College," *Moving Picture World*, March 19, 1915, 432; McKeever, "Moving Picture," 185.

42. Darrell O. Hibbard, "Moving Picture—the Good and Bad of It," 598–99.

43. Sklar, *Movie-Made America*, 30.

Between 1897 and 1907, judges throughout the nation made numerous decisions in which films were either banned or exorcised because of their possible "moral abuse." The first actual censorship legislation was passed and approved in Chicago. In 1907, Chicago had more than 150 theaters that showed motion pictures.<sup>44</sup> These establishments enjoyed a daily attendance that was estimated at one hundred thousand patrons. In a scathing editorial, the *Chicago Tribune* kicked off a censorship campaign, declaring that movies were "without a redeeming feature to warrant their existence. They appeal to the lowest passions of childhood and it is proper to suppress them at once. [There] should be a law absolutely forbidding entrance of any boy or girl under eighteen. The impact of these movies' influence is wholly vicious. There is no voice raised to defend the majority of five-cent theaters, because they can not be defended. They are hopelessly bad."<sup>45</sup>

On November 4, 1907, the City of Chicago passed an ordinance "prohibiting the exhibition of obscene and immoral pictures and regulating the exhibition of pictures of the classes and kinds commonly shown in mutoscopes, kinetoscopes, cinematographs and penny arcades." This ordinance effectively established the first governmental "societal control" over motion pictures. The legislation required that individuals who were involved in the business of exhibiting motion pictures secure a permit for their display from the chief of police. He was not to issue permits for films that he deemed "immoral" or "obscene."<sup>46</sup>

That same year, New York City became embroiled in a major controversy over motion picture censorship. In June, Mayor George B. McClellan received a condemnatory report from the city's police commissioner who recommended the cancellation of all licenses of nickelodeons and penny arcades. The police commissioner claimed that hastily built movie houses were dangerous for patrons and that in his opinion "questionable" material was being exhibited on the screen that might be harmful to New York citizens. The largest concentration of nickelodeons and film patrons in the country was found in New York City.

The issue of municipal control over motion pictures smoldered in New York City throughout 1907–1908. McClellan was under constant pressure

44. *Billboard*, March 17, 1907, 32.

45. Terry Ramsaye, *A Million and One Nights: A History of the Motion Pictures through 1925*, 474, 478.

46. Hunnings, *Film Censors and the Law*, 165.



from clergymen who were "protesting that [motion pictures] spread demoralization among the children . . . and keep children away from Sunday School."<sup>47</sup> Religious leaders of the Church of Christ and the Roman Catholic archdiocese were chief leaders in the movement to sanitize the movies.

On December 23, 1908, Mayor McClellan called for a public hearing to discuss the general condition of movie theaters. The *New York Times* described the meeting as "one of the biggest public hearings ever held in City Hall." The mayor listened to arguments against motion picture exhibition from almost every religious denomination in the city. Frank Moss, leader of the Society for the Suppression of Vice, a reform group, gave evidence and made an elaborate case against the movies. Moss brought various witnesses who claimed that they had seen unescorted children in nickelodeons and had witnessed the display of pictures that were "suggestive." Canon William Sheafe Chase of Christ Church of Brooklyn kicked off a thirty-year campaign against immoral movies when he testified that the industry had "no moral scruples whatever. They are simply in the business for the money there is in it."<sup>48</sup>

Theater owners and film manufacturers flocked to city hall to defend their livelihood and protested against any form of social control. The major defense for the industry was offered by Charles Sprague Smith of the People's Institute, a New York reform group. He argued that there were more pressing issues facing New York City than movies. J. Stuart Blackton of the Vitagraph Company, a major film producer, said that the film companies had agreed not to manufacture any more questionable films and promised to keep out the importation of such films from Europe. French films in particular had a reputation for being more adult than most American pictures in regard to marital infidelity and displays of sexuality. Theater owners feared an extension of censorship as practiced in Chicago and promised the mayor that they would not display any obscene motion pictures.<sup>49</sup>

After more than five hours of deliberation, McClellan decided to close all movie houses in the city of New York on December 24, 1908. The mayor revoked the licenses of all of the picture houses. The decision was dramatic and newsworthy enough to make the front page of the Christmas edition of the *New York Times*. The mayor claimed that his major concern was over the safety of the motion picture houses and that in order to gain the licenses back,

47. Ramsaye, *Million and One Nights*, 475.

48. "Says Picture Shows Corrupt Children," *New York Times*, December 24, 1908, 4.

49. *Ibid.*

the establishments would have to be checked by the chief of the fire department. The mayor also stated that he would again revoke the license of any theater that "tended to degrade or injure the morals of the community."<sup>50</sup>

The closing of nickelodeons and theaters threw the movie industry, then centered in New York City, into a state of chaos.<sup>51</sup> No theater owner, distributor, or film manufacturer knew what action would take place next. Theater owners and film producers quickly assembled to discuss the situation. William Fox, a leading film producer and owner of the Fox Film Corporation, told the group that the industry's very existence was threatened if McClellan's actions were followed by other governmental leaders. The first step was to obtain an injunction restraining the mayor from taking any further action against picture theaters. The injunction to reopen the nickelodeons was obtained from Judge William Gaynor, a candidate for mayor and a friend of the film industry.<sup>52</sup> On January 9, 1909, the municipal government countered by passing an ordinance banning children under the age of sixteen from theaters unless accompanied by an adult. This adult-escort clause would be economically devastating to the industry that depended on hundreds of thousands of children who attended New York City theaters alone each week. Theater owners responded by employing "surrogate parents" to accompany them into the theaters. Film-industry businessmen were not willing to submit to censorship action.<sup>53</sup>

From 1909 on, the film industry found itself under complete attack. While reformers across the United States were criticizing the motion picture industry and advocating governmental control, supporters rallied to the industry's defense. Film manufacturers, exhibitors, and distributors fought censorship on the grounds that it was un-American and abridged the constitutional guarantees of freedom of speech and of the press. *Moving Picture World*, for example, placed the responsibility of acceptable filmmaking on the individual

50. "Picture Show Men Organize to Fight," *New York Times*, December 25, 1908, 2.

51. It is necessary to define "industry" here. In early 1908, negotiations began among the various film producers to attempt to bring an end to years of fighting over patent rights on cameras, projectors, and other equipment used to make and display films. These discussions culminated in the incorporation of the Motion Picture Patents Company in September 1908. This company consisted of ten of the largest producers of motion pictures. There were independent companies outside of the system, but it can be said that the Motion Picture Patents Company represented industrial sentiments (Nancy Rosenbloom, "Progressive Reform, Censorship, and the Motion Picture Industry, 1909-1917," 44-45).

52. Bowser, *Transformation of Cinema*, 38. Gaynor was elected mayor of New York City in 1910.

53. Jowett, *Film: The Democratic Art*, 113.

manufacturer rather than accepting the reformers' remedy of censoring the entire industry. The publication claimed, "Censorship is an instrument of bigotry and oppression. If the censor is a fanatic, his likes and dislikes are obvious. If he is a politician, it may be possible to bribe him. . . . Exhibitors should fight censorship legislation."<sup>54</sup> Even some religious and educational leaders who questioned the morality of motion pictures opposed governmental censorship.

Opponents to governmental censorship of motion pictures further claimed that many of the criticisms of the outcomes of film viewing were simply not true. Following the conflict over censorship in New York City, an investigation of screen content was conducted by the police commissioner. In *American City*, Cranston Brenton reported, "The independent reports . . . demonstrated that by far the majority of films were wholesome and that adverse impact of the 'movies' had been guilty of great exaggeration."<sup>55</sup>

Nor did everyone believe that viewing a crime film would make individuals into criminals. A writer in *Moving Picture World* commented that "it is only a well-developed insanity that is affected by the suggestions gained from pictures. Newspapers might also be said to incite crime, but nothing is done about that. Children are not excluded from all Punch and Judy shows which are really brutal and often end in a hanging."<sup>56</sup>

Representatives of the film industry and advocates of constitutional freedom for the movies felt that it was better to let the public make up its own mind regarding films, rather than have some type of governmental interference. In *New Jersey Municipalities*, Progressive Orrin Cocks stated, "Americans choose the good in movies whenever they get a chance. . . . [I]nstead of berating the producers, a few people are telling the motion picture industry in straight, wise, sympathetic language that they want something good. The industry has responded to this friendly treatment." A writer in *Harper's Weekly* agreed: "The moral problems are better left to the public because they are bungled by politicians."<sup>57</sup>

By the end of the first decade of the twentieth century, Americans had begun to divide over the question of whether the government should control motion pictures. While the motion picture was becoming established as the

54. Stephen Bush, "The Previous Restraint," *Moving Picture World*, January 3, 1914, 25.

55. Brenton, "Motion Pictures and Local Responsibility," 126.

56. "Exclude the Criminal: Or Some Further Limitations of the Picture," *Moving Picture World*, August 27, 1910, 456.

57. Orrin C. Cocks, "Good Movies Go Strong," 147-50; "Morals and Movies," 577.

most popular form of entertainment in the early part of the century, the fledgling industry became embroiled in fighting the threat of censorship. Several strategies to fight this censorship were under way. First, the industry increasingly began to base films on acknowledged cultural masterpieces, demonstrating that motion pictures could be uplifting and educational. Cinematic versions of *Julius Caesar*, *Romeo and Juliet*, *A Doll's House*, *Faust*, and *A Christmas Carol* were all produced between 1908 and 1910. Second, trade publications became involved in the dispute, encouraging producers to stay away from certain subject matter.<sup>58</sup> On January 2, 1909, for example, *Moving Picture World* recommended that the following items be banned from the screen: religiously offensive material; contemporary sensational crime; shots of prisons, convicts, and police stations; and scenes of morbidity.<sup>59</sup>

What became increasingly apparent was that if the industry was going to continue to grow, some type of regulating agency that would satisfy both the industry and the demands of reform and religious groups needed to be established. The People's Institute of New York attempted to negotiate a truce. The People's Institute was a reform group whose members included personnel of the Society for Prevention of Crime and the board of education and members of various church societies. The institute's leaders included John Collier, a motion picture and theater critic, and Charles Sprague Smith, a Progressive reformer. The People's Institute was the embodiment of the Progressive spirit, a dedicated group of reformers with genuine concern for the city of New York.

In 1909, the institute brought together ten New York civic organizations, under the title of the National Board of Censorship, to sponsor a nongovernmental motion picture censorship board. Movie producers approved of a plan that called for them to submit all films to the board for previewing. All films were reviewed by small subcommittees that consisted of four to ten members. A majority would then rule if the film would be classified as "Passed," "Passed with Changes as Specified," or "Condemned." The industry agreed to cut out any footage that the board recommended.<sup>60</sup> The decisions of the board were then mailed out in a weekly bulletin delivered to more than four hundred social and civic organizations. The industry even gave the Board of Censorship some financial support, but this later had to be withdrawn out of fear of a conflict of interest. Collier, secretary and public spokesman of the National

58. Bowser, *Transformation of Cinema*, 42-43.

59. *Moving Picture World*, January 2, 1909, 200.

60. Jowett, *Film: The Democratic Art*, 112.



Board of Censorship, realized the growing importance of the motion picture in American life. He emphasized the positive aspects of the beleaguered medium. He stated that "the motion picture show is one of the silent, unregarded and largely misunderstood agencies which are making history. . . . The motion picture is the foremost art influence among wage-earners of our country." Collier believed that the public, through the National Board of Censorship, should censor its own amusements and not leave it up to a governmental body. The National Board of Censorship and the industry realized that the goal should be uplift. Many leaders of the People's Institute and the National Board of Censorship feared what might happen if a small group of people (censors) gained control over the screen. One of these leaders, W. Stephen Bush, warned in 1914 that "this constant talk about censorship has stimulated the army of cranks into unwholesome activity. The very words of censor and censorship are odious and remind us of the times when the public hangman was wont to burn books which were disapproved by the authorities only to be afterwards enthroned in the esteem and the affections of mankind. The censor is nothing more and nothing less than an inquisitor, whose office has been held in abhorrence through the centuries."<sup>61</sup> Progressives were divided over governmental interference in motion picture content. Some Progressives, like Collier and Bush, believed in endorsing films of merit and championing the "art of the people" that was transforming American cultural life.<sup>62</sup> Others believed that the motion picture was harmful enough to children that the government needed to step in and regulate it.

In reality, the National Board of Censorship was not a censorship apparatus but a promoter of good films. A title "Approved by the National Board of Censorship" could be attached to a film with the specific purpose of avoiding local censorship. The board made an adamant effort to dissociate itself from being an actual censorship board. The motto of the board was Selection Not Censorship, and it devoted much of its energy to combating both federal and state censorship proposals. The board's operations were called "voluntary," and its power was said to be "only through the positive and continuing wish of the movie community."<sup>63</sup> This attitude was reflected in 1915 when the

61. Bowser, *Transformation of Cinema*, 44.

62. Collier quoted in Jowett, *Film: The Democratic Art*, 112; W. Stephen Bush, "No Distinction of Censorship," *Moving Picture World*, January 17, 1914; history of the National Board of Review, National Board of Review Web site, <http://www.nbrmp.org/about/history.cfm>.

63. Richard S. Randall, *Censorship of the Movies: The Social and Political Control of a Mass Medium*, 12.

agency changed its name from the National Board of Censorship to the National Board of Review. The industry enthusiastically supported the national board, fearing it might be a last chance against social reformers and would-be censors.

Advocates of censorship, such as William Chase, considered the National Board of Censorship inadequate because it reached only those film manufacturing companies that were willing to submit their products to it. These advocates claimed there were ways for willing companies to get around the board. Before a film had passed the scrutiny of the board, copies of it could be sold to distributing agents with the sole agreement that it would not be released before a certain date. The distributors, as the owners of the film, could do anything they wanted with it. The film passed out of the hands of the National Board of Censorship. Chase represented the religious community who believed that governmental film censorship was necessary.

The National Board of Censorship received widespread journalistic coverage, and in many ways John Collier became the spokesman for the anticensorship movement. Collier wrote in *Survey* that "censorship is impractical and dangerous because the means involved are too crude for the ends sought and are largely unrelated to the ends sought." Critics claimed that the board was simply a tool of the industry, a smoke-screen board that would approve all films submitted. Collier admitted that the origins of the board could be traced to the relationships among producers, distributors, and the public but defended the right of the people to choose their own forms of entertainment.<sup>64</sup>

The National Board of Censorship considered itself a success in its early years of operation. By 1914, it was estimated that 95 percent of all films shown across the nation were reviewed by the National Board of Censorship.<sup>65</sup> Many religious leaders and moralists became unhappy over the failure of the National Board of Censorship to censor films more vigorously. State and municipal governments, therefore, began taking "the movie problem" into their own hands. The film industry began spending enormous amounts of time, effort, and money lobbying against governmental censorship. Motion picture companies hired lawyers and political consultants to persuade local, state, and federal officials not to enact censorship legislation or ordinances. If each city and state would adopt separate censorship boards, with their own standards, the result could be chaos for the industry. A writer in *Moving Pic-*

64. John Collier, "Censorship and the National Board."

65. Fisher, "Film Censorship and Progressive Reform," 149.

*ture News* argued, "One of the most difficult problems confronting the industry to-day is that of the film censor. State censorship, unless every State adopted the same legislation, would be very chaotic."<sup>66</sup> Many reform groups and members of the clergy were dissatisfied with the industry's attempt to avoid what they considered the real issue: the removal of all "offensive" features from motion pictures.

In 1911, Pennsylvania became the first state to establish a censorship board. Reform groups, women's clubs, and religious leaders organized a campaign for state censorship of motion pictures. The reactionary views of those in Pennsylvania who supported state censorship can be summed up in the words of the Reverend Edward G. Garesche: "Seventy five percent of all films are slapstick comedies, rough and vulgar entertainment. Only five percent are educational. . . . [A] sure remedy is censorship." A writer in *Literary Digest* reiterated this sentiment: "The movies are of immense importance. They are making the taste of millions. They are making it bad, execrable taste—bad and execrable, because it is based on sensation, and is to that extent wholly animalistic." In Pennsylvania, a board of three censors was authorized to review all films in the state and given power to issue permits for those that were "moral and proper" and withhold those that were "sacrilegious, obscene, indecent or such as in the judgment of the board to debase or corrupt morals." The legislation clearly identified items that would be banned from Pennsylvania screens. They included nudity, sexual liaisons, infidelity, and violence.<sup>67</sup>

By 1913, the state legislatures of Ohio and Kansas were willing to follow the example set by Pennsylvania. The attempt to create motion picture censorship commissions in these two states would lead to a major Supreme Court case that would determine the constitutionality of governmental motion picture censorship in the nation. It would be a landmark case that would impact freedom of the screen for more than thirty-five years—and Kansas was at the heart of it.

66. "The Censoring of Film," *Motion Picture News*, March 15, 1913, 7.

67. Edward F. Garesche, "Pastors and the Censorship of the Movies," 256–66; "Movies Crimes against Good Taste," 592; Hunnings, *Film Censors and the Law*, 186.