

CENSORSHIP, SEXUALITY AND THE REGULATION OF CINEMA, 1909-1925

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Dedicated to the memory of
my father, Henry Philip Kuhn

ABSTRACT

This thesis deals with film censorship as a strategy of regulation; with the discourses, practices and powers involved in the censorship of films; with relations between these; and with what is produced in these relations. It is also a social history of film censorship. The inquiry's starting point is the birth of film censorship in Britain, and it focusses on the years between 1909 and 1925. This was a period of uncertainty, indeed of struggle, over what the new medium of cinema was to become: how it would be understood, defined, constituted, regulated, as a public sphere.

In looking at the instrumentality of film censorship in the emergence of a public sphere of cinema during the earlier part of this century, this inquiry also draws in institutions, practices and discourses which at first sight might appear to have little or nothing to do with the censorship of films. Important among these are 'new' forms of knowledge about sexuality and society,

and organisations devoted to the promotion of 'social purity'.

At the centre of this study are three case histories involving specific films or groups of films-- commercial fiction features, both British and American--which were caught up in various ways in processes of censorship during the 1909-1925 period. When each case is investigated with a view to revealing the power relations involved, prevailing understandings of censorship are opened up to critical scrutiny and reformulation.

More than merely a series of fixed institutional practices of prohibition, film censorship emerges here as a set of processes, as produced in a play of shifting and contradictory forces. It also emerges as productive, in that, at a particular historical moment, processes of censorship were actively involved in the constitution of a public sphere of cinema, of cinema as an object of regulation.

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ABBREVIATIONS

BBFC	British Board of Film Censors
BSHC	British Social Hygiene Council
CEA	Cinematograph Exhibitors' Association
LCC	London County Council
MCC	Middlesex County Council
NCCVD	National Council for Combating Venereal Disease
NCPM	National Council of Public Morals
NVA	National Vigilance Association

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CHAPTER 1

INVESTIGATING FILM CENSORSHIP

I try to study the play and development of a set of diverse realities articulated on to each other.

Michel Foucault, 1981

Questions of Censorship

If the title of this work--'Censorship, Sexuality and the Regulation of Cinema'--implies, indeed intends, a diverse set of objects, the point of entry for inquiry into these objects and their interrelations is quite specific: the story begins with the birth of film censorship in Britain. It proceeds to a consideration of the implication of institutions and practices of film censorship in the constitution of cinema as a public sphere of regulation. In the process, it draws into the field of investigation institutions, discourses and practices which might at first sight appear to have little or nothing to do with the censorship of films; and in the end subjects the very concept of censorship to critical scrutiny and redefinition.

The inquiry has a limited time frame, in that it focusses on the years between 1909 and 1925. While periodisations of this sort may be misleading in their promise of precision--historical events are rarely capable of being pinned down temporally to exact beginnings and endings--there are in this instance a number of arguments in favour of such a strategy. 1909 was the year in which the Cinematograph Act, the earliest British legislation relating specifically to cinema, entered the statute book. Although not the first legislative entrant in the arena of censorship, nor even originally framed as a censorship measure, this Act soon came to constitute the legal underpinning for various film censorship practices. Its passage may therefore be regarded as a key moment in the history of film censorship in Britain. While year 1925 offers no such clear marker of transition, it is taken as the endpoint of investigation because it was not until the mid-1920s that the various institutions and practices which were to govern the subsequent conduct of British film censorship were in place.

The years between 1909 and 1925 are significant because they constitute a period of uncertainty--and indeed of struggle---over the means by which cinema was to be understood, defined and regulated. The entire period, in fact, may be regarded as an extended moment of risk.

For during this time not only were the forces at work in film censorship more exposed, more in danger, than they would ever afterward be, but cinema itself was actually in process of becoming. As an industry it was beginning to establish itself as a social force to be reckoned with; while as a form of representation, it was developing conventions whose effect in the final instance was not only to secure the lasting hegemony of the fiction feature film, but also to privilege a highly circumscribed mode of narration for this fiction cinema.

In taking film censorship in Britain as its point of departure, this study necessarily draws on other work on the subject, while ultimately constructing its object rather differently. Existing studies are overwhelmingly dominated by what may be termed the 'prohibition/institutions' model of censorship. Within this frame of reference, censorship is understood in the first instance as a form of prohibition, of excision, of 'cutting-out', whereby certain subjects are forbidden expression in representations. Discussions of censorship consequently often assume that a censored text is one which fails to represent certain aspects of a 'reality' which pre-exists that text, that a censored text therefore distorts reality or in some other sense falls short of it.

Such a position is founded on a separation between a

'real' world of social action on the one hand and texts and representations on the other. It suggests that the 'real' incorporates a truth that should or should not (depending, perhaps, upon one's politics) be reflected in representations; and that censorship, rightly or wrongly, gets in the way of this reflective process. This conceptualisation of prohibition thus effectively subordinates representation to 'reality'. Some consequences of this gesture of separation and subordination will be explored below: at this point, however, it is sufficient simply to note that the prohibition model constructs censorship as a problem of a specific kind: a problem of 'interference', and thus an activity which calls either for justification or for condemnation.

A good number of studies of censorship and cinema which address the topic from this standpoint have adopted an anti-censorship stance, denouncing political or moral censorship of films, or putting forward arguments in support of relaxing existing prohibitions on film contents. Such studies have usually appeared at times when film censorship has been, for one reason or another, a focus of public attention. An early example of this type of study is Dorothy Knowles's The Censor, the Drama and the Film, published in 1934 at the height of a controversy over the censorship of some Soviet

feature films on political grounds. In more recent times, the 1970s saw the publication of two studies dealing more specifically with issues of sexuality and morality in the censorship of films. At the time these were written, the 'permissive society' was beginning to suffer a moralist backlash at the hands of Lord Longford and the Festival of Light. Cinema was at the centre of debates about 'permissiveness', while publicly-exhibited films were, for the first time ever, being subjected to legal action on grounds of indecency. In this climate, John Trevelyan, a former film censor whose years at the British Board of Film Censors were widely regarded as a period of liberalisation in the censorship of films, published a memoir entitled What the Censor Saw in 1973. Two years later, a similar, if less impressionistic, survey of contemporary issues in film censorship¹ appeared under the authorship of Guy Phelps.

The question at the centre of each of these three studies is the extent to which prohibitions on the content of films constitute a justifiable exercise of power in a 'free' society. The prohibitive power at issue might be held by the State, or by bodies holding other claims to legitimate authority. But whatever its source, the power at issue in the prohibition model is always exactly a power of repression, of 'no-saying'. To advance a critique of the prohibition model is not to deny that censorship has anything to do with power:

clearly it has. Rather, it is to suggest that an understanding of power as a purely prohibitive gesture--especially where the object of prohibition is taken to be the representation of some pre-existing reality--might actually not go far enough, that it could be inadequate to an understanding of the operation and effectivity of film censorship.

A view of censorship as prohibition is often associated with the additional assumption that censorship is an activity which takes place exclusively within particular organisations, especially within bodies whose explicit remit is to censor. To this extent, the prohibition/institutions model constructs censorship as an activity guided by certain practices of exclusion, notably practices deployed by organisations such as boards of film censors. While the institutional model might privilege bodies whose express purpose is to censor films, it does often take into account as well institutions whose activities impinge directly on those of censorship organisations. Among these other institutions, the law and the film industry have dominated the literature on film censorship. For example, accounts of film censorship in Britain as it has affected (and sometimes from the point of view of) the film trade appear in a number of general histories of British cinema,² while the involvement of laws and

legal institutions in the censorship of films is dealt with both historically and comparatively by Neville March Hunnings in his authoritative study Film Censors and the Law.³ In all these studies, institutions are taken as already given, as possessors of the power--among other things, perhaps--to censor films; as pre-existing, in other words, the exercise of that power.

If any cohesive body of work on film censorship in Britain--as opposed, that is, to brief surveys and isolated, if sometimes influential, studies of the subject--can be identified, this is constituted by a set of historical studies directed for the most part at censorship organisations and the political ramifications of their activities, and especially at the practices of the British Board of Film Censors in its relations with successive British governments. In recent years, a considerable corpus of work in this area has been produced by several political historians with an interest in film censorship. Leading figures within this group include university-based historians Nicholas Pronay, Jeffrey Richards and K.R.M. Short. The work of the group as a whole, which has tended hitherto to concentrate largely on the 1930-1950 period, includes accounts of the political complexion of British governments of the 1930s and how this is reflected in film censorship practices of the period; of film censorship during World War II in its relation with

government policies on wartime propaganda; of the hegemony of the British Establishment as expressed in film censorship during the 1930s; and of the history of the British Board of Film Censors from its inception until 1950.⁴

These studies concern themselves with political as opposed to moral censorship, understanding it principally in terms of the policies and interests of various British governments. In assuming that censorship is an activity on the part of a single censorship body, subject in whatever degree to government pressure, these studies are premised upon an institutional model of film censorship. And to the extent that they look upon the British Board of Film Censors as an agency of exclusion or limitation, they also deploy a prohibition model. Thus film censorship is understood here as acquiring authority by virtue of its institutionalisation in organisations which operate rules of exclusion. In defining censorship as a prohibitive activity on the part of a self-contained and predefined set of institutions, the prohibition/institutions model in effect takes censorship as a given, and reifies it. If this model provides a certain purchase on the historical study of film censorship, this is because it constructs a priori, an object of inquiry which is relatively amenable to

empirical investigation: therein lies the power of definition in the production of knowledge. By the same token, however, the definition of censorship which both emerges from and sustains the prohibition/institutions model is a constricting one in that it permits only one kind of story--and not necessarily the most interesting one--to be told about film censorship.

In this respect, the prior limitation of its object effected by the prohibition/institutions model of censorship has had several significant consequences. First of all, the focus on particular institutions--even where these are not confined to censorship organisations--tends to effect an isolation of censorship practices from their broader social and historical conditions of existence and effectivity. Secondly, to focus on the ways in which censorship excludes or represses is to forget that it might be capable of being productive as well as prohibitive in its effects. Finally, although the prohibition/institutions model does permit the question of power to enter into considerations of censorship, the negative, institution-based conceptualisation of power it constructs tends to be static and univocally deterministic.

Text, Context, Apparatus

In studies of censorship and cinema, the limitations of

the prohibition/institutions model are nowhere more evident than when it comes^{to} considering films. This is especially true in relation to the question of power: for the prohibition/institutions model constructs film censorship basically as a one-way street, something that is done to films. Within this frame of reference, films are caught up in institutions which already possess the power to determine their character or their content ; and this is effected mainly through the application to films of certain pre-existing prohibitions. In either case, films are reduced to nothing more than inert, passive objects.

The prohibition/institutions model, in short, effects a subordination of the film text, which is routinely treated as secondary to such matters as legislation, rules and procedures of censorship, and the structure and organisation of censor boards. While individual films might be discussed, sometimes at length, in studies of censorship informed by this model, their status in such studies is invariably secondary. At most, legal actions or other controversies centering on particular films might be treated as heralding reforms in censorship laws, say, or as challenges to government policies.⁵ More commonly, though, films are treated as mere effects of institutions and institutional practices. At stake in the prohibition/institutions model⁶ and in its subordination of the film text is a

certain determinism whereby films are held to be shaped by institutional practices, and in the context of censorship come to be understood purely in terms of their absences, of what has been actively denied expression in them.

As attributes of historical studies of film censorship, the operations of textual subordination and institutional determinism participate in a more extensive discursive strategy, which constructs the field of film history and governs the conduct of inquiries in the history of cinema (and indeed pervades historical and sociological studies of culture and the media in general). This is an insistence upon a separation between social structures and institutions on the one hand and representations on the other, and a subordination of the latter to the former.⁷ This strategy in its turn produces a dichotomy which structures the entire field of film studies: the dualism of text and context. While within the text-context dualism it might be conceded that its two terms are in some way interconnected, the dichotomy in itself constitutes film texts and the social, historical and institutional contexts in which films are produced, distributed and consumed as quite distinct objects of inquiry, so rendering virtually insurmountable the task of exploring, without recourse to determinism, their

interaction.

A series of conceptual and methodological consequences sustains, and flows from, this division between texts and contexts. In particular, distinct systems of thought are deployed in the theorisation respectively of texts and of contexts, while the investigation of each is governed by different methodologies. In studies of cinema, the conceptual realm of film texts is inhabited by semiotics-based criticisms which, taking signification as their starting point, construct texts as processes of meaning production, often constituting them, in abstraction from the social, as more-or-less self-contained objects.⁸ The terrain of contexts, on the other hand, is marked out by institutions, social relations and social practices surrounding the production, distribution and exhibition of films: thinking in these areas tends to hold contexts as determining and texts as determined. Each system distinguishes itself from the other by drawing a line of demarcation between representation and a 'real world' of social practice. This demarcation process constitutes in effect a policing of boundaries between disciplines and modes of inquiry, and between their respective practitioners. If texts are the province of the semiotician and of the critical theorist, then contexts are the property of the social scientist and the historian. Inquiries into the history of film appear to

have been conducted more-or-less exclusively on the 'contextual' side of the divide: which would explain their tendency to subordinate film texts.

But given that the study of cinema requires the crossing of disciplinary boundaries, such conceptual and methodological divisions and their consequences are perhaps less easily overlooked here than in more established fields of knowledge. Possibly for this reason, there has recently been some attempt within film studies to deal with problems posed by the separation of text and context, though these attempts continue in some degree to accept the basic terms of the dualism.⁹ Formulated in such a manner, however, this project of redefinition might well turn out to be impossible: for the text-context dualism constructs a conceptual and methodological gulf which is unbridgeable within the terms of any of the systems of thought sustaining it. Nevertheless, since the prohibition/institutions model of film censorship participates in the dichotomy of text and context, some attempt to resolve that dualism is called for here. But the dualism is complicit, as has been noted, in a particular set of separations, and in the consequences of these for the constitution of certain fields of knowledge, modes of inquiry and objects of inquiry. Thus if by resolving the dualism is implied some merging together of text and context, then resolution is clearly not possible: an unravelling,

perhaps, or a deconstruction, might be more to the point. If the dualism of text and context is to be transcended, therefore, it is necessary to abandon the dualistic thinking which produced such an impasse in the first place.

The text-context dichotomy proposes a distinction between representations and social and historical institutions. But what if representations ceased to be regarded as objects confined to a 'cultural' sphere, and institutions were no longer seen as locked into a sphere of the real? Meaning could be seen as inhabiting the social, and the social regarded as inhabiting meaning, both then being understood as practices and processes rather than as static objects. This would admit a greater fluidity into conceptualisations of relations between practices than is possible in those fields of knowledge sustained by the text-context dualism. It would allow, in other words, for the thinking of interaction, mutual determination, tension and contradiction between various elements.

What, then, would be the hallmarks of a historical study of film censorship which sought to free itself of the limitations imposed in general by the text-context dualism, and in particular by the prohibition/institutions model of film censorship? Such

an inquiry would aspire first of all to take into account the broad conditions of operation and effectivity of film censorship. Under this heading might indeed be included the practices of specific institutions, institutions devoted to the censorship of films among them: but at this point institutions would be seen not in isolation, but as both active also and acted upon within a nexus of practices and relations. Secondly, the productive capacity of film censorship, as it is activated through the interrelations of the various practices involved, requires some acknowledgement. Thirdly, the nature of the power involved in film censorship needs rethinking. Fourthly, film texts could be rescued from subordination and accorded a place, an instrumentality in their own right, among the various practices which constitute film censorship.

In such an investigation, the question is not so much what film censorship is, as how it works. The object of inquiry is transformed: censorship ceases to be reified, ceases to be a predefined object, and becomes instead that which emerges from the interactions of certain processes and practices. Censorship, in short, might be considered as implicated within an apparatus, a dispositif,

a thoroughly heterogenous ensemble
consisting of discourses, institutions,
architectural forms, regulatory

decisions, laws, administrative
measures scientific statements,
philosophical, moral and philanthropic
propositions.

An apparatus is not merely the sum total of a series of
variegated components, however. It consists most
significantly in its activity, in the interactions
between those components, those practices and processes.
These interrelations are always fluid, always in a state
of becoming, always 'inscribed in a play of power'.¹⁰

Censorship, then, may be regarded as an activity which
participates in an apparatus, a set of practices whose
interrelations are imbued not so much with power tout
courtas with the 'play' of power. Power, then, becomes
a process, precisely a holding-in-play,

a network of relations, constantly in
tension, rather than a privilege that
one might possess... . In short, this
power is exercised rather than
possessed(11).

Since it is a relationship--or rather a set of relations
or field of forces--it follows that power is not of
itself susceptible to observation, at least in any
positivistic sense. Nor indeed does it reside anywhere,
in any particular individuals or institutions. Power is
all-encompassing, a web that enmeshes the entire field
of the social. This notion of power, as concepts such
as 'network' and 'domain' imply, may be understood in
spatial terms.¹² But while power might be everywhere,
each apparatus, each instance, constitutes a unique

configuration, a unique 'network', of powers. These act within the totality of operations constituting an apparatus at any one moment. They do not exist prior to these operations. Power, in other words, emerges--is produced--in specific instances, in particular sets of relations.

The exercise of power also participates in 'certain coordinates of knowledge':

there is no power relation without the
constitution of a field of knowledge,
nor any knowledge that does not
presuppose at the same time power relations.(13)

Relations of power may operate, therefore, in the service of producing and regulating the 'truth', especially as it governs the constitution of certain knowledges. Power and regulation consequently become productive, rather than repressive, operations.¹⁴ Regulation, in consequence, may be understood not as an imposition of rules upon some preconstituted entity, but as an ongoing and always provisional process of constituting objects from and for its own practices.

While power, so conceptualised, can neither be directly observed nor theorised a priori, it can be analysed, can be 'diagnosed', in its operation in specific instances. At an abstract level, therefore, it is difficult to offer a positive definition of what power 'is'. It is easier, in fact, at this level to define power in terms

of what it is not: it is not a thing, nor is it located in any particular place; it is not possessed by specific institutions, nor is it to be regarded as a hidden logic of history. Thus to understand power is clearly, on one level, strategically to challenge the crudeness and determinism of many pre-existing definitions of the term. The strength of this approach--with its capacity to understand power as process, as activity--is that it allows for unevenness, resistance, conflict, and transformation in relations of power. It also challenges a widely-held notion of power as first and foremost a machinery of repression, of 'no-saying', with the counterargument that power can in fact be productive.

The fluidity of the practices and relations constituting an apparatus, and the interactive and productive capacity of the powers it inscribes, might not effect a resolution of the problems flowing from the dualism of text and context so much as simply render that approach redundant. Specifically, for an historical investigation of film censorship, new objects and new procedures of inquiry are created in this shift of perspective. Investigation directs itself not at organisations and rules of exclusion, but at the nature of the practices, relations and powers involved in film censorship, and at what these produce--their effectivity--at particular historical moments. The

methodological specificity of such a project would lie in its isolation of an event or set of practices which is then unravelled, and the web of 'force relations' at work within that instance subjected to scrutiny. The objective of such a project is to unpack, to analyse, and finally to reconstruct, a series of relations condensed within a particular instance, a specific moment.

In an investigation of this sort, it would be unnecessary--and indeed counterproductive--to start out with any reified conceptualisation of film censorship, with prior assumptions as to where it takes place and with what outcomes. The task of setting limits to the scope of inquiry is approached rather differently: film censorship ceases, in any a priori sense, to be the object of investigation, and is replaced by a focus upon specific instances. The question for investigation then becomes: how, where, and with what consequences does censorship emerge from the 'heterogeneous ensemble' of practices and relations which constitute any one instance?

Such an approach, with such an object, has been termed variously 'causal analysis' and 'eventalisation'. Film historians Robert C. Allen and Douglas Gomery, following Roy Bhaskar, have outlined a Realist approach to film

history, which would consist in a recognition that the object of study is not so much an historical event per se as the 'causal mechanisms' that brought it about. Causal analysis involves first of all redescription of the event with a view to uncovering the possible causal mechanisms underlying it; and secondly, analysis of these mechanisms.¹⁵ This procedure seems in certain respects similar to the method named by Foucault, with reference to his own history of the practice of imprisonment, 'eventalisation' or 'causal multiplication'. This 'consists in analysing an event according to the multiple processes which constitute it'.¹⁶ If there is a distinction to be drawn between Bhaskar's Realist approach on the one hand, and Foucault's post hoc explanation of his own historiographic procedures on the other, this perhaps lies in the former's posing of description and analysis as separate procedures. On the other hand, the similarity between the two approaches consists most especially in their common argument that the object of historical inquiry ought properly to be events (or as Foucault elsewhere calls them, 'cultural instances'). While events may be real, their generative mechanisms, their dispositif, are not amenable to direct observation. They are, nevertheless, available for investigation in the sense that they may be recovered, or uncovered, by means of analysis, or diagnosis.

Events and Instances

What is the potential of an approach of this sort in relation to the present project, an inquiry whose starting point is the birth and early years of film censorship in Britain: a project, that is, whose object is already in some sense defined? Most significantly, perhaps, the conceptualisation of film censorship implicit in the notion of the apparatus effects a reformulation of the very object of investigation. Such a reformulation is then underscored by the strategy of eventalisation. Film censorship becomes an activity embedded within an ensemble of power relations, the operation of which may be unpacked by means of attention to particular social and historical instances. If these instances initially present themselves because they appear to involve film censorship in its taken-for-granted sense as an institutional practice of prohibition, a diagnosis of any instance will reveal that much more than this is actually at stake.

It is in the nature of such an approach that its productivity is not readily demonstrable a priori, but emerges only in its actual performance. Thus while the present study is concerned with events surrounding the censorship of films in the years between 1909 and 1925, it is centered around a set of case histories, analyses of historical instances involving censorship. These

case histories, three in number, form the core of this investigation: for in these instances the powers at work in the censorship of films are not merely discernible but actually visible in process, and in consequence open to scrutiny in their activity and their effectivity.

The case history approach constitutes a practical demonstration that discourses, practices, powers emerge as processes in their instrumentality in specific historical instances; that they can never be defined or fixed in any way prior to such instances. There is, in other words, no question here of discovering laws governing the progress of history. In this sense, the present project is a modest one: though in another sense it is rather ambitious. For to abandon the security of apriorism, reification and 'unitary necessity'¹⁷ is necessarily to risk a loss of anchorage in a sea of unfixity, where the question 'where to begin?' is only the first of many. If the boundaries of the apparatus cannot be predetermined, how may limits be set to an investigation? Is there a moment at which analysis exhausts itself? To the extent that the practices and powers constituting an apparatus form part of an extensive array of relations, analysis may well be potentially interminable. But this is true of all forms of analysis, and there is no especial requirement here to be exhaustive. In any case in the present

project, the strategy of eventalisation, besides providing a starting point for investigation, will impose upon it limits of a certain kind--limits of time and space.

To the extent that the present project constitutes a task of historical investigation, it necessarily deploys the conventional tools of the historian: most especially, it starts out with the same kinds of source materials. But at the same time, the project faces specific problems with regard to its sources--some of them deriving from the nature of the object of inquiry, and some stemming from the approach taken to the investigation itself. In the first place, wherever an historical study of cinema is at stake, certain difficulties arise with regard to films as source material: notably that the vast majority of films produced since the beginnings of cinema in the 1890s have not survived. This problem is especially acute as regards early cinema, and the silent period in general--of the years, in other words, up to the late 1920s, precisely the period with which this study is concerned. Furthermore, those films which do survive are, for a variety of reasons, extremely difficult to trace in archives. And once a film has been found, the problem of 'textual variation' (the fact that a single film might have been made in several versions, or that an

archive print may be incomplete) must be faced.

In light of this, it is perhaps fortunate that the present inquiry has not had to limit itself to films for its source material: the events described and analysed here have been reconstructed from a variety of sources. However, regardless of their nature, availability, accessibility or reliability, the question remains: how are sources to be used? As befits a Realist approach, sources are used here as a basis of (re)constructions. They are taken as material for interpretation rather than as data. If causal mechanisms are not open to direct investigation, they must be uncovered with the aid of whatever evidence is to hand. For this strategy, however 'incomplete' the source material, nothing is ever entirely lost: gaps and flaws may have their own stories to tell. The sources deployed here, then, are taken not as static reflections of some already constituted past, but as implicated in the formation of a past in process of reconstitution through the activity of historical research.

This approach to the source materials used in this inquiry is guided not only by the inquiry's 'content', but more significantly by the conceptualisation of its objects and by the procedures governing its conduct. The three case histories at the centre of this study form chapters 3, 4 and 5. Each of these takes as its

starting point a particular film or group of films, all of them commercial fiction features, British and American, produced between 1909 and 1925. Chapter 3 looks at events surrounding the arrival in Britain of a Hollywood feature film whose story centers on the practice of abortion by an upper-middle-class woman; in chapter 4, a series of fiction films 'about' venereal diseases is discussed; while in chapter 5, a narrative film co-written by birth control campaigner Marie Stopes is considered. Each of these films or groups of films became caught up, in one way or another, in processes of censorship: and each of the three cases is treated as an 'event' and analysed with a view to uncovering first of all the configuration of forces at work in each instance; and secondly the powers at work across all three instances.

To pivot analysis in the case histories around film texts is not to imply any particular determining role or priority for films in apparatuses of censorship. Rather it is a gesture--in part strategic--of instating films and their textual operations (their organisation of narrative, character, and *mise-en-scene*, for example) as practices which themselves inscribe, transform and produce other discourses and practices. Among these, in the present instance, may be counted constructs of sexuality. On one level, all of the films examined here

may be read as dealing with certain aspects of what may broadly be termed the sexual: abortion, VD, birth control. The sexual, however, does not inhabit the contents of these films so much as become produced in specific ways in the discourses and practices surrounding them. Analysis therefore extends itself to embrace institutions, institutional practices, powers and knowledges which organise the sexual within and beyond these films, and which construct the films as objects of censorship.

The case histories are preceded by an outline of developments in the sphere of film censorship in Britain during the period with which this inquiry is concerned. The emphasis in chapter 2 is predominantly upon institutions, though it does move beyond a description of the inauguration and early years of Britain's major censorship body, the British Board of Film Censors, to offer accounts also of the involvement of both legal institutions and the cinema industry in matters of film censorship, as well as of the relations over the 1909-1925 period between all three institutions and the Home Office, the department of State responsible for the implementation of the Cinematograph Act. These institutions are not, however, to be seen in any reified sense as already holding powers of censorship. They²⁰ operate rather as crystallisations of these powers: that is to say, they arise as institutions from the

processes of power, from the exercise of certain powers, over a period of time.

Chapter 2 sketches in a background against which may be set the events subsequently analysed in the case histories. It also adds a certain amount of detail to existing histories, which have tended to deal rather superficially with film censorship in Britain in the years covered by the present inquiry. Thirdly, this chapter provides initial substantiation of the contention that the period between 1909 and 1925 was crucially formative vis-a-vis the regulation of cinema in Britain--a point dealt with more fully in chapter 7. Finally, and most importantly, chapter 2, in opening an engagement with various institutional practices surrounding film censorship, takes a necessary first step in the process of unravelling the ensemble of powers, practices and discourses constituting the apparatus within which film censorship, at a certain period, is embedded.

The three case histories which follow chapter 2, however, bring to light a more extensive array of discourses, practices and powers implicated at this moment not merely in the censorship of films, but more broadly in a series of processes through which cinema itself became an object of regulation. Among these are

discourses, centered upon the body and its sexuality, which were active during the first two or three decades of the present century in producing, circulating and 'applying' knowledges which aspired to order the domain of the sexual in its relation with the social. Chapter 6 examines cinema's relationship with these knowledges, and the instrumentality in discursive constructions of the 'socio-sexual' of the films at the centre of the case histories. These constitutive processes involved struggles, rivalries, contradictions: so, for example, while cinema may be seen as an active participant in the proliferation of discourses on sexuality which has been said to mark this period,²¹ it was simultaneously also the object of acts of moral censorship directed at particular films. And if cinema was regarded as a legitimate target for efforts at social reform in the name of public morality, it was at the same time also seen as an instrument through which such reforms might be secured.

At the same time, other discourses, practices and powers emerge from the case histories as caught up in a more pervasive and extensive process: that of producing cinema as a public sphere of regulation. Chapter 7 traces the processes through which a public sphere of cinema became constituted through a series of alliances and conflicts involving--but not confined to--the law; the film trade; film censorship bodies; and

organisations devoted to the promotion of public morality and social purity. At the centre of all this activity stood the cinema audience, which--conceptualised overwhelmingly as working-class and young--inhabited cinema's public sphere mainly as a problem demanding urgent action. This audience was to become a key component of a construction of cinema which in the end sanctioned certain practices of censorship. Cinema, in this sense, was not subjected to, so much as created through, regulation.

If film censorship emerges in this study as productive that it participated in discourses and practices constructing a certain public sphere of cinema, censorship may also be seen as a product, in that it operated in the space of resistance to certain strategies of regulation of that sphere. In chapter 8, it is argued that, besides being at once both productive and produced, film censorship is also a process embodying complex and potentially contradictory relations of power. The redefinition of film censorship proposed in this final chapter arises from the foregoing analyses of specific events, of historical instances. These analyses bring to light the active instrumentality of film censorship in the production of cinema, at a certain period, as a public sphere of regulation. They also show how, in the processes through which cinema's public sphere was constituted, certain objects were

produced as 'to be regulated': modes of consumption of films; consumers of films; categories of films; and last--and quite possibly least--contents of films.

NOTES

1. Dorothy Knowles, The Censor, the Drama and the Film, 1900-1934 (London: Allen and Unwin, 1934), pp.169-74. See also Ivor Montagu, The Political Censorship of Films (London: Gollancz, 1939): the BBFC refused to certificate Soviet films, including Battleship Potemkin and Mother. John Trevelyan, What the Censor Saw (London: Michael Joseph, 1973), chapters 1 and 2; Guy Phelps, Film Censorship (London: Victor Gollancz, 1975), chapter 2. The Festival of Light's viewpoint on censorship is put forward in Longford Committee, Pornography: The Longford Report (London: Coronet Books, 1972). Prosecutions of films for indecency included R. v. Jacey (London) Ltd., The Times, 6 June 1975, p.2; R. v. Greater London Council, Ex p. Blackburn [1976] 3 All ER 184.
2. For the 1909-1925 period, see Rachael Low, The History of the British Film, 1906-1914 (London: George Allen and Unwin, 1949), pp.84-90; Rachael Low, The History of the British Film, 1914-1918

- (London: George Allen and Unwin, 1950), pp.126-41; Rachael Low, The History of the British Film, 1918-1929 (London: George Allen and Unwin, 1971), pp.55-70; Ernest Betts, The Film Business: A History of British Cinema, 1896-1972 (London: George Allen and Unwin, 1973), pp.47-50.
3. Neville March Hunnings, Film Censors and the Law (London: George Allen and Unwin, 1967). Other considerations of film censorship from a legal standpoint include Neville Hunnings, 'Cinematograph and indecent displays', Sight and Sound, 43 (Winter 1973-74), pp.26-27; Neville Hunnings, 'Restrictions--more or less?' Sight and Sound, 46 (Autumn 1977), p.217; Geoffrey Robertson, 'The future of film censorship', British Journal of Law and Society 7 (1980), 78-94. On the US, see Ira H. Carmen, Movies, Censorship and the Law (Ann Arbor: University of Michigan Press, 1966).
4. Nicholas Pronay, 'The first reality: film censorship in liberal England', in Feature Films as History, edited by K.R.M. Short (London: Croom Helm, 1981), pp.113-37; Jeffrey Richards, 'The British Board of Film Censors and content control in the 1930s: images of Britain', Historical Journal of Film, Radio and Television 1 (1981), 95-116; Jeffrey Richards, 'The BBFC and content control in the 1930s: foreign affairs', Historical Journal of Film, Radio and Television 2

(1982), 39-48; Nicholas Pronay, 'The political censorship of films in Britain between the wars', in Propaganda, Politics and Film, 1918-48, edited by Nicholas Pronay and D.W. Spring (London: MacMillan, 1982), pp.98-125; James C. Robertson, 'British film censorship goes to war', Historical Journal of Film, Radio and Television 2 (1982), 49-64; Nicholas Pronay and Jeremy Croft, 'British film censorship and propaganda policy during the Second World War', in British Cinema History, edited by James Curran and Vincent Porter (London: Weidenfeld and Nicolson, 1983), pp.144-63; Jeffrey Richards, The Age of the Dream Palace: Cinema and Society in Britain, 1930-1939 (London: Routledge and Kegan Paul, 1984), part 2; James C. Robertson, The British Board of Film Censors: Film Censorship in Britain, 1896-1950 (London: Croom Helm, 1985). The fact that in Britain (unlike, say, the United States) the majority of, and perhaps the most important historical work on film censorship has been done by political historians rather than by historians of cinema says much about the formation and academic institutionalisation of knowledge in this country.

5. On the former, see Edward de Grazia and Roger K. Newman, Banned Films: Movies, Censors and the First Amendment (New York: R.R. Bowker, 1982), on

film censorship in the USA; and on British censorship, more impressionistically, see Trevelyan, What the Censor Saw. On the latter see, for example, James C. Robertson, 'Dawn(1928): Edith Cavell and Anglo-German relations', Historical Journal of Film, Radio and Television 4 (1984), 15-28.

6. This is especially true of historical studies which approach censorship through its institutions and the political ramifications of their activities. See note 4 for references to such work.
7. This tendency, as it affects certain approaches in cultural studies, is discussed by Raymond Williams, in 'Base and superstructure in Marxist cultural theory', New Left Review, no. 82 (1973), pp.3-16. For a debate about its implications for work in the history of cinema, see Andrew Higson, 'Critical theory and "British cinema"', Screen, vol.24 nos.4-5 (1983), pp.80-95; reply by Vincent Porter, Screen, vol.25 no.1 (1984), pp.86-7; rejoinder by Andrew Higson, Screen, vol.25 no.1 (1984), p.88.
8. See, for example, Geoffrey H. Hartman, ed., Psychoanalysis and the Question of the Text (Baltimore: Johns Hopkins University Press, 1978); Josue V. Harari, Textual Strategies: Perspectives in Post-Structuralist Criticism (London: Methuen, 1980); Robert Young, ed., Untying the Text (London: Routledge and Kegan Paul, 1981); Robert

Scholes, Semiotics and Interpretation (New Haven: Yale University Press, 1982). Attempts within these perspectives to conceptualise textual operations in a social/historical frame (for example by attempting to incorporate analyses of reception, or by treating texts as social discourses) tend to fall back into a privileging of the textual: for example, see Edward Said, Orientalism (London: Routledge and Kegan Paul, 1978); Susan R. Suleiman and Inge Crosman, eds., The Reader in the Text: Essays on Audience and Interpretation (Princeton: Princeton University Press, 1980).

9. David Bordwell, 'Textual analysis, etc', Enclitic, nos. 5/6 (1981-2), pp.125-36. In David Bordwell, Janet Staiger and Kristin Thompson, The Classical Hollywood Cinema: Film Style and Mode of Production to 1960 (London: Routledge and Kegan Paul, 1985), 'style' and 'mode of production' are dealt with in separate chapters. Robert C. Allen and Douglas Gomery, in Film History: Theory and Practice (New York: Alfred A. Knopf, 1985), distinguish between aesthetic film history, technological film history, economic film history, and social film history.
10. Michel Foucault, 'The confession of the flesh', in Power/Knowledge (Brighton: Harvester Press, 1980),

- pp.194-228 (p.194; p.196).
11. Michel Foucault, *Discipline and Punish: The Birth of the Prison* (Harmondsworth: Penguin, 1977), p.26.
 12. Michel Foucault, *The History of Sexuality, Volume 1: An Introduction* (New York: Pantheon Books, 1978), p.82; Hubert L. Dreyfus and Paul Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics* (Chicago: University of Chicago Press, 1982), chapter 5. See also Michel Foucault, 'The subject and power', *Critical Inquiry* 8 (1982), 777-95 (p.793).
 13. Foucault, 'Confession of the flesh', p.196; *Discipline and Punish*, p.27.
 14. See, for example, Michel Foucault, 'Truth and Power', in *Power/Knowledge*, pp.109-133.
 15. Allen and Gomery, *Film History*, pp.16-20; Roy Bhaskar, *A Realist Theory of Science* (Atlantic Highlands, N.J.: Humanities Press, 1978).
 16. Michel Foucault, 'Questions of Method', *Ideology and Consciousness*, no.8 (1981), pp.3-14 (p.6); Foucault, *Discipline and Punish*. See also Michel Foucault, 'Nietzsche, genealogy, history' in *Language, Counter-Memory, Practice* (Oxford: Basil Blackwell, 1977) pp.139-64.
 17. 'We aren't, nor do we have to put ourselves, under the sign of a unitary necessity': Foucault, 'Questions of method', p.7.

18. See also Foucault's comments on the 'polymorphism' of analysis: 'Questions of method', p.7.
19. Allen and Gomery, Film History, chapter 2. All these problems affected the present investigation: for details of individual films, see 'Sources Consulted: Films', below.
20. Foucault, History of Sexuality, pp.92-3.
21. Foucault, History of Sexuality.

CHAPTER 2

THE BIRTH OF FILM CENSORSHIP IN BRITAIN

In our strange, illogical, haphazard British way we have established this wholly anomalous institution.

Herbert Samuel, Home Secretary, 1932

The Question of Institutions

A focus on institutions, as has been noted, does not exhaust the processes and productivities involved in the censorship of films, nor should it be taken to suggest that institutions exist, in some reified manner, prior to the power relations in which they are implicated. Nevertheless, the activity within these relations of a particular set of institutional practices (which can be termed, for the time being, 'censorship institutions') is significant enough to render some general account of their operation useful in understanding many of the events detailed in the three case histories which follow the present chapter. Those institutions most evidently involved (at first sight, at least) in film censorship will be examined here: the film industry, the law, and

the British Board of Film Censors. The relations between these institutions, and the interactions of each with central and local government agencies responsible for questions of film censorship, will also be looked at here.

In the case histories, institutions other than these also emerge as implicated in the censorship of films, while at the same time the 'censorship institutions' themselves often turn out to be operating in mutual contradiction, or to be less instrumental than other institutional practices in shaping events. The 'censorship institutions', then, are not to be regarded as acting in isolation--either from each other, or from other institutional practices. Nor are they to be seen as necessarily determining. Whichever of them might be at work, and in whatever manner, in each of the instances analysed in the case histories, the censoring institutions operate in the final instance only as part of a much larger ensemble of institutions, practices, powers and relations: in short, they participate in an apparatus.

To describe the operations of the censorship institutions--as is attempted here--prior to seeing them, so to speak, in action in specific events, is to run the risk of reification. It is perhaps worth reiterating, therefore, that none of these institutions

should be seen as pre-existing any of the powers of censorship they might exercise. On the contrary, they are nothing more than those powers, they exist only in and through them. If they are 'censorship institutions' they are so--they are continuously becoming so--as historically-specific agglomerations or crystallisations of capacities to exercise powers of particular kinds. The accounts of certain institutions and institutional practices given in this chapter, then, are to be regarded not as in any way final, but simply as a first step in a more extensive project of analysing the apparatus of powers, practices and discourses which produce film censorship at a particular historical moment.

The Cinema Industry and the Law

The first public film show in Britain took place in February 1896, when the Lumiere Cinematograph was presented at the Regent Street Polytechnic in London. Thirteen years later, a bill aimed at regulating cinematograph exhibitions, the earliest British legislation touching specifically and exclusively on cinema, passed through Parliament as the Cinematograph Act 1909, a measure designed 'to make better provision for securing safety at Cinematograph and other Exhibitions'. In the interim, film shows had mostly moved out of music halls--where they had on occasion

been slotted between the live acts--out of 'penny gaffs' and fairground sideshows, and into new, purpose-built picture palaces.

In this relatively short period of time, filmgoing had already become a popular leisure pursuit, and the film trade was beginning to develop into an industry of some substance, with international connections and increasing capitalisation. In 1906, the earliest purpose-built cinemas in Britain were opened, and the first film trade body--the Kinematograph Manufacturers' Association--was formed. Over the next few years trade organisations representing distributors and exhibitors also came into existence: the Incorporated Association of Film Renters in 1910 and the Cinematograph Exhibitors' Association in 1912. During the early 1910s, the cinema industry in Britain underwent a huge expansion, especially on the exhibition side. For instance, while in 1910 only three exhibition companies were registered, the figure leapt to 1,833 within five years. Being responsible between them for some 4,000 cinemas, most of these businesses were small: nevertheless, they held combined capital in excess of £11 million. It has been estimated, too, that in 1914 cinema admissions reached around 364 million for the year: a small figure by comparison with the peak admissions of the 1940s, but nonetheless considerable given that cinemas had scarcely even existed only a few years earlier.

The power of the exhibitors grew accordingly: in the year of its inception, the CEA took a prominent part in lobbying the government for a trade-sponsored system of 'voluntary' censorship of films, and several years afterwards succeeded virtually single-handed in forcing it to shelve a scheme of official censorship which had been devised in response to criticisms of the effectiveness of the voluntary arrangements. In Britain, film production was a somewhat less robust business than exhibition, however. Already in 1909, about one-third of all films screened in British cinemas were imports from the USA. Although this proportion fluctuated over the following decade, the trend was generally upwards: by the end of World War I, for instance, as many as 60 per cent of the films exhibited in Britain were American. After the War, when US distributors succeeded in penetrating the British market, effectively monopolising film bookings, American domination of British cinema screens became virtually complete. This was a crucial--perhaps indeed the major--precipitating factor in a crisis which hit British film production in the early 1920s: by 1924, hardly any films were being made and many producers had gone out of business. In an attempt to halt the decline, the Cinematograph Films Act--aimed at fostering local production by ensuring that a certain proportion

of screen time would be devoted to British films--was¹
passed in 1927.

In the period covered by this study, then, the cinema industry in Britain--or rather certain sectors of it--mushroomed. This growth is perhaps most visible in the development of the picture palaces, the accompanying increase in cinema audiences, the establishment of the cinemagoing habit among large sections of the population, and the concomitant growth in the profitability of film exhibition. At the same time, the films seen in the new picture palaces were increasingly likely to be US productions. If cinema in Britain during these years was a booming and profitable commercialised leisure industry, then its strength lay increasingly in the marketing, rather than in the making, of films. In these circumstances, any censorship of films would operate most effectively not at the point of production, but at the points of distribution and exhibition. Any intervention by the trade in the area of censorship tended in consequence to come from those most closely concerned, namely the distributors and exhibitors.

In fact, the film industry's position with regard to censorship fluctuated a good deal in the years between 1909 and 1925. For example, while the 1909 Cinematograph Act was passed with the trade's support,

complaints soon began to make themselves heard from this quarter about the way in which the new law was being implemented. And although film trade organisations were instrumental in setting up a trade-sponsored censorship scheme operated by the British Board of Film Censors, once in operation the Board became a target for industry complaints about the conduct of censorship. And yet whenever the BBFC was threatened with transformation into an organ of State censorship, the trade fought vigorously to save it.

The industry's primary concern in all this was in general to maximise audiences, though from time to time other considerations did supervene. Exhibitors in particular were very wary about censorship, regarding it on the whole as an unwarranted interference in the conduct of their business. At the same time, though, during this period the film trade was engaged in a more-or-less ceaseless quest for respectability: for cinema was widely looked upon as at best a vulgar sideshow, at worst a serious social problem. In light of this, certain elements of the film industry came rather reluctantly to the view that some sort of regulation of films was inevitable, if not actually desirable. Underlying the trade's initial support of the Cinematograph Act and the BBFC, then, lay an aspiration both to improve cinema's public image, and also to avert

more stringent forms of censorship.

In this context, the film industry's attitude towards, and use of, the law is significant. Before the passage of the Cinematograph Act, the new medium of cinema had flourished in a somewhat laissez-faire climate. Such regulation of film shows as had existed was uneven, if by no means non-existent: it had been effected through the licensing provisions already applicable to music halls and other places of public entertainment in which music or dancing took place. The Disorderly Houses Act 1751, a measure originally intended to control 'places of entertainment for the lower sort of people', called for the licensing of any premises of this sort within twenty miles of the City of London or Westminster. When the local government system was reformed nationally in 1888, powers to grant licences under this Act were transferred from magistrates to the newly-formed County Councils--in this case, given the Act's limited geographical coverage, initially only to the London County Council: though in 1890 the provisions of the Act were extended to cover the entire country.

Film shows in premises licensed under the Disorderly Houses Act were therefore subject to the licensing conditions pertaining in general to such places of public entertainment as music halls and dance halls. However, in 1898, less than two years after the opening

of the Lumiere films, the LCC issued a set of regulations applying specifically to cinematograph performances in premises already licensed by the Council. These regulations, which reflected current public concern about fires in theatres, dealt solely with safety precautions, covering such matters as smoking, and the construction and illumination of the cinematograph lantern (i.e. the projector).

However, exhibitions of films had not, as has been noted, been confined to premises of the sort covered by the Disorderly Houses Act. Fairground sideshows and penny gaffs, for example, fell outside its scope, and after 1906, when film shows were increasingly being mounted in purpose-built--and apparently unregulated--premises, the limits of the 1751 Act were subjected to test in a series of court cases. Judgements in these cases indicated that purpose-built cinemas were in fact susceptible to regulation under existing legislation. Nevertheless, a new form of control, aimed specifically at the cinematograph and the picture palace, was² evidently considered necessary.

Before the 1909 Cinematograph Act was passed, then, and despite the rise of the picture palace, exhibitions of films were subject, to some extent at least, to regulation. But even though a statute like the

Disorderly Houses Act might give local authorities discretion to impose conditions on the granting of licences to theatres, any conditions which related specifically to film shows in such premises were usually confined to safety provisions: it was rare in the pre-1909 period for film titles, advertising, content, or other such matters to be covered in licensing regulations. The censorship of films, in other words, was not at this time an issue with which the law relating to places of public entertainment concerned itself, either directly or indirectly. Indeed, although the censorship arrangements which later came into being did have a foundation in law, the issue of the content of cinema films was until very recently never dealt with explicitly in any British legislation.

This is not to say that there had been no public concern at all about the content of films before 1909: on the contrary, complaints about their vulgarity, gruesomeness and generally unedifying character are recorded even before the turn of the century, and the origins of the time-honoured habit of attributing juvenile delinquency to the cinema may be traced back at least to 1905. But it seems that the notion of film censorship, whether enshrined in law or not, was seldom mooted³, and when the Cinematograph Bill was introduced in Parliament early in 1909, it was proposed as a measure solely for securing safety in premises where films were shown. To

this extent, the Bill both formalised existing arrangements for the control of cinema, and also extended them, with limited exemptions, to all buildings in which films were exhibited.

The Bill was not motivated only by the rapid growth of the film industry and the ever-increasing numbers of purpose-built cinemas, however: at the time it was introduced, there was also some concern about the fire danger posed by the cinematograph. It was the latter rather than the former which inspired a campaign by the LCC--supported by a number of other local authorities--to secure from Parliament wider powers to regulate the cinematograph: though even at the time the risk of fire was considered in some quarters to be overstated. Nevertheless

The impetus of the Councils' initiative was this time too strong to stop. In spite of the apparent weakness of a case based on the fire danger, no one came forward to speak firmly against the new proposals.(4)

In such an atmosphere, after its announcement in February 1909, the Cinematograph Bill enjoyed a relatively easy passage through Parliament.

Introduced initially as a private member's bill by the Home Secretary, the measure was promptly taken up by the Liberal government. On its second reading in April, the Cinematograph Bill was presented by Herbert Samuel,

Under-secretary in the Home Office at the time, but twice in later years twice to hold office as Home Secretary. Much was made of the risk of fire posed by the cinematograph: the Bill, said Samuel, was intended

to safeguard the public from the danger which arises from fires at cinematograph entertainments, which are especially liable to outbreaks of fire on account of the long highly inflammable films which are used in the lanterns.(5)

It was also stated that there had already been many fires, and that control of the cinematograph was vital in order to avert the disaster which would otherwise be virtually inevitable. An attempt by another Member to question the motives behind the Bill was brushed aside with the repeated assertion that there had already been a considerable number of fires. At no point either in this or in subsequent Parliamentary discussions of the Bill are any statistics, or even actual instances, of cinematograph fires in Britain cited: this might well be because there had in fact been no major incidents of this kind. Nevertheless by the time the Bill received its second reading in the House of Lords in September, the fire hazard had become almost mythical: 'Several serious fires', declared the Earl Beauchamp, 'have occurred not only in London but throughout the country'. After cursory debate in the Lords, the Bill was passed with a few amendments and returned to the Commons in late October⁶. It received the royal assent in November, and came into force, as the Cinematograph Act

1909, on 1 January 1910.

In requiring that certain places of public entertainment be licensed, the new statute was in some respects an extension of the provisions of the Disorderly Houses Act. In this instance, however, the public places subject to regulation were defined in purely technological terms :

An exhibition of pictures or other optical effects by means of a cinematograph, or other similar apparatus, for the purposes of which inflammable films are used.(7)

The reference to inflammable films--the nitrate film stock in use until the late 1940s for nearly all commercial films--is the Act's only specific concession to the safety aspect which had so dominated discussions of the measure both within and outside Parliament. Details of safety provisions were to be dealt with in regulations issued separately by the Home Office, and these would be incorporated in the terms and conditions under which cinematograph licences were issued.

The County Councils were to be responsible for issuing cinematograph licences (Section 2(1)), but they were entitled to delegate these powers to other specified bodies (Section 5). Licensing authorities were also empowered to determine the conditions under which licences were granted: a provision which was to prove crucial vis-a-vis film censorship. The first Home

Office regulations under the Act, published in December 1909, were concerned exclusively with questions of safety--the number and location of exits, the enclosure of the projector, the encasement of films, the type of lighting used in the building, the placement of fire appliances, and so on. But local licensing authorities were quick to take advantage of the latitude the Act appeared to offer in the matter of determining licensing conditions. Even before the statute came into force, the LCC had already recommended the imposition of a condition prohibiting exhibitions of films on Sundays⁸. The Cinematograph Act was already being used for a purpose other than that which had supposedly inspired it.

The imposition of a 'six-day licence' condition forbidding Sunday film shows soon became widespread. The film trade, which had originally supported the new legislation, began to complain about the way in which it was being enforced. Over the succeeding fifteen years or so, it involved itself in a series of attempts to enlist the support of statute law in protecting its own interests against the regulative activities of local cinema licensing authorities. First to be subjected to challenge in the courts was the power of these authorities to impose licensing conditions not related to safety. In the first major test case brought under

the Cinematograph Act, an exhibitor had successfully argued in a magistrates' court that a ban on film shows on Sundays, Good Friday and Christmas Day was ultra vires the Cinematograph Act. The licensing authority concerned--the LCC--appealed against this decision, and judgement in the High Court went in favour of the Council on the grounds that Section 2(1) of the Act (which stated that

A county council may grant licences...
on such terms and under such restrictions
as...the council may by the respective
licences determine)

did in fact give local licensing authorities power to impose licensing conditions which were not strictly relevant to safety. In the decision in this case, this clause was held

to confer on the county council a discretion
as to the conditions they will impose, so
long as these conditions are not
unreasonable.(9)

Although this judgement did make it possible for local authorities to specify a variety of non-safety conditions on the granting of cinematograph licences, some of these were subsequently challenged at law on the grounds that they were 'unreasonable'. For example, a 1915 judgement determined that a condition requiring the exclusion of children under fourteen from a cinema after 9p.m. was in fact unreasonable and ultra vires ¹⁰. This, however, is exceptional: in the majority of cases of this kind brought before the courts, the discretion of

local authorities to determine licensing conditions was upheld. By the mid-1910s, in consequence, it was widely accepted that licensing conditions could legitimately deal, among other things, with the character of films shown on licensed premises.

The film industry thus ultimately failed in its attempts to secure legal backing for its efforts to set limits upon local cinema licensing authorities' implementation of the Cinematograph Act. In this atmosphere, the extension of the powers of local authorities to include the actual content of films was effected virtually without protest. The 1909 Act, supposedly not intended as a measure for dealing with the contents of films, eventually opened a legal path to certain practices of film censorship. Within a year or two of the Act's coming into force, a few authorities had already begun to include as a condition of licence a rule to the effect that publicly-exhibited films should not be immoral or indecent in character. Over the next few years, this practice was to become more widespread. Films which might have been considered indecent could, of course, equally have fallen within the broader purview of Statutory provisions on indecency and obscenity. Films were also potentially subject to sanction under Common Law, the relevant offences here being outraging public decency, conspiracy to outrage

public decency, and obscene libel.

The existence of such legal sanctions notwithstanding, it was in fact unheard-of at this period for films shown in public cinemas to be prosecuted for indecency or obscenity: for the practices of film censorship which grew out of the Cinematograph Act effected much more stringent controls over the contents of films than any legislation directed specifically at indecent or obscene publications would have done. Besides which, unlike indecency and obscenity laws, these practices operated in an a priori manner, in that regulation was exercised before films were exhibited. Consequently,

so long as the [British Board of Film
Censors] and the local authorities
imposed tests more restrictive than
the common-law standards of 'gross
offence' and 'outrage',

prosecutions of publicly-exhibited films as indecent or
obscene remained highly unlikely.¹¹

As far as the content of films was concerned, then, the cinema licensing system remained the principal instrument of legal regulation. The supposition that local licensing authorities could, if they chose, assume powers of film censorship under the Cinematograph Act's provisions for cinema licensing was not accorded full legal confirmation until the 1920s, with judgements in two cases which again involved disputes between film exhibitors and local licensing

authorities. The effect of these judgements was to clarify the limits of local authority powers of censorship vis-a-vis those of the British Board of Film Censors. In Ellis v Dubowski (1921), it was held unreasonable and ultra vires the Cinematograph Act for a licensing authority to impose a condition prohibiting the exhibition of films which had not been passed by the BBFC. The grounds for this judgement were that such a condition transferred a power which belonged in law to the licensing authority--namely the power to censor films--to an organisation with no statutory or constitutional authority (the BBFC was a voluntary body without legal or official status). The judge, however, did suggest that

if the condition had reserved to the [licensing authority] the right to review the decisions of the Board, the condition would have been reasonable and *intra vires*. (12)

In other words, a condition endorsing the BBFC's decisions on films would have been legally acceptable had it stated explicitly that the Board's decision was not being substituted for that of the licensing authority. The powers of the latter in this area were not, significantly, in dispute.

Any remaining uncertainty on this score was settled in the courts some four years later, when the LCC sought to test the legality of one of its licensing conditions.

This provided that

no film...which has not been passed
for universal exhibition by the
British Board of Film Censors shall
be exhibited in the premises without
the express consent of the Council
during the time that any child
under...the age of 16 years is
therein... .

The suggestion put forward in Ellis v Dubowski was taken up in the judgement in this case: the LCC's condition was held to be legal because in reserving to the Council the right to review the BBFC's decisions, it did not relinquish any of the Council's powers under the Cinematograph Act. In his summing up, Lord Hewart reminded the court that 'under the Cinematograph Act, 1909, the licensing authority is given, and no doubt¹³ most deliberately given, very wide powers'. If there were any lingering doubts that these powers included film censorship, they were dispelled by this judgement, and the question was never again to be raised in the courts.

The Cinematograph Act 1909, framed originally as a measure to secure safety in cinemas, makes no reference to film censorship. In a series of challenges--mostly on the part of film exhibitors--to local authorities' powers under Section 2(1) of the Act which came to the courts in the early and middle 1910s, attempts were made to set limits upon the powers of licensing authorities to attach non-safety conditions to cinema licences. In

these test cases, questions such as Sunday opening of, and admission of children to, cinemas--rather than controls on film content--were in dispute. Nevertheless, the wide powers conferred on licensing authorities by the courts' interpretations of the Act were understood to extend to film censorship. Thus when two cases in which censorship was more overtly at issue subsequently came before the courts, the problem was not whether the licensing authorities had censorship powers--by this time it was taken for granted that they had--but rather the extent to which they could delegate these powers to a non-statutory body. Thus although the censorship of films in Britain acquired a foundation in law, censorship was never actually at the centre of any statute or case.

This being so, how--legally speaking--was film censorship organised and administered? The government department responsible for implementing the Cinematograph Act was the Home Office, and the Act provided for safety regulations to be issued by the Home Secretary. The Act was to be enforced 'on the ground' through a system of licensing of cinema buildings, administered by County Councils or their specified delegates. The Home Office regulations, which were to be incorporated in local authorities' conditions for granting licences, were issued in the form of delegated legislation--statutory instruments which, though not

actually appearing in statute, carry the status and force of law. Statutory instruments issued under the Cinematograph Act related exclusively to technical aspects of safety, such as fire precautions, lighting, and standards for electrical installations.

But if censorship was not touched upon either in statute or in delegated legislation, the Home Office assumed a good deal of 'advisory' responsibility for the powers of censorship conferred on local authorities by the Cinematograph Act. On this issue, the Home Office communicated directly with licensing authorities by means of administrative circulars, which do not in fact carry the status of legislation.¹⁴ These circulars contained advice to local licensing authorities about their powers under the Cinematograph Act and offered them encouragement and guidance in the use of these powers. The question of censorship was dealt with exclusively through administrative circulars, and the earliest communication of this kind was sent to licensing authorities in May 1916. Circulars were the means by which the Home Office conveyed its own recommendations as to cinema licensing conditions--and specifically conditions relating to the content of films--to licensing authorities. Twice during the period covered by this inquiry--in 1917 and in 1923--the Home Office issued model licensing conditions in circular

form. These included rules prohibiting the exhibition of films and the display of advertisements 'likely to be injurious to public morality, or to encourage or incite to crime, or to lead to disorder...', with a provision that films could be examined by the licensing authority¹⁵ before being exhibited. The objective of these and other Home Office circulars was both to persuade local authorities to make full use of their censorship powers, and also at the same time to secure some degree of national uniformity in film censorship practices.

Thus although in law local licensing authorities were the bodies with responsibility for film censorship (and would be the targets of any legal action on this and other matters relating to cinema licensing), the Home Office--which had, strictly speaking, no legal standing in this area--did seek to influence events. Indeed, one commentator has noted the 'deference' with which a Home Office circular would be received by most local authorities.¹⁶ The Administration sought, then, to engineer the consent to certain practices of film censorship of those agencies which held legal powers in this area. This situation contains a clear potential for conflict, which was in fact at moments realised. Most obviously, during the latter part of the period covered by this inquiry, the Home Office was actively seeking national uniformity in practices of film censorship, in a situation in which the law was

endorsing the autonomous (and at this time mostly uneven and fragmentary) efforts in this area of hundreds of local authorities.

Given that coercion was out of the question, if the Home Office wanted uniformity it could resort only to persuasion. And yet--since its role was meant to be merely advisory--even the gentlest cajolery could scarcely be tendered publicly, while the desired outcome could certainly not be guaranteed. Some local authorities were especially keen to maintain their independence from central government, in film censorship as in other fields. In these circumstances, relations between the Home Office and such independently-inclined and influential cinema licensing authorities as the London County Council could sometimes be rather strained. The opposing pulls of national uniformity and local autonomy are evident in at least one of the instances explored in the case histories herein (see chapter 5).

At the same time, the law itself--despite its eventual, and largely implicit, endorsement of a certain machinery of film censorship--rarely involved itself actively in issues of this kind. So, for instance, if the film industry sought to enlist legal support in its resistance to the powers of local authorities, it soon

became apparent that this would not be easy: after about 1917, in fact, direct resort to law became much less commonplace. Mills v LCC in 1925 was the last time a test case under the Cinematograph Act went to the High Court. Therefore the principal 'official' institutional protagonists in matters of film censorship were the local licensing authorities on the one side and the Home Office on the other, with the Legislature itself taking a back seat. But censorship, while founded in law, nevertheless contrived to avoid being pinned down by it. Another--and in many respects the most prominent--institutional protagonist entered the arena of censorship with no legal backing at all. This fourth contender is the British Board of Film Censors.

The British Board of Film Censors and 'Voluntary' Censorship

During the two or three years following the passage of the Cinematograph Act, uncertainty prevailed as to local authorities' discretion in attaching non-safety regulations to cinema licences. Nevertheless they continued to impose such conditions, and in doing so were on the whole supported by the courts. But if it was taken for granted that local licensing authorities were entitled to assume powers of censorship under the cinema licensing system, few at first were actually inclined or equipped to do so. Unless an authority had the resources to pre-censor films exhibited in cinemas

in its area, any condition as to their content was enforceable in effect only after the fact, either by prosecution or more usually by the threat of withdrawal of the licence of an offending cinema. In consequence, censorship was uneven throughout the country, and in some areas even non-existent. By the end of 1911, cinema was attracting a good deal of opprobrium, and existing forms of regulation were widely denounced as inadequate and ineffective. A formal system of film censorship was now seriously proposed for the first time, and the film industry, which had hitherto regarded all forms of censorship as a restriction upon their¹⁷ business, began to fear government intervention.

At this point, accepting that censorship in some form or other was probably unavoidable, and with a view to averting the worst option--State censorship--the industry sought Home Office approval for a trade-sponsored scheme. In February 1912, the Home Secretary received a deputation of film manufacturers and renters, which submitted proposals for a Board of Film Censors to be set up under the aegis of the film¹⁸ industry. The trade's initiative was not at this point actively discouraged, but some months were to elapse before the scheme received more positive, if still private, support from the Home Office. Early in November, G A Redford was appointed President of what

was now called the British Board of Film Censors. Redford had been Examiner of Plays in the Lord Chamberlain's office, and consequently had prior knowledge and experience of censorship, if not of cinema.

The appointment of a man with such a background was undoubtedly made with the objective of convincing the Home Office of the new Board's serious intent and independence of trade influence. A few days afterwards, the sponsors of the scheme met once more with the Home Secretary, this time offering a detailed plan for the organisation and operation of the Board of Censors, a body which, they argued, would provide 'an absolutely independent censorship, which it is felt is essential to meet the present objections by certain Licensing Authorities'. The Board would be financed by a set fee per foot of film viewed, and the financial side of the operation would be the responsibility of the Incorporated Association of Kinematograph Manufacturers: the latter being a move to forestall allegations of interference in the Board's decisions on the part of producers or exhibitors. The two-certificate system-- 'U' (for Universal exhibition) and 'A' (for Public Exhibition, i.e. for adult audiences)--was also proposed at this meeting. This system was to remain in force for many years to come:

The object of these two certificates is

to meet, as far as possible, the complaints that have been made by licensing authorities in respect of the non-suitability of certain films for children's entertainments'.(19)

If this move towards self-regulation on the part of the film trade was made with a view to averting government intervention, it was certainly, for a time at least, successful. The British Board of Film Censors began its active work on the first day of 1913, announcing that 'No film subject will be passed that is not clean and wholesome, and absolutely above suspicion'. In the Board's first Annual Report, dated 1913, it is stated that of 7488 films submitted since the Board's inception, 6861 had been passed 'U', 627 passed 'A', and 22 entirely rejected. The grounds given for exception and rejection include indelicate sexual situations, the ridiculing of religion, excessive gruesomeness and cruelty, procurement and abduction, and 'native customs²⁰ in foreign lands abhorrent to British ideas'.

But such vigilance failed to satisfy the critics. One of the problems the Board had to face was that, as a voluntary organisation, its decisions were advisory rather than mandatory; and licensing authorities could accept or reject them as they chose. If the effectiveness of the BBFC depended upon the support of the local authorities, this was certainly not immediately forthcoming. By the end of 1914, twenty-

four authorities had announced that they would accept the Board's rulings on films, and in the following year twelve more gave such an undertaking. Given that licensing authorities in the UK numbered upwards of five hundred at this time, it seems that the voluntary system of film censorship was making rather slow headway. Moreover, even before the end of the BBFC's first year in operation, demands for official government censorship were being renewed. At first these were resisted by the Home Office, on the grounds mainly that a change of this kind would require new legislation. This, it was felt, might give rise to 'public discussion and controversy', which were regarded as highly undesirable. However, many local authorities, and indeed the Home Office itself, considered that the BBFC's standards were not stringent enough. This made demands for State censorship all the harder to resist, though resist them²¹ the Home Office continued for a while to do.

But in 1916 there was a shift of policy on film censorship within the Home Office. Herbert Samuel, prime mover of the 1909 Act and now newly appointed Home Secretary, took a keener interest than his predecessors in the censorship question, and was evidently more favourably disposed towards the idea of an official scheme. On 16 May a circular letter was sent out informing local licensing authorities that in view of

the inadequacy of existing controls on film content, new censorship provisions were under consideration. These would take the form of 'An official and independent²² censorship...established by the government'. The reactions of licensing authorities to this proposal were being solicited because the Home Office had determined introducing the new scheme 'by administrative action'-- in other words, not to introduce fresh legislation. For this to be achieved, local authorities would have to relinquish their existing legal powers voluntarily. This the vast majority of them seemed prepared to do.

The film trade, already disgruntled at the way the Cinematograph Act was being enforced, disheartened by the failure of the courts to curb licensing authorities' powers, and anxious to keep the Board of Censors in operation,²³ was disturbed about this new development. Soon after the local authorities had been circularised on the question of official censorship, the exhibitors' association met with the Home Secretary in an attempt to convince him that if government censorship were to be imposed, it ought to be done openly by legislation, and not covertly through the administrative process. Nevertheless, the Home Office proceeded with the existing proposals, and in October 1916 the Cabinet was alerted that an official film censorship scheme was to²⁴ come into operation early in the following year. By this time, however, the trade had already moved into

action with a campaign against the governments's plans. In November George Redford died and, in a bid to enhance the BBFC's credibility with the Home Office, was replaced as the Board's President by T.P. O'Connor, an MP and journalist and also a past President of the Cinematograph Exhibitors' Association.

Despite these manoeuvrings, Samuel's scheme for State censorship might well have been pushed through in the New Year had it not been for a change of government towards the end of 1916. The new Home Secretary decided to drop the idea, explaining to local authorities that in view of the trade's opposition to it, it was 'impracticable now to proceed with the proposal, and...the question of a central censorship must be postponed, until there is opportunity for legislation'. In the event, however, no such opportunity arose. Meanwhile, though, the Home Office proposed encouraging local licensing authorities to make fuller use of their powers of censorship under the Cinematograph Act: they could do this by including among conditions for cinema licences clauses aimed at
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'checking the exhibition of objectionable films'. At this stage, though, no mention is made of the BBFC, either in the model conditions themselves or in the letter accompanying them. In fact, overt government support for the Board was not to be forthcoming for

several years: it was 1923 before the Home Office, in a new set of model licensing conditions, recommended that licensing authorities should, as a matter of policy, follow the Board's advice on films.

The six years between the government's decision to shelve the scheme of state censorship and its ultimate endorsement of the work of the Board of Censors mark a period of intense struggle between the Board, the local licensing authorities and the Home Office itself around powers of, and responsibilities for, film censorship. Difficulties arose when many local licensing authorities failed to heed the BBFC's recommendations for the certification and censorship of films. This, together with local variations in censorship practices, and a consequent lack of national uniformity in this area, was regarded as especially troublesome. The Home Office deprecated the situation because complaints about particular films and their apparently hit-and-miss regulation were being directed at government. The film trade complained that arbitrary and inconsistent local censorship decisions were ruinous for business. And the BBFC was anxious to enhance its own authority and credibility.

All of the films looked at in the case histories in this study were in one way or another caught up in the struggles of these six years. The events described in

the first of the three cases took place around the time the government abandoned the idea of official film censorship and offered the BBFC a chance to improve on its past record. In the same year--1917--films dealing with 'social problems' of a certain kind became constituted as a category apart, a category which would soon acquire the label 'propaganda'. This discursive construction effectively sanctioned efforts on the BBFC's part to prohibit the exhibition of certain films in public cinemas (chapter 3). But in a situation of inconsistent and fragmentary regulation, spaces for resistance to such gestures of prohibition were also opened up. The second of the case histories traces the processes through which a subcategory of the propaganda genre--fiction films about venereal diseases--managed to secure an institutional niche at the margins of commercial cinema.

In the course of these events, the BBFC and its lack of authority were regarded--by the Home Office, at least--as the root cause of all the trouble provoked by exhibitions of 'objectionable' films. If national uniformity was to be secured without government censorship, the Board's decisions would need to carry sufficient weight on their own merits to convince licensing authorities to accept them. The fate of the Board of Censors hung in the balance, then, for the

option of government censorship was by no means decisively rejected in 1917: the Home Office was still seriously considering this as a possibility until 1921 at least. Nevertheless, it was not particularly eager to re-open the question, for it was sensitive to the fact that the work of an official censorship would be open to public scrutiny and in consequence likely to be²⁶ 'embarrassing...to the minister responsible for it'.

But at the same time, the 1917 circular had still not produced the desired uniformity between licensing authorities. Furthermore, the other means by which uniformity might have been secured--widespread acceptance by licensing authorities of the BBFC's advice on films--seemed at this point equally out of reach: a questionnaire sent to local authorities in 1919 elicited the information that only twenty Counties and County Boroughs stipulated in their licensing conditions that²⁷ all films exhibited should have a BBFC certificate.

If a State take-over of film censorship was to be avoided, the work of the Board of Censors would have to command much wider support. This objective was the more likely to be achieved if the Home Office could shed its reluctance to support the Board. This indeed eventually did happen, though in a characteristically indirect manner: the lead in the matter was taken not by the Home Office, but by two important licensing authorities.

In August 1920, the Middlesex County Council resolved to include in its cinema licensing conditions the rule that 'no film be shown which has not been certified for public exhibition by the British Board of Film Censors'. The legality of this clause was to be at issue when Ellis v Dubowski came to the courts in the following July. A cinema in Twickenham had infringed the ruling by exhibiting Auction of Souls, which--as a result of the BBFC's policy on 'propaganda' films (chapter 4)--had²⁸ no censor's certificate. The proprietor of the cinema was taken to court under Section 3 of the Cinematograph Act, in what was in effect a legal test of the MCC's new condition. As has been noted, the court ruled that the Council was indeed in breach of its powers in imposing this condition; but that, had the final right of review been reserved to the licensing authority, the condition would probably have been valid.

In this instance, the action of the cinema proprietor in screening an uncertificated film constituted a gesture of resistance not only to the powers of a local licensing authority, but also to the BBFC. Space for this sort of legal action existed in a situation in which the Board's powers vis-a-vis local authorities were still uncertain. The judgement in this case made it clear--if it had not been obvious already--that the activities of the Board of Censors could enjoy no

privileged legal status, and that the final arbiter in matters of film censorship had to be the local cinema licensing authorities. At the same time, the judgement also offered a possible resolution of the regulative contradictions of a censorship body offering a nationwide service but lacking legal authority; and of legally-grounded censorship practices which were uneven in their operation and effects. In short, the Ellis v Dubowski ruling hinted at a solution to the difficulties faced by the Home Office in engineering local consent to national uniformity.

More decisive in this context, however, was a move--only a few months after Ellis v Dubowski, and partly in response to it--on the part of the London County Council. In December 1921, the LCC's Theatres and Music Halls Committee, which had consistently acted as a pace-setter for other local authorities in cinema licensing practices, issued a new set of licensing conditions. In its ruling

That no film...which has not been passed for 'universal' or 'public' exhibition by the British Board of Film Censors shall be exhibited without the express consent of the Council,

the Committee endorsed the work of the BBFC, while at the same time taking up the suggestion offered in the Ellis v Dubowski judgement. The new conditions also required that cinema proprietors observe the

recommendations as to suitable audiences embodied in the BBFC's 'U' and 'A' certificates, and that the Board's certificate be displayed on the screen before each exhibition of a film. Before taking this step, the LCC had privately consulted with, and obtained the support of, the Home Office, which saw the adoption of these conditions by a leading local authority as a means of protecting the BBFC (and itself, no doubt) against²⁹ demands for State censorship.

Once made public, the new LCC conditions roused fury among exhibitors, who were particularly incensed by the attempt to make the 'A' certificate mandatory by excluding under-16s from screenings of 'A' films. When the trade made representations to the Council, threatening ultimately to make this an issue in the forthcoming local elections, the LCC backed down to the extent of adding a rider that the condition would not apply to children accompanied by parents or guardians, and agreeing to postpone its implementation of the reformulated condition, which eventually came into force only in January 1923. Meanwhile, the Home Office decided to wait until the controversy had died down before recommending that other local authorities also adopt the LCC's conditions. It was rumoured, too, that the LCC was preparing itself to test the 'A' films condition by taking legal action against an exhibitor³⁰ infringing it.

In May 1923, a few months after the delayed implementation of the disputed condition, the Home Office called a conference of representatives of local licensing authorities, with a view to assessing the extent to which the LCC's new conditions would be acceptable elsewhere in the country. Although some authorities had still to be convinced of the merits of the BBFC, and while doubts were expressed about the enforceability of the 'A' films condition, the majority of those present favoured the idea of a new set of model conditions based on the LCC's precedent.³¹ This would, at a stroke, meet both of the Home Office's objectives: if the LCC's conditions were widely adopted, then the BBFC would have obtained the general endorsement it needed; while at the same time a greater uniformity between localities as to censorship practices would also be assured. And should such a scheme prove effective, it would offer a convincing reply, into the bargain, to those still clamouring for the introduction of State censorship.

It was at the moment in 1923 when an end to the struggles of the previous six years was at last in sight that the events which form the subject of the third case history took place. A single film threatened to upset this delicately-balanced situation: this was a feature

entitled Married Love, which was co-written by Marie Stopes, author of a controversial manual of sexual advice bearing the same title. The various attempts, described in chapter 5, to suppress this film may be understood in terms of its untimely appearance: in July 1923, while the Married Love affair was still raging, the Home Office circularised local authorities with a new set of model conditions. By contrast with the 1917 circular, the BBFC is actually referred to in these conditions, and also in their covering letter in which the Board's work is praised as having achieved 'considerable success'. The conditions themselves simply take up the 1917 recommendations, adding three new ones based upon the LCC's rulings that no films without the BBFC's certificate should be exhibited without the Council's consent, and that unaccompanied children under sixteen should not be present at exhibitions of 'A' films.³²

This was followed up in the Spring of 1924 by a survey designed to gauge the extent to which the new conditions were being taken up. The results, according to the Home Office, showed 'fairly satisfactory progress in the direction of greater uniformity'. Within a few weeks, the LCC's long-promised test case had made its first court appearance. In a judgement involving the proprietor of a cinema in the Old Kent Road, magistrates at Lambeth Police Court ruled that the LCC was not

acting unreasonably nor exceeding its powers in imposing a condition of licence stating that unaccompanied children under sixteen should be excluded from cinemas during the exhibition of 'A' films. On appeal, in Mills v London County Council (1925), this ruling was endorsed. Thus the new conditions--and, indirectly, the BBFC and its certification system--were given the blessing of the courts.³³ Although a few local authorities still continued to take an independent line, the approach enshrined in the 1923 circular was to set the overall pattern for practices of film censorship in Britain for decades to follow. And the Home Office, by openly supporting the British Board of Film Censors and its work, now adopted a policy of rebutting the demands for official censorship which continued to be made well into the 1930s.

The birth of film censorship in Britain cannot be pinned down to any specific date, but was rather a process drawn out over a period of at least fifteen years. At hand in this long birthing was an array of discourses and powers, among them those of the institutions looked at in this chapter. However, while film censorship might have been considered in somewhat narrow institutional terms in the foregoing discussion, the activities of 'censorship institutions' are to be regarded as neither exhaustive nor decisive in

constituting events or instances involving film censorship. Nor should such institutions be considered as pre-existing the various powers which they deploy. Each of the three case histories which follow demonstrates how, in their specificity, these--as well as other--forces and relations may be instrumental, may be both active and acted upon, within specific ensembles of processes and practices, within particular powers and apparatuses.

NOTES

1. On early practices of film exhibition in Britain, see Rachael Low and Roger Manvell, The History of the British Film, 1896-1906 (London: George Allen and Unwin, 1948), chapter 4; Rachael Low, The History of the British Film, 1906-1914 (London: George Allen and Unwin, 1949), chapter 1. Statistics on cinema audiences for this period are rare, and may well be unreliable. Those cited here are taken from Philip Corrigan, 'Film entertainment as ideology and pleasure: a preliminary approach to a history of audiences', in British Cinema History, edited by James Curran and Vincent Porter (London: Weidenfeld and Nicolson, 1983), pp.24-35. On the American penetration of the British market, see Michael Chanan, 'The emergence of an industry', in Curran and Porter (eds.), British Cinema History, pp.39-58; Kristin Thompson, Exporting Entertainment: America in the World Film Market, 1907-34 (London: British Film Institute, 1985), Table A.II, p.215. On the Cinematograph Films Act,

- see Margaret Dickinson and Sarah Street, Cinema and State: the Film Industry and the British Government, 1927-84 (London: British Film Institute, 1985), chapter 1.
2. Neville March Hunnings, Film Censors and the Law (London: George Allen and Unwin, 1967), p.35: a detailed account of the pre-1909 legal situation with regard to cinema may be found on pp.29-39.
 3. Hunnings, Film Censors and the Law, pp.39-43.
 4. Hunnings, Film Censors and the Law, p.45. See also James C. Robertson, The British Board of Film Censors: Film Censorship in Britain, 1896-1950 (London: Croom Helm, 1985), p.2.
 5. House of Commons debates, vol. 3, cols. 1596-1597 (21 April 1909).
 6. Cinematograph Bill considered in committee, House of Commons debates, vol. 9, cols. 2260-2266 (25 August 1909); report stage, House of Commons debates, vol. 10, cols. 329-337 (31 August 1909); House of Lords debates, vol. 3, cols. 17-18 (20 September 1909). On the seriousness or otherwise of the fire hazard, see Hunnings, Film Censors and the Law, p.44. Robertson suggests that Samuel 'greatly exaggerated the danger of cinema fires to evade too probing a Commons discussion': The British Board of Film Censors, p.3. Within the Act's first 18 months, the Home Office was notified of two cinema fires--both caused by electrical

faults rather than by inflammable film stock:

Public Record Office, Home Office Papers (hereafter PRO-HO) 45/10624.

7. Cinematograph Act 1909 (9 Edw. 7 ch. 30), section 1.
8. Regulations dated 20 December, 1909, made by the Secretary of State under the Cinematograph Act, 1909 (S.R. & O. 1909 no. 1465); recommendations of the LCC Theatres and Music Halls Committee, 21 December 1909, cited by Hunnings, Film Censors and the Law, p.46.
9. London County Council v. Bermondsey Bioscope Co. Ltd. [1911] 1 KB 445.
10. Theatre de Luxe (Halifax) Ltd. v. Gledhill [1915] 2 KB 49. For details of other cases brought under the Cinematograph Act, see Hunnings, Film Censors and the Law, pp.85-89.
11. Geoffrey Robertson, Obscenity (London: Weidenfeld and Nicolson, 1979), p.263; Obscene Publications Act 1857 (20 & 21 Vict. ch. 83); Law Commission, Criminal Law: Report on Conspiracy and Criminal Law Reform, Law Com no. 76 (London: HMSO, 1976). No cases of this sort have been traced during the period covered by this inquiry.
12. Ellis v. Dubowski [1921] 3 KB 621.
13. Mills v. London County Council [1925] 1 KB 213.
14. T.C. Hartley and J.A.G. Griffith, Government and

Law (London: Weidenfeld and Nicolson, 1981). The distinction between 'administrative' and 'legislative' is difficult to maintain in practice, however: see J.A.G. Griffith and H. Street, Principles of Administrative Law, 5th ed. (London: Pitman, 1973), p.57, and the discussion in chapter 7 below.

15. PRO-HO 158/18, 'Cinematograph licences: model conditions', circular 312,397/151, 24 January 1917; 158/23, 'The censorship of cinematograph films', circular 373,422/78, 6 July 1923. Full texts of both circulars are reproduced in the Appendix.
16. Hunnings, Film Censors and the Law, p.82.
17. Hunnings, Film Censors and the Law, p.16.
18. PRO-HO 45/10551, notes on a deputation, 22 February 1912.
19. PRO-HO 45/10551, 'Re Censorship of Kinematograph Films', document presented by a deputation to the Home Office, 13 November 1912.
20. PRO-HO 45/10551, BBFC circular, January 1913; BBFC, Annual Report 1913.
21. Figures on local authorities' acceptance of the BBFC's rulings are taken from Robertson, The British Board of Film Censors, p.7. PRO-HO 45/10551 contains correspondence received by the Home Office calling for official censorship.
22. PRO-HO 158/17, circular 264,149, 16 May 1916. The full text of this circular appears in the Appendix.

23. An account of the film trade's dissatisfaction with censorship arrangements appears in Rachael Low, The History of the British Film, 1914-1918 (London: George Allen and Unwin, 1950), pp.126-34.
24. PRO-HO 45/10702, notes on a deputation from the CEA, April 1913; PRO-HO 45/10812, report of a deputation from the CEA, 26 May 1916; PRO-HO 45/10811, 'Censorship of Cinematograph Films', Cabinet memo, 3 October 1916.
25. PRO-HO 158/18, circular 312,397/151, 24 January 1917. Events leading up to the issue of this circular are discussed more fully in chapter 3 below. See also PRO-HO 158/18, circular 312,397/206a, amending the January circular.
26. Home Office records for 1921 suggest there was some disagreement on this issue within the department. One official, S.W. Harris (who in 1947 became BBFC President), was in favour of allowing the trade censorship to continue. Another, Sir Malcolm Delevigne, took a more cautious line ('the present position is not altogether satisfactory'). PRO-HO 45/11191, Home Office memo, dated 21 February 1921; Home Office comment on BBFC Annual Report 1919, dated 21 December 1921.
27. PRO-HO 158/21, circular 312,397/265, 3 November 1919; PRO-HO 45/11191, report on replies to November 1919 circular, December 1921.

28. Ellis v. Dubowski [1921] 3 KB 621. For Home Office involvement in the Auction of Souls affair, see PRO-HO 45/10955.
29. PRO-HO 45/11191, confidential memo by Cecil Levita, Chair of LCC Theatres and Music Halls Committee, 3 October 1921; notes on a visit to Home Office by Levita, 26 October 1921; Home Office memos dated 21 October 1921 and 27 October 1921. BBFC, Annual Report 1921; Hunnings, Film Censors and the Law, pp.73-74.
30. The Times, 2 February 1922; 11 March 1922; 1 April 1922; 22 May 1922; 30 December 1922; 19 January 1923.
31. PRO-HO 45/11191, notes on a conference at the Home Office, 2 May 1923.
32. PRO-HO 158/23, 'The Censorship of Cinematograph Films', circular 373,422/78, 6 July 1923. See Appendix for the full text of this circular.
33. PRO-HO 45/22906, report on adoption of 1923 conditions, June 1924; Justice of the Peace, 21 June 1924, p.377; Mills v. London County Council [1925] 1 KB 213.

CHAPTER 3

THE MORALE OF THE RACE AND THE AMUSEMENT OF THE PUBLIC

The interests of the State are bound up not with the quantity but with the quality of its citizens.

Havelock Ellis, 1910

A Hollywood Film in the USA

In April 1916, a film entitled Where Are My Children was released in the USA, to favourable reception by both critics and audiences. It was written and directed by Lois Weber, today regarded by some historians of cinema as 'the most important woman director of the silent era',¹ but in her own time ranked among the top few Hollywood film directors, without qualification as to gender. In 1916, Weber was leading director at Universal Studios where, exceptionally, she enjoyed complete freedom in overseeing most stages of the film making process--choice of stories and actors, writing of scripts (which she invariably did herself), as well as direction. Lois Weber made her mark by specialising in films whose promotion stressed their high quality and

moral rectitude, films which took up, within the prevailing conventions of fictional narrative cinema, burning social and moral issues of the day. Her stories were presented as serious in intent, addressing themselves to a 'thinking' audience. In the mid-1910s, the combination of lofty moral tone, topicality and controversiality with 'good stories' had--from the film industry's point of view, certainly--the additional merit of promising success at the box-office. Always provided, of course, that any objections to the films' controversial subject matter could be negotiated--though at the same time these could also be played on for their publicity value.

Where Are My Children deals with birth control and abortion, highly-charged issues at this period, on both sides of the Atlantic. In the USA, Margaret Sanger's proselytizing activities on behalf of contraception and her ensuing brushes with the law had served to bring these matters to the very forefront of public consciousness.² But if the contentiousness of the subject matter of Lois Weber's film elicited rumblings of censorship, it was nevertheless possible for Where Are My Children to be successful, both critically and financially, in the USA. It was a different story in Britain, where the film was in effect suppressed for a variety of reasons, not all of them having directly to do either with censorship or indeed with the film's

content. On its arrival in Britain, Where Are My Children became caught up in--and its suppression participated in the production of--a series of distinctions which were to sustain certain constructions of cinema as a public sphere. These constructions in turn would frame the discursive practices and power relations governing the regulation of cinema in Britain.

Where Are My Children deals with birth control and abortion. The film's hero, Richard Walton, is a District Attorney with a keen interest in eugenics and a great desire to have children of his own: his childlessness, unbeknown to him, is due to his frivolous wife's patronage of an abortionist, Dr Malfit. Walton is prosecutor in the trial of one Dr Homer, who is charged with disseminating 'indecent' literature--a book about birth control--but his assistance in the man's conviction goes against his own inclinations. The Waltons' housekeeper brings her young daughter to stay in the house: but the innocent girl is soon seduced by Mrs Walton's rakish brother. She becomes pregnant, and with Mrs Walton's reluctant collusion is sent to Malfit, who botches the operation. The girl dies, and the abortionist is brought to justice. Walton secures his conviction, and the guilty man is sentenced to fifteen years' hard labour. As he is led away, Malfit accuses his prosecutor of hypocrisy, and this leads Walton to

the discovery that his wife has had several abortions. Returning home, he accuses her of murdering his unborn children. Repentant, Mrs Walton tries to conceive, but without success. The couple grow old together, childless and lonely.

However discreetly treated, this, in 1916, was highly censorable material, a fact of which the film's producers, Universal, were evidently well aware: release, they claimed, was delayed for a while because³ of possible censorship problems. These did not materialise, however--or at least not immediately. On its eventual release in early April, Where Are My Children enjoyed an extended, uninterrupted and highly successful run at a Broadway cinema, and was later shown⁴ in other movie theatres in Manhattan. It was well received, too, by the critics, who praised the film's delicate handling of sensitive subject matter, its attention to significant detail, and its powerful dramatic qualities: the forecast was clearly for⁵ success.

Nevertheless, the risk of censorship remained. Only a year earlier, in Mutual Film Corporation v. Industrial Commission of Ohio, the US Supreme Court had ruled that films were not entitled to protection as 'speech' under the First Amendment to the Constitution, on the grounds⁶ that cinema was 'business, pure and simple'. This

decision opened the way for a variety of practices of prior censorship, all of them, until the Mutual decision was revoked in 1952, perfectly legitimate. Self-regulation by the film trade did not come fully into operation until the 1930s: until that time film censorship rested largely, in areas which had such bodies, with State and local boards of censors. These arrangements produced a good deal of unevenness in rules and standards of censorship as between localities. But at the same time a producer whose film was cut or banned in one area might still be in a position to market it elsewhere in the USA. Something of this sort appears to have happened in the case of Where Are My Children.

Where censor boards did not exist or were inactive, however, various forms of censorship could still be deployed. For example, in some areas exhibitors could have their trading licenses revoked if they screened 'objectionable' films. It was this possibility, more than that of prior censorship, that Universal probably had in mind in deciding to delay the New York release of Where Are My Children: that the local license commissioner might place a ban on the film on grounds⁷ that it dealt with a controversial topic. As it turned out, the New York City commissioner did not in fact move against the film: in nearby Brooklyn, though, it was subjected to restraint, but through the courts rather than through licensing regulations.

In June, the president of the Universal Film Exchange--the film's distributor--and the manager of the Rialto Theatre, Brooklyn were summonsed in response to a complaint that Where Are My Children was unfit for exhibition. The manager of another Brooklyn cinema which was showing the film was also brought before a magistrate, but in the latter instance the complaint was dismissed. In trade journal reports of these cases, it is argued that pre-censorship was unnecessary because 'moving picture offenders can be reached by law whenever⁸ those offended wish to act'. This is an attack not only on the Mutual decision's support for the prior censorship of films, but also on a bill at the time under discussion in Congress, one of a series of attempts made at this period to inaugurate a Federal system of film censorship. No Federal film censorship bill was ever passed, but repeated efforts in this direction over a number of years served to keep the film industry constantly aware of the damage to business⁹ which could ensue if certain marks were overstepped.

The Brooklyn District Attorney, these reports imply, was engaged on a personal mission to stamp out 'pictures that deal with sex problems'. That film censorship in the USA at this period was erratic enough to accomodate extremes of activity and inactivity, from the crusading

zeal of morally-outraged officials to the laissez-faire attitude of many a local bureaucracy, is evident in the further vicissitudes of Where Are My Children. In Boston, for example--where the film opened in July to packed houses--the local censorship commission, considered one of the most rigid in the country, said it would not interfere with the film unless a complaint¹⁰ were received. At the other extreme, the film was rejected several times by censors in Pennsylvania, and on final appeal in October was described by that State's Chief Censor as '"unspeakably vile... . It is a mess of filth, and no revision, however drastic, could ever help it any. It is not fit for decent people to see"'. Nevertheless, those wishing to judge the merits of Where Are My Children for themselves had only to cross the State line and travel to Atlantic City, 'where the film¹¹ is enjoying an immense popularity' --enhanced, no doubt, by the well-publicised denunciations of the Pennsylvania censors.

Despite--or indeed perhaps because of--its outrageous subject matter and consequent susceptibility to censorship, Where Are My Children apparently did very well in the USA: according to one film historian, it 'rocketed Weber's name to larger audiences, bigger box-office¹² returns, and an even higher annual income'. This could have been possible only in a situation in which film censorship--its practice and its

effectivity--was overall rather uneven and haphazard. If the producers were worried that the film might be censored, they were in no position to predict with any degree of certainty whether or not it actually would be. And once a film was made, there was often little to lose and much to gain by releasing it, particularly if, as in this case, it could be promoted as yet another quality product from the workshop of Lois Weber.

Even at this relatively early period in the history of cinema, a film's promotion in terms of its authorship could sometimes hope to ensure its success, as well as protect it from interference at the hands of the censors. While in later years the label 'art' attached to a film would often serve to shield it from the full rigours of censorship, in the mid-1910s it seems that a reputation for quality in the form of moral rectitude, such as that enjoyed by a director of the calibre of Lois Weber, had much the same effect. The lofty intent informing subject matter which might otherwise be regarded as unacceptable becomes a crucial factor in the American reception of a film like Where Are My Children. Many would-be censors were undoubtedly disarmed by the film's own claims to be on the side of the guardians of morality. The notion that, as one reviewer hinted, its moral message tries to run with the hare and hunt with the hounds ('from the standpoint of an argument for or

against birth control--it is both. It starts off seemingly as an argument in favor of birth control and suddenly switches to an argument against abortion')¹³ would suggest a degree of openness which could only strengthen the film's capacity to find supporters in a variety of camps.

But in 1916, a moral message of such openness was by no means sufficient on its own to secure a film's success. This is a moment in which certain methods of cinematic narration had gained ascendancy in American cinema, and when the hegemony of the fiction feature in commercial cinema was already assured:¹⁴ a film, in order to be successful, needed a 'good story'--a story, that is, deploying certain conventions of theme, style and narration. In some senses, certainly as far as the American market was concerned, Where Are My Children offered itself as at least as 'good' a story as a sermon.

'Where Are My Children': Sermon or Melodrama?

In the expository intertitle with which Where Are My Children¹⁵ begins, the film proffers earnest of its own moral intent, and solicits the assent of 'intelligent people' to such a self-presentation:

The question of birth control is now being generally discussed. All intelligent people know that birth control is a subject of serious public interest. Newspapers, magazines and books have treated different

phases of this question. Can a subject thus dealt with on the printed page be denied careful dramatization on the motion picture screen? The Universal Film Mfg Company believes not....

At the same time, this rhetorical flourish addresses the audience--au fait with current debates in the quality print media--as itself both serious-minded and intelligent.

Where Are My Children announces right away that it is 'about' birth control: but this can be true only insofar as such a substantive concern can be articulated through the conventions of fictional narrative cinema. For Where Are My Children is above all a story, a fiction whose trajectory is governed by the actions and motivations of its characters. In particular, in the character of Richard Walton, the District Attorney hero, the story's concern with birth control is in effect transformed into a set of personality traits and--especially--desires. In the setting in which he is most powerful--the courtroom--Walton is introduced early in the film as 'a great believer in eugenics' whose wife is 'childless'. Meanwhile, at the Waltons' large and well-appointed home, Mrs Walton reclines on a chaise longue eating chocolates and playing with pet dogs. Walton returns home and greets his 'childless' wife affectionately, for

Never dreaming it was her fault, her husband concealed his disappointment.

Walton's childlessness, then, is involuntary: and it is in fact his thwarted desire to be a father which largely governs the subsequent progress of the narrative. His interest in eugenics is a device which motivates the trial of the birth control activist Dr Homer, and adds a medico-moral gloss to Mrs Walton's 'evasion' of motherhood.

Eugenics, as a set of ideas about the physical and intellectual quality of the population--and its capability of improvement through human intervention in the form of science and/or social reform--enjoyed a great vogue in the early years of this century, fuelled by concerns about the state of what was universally termed 'the race' (at this period 'the word "race" appears to have been interchangeable with "nation",¹⁶ "community" or even "people"'). Eugenics offered the prospect of reversing what was perceived to be a deterioration in the quality of the population. The lower classes, the 'feeble-minded', and the 'degenerate' were breeding, it was feared, at a rate which threatened the extinction of the 'best' elements of the race (namely the middle classes), amongst whom the birth rate appeared to be in sharp decline.

The eugenic theme of Where Are My Children explains the apparent inconsistency of the film's pro-birth control and anti-abortion stances. During the trial of Dr

Homer, the defendant's work among the poor is portrayed in three flashback-style sequences which punctuate the courtroom scene in which he is being cross-examined by Walton. The first shows a room in a slum household and a young mother of three infant children who is obviously ill, probably suffering from TB or syphilis. As the doctor enters and examines the smallest baby, the mother stands by, coughing and sobbing. In the brief second flashback, Dr Homer stands on a bridge, looking over the parapet. He calls a policeman, possibly having witnessed a suicide, though this is not made explicit. The third sequence shows a working-class couple, their children present in the room, in the throes of a violent argument. The woman throws a pan at the man and they start fighting. The doctor arrives on the street, enters the house, and attempts to separate the couple, but is ejected by both of them. Back in the courtroom, the doctor says:

'These conditions prove to me the
necessity of world-wide enlightenment
on the subject of birth control',

though what the flashbacks actually suggest is that it is not the whole world but the poor and the lower classes who stand in need of such enlightenment. For it is they who--as a cut-in close shot of an excerpt from Homer's book states--are 'ignorant and undisciplined', allowing 'unwanted children [to] be born to suffer blindness, disease or insanity'. Dr Homer is not an

advocate so much of choice in matters of fertility, then, as of negative eugenics, the discouragement of breeding by the 'unfit'. So, it seems, is Richard Walton, who regards some of the delinquents he deals with in the course of his work as 'ill-born'. "'If the mystery of birth were understood'", he says, "'crime would be wiped out'".

Evidently, the bourgeois Mrs Walton's strategies of family limitation do not fall into the same category as those advocated by Dr Homer and her husband--for these apply only to certain sections of the population, namely the 'unfit': positive eugenics demands that the fertility of the 'best stocks' be encouraged. The scene of Dr Homer's trial is cross-cut with sequences showing Mrs Walton with her frivolous 'social butterfly' woman friends. While the doctor is being brought to book for his efforts at improving the race, Mrs Walton unconcernedly procures an abortion for one of her associates. Walton, downcast by the trial's outcome, returns to an empty house, and while waiting for his wife to come home, looks with longing at the three young children of the eugenically-disposed family next door. It is at this moment that the narrative's two main trajectories intersect. If the lack constructed in the world of the fiction--Mrs Walton's of children--could be set to rights by her assuming what is termed in the film 'the diadem of motherhood', not only would the hero's

desire for a family be satisfied, so too would the demands of a positive eugenics.

These would hold that, for a woman of the 'best type', motherhood is not merely the true fulfilment of her sex, but also her responsibility--as 'Nature's supreme organ of the future'--to the race. For such a woman to 'evade' motherhood by resorting to abortion or other forms of birth control was thus doubly reprehensible.¹⁷

The eugenic theme, then, readily accommodates what the Variety reviewer saw as a contradictory stance on birth control. For what is at issue is not so much birth control *per se* as the quality of the population and the control of fertility, in one direction or another, so as to enhance it. However, once it is established that in undergoing abortions Mrs Walton is shirking her duty to the race, the narrative can confine itself more closely to the domains of individual psychology, frustrated desire and melodrama, with which the Hollywood feature film is, already in the mid-1910s, much more at home.

Not only is Mrs Walton denying her husband's dearest wish, she is doing so deceitfully; while also, presumably, having sex 'for its own sake'. In terms of the discourse on femininity constructed by the film, this amounts to nothing less than an unnatural corruption of the proper balance of power in the

domestic sphere. The conventions of the moral tale demand that such duplicity be discovered, and punished. This comes about by means of a subplot whose narrative function is, in the final instance, to expose to Walton--qua DA--the activities of the abortionist, Dr Malfit, and in consequence to bring home to Walton--qua husband--the realisation that his wife has all along been making use of the abortionist's services. But along the way this subplot does considerably more than that, constructing certain discourses around femininity, innocence and corruption, discourses which implicate the film further within a particular set of conventions of cinematic narrativity.

Mrs Walton's reprobate brother arrives at the Waltons' for what turns out to be an extended stay. On the same day, the Waltons' housekeeper brings her daughter, who has just left school, to live in the house until a job can be found for her. The girl, with her frilly smock and long, be-ribboned hair loose about her shoulders, is the very epitome of the naive ingenue of silent cinema. Eyed lasciviously by the brother, she responds by shyly averting her face from his gaze. Eventually, however, the inevitable happens ('Practice teaches men of this class the bold methods that sweep inexperienced girls off their feet'): she is seduced and becomes pregnant:

It was the old, old tragedy, and one of the 'unwanted ones' was called to earth.

All the outward marks of sexual innocence now relinquished--she wears a dark tailored dress and has her hair in a bun--the girl seeks out the brother in the garden to tell him of her plight. He abruptly pushes her away and runs indoors to his sister, who has by this time seen the error of her ways and decided 'to conquer her selfishness and prepare for motherhood'. She is nevertheless persuaded, albeit reluctantly, to give her brother the address of Dr Malfit for a 'friend'...'in trouble'. This turns out to be Mrs Walton's undoing. But this substantial subplot effects more than simply the exposure and punishment of one character.

The lengthy scenes involving the brother and the housekeeper's daughter before the girl's seduction are significant in that, for a film made as early as 1916, they contain some rather elaborate point-of-view and shot/reverse shot figures.¹⁸ These foreshadow the centrality of the look in the cinematic image as signifying certain relations of gender and sexuality. For example, the scene, already noted, in which the pair first meet contains a sustained shot/reverse shot sequence which affirms the man's sexual predatoriness, as the instigator of the look, and the sexual innocence of the girl as its reluctant recipient:

1. CU brother, eyeing the girl obliquely
2. Reverse shot of 1--the girl looks up shyly

3. As shot 1--the man continues looking
4. As shot 2--the girl turns away.

Later, the brother is twice shown following the girl, spying on her as--in an iconographic gesture equating nature with innocence--she gathers flowers in the garden. He sidles out of his hiding place, approaches her, speaks, and kisses her. From this moment on, her innocence lost, the girl is never again to be constructed as object of the gaze--of her seducer, of any other character in the fiction, or indeed of the film's spectator.

This, given the association between looking and sexual pleasure--specifically in their cinematic organisation through certain conventions of iconography, shot scale¹⁹ and editing --betokens an eroticisation of female sexual innocence. An obsession with female sexual purity is a defining characteristic of silent cinema, though it is difficult to judge quite how common it would have been in 1916 for such innocence to be constructed through the particular organisation of cinematic point-of-view deployed in Where Are My Children. Whatever the case, sequences involving point-of-view assume particular significance in this film, if only because there are rather few of them. The housekeeper's daughter is, for a time, the object of the look of Mrs Walton's sexually predatory brother. But the look of the film's hero, Richard Walton himself,

also motivates point-of-view shots on at least two occasions: as he watches children playing in the garden of the house next door; and as he admires his sister's baby.

Children, then, are also constructed as objects of desire in this film. In a sense, the innocence of babies, children and sexually uninitiated young women are here virtually equated with one another. But while manifest in certain objects of desire, innocence is at the same time declared unattainable or foredoomed to loss. Here, perhaps--in the very elusiveness of desire, expressed in a tale of lost innocence--lies the poignancy of Where Are My Children. Walton, a morally upstanding man, and his wife, a repentant woman, are nevertheless--because the moral/sexual purity of the world about them has become irretrievably corrupted--visited by the wrath of the gods and condemned both together to a lonely and bitter old age. Alone with his wife after discovering what she has done, Walton cries: "Where are my children?" While her husband continues to grieve 'for his lost children and his lost faith in the woman who should have been their mother', Mrs Walton tries to conceive. But it is too late:

having perverted Nature so often,
she found herself physically unable
to wear the diadem of motherhood.

Such a dreadful perversion calls forth retribution so terrible that even the upright and the repentant must be

destroyed by it: the punishment accorded Malfit for his assistance in 'race suicide' seems paltry by comparison. The eugenic sermon is swamped by the cinematic melodrama.

As a film 'about' birth control or 'about' eugenics, Where Are My Children might well be addressing, as its prologue claims, a serious and intelligent audience. In its construction of the degraded and fecund poor of the first part of the film as unremittingly Other, it also appears to be speaking to a 'respectable', if not a wholly middle-class, audience. It is certainly for these social groups that eugenics as a system of thought had its greatest appeal, and about whom the worst fears about falling birth rates and 'race suicide' were expressed.²⁰ As a 'quality' film with a moral message, then, Where Are My Children undoubtedly aspires to that respectability which the film industry at this period strove ceaselessly to secure for its products. At the same time, though, as a fictional narrative skilfully combining the stylistic conventions of what was soon to become 'Classical Hollywood Cinema'²¹ with the prevailing generic requirements of popular melodrama, Where Are My Children was clearly capable of appealing to a much broader audience. In this perhaps lies the secret of the film's success in the US: its status as a 'sermon' assisted in the negotiation of its dangerous

passage through the straits of censorship, while its powerful qualities as dramatic cinema pulled in the audiences.

A Hollywood Film in Britain: Cinema and Social Purity

But Where Are My Children had an altogether different reception in Britain, where it was exactly its construction as a 'sermon' that prevented the film from reaching large audiences and achieving commercial success. Through the institutional context in which it was introduced, it was constituted as a very particular type of film, in that it was never regarded as being 'about' anything other than eugenics, or rather--even more specifically--race suicide. Its qualities as a 'good story'--an emotional family melodrama, a tale of lost innocence, of corruption and retribution--disappear, submerged under a moral message harnessed to a set of anxieties, prevalent in Britain in the years before and during World War I, about the decline of the nation.

These concerns expressed themselves in a variety of ways, among them the fear--with the flower of the nation's youth being destroyed in the trenches and some of the best of its future mothers apparently more²² interested in feminist politics than in childbearing -- that the population was deteriorating, both in quality and in quantity. There was a conviction, too, that the

eugenic threat went hand-in-hand with a decline in moral standards, amongst the young especially. Cinemagoing, still rather a novelty and an extremely popular leisure pursuit, was not infrequently held responsible for this state of affairs. Not only were audiences exposed to all the moral risks associated with darkened, enclosed public places: many of the films themselves were thought to be sexually suggestive, or even incitements to criminal behaviour.

Such anxieties as these are what lie behind the enormous--and sometimes even obsessive--public interest taken at this period in a whole array of issues relating to sexuality, eugenics included. They also fuelled the activities of various organisations devoted to the promotion of 'social purity'. It was under the aegis of one such body, the National Council of Public Morals, that an influential investigation of the social and moral influence of cinema--the first of its kind in Britain--was undertaken. This inquiry was launched soon after the British debut of Where Are My Children, also sponsored by the NCPM, which took place on 8 November 1916. The National Council had a relatively longstanding interest in eugenics, and a rather more recent one in cinema. Formed in 1911 with the objective of 'the regeneration of the race--spiritual, moral and physical', as a forum for public figures concerned with

various aspects of 'national degeneration', this body had launched itself by publishing a 'Manifesto on Public Morals', signed by a long list of prominent public figures and expressing 'alarm at the low and degrading views of the racial instinct which are becoming widely circulated at the present time'. Causes for concern included the declining birth rate, the circulation of pernicious literature, the moral education of the young, and the prolific breeding of the 'feeble-minded'.²³

For the following ten years and more, the National Council of Public Morals was to be an influential voice in campaigns around social purity, public morals and social reform. As its inaugural manifesto's references to the birth rate and to the feeble-minded indicate, the Council's activities were heavily influenced by the eugenic thinking that coloured so many public debates at the time. Indeed in 1913 the NCPM mounted its own inquiry into the declining birth rate by setting up the National Birth-Rate Commission, whose report was first published in June 1916. This confirmed that the decline in birth rates was greatest in areas with a high standard of living, and that birth rates fell as incomes rose: in short, that there was a class differential in fertility. This, argued the report, was due to the widespread practice of birth control among the middle and upper classes, and the fact that the lower classes were much less liable to control their fertility in this

way:

While there should be censure of the recklessness of the poor who assume parental responsibility without the capacity or the effort to discharge it worthily, there should be no less condemnation of the selfishness, or social ambition, which leads some of the well-to-do to restrict their families, so that they may make more display, and live in a luxury inconsistent with health and happiness. (24)

Published just as Where Are My Children was enjoying its successful first run in New York, this statement more-or-less sums up the moral message of the film, certainly as the NCPM was to see it.

The Council's interest in Where Are My Children seems to have been motivated by the fact that the film could be read as reinforcing the findings of its own Birth-Rate Commission. That this is so is certainly suggested by the ways in which the film was promoted and received in Britain. Every British report or review of the film stresses its character as a 'film sermon': The Bioscope, for example, announces it as 'The Birth Limitation Picture', while the Times headlines its report of the premiere: 'The Cinema and the Birth Rate--a Film for Adults'. The NCPM's director described it as 'a distinct departure from the purely recreative aim of most film-plays... . It has a serious purpose and should be a potent factor in social
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enlightenment. A prologue and epilogue were even added

to the film itself, 'explaining eugenic methods, urging the need of keeping up the population, drawing attention to the work of the National Council...'.²⁶ Among the speakers at the November screening, which was attended by an array of prominent social reformers and public morality campaigners, was the Bishop of Birmingham, President of the NCPM, and the popular writer on eugenic topics, C.W. Saleeby. Both spoke not only about the 'problem' of birth limitation, but also of the potential of cinema for the education and enlightenment of the public. The NCPM's sponsorship of Where Are My Children, Saleeby hoped, was 'the beginning of a closer association between those who were working for the morale of the race and those who provided amusement for the public'.²⁷

This was the Council's first attempt to use cinema as a means of furthering its objectives, and the venture was undertaken with the full co-operation of the film trade. Where Are My Children had been taken up by the NCPM on the initiative of Transatlantic Films, the firm which handled British distribution of Universal pictures. At this stage, Transatlantic wanted the film to be shown in commercial cinemas: but the NCPM, backed by certain sections of the trade, apparently had different plans, regarding it as a purely 'propagandist' picture whose exhibition should be restricted to adults-only audiences²⁸ in premises acquired expressly for the purpose. If

cinema was to enter the domain of social purity, it would do so only under the most strictly controlled conditions.

Where Are My Children, then, was sponsored in Britain by a social purity organisation whose efforts in this sphere enjoyed the blessing of the film trade. But, as the hint of disagreement over exhibition circumstances would suggest, this does not mean that the interests of the two parties necessarily coincided. The NCPM might well have regarded cinema as a suitable vehicle to which to harness its own objectives, but it nevertheless had no intention of directing its message to the masses. It was more interested in those groups in society for whom eugenic ideas would already have some meaning: precisely the intelligent and serious-minded audience that the film itself claims to address. The difference between the American and the British situations was that in Britain this audience was closely targeted, institutionally and discursively: by the construction of the film as 'propagandist'; and by its non-commercial exhibition.

Commercial cinemas were frequented by the 'masses' --precisely, it was assumed, the sort of audiences that might be attracted by the film's qualities as a 'good story', or even by a prurient interest in its subject

matter, rather than by anything serious it might have to say on the question of race suicide. The sponsors of the film were bent on circumscribing the ways in which it could be read--on fixing its meanings, in other words. The project of directing the film's reading is merely an extension of the insistence on a distinction between the 'recreative' function of the general run of films and this film's loftier objective of moral instruction. And so despite the fact that Where Are My Children was a Hollywood product, a commercial feature film intended for commercial exhibition, in Britain it was redefined as a vehicle of enlightenment, a purpose held distinct from that of commercialised leisure and entertainment.

The National Council of Public Morals considered that the cinema screen could be used for 'good and high motives', then. This was a view which the film trade was quite prepared, for the moment at least, to endorse, being ever eager to persuade the world that its business was reputable. Though at the time Where Are My Children was being launched in Britain, the film trade was even more anxious than usual to assert its respectability, for in the closing months of 1916 it had been under threat of proposals for the State censorship of films. First publicly mooted in May 1916, the Home Office's plans for official censorship were well advanced by October, when the Home Secretary's plans for 'an

official and independent censorship...established by the
government' were submitted to the Cabinet ²⁹. But the
Home Office had underestimated the influence and
persistence of the film trade, which immediately mounted
a public campaign of protest against the proposed
measures. This campaign was launched only a week or so
before the British premiere of Where Are My Children.³⁰
In lending its support to the NCPM, the film trade was
evidently intent on silencing its critics by
demonstrating that cinema, widely considered to be a
corrupting influence, could actually be put to socially
worthwhile uses.

That such a highly respectable body as the National
Council of Public Morals had decided to sponsor a film
was indication that cinema was at last being taken
seriously. And, as some of the speeches at the launch
hinted, there was more to come. And indeed, at the end
of November, the NCPM announced its intention of setting
up, on the model of the Birth-Rate Commission, a
Commission of Inquiry on Cinema, whose terms of
reference would be:

1. To institute an inquiry into the
physical, social, educational and
moral influences of the cinema, with
special reference to young people;
and into
2. The present position and future
development of the cinematograph, with
special reference to its social and
educational value and possibilities.
3. To investigate the nature and extent

of the complaints which have been made against cinematograph exhibitions.

4. To report to the [National Council of Public Morals] the evidence taken, together with its findings and recommendations, which the Council will publish. (31)

The Commission started work almost immediately, receiving evidence from interested parties both within and outside the film trade (though the Home Office declined to participate) until May 1917. its full report, published in October, concluded that worries about the content and influence of films were overstated, if not unfounded, but that care should nevertheless be taken to see that 'suitable' films were shown in 'suitable' conditions. On the question of film censorship, the Commission considered that State censorship would enhance public confidence in the cinema.

However, by the time the report was made public, the censorship situation had already altered dramatically. In early December 1916, the film trade had stepped up its campaign against official censorship by securing the appointment of T.P. O'Connor as new head of the BBFC, a move which coincided with a change of government. The new Home Secretary soon decided, in view of the trade's hostility, to scrap the plans for official censorship of films: he was also urged by O'Connor to reprieve the BBFC and put it on trial for a

year under its new, and--it was promised--tougher
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regime. The Home Office response was not at this
stage to give overt support to the Board of Censors but
rather to try to persuade local authorities to involve
themselves more actively in film censorship by attaching
to cinema licences conditions that would enable them to
secure 'an effective control' over film content. To
this end a set of model conditions for cinematograph
licences was circulated to all local authorities in
January 1917. These included a clause, the legality of
whose import had already been tested in the courts,
relating to the moral acceptability of films:

No film shall be shewn which is likely
to be injurious to morality or incite to
crime, or to lead to disorder or to be
offensive to public feeling... .(33)

But although plans for official censorship had been
shelved, the possibility that the government might at
any moment step in, with or without benefit of
legislation, remained. This undoubtedly informed the
deliberations, and influenced the conclusions, of the
Cinema Commission of Inquiry. It was also to have its
effects on the practices of the British Board of Film
Censors itself, which--sensing it was very much 'on
trial'--displayed extreme caution during this and the
subsequent few years. As part of its effort to
establish credibility for itself, the new regime at the
Board adopted the practice of soliciting advice from the

Home Office on films considered especially problematic. Where Are My Children was among the first of these.

The film was not actually submitted for censorship until several months after its arrival in Britain, during which time it had been exhibited--though quite how widely it is impossible to tell--in circumstances of the sort favoured by the National Council of Public Morals. For such non-commercial screenings, a Censor's certificate would be unnecessary: but perhaps the openings for non-theatrical exhibition had proved limited. For whatever reason, in March Transatlantic, with the NCPM's support, tried to obtain a censor's certificate for the film: at some point, therefore, a decision had evidently been made to move it into the commercial sphere. The BBFC's reaction to this request was to ask for Home Office guidance. The Censors felt themselves in difficulty here because although they regarded the film as unacceptable--mainly because of its 'propagandist' purpose, but also because of 'the manner in which the purpose of the film is presented'--they were persuaded that the NCPM's motives in promoting it were above reproach.

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It is significant that, in pinpointing the film's purpose--as defined by its sponsors--rather than its content, the Board was in effect colluding with the NCPM's construction of it as 'propagandist'. The BBFC's

actions were certainly governed by the view that if the film was censorable, this was not because anything in it was indecent or improper, nor even because it dealt with controversial issues, but simply because it inhabited a problematic category. Faced with a film which aspired to be at once both propagandist and commercial, the Censors were thrown in a quandary. In its resolution of the specific problem posed by Where Are My Children the BBFC, with the support of the Home Office, took the first step towards formulating a policy for resolving future difficulties of the same sort. This policy was to be instrumental in producing and sustaining a discursive separation of the categories 'commercial film' and 'propaganda film'.

In response to the Board's request for advice on Where Are My Children, the Home Office took the most unusual step of sending an official to view the film. The Home Office recognised that:

The Censors have hitherto considered films from the point of view of entertainment. If they are to be viewed as a means of inculcating views on morals other considerations would come in and the Board feel that they do not know what they might be led into. (35)

This statement in effect inaugurates a distinction between categories of film contents--entertainment on the one hand, the inculcation of morals ('propaganda', that is) on the other. This distinction was to have

significant repercussions for subsequent institutional practices of film censorship and indeed for the regulation of cinema more generally, and would ultimately underpin a series of discourses on the social function of cinema and its proper place in society.

In the end, the Home Office agreed with the Censors that Where Are My Children was not a suitable film to be shown at public performances, even if children were not admitted to it. If, as this and all other available evidence suggests, the Board did in fact refuse to certificate the film, such a decision would mark the birth of a discursive conjunction of entertainment with a public sphere of cinema, one consequence of which was the production of a particular category of films as 'other'--excluded, that is, from the public sphere of cinema. The British Board of Film Censors would eventually, as a matter of policy, decline to certificate all films in the excluded 'propaganda' category, regardless of content (see chapter 4). And the Cinema Commission of Inquiry would--albeit unwittingly--soon be adding its own voice to the Censors' doubts about the advisability of showing films dealing with moral and social problems in commercial
36
cinemas. At any rate, little more was to be heard of the film whose passage through the machinery of censorship had set the whole process in motion.

The Birth of the Propaganda Film

The story of the fate of Where Are My Children in Britain is exemplary. The institutional circumscription of its meanings, the insistence on its reading as a film 'about' a particular social problem--race suicide--may be understood on one level in terms of its insertion into pre-existing discourses on eugenics and public morality. At another level, though, the film participates in its own ways in the production of such discourses, engaging narrativity and cinematic modes of address in the process. Thus the film as text does not simply reflect an existing 'social problem', nor even discussions about it in other media: it is itself actively involved in the discursive production and institutionalisation of that problem.³⁷ When Where Are My Children was launched in Britain, moreover, its meanings were harnessed to objectives distinct from any claims on the part of the film text to be a piece of popular fiction cinema: it was in consequence transformed, discursively and institutionally, into a 'propagandist' film, pure and simple.

The discourses and institutions through which this transformation took place were in the first instance those of social purity and public morality. In the shape of Where Are My Children, cinema stepped into the domain of public morality at the same moment that public

morality, in the shape of the Cinema Commission of Inquiry, entered the domain of cinema. This coincidence of events was not without contradiction, however. On the one hand, cinema was widely regarded as a threat to public morals; on the other, it was seen as a means of spreading moral enlightenment. If the Cinema Commission is a response to the one view, the NCPM's sponsorship of Where Are My Children is an expression of the other. But could cinema be at once both a moralising and a demoralising influence?

In terms of a view of cinema as no more than recreation, a popular pastime for the masses, the answer to this question is undoubtedly 'no'. When cinema and public morality entered each others' territory, a struggle ensued over understandings of cinema, its social function, the uses to which it might be put: in short, over what cinema was for. The Cinema Commission's Report rehearses exactly these struggles. Was cinema a deleterious moral influence? Did it cause eyestrain and other physical disorders? Were the sorts of films being seen by children of any educational value? As the case of Where Are My Children suggests, it was felt in some quarters that cinema might serve useful and worthwhile purposes in ways that might go against the economic and ideological grain of commercialised leisure. That in this one instance at least the entrepreneurs of this leisure pursuit were on

the whole in accord with the guardians of public morality only adds further complexity to an already contradictory situation. It was in these circumstances that a film with a certain moral purpose became a film of a particular type, and the propaganda film was born. The union of cinema and public morality, then, produced a new cinematic genre.

But this presented yet more problems. What was the propaganda film's proper place? What--or more crucially, who--was it for? If, in its efforts to gain respectability, the film trade welcomed, for the moment at least, the attentions of the moral reformers, the position of the reformers themselves seems rather less straightforward. On the one hand cinema appeared capable of delivering a large audience for their ideas, while on the other cinema's public image was on the whole somewhat disreputable. If the promotion of Where Are My Children is any guide, the moral reformers tried to surmount this problem by addressing themselves, cinematically speaking, to an audience which was much more socially restricted than the usual patrons of commercial cinema--namely, those already in possession of knowledge about the moral and social questions which it was claimed the film was 'about'. If, then, the commercial cinema audience could not constitute the 'ideal readers' of propaganda films, such consumers had

to be sought elsewhere. But at this period there was no elsewhere, no institutional space outside commercial cinemas for the public consumption of films. It is this, perhaps, which lies behind the manifest uncertainty of the sponsors of Where Are My Children about the 'proper' conditions for the film's exhibition. There was simply no existing institutional structure³⁸ into which the newly-born genre could slot itself.

If the strategy of mounting private screenings in church halls and similar venues solved the immediate problem of getting the films on the screen, it also kept propaganda films outside cinema's public sphere. The 1909 Cinematograph Act, in subjecting cinema buildings to regulation as places of public resort, already proposed a particular kind of public sphere for cinema. But it is clear from the case of Where Are My Children that cinema's public sphere soon came to be defined in terms of particular kinds of films (see chapter 7).

At this point a further contradiction comes into play. In the discourses and practices of film censorship--themselves in a state of flux--in operation at this moment, definitions as to what, in terms of film content, was and was not acceptable were in process of production. These emergent definitions drew upon certain presuppositions about the nature and purpose of cinema: basically, cinema--held to be coterminous with

that public domain of cinema which it was the task of censorship to regulate--was already regarded in certain quarters as exclusively 'for' entertainment. The emergence of the propaganda film and its bid to enter the public sphere of cinema constituted a challenge to such a definition, signalling a contradiction--and a rather unlikely one, perhaps, on the face of it--between discourses of public morality and discourses of censorship.

The events surrounding the censorship of Where Are My Children highlight the power relations in play in this moment of contradiction. A film with a 'propagandist purpose' could obviously not be assimilated into cinema as it was being constituted in discourses and practices of film censorship. The response of the Censors in the first instance was to suppress this particular film, precisely on grounds of its non-assimilability. In the process, a category called 'propaganda' film was produced in distinction from 'entertainment' film. In the very moment of its production, this new category was--given the equation of the public sphere of cinema with cinema tout court--in effect outlawed. The story of the fate of Where Are My Children in Britain is also the story of how cinema entered the domain of public morality, and vice versa, and of how this resulted in the creation of a film genre which was for some years to occupy the margins of cinema's public sphere.

NOTES

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2. David M. Kennedy, Birth Control in America: The Career of Margaret Sanger (New Haven: Yale University Press, 1970), chapter 3. Birth Control, a film by Margaret Sanger, was banned by the New York City license commissioner in 1917: see Edward de Grazia and Roger K. Newman, Banned Films: Movies, Censors and the First Amendment (New York: R.R. Bowker, 1982), pp.186-88.
3. Variety, 14 April 1916, p.26.
4. 'U Film's Big Business', Variety, 21 April 1916, p.25; Exhibitors Herald, 13 May 1916, p.15; advertisement for States rights, Variety, 16 June 1916, p.23.
5. Variety, 14 April 1916, p.26; New York Dramatic Mirror, 22 April 1916, p.42, reprinted in Anthony

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(Metuchen, NJ: Scarecrow Press, 1982),
pp.279-80; Moving Picture World, 29 April 1916,
pp.817-18; Photoplay, June 1916, p.95.
6. Mutual Film Corp. v. Industrial Commission of Ohio
[1915] 236 US 230; Ira H. Carmen, Movies,
Censorship and the Law (Ann Arbor: University of
Michigan Press, 1966), pp.10-16; Richard S.
Randall, Censorship of the Movies (Madison:
University of Wisconsin Press, 1968), pp.18-25.
 7. Variety, 14 April 1916, p.26. This practice was of
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in New York City at this period, see Daniel
Czitrom, 'The redemption of leisure: the National
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 8. New York Times, 18 June 1916, section 8, p.3;
Moving Picture World, 1 July 1916, p.73.
 9. Neville March Hunnings, Film Censors and the Law
(London: George Allen and Unwin, 1967), pp.160-61.
 10. Variety, 7 July 1916, p.22.
 11. Motion Picture News, 7 October 1916, pp.2206, 2208.
The Pennsylvania Censor explains his views on
cinema in Ellis Paxson Oberholtzer, The Morals of
the Movie (Philadelphia: Penn Publishing Co,
1922).

12. Louise Heck-Rabi, Women Filmmakers: A Critical Reception (Metuchen, NJ: Scarecrow Press, 1984), p.58.
13. Variety, 14 April 1916, p.26.
14. David Bordwell, Janet Staiger and Kristin Thompson, The Classical Hollywood Cinema: Film Style and Mode of Production to 1960 (London: Routledge and Kegan Paul, 1985), chapter 14.
15. Discussion herein is based on the print of Where Are My Children held in the Motion Picture, Broadcasting and Recorded Sound Division of the Library of Congress. This print is incomplete, but the narrative of the missing section has been reconstructed by the author from the Library of Congress copyright entry for the film. No print of the British version appears to have survived.
16. G.R. Searle, Eugenics and Politics in Britain, 1900-1914 (Leyden: Noordhoff International Publishing, 1976), p.39; see also Jeffrey Weeks, Sex, Politics and Society: The Regulation of Sexuality since 1800 (London: Longman, 1981), chapter 7.
17. C.W. Saleeby, Woman and Womanhood: A Search for Principles (London: Heinemann, 1912), p.25. In the US at this time, it was widely believed that abortion had become 'the "systematic" practice of "respectable" women--those who were married,

- middle- or upper-middle-class, native-born Protestants': Rosalind Pollack Petchesky, Abortion and Woman's Choice (New York: Longman, 1984), p.78. The 'maternalism' of some British versions of eugenics is discussed in Anna Davin, 'Imperialism and motherhood', History Workshop Journal, no. 5 (1978), pp.9-65; and in Lucy Bland, '"Guardians of the race" or "Vampires upon the nation's health"? female sexuality and its regulation in early twentieth century Britain', in The Changing Experience of Women, edited by Elizabeth Whitelegg et al. (Oxford: Basil Blackwell, 1982), pp.373-88.
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 21. Bordwell, Staiger and Thompson, The Classical Hollywood Cinema, part 1.
 22. Sections of the prewar women's movement had campaigned against marriage: see Havelock Ellis, Sex in Relation to Society, Studies in the Psychology of Sex, vol. 6 (Philadelphia: F.A. Davis, 1910), pp.3-4; Sheila Jeffreys, '"Free from all uninvited touch of man": women's campaigns around sexuality, 1880-1914', in The Sexuality

- Papers, by Lal Coveney et al. (London: Hutchinson, 1984), pp.22-44 (pp.40-43).
23. Edward J. Bristow, Vice and Vigilance: Purity Movements in Britain since 1700 (Dublin: Gill and Macmillan, 1977), pp.144-45 ; The Times, 31 May 1911, p.5d. On the social purity movement in general, see Weeks, Sex, Politics and Society, chapters 5 and 11.
 24. National Council of Public Morals, National Birth-Rate Commission, The Declining Birth-Rate: Its Causes and Effects, 2nd ed. (London: Chapman and Hall, 1917), p.78. Previous studies on the subject include Sidney Webb, The Decline in the Birth Rate, Fabian Tract no.131 (London: Fabian Society, 1907).
 25. The Bioscope, 9 November 1916, p.561; The Times, 1 November 1916, p.5b; James Marchant, quoted in The Bioscope, 9 November 1916, p.561.
 26. Public Record Office, Home Office Papers (hereafter PRO-HO) 45/10955, Home Office memo on Where Are My Children, dated 14 April 1917.
 27. The Cinema, 16 November 1916, p.3. The event is also reported in Kinematograph and Lantern Weekly, 9 November 1916, pp.14-15; and in The Bioscope, 16 November 1916, p.631.
 28. The Bioscope, 16 November 1916, p.631; 23 November 1916, p.743; PRO-HO 45/10955, "'Where Are My

- Children": Special Propaganda Film--Some Leading Opinions', NCPM promotional leaflet.
29. PRO-HO 158/17, circular 264,149, 16 May 1916; PRO-HO 45/10812, Home Office minute, dated 11 July 1923; PRO-HO 45/10811, 'Censorship of cinematograph films', Cabinet memo, 3 October 1916. See also chapter 2 herein.
30. The many trade press reports and editorials on the campaign include: The Cinema, 2 November 1916, pp.2-3; Kinematograph and Lantern Weekly, 9 November 1916, pp.8-9; The Bioscope, 9 November 1916, pp.536-7; The Cinema, 16 November 1916, p.2.
31. The Times, 29 November 1916; The Bioscope, 30 November 1916, p.845; PRO-HO 45/10811, James Marchant to Home Office, 27 November 1916.
32. PRO-HO 45/10811, handwritten minute, dated 29 December 1916; memo on visit by T.P. O'Connor to Home Office, dated 3 January 1917.
33. PRO-HO 158/18, 'Cinematograph Licences: Model Conditions', circular 312, 397/151, 24 January 1917; The Bioscope, 1 February 1917, p.421; Ex p. Stott [1916] 1 KB 7. The full text of the circular is reproduced in the Appendix.
34. PRO-HO 45/10955, T.P. O'Connor to Home Secretary, 27 March 1917.
35. PRO-HO 45/10955, Home Office memo on Where Are My Children, dated 14 April 1917.
36. National Council of Public Morals, Cinema

Commission of Inquiry, The Cinema: Its Present Position and Future Possibilities (London: Williams and Norgate, 1917), p.2. Special (i.e. non-theatrical) screenings of Where Are My Children are reported in Birmingham in May (The Times, 1 May 1917, p.3c) and during National Baby Week in July (The Times, 1 May 1917, p. 9c). No record has been found of any commercial screenings of the film in Britain.

37. John Hill, 'The British "social problem" film: "Violent Playground" and "Sapphire"', Screen, vol.26, no.1 (1985), pp.34-48 (p.35).
38. Institutional structures of non-commercial, but public, exhibition did not come into existence in Britain until the late 1920s, with the formation of the Film Society. This development, significantly, coincides with the invention of the concept of documentary cinema, with its suggestion of non-fictional form combined with educative purpose.

CHAPTER 4

A MORAL SUBJECT

The commonsense of the matter is that a public danger needs a public warning; and the more public the place, the more effective the warning.

George Bernard Shaw, 1917

VD Propaganda and Narrative Cinema

If propaganda films came into being as a consequence of a particular conjunction of cinema and social purity, they survived that union as a genre, taking up, on their own account, a wide range of social and moral preoccupations of the day. The propaganda film, which acquired its generic name at some point between 1917 and 1919, had its heyday towards the end of, and in the year or two after, World War I. In this brief period, there appeared in Britain a number of fiction feature films dealing with 'social problems' of one sort or another, all of them adopting a somewhat similar approach to a broadly similar set of subject matters. In these films, questions of morality--specifically of sexual morality--are typically dealt with via an attention to the body,

its fitness, its integrity. They were in fact sometimes called 'health propaganda' films: in this context the term 'health' may be understood as a veiled reference to sex.

The body in question in propaganda films is primarily sexual, therefore, and is constructed as peculiarly vulnerable, especially to such perils as sexual exploitation and disease. Topics of propaganda films might include eugenics, birth control, illegitimacy, prostitution or white slavery: but foremost among the themes of the genre was undoubtedly venereal disease. During the late 1910s, a number of feature films about VD appeared on both sides of the Atlantic. These included such titles as Damaged Goods (US, American Film Mfg. Co, 1915); Damaged Goods (GB, Samuelson Productions, 1919); The End of the Road (US, Public Health Films, 1918); Fit to Fight (US, Public Health Films, 1919); Open Your Eyes (US, Warner Brothers, 1919); The Scarlet Trail (US, John S. Lawrence, 1918); The Spreading Evil (US, James Keane, 1918); Whatever A Man Soweth (GB, Beaverbrook, c.1919).

While films of this sort were intended for public exhibition in commercial cinemas, they also claimed to be educational: they were made, said their producers, in order to inform the public about the nature,

incidence and consequences of venereal disease. Proponents of such 'propaganda' argued that knowledge about these matters was a good thing in itself, and that disseminating it would help in solving what was regarded as a grave problem for the nation: it was estimated that in Britain as many as one in seven of the population was affected by a sexually transmitted disease. Given the informative function claimed for VD propaganda feature films, it is worthy of note that they are fictional narratives: for in cinema, fiction and information have come to be regarded as mutually exclusive. Although the term 'documentary' was not applied to cinema before the late 1920s, films which would now be called by that name had certainly existed since the very earliest years of the medium. Indeed, during the period under consideration here, documentaries about VD ('lecture films', as they were called) were being made, but these were for use in highly circumscribed non-public contexts--in army training, for instance. The films which attracted attention under the generic label of 'propaganda' were for the most part fictional narratives aimed at broad sections of the cinemagoing public.

The medium of fictional narrative and the objective of public availability are united in specific ways in the VD propaganda film. In this instance, cinema as a body of film texts intersects, with certain consequences, cinema as a set of institutions for the production,

distribution and exhibition of films. By the late 1910s, the programme of the average commercial cinema consisted typically of at least one fiction feature film with a running time of an hour or more, together with a selection of shorter films--'topicals', newsreels, travelogues, and the like. The major attraction, though, was already the feature. The twin cornerstones of a rapidly developing new leisure industry were a specific product and a specific mode of consumption, then: fiction feature films exhibited in purpose-built public cinemas.

During this same period, the fiction film and a particular set of conventions for cinematic narration became hegemonic within the institution of cinema. If fictional narrative was the preferred medium for propaganda films, the choice was in these circumstances strategic--if not necessarily consciously so, and not always with the results presumably intended. Within cinema, a space already existed--together with an audience and an apparatus of reception--for narrative films. Cinematic narrativity organised the reception of films in specific ways, cinema audiences being addressed through their relationship, as spectators, with the ways in which stories were told in films. The physical circumstances of film reception are crucial in this process: by this time, cinema buildings already existed

in most localities and they were still rapidly growing in number. The pleasure of looking at films could be enjoyed at minimal cost by large sectors of the population. Children and the working classes, it was generally thought, were particularly attracted by this new form of entertainment.

Although the project was not without its contradictions, the VD propaganda film attempted to capitalise on certain aspects of this situation. The objective was to produce films of a sort that could be shown in ordinary commercial cinemas, and so be accessible (in all senses of the word) to a mass audience. In the end, though, VD propaganda films seem to have taken up a marginal position in relation to the mainstream of cinema. This has to do partly with the character of the films themselves, partly with certain institutional constraints upon their accessibility, and partly with the broader social and historical conditions of their production and promotion. These three sets of factors will be discussed in turn: taken together, they produce a specific mode of address for the films, an address through which spectators are constructed in a particular way as 'moral subjects'. Such an address, first of all, marks the VD propaganda film, unlike other sorts of propaganda film--Where Are My Children being a case in point--as organised according to a textual logic in some respects tangential to that of the mainstream fiction

cinema into which it attempted to insert itself. VD propaganda features typically deploy certain of the formal characteristics of 'classical' film narrative: notably an enigma-resolution structure in which conflicts are worked out through the actions of fictional characters and in these characters' relations with one another.¹ Where these films may be said to depart from the classical model is in their tendency to construct characters not as psychologically-rounded individuals, but as representatives, if not of social types certainly of moral positions. Moral position is set up here in terms of characters' sexual practices and their placement in relation to a series of discourses centred on the body and its health. Within the fiction, certain of these practices and discourses become privileged over against others.

So, for example, the film Open Your Eyes (1919) traces the fates of three young men who decide to sow their wild oats, and who all contract syphilis as a result. One goes to an unqualified practitioner for a cure, marries, and has a child born blind. The second also goes to a quack, and passes on the disease to a woman friend. The third goes to a properly qualified doctor and is cured. The second man intends marrying another girl, but the wedding is stopped (for altruistic reasons) by his syphilitic woman friend, who herself

undertakes a cure at the hands of the qualified doctor² and then marries someone else. In stories of this sort, characters are defined almost completely in terms of their actions: they are what they do. In this particular narrative, characters' actions have straightforward social consequences. Sex of certain kinds leads--inexorably, it seems--to venereal disease. Consulting an unqualified practitioner leads equally inexorably to the spread of infection. Consulting a properly qualified doctor is the only sure way of re-establishing the integrity of the diseased body, and consequently of restoring equilibrium to the world of the fiction, so permitting a resolution of the narrative.

Fit to Fight (1919) has a similar story, this time involving five young men: 'Billy, a college football man; Chick, another[sic] rich and rather dissipated college boy; Kid, a pugilist who has lost his title by weakness due to too much drinking, promiscuous association with women, and late hours; Hank, an ignorant country boy who is leaving his country home and rustic parents to seek his fortune in the city; and Jack, a sporting cigar salesman'.³ When America enters the World War, this cross-section of class types and moral positions finds itself drafted into the Army. All the men receive instruction on venereal disease from their company commander, and each responds to the

message according to type.

On leave in town, four of the young men are picked up by prostitutes, Billy being the only one to resist temptation. 'After this evening, Kid, impressed by the Army regulations, takes prophylaxis'. So does Jack, who nevertheless still contracts syphilis, as also does Hank. Billy and Kid alone escape infection. 'The picture ends with Billy and Kid happily leaving for the war front. Back in the hospital are the "useless slackers" who through weakness and disobedience of orders have made themselves a burden upon the government by contracting a venereal disease'. The message is clear: clean living is the only sure way to guarantee the physical integrity necessary to fighting for one's country. Contracting VD saps the fibre of the fighting forces, and is profoundly unpatriotic. Again, the points are made by contrasting the actions and fates of characters who occupy different moral positions.

The equation of bodily health, moral purity and fighting fitness applies exclusively to male characters, however. Unlike Open Your Eyes and Fit to Fight, The End of the Road (1919) is aimed at female audiences, though once again the actions and the fates of various characters are counterposed (figure 1). This story is about two young women who have grown up together in a small town.

JAN 30 1919

The End of the Road



*The Story of a Motion
Picture Drama
Prepared for
Women and Girls
by the
War Department,
Commission on Training Camp Activities
Washington*

FIGURE 1 Publicity for The End of the Road

'One girl has the right kind of mother who has met her child's inquiries as to the beginning of life with truth... . The other girl's mother...has ambitions she has never been able to gratify, and whose one idea for her daughter is that she shall make a rich match... .' Both young women move to New York, one taking up nursing, the other obtaining employment in a department store. The nurse, 'strengthened by principle and high ideals', refuses a man's advances. The shop assistant, however, accepts the sexual attentions of a man who has no intention of marrying her, thus taking the first step on 'the road that leads in the end to disease, desertion and disgrace'. She contracts syphilis. Meanwhile, the 'good girl' becomes an Army nurse, and in the course of her work comes into contact with prostitutes and 'amateurs' in the vicinity of an army camp.

The contrast in moral positions posed between the two female characters in The End of the Road motivates documentary or semi-documentary sequences ostensibly conveying information about VD. By way of a lesson, the 'bad girl' is shown exhibits of cases of advanced syphilis by the nurse,⁴ who describes preventative measures, and explains how police and social workers may 'save boys and girls from unwise conduct, dangerous to health and morals'. In this film, the disparity in moral position between the two main characters is attributed to aspects of their personal and familial

histories, their relationships with their mothers especially. As far as women are concerned, the emphasis is on education, knowledge and prevention--prevention not so much of infection as of sexual activity itself. In a film aimed at female audiences, it is chastity which is presented as the one sure way of avoiding disease--and disgrace: for active sexuality, disease and disgrace lie in wait together on the only other road open to women.

A limited set of narrative trajectories and resolutions is set up in VD propaganda films, each one representing a particular position on venereal disease, its prevention, its containment. For women, all sexual activity, for men, promiscuous sexual activity, are dangerous. Abstaining from sex out of its 'proper' context of marriage and the family is the only certain way, for both men and women, of avoiding infection: though once the damage is done, cure is possible (though for women, 'disgrace' is nevertheless unavoidable). But cure is by no means an easy route: it can be guaranteed only if sufferers are willing to place themselves in the hands of the right kind of professional person, submitting themselves to an authoritative medical and/or moral discourse. Characters in these stories trace their progress along a circumscribed set of routes through the limited moral positions available to them,

at once embodying and reconstructing those positions. What all these fictional VD sufferers have in common, though, is that whatever position they occupy, they suffer a specific--and narratively crucial--lack: that of knowledge. VD propaganda films narrativise the processes through which characters' (and thus spectators') eyes are opened to knowledge, and so to the 'truth'.

To this extent, the various different stories in VD propaganda films express a common theme. The initial problem in the fictional world--the rupture that sets the story in motion--is an absence, in this instance of knowledge. Had the protagonists been aware of the salient facts about venereal disease and its prevention, and had they taken this knowledge to heart before embarking on their sexual adventures, there would have been no stories to tell. This narrativised ignorance, wilful or otherwise, is productive in the sense that it justifies the avowed project of VD propaganda in general and of VD propaganda films in particular: namely, to inform and educate the cinema audience, the public, who are addressed as occupying a precisely identical position of ignorance and moral corruptibility as characters of the fictions. At the same time, such an address also promises that the lack will be filled; that the missing knowledge will be delivered before the story comes to an end.

The 1919 version of Damaged Goods is a case in point. This British film was based upon the play of the same name by Eugene Brieux, which had enjoyed considerable success in the West End theatre during the early years of the War. George Dupont, soon to be married to Henriette Louches, discovers that he has contracted syphilis in a casual sexual encounter. He consults a professional practitioner who tells him that a cure will take three or four years and that he must not marry during that time. But his wedding is imminent, and because he can find no plausible excuse for such a long delay, George takes the advice of a quack who promises a cure within six months. The couple marry, and Henriette has a baby which is soon found to be suffering from syphilis. The family consequently discover's George's secret, and Henriette leaves him. At this point, George undertakes a proper cure, and three years later is reunited with wife and child. The story of Edith, the woman who infected George, is also told in some detail: as an employee in a couture house, she has been raped by her boss and sacked when found to be pregnant. By the time George meets her, she has embarked on a career of prostitution in order to pay for her baby's upkeep in an orphanage.

Like the other VD propaganda films, Damaged Goods is

constructed around a lack of knowledge, notably on the part of George, his mother and his father-in-law. Indeed, all of the characters, with the exception of the doctor, are represented as in some significant respect ignorant or misinformed about VD. The doctor, whose role it is to put the situation to rights, is in consequence crucial--as regards not only the film's characters but also its audience--in the production of the absent knowledge. If Damaged Goods promises to remedy a lack of knowledge, then, it is through the doctor that such a remedy is to be secured. This character is constituted as enunciator: provider of knowledge and speaker of truth.

The 'educational' project of the VD propaganda feature is, then, to narrativise the acquisition of information and knowledge. The fiction film solicits a particular kind of involvement in this process on the spectator's part. Whereas, say, a documentary film of a certain type might implicate the spectator in a didactic rhetoric--the 'facts' would be presented in voice-over, the image would illustrate and thus verify the content⁵ of the voice-over --the fiction film embodies a rather less direct mode of address. In the classical narrative, the spectator is typically asked to identify with certain characters and their fates. However, the narratives of VD propaganda films conform only partially to this model, in that where identification is

solicited, fictional characters occupy a rather different place in the identification process. At this point, the moral positioning proposed by VD propaganda films interrupts the operations of cinematic narrativity.

At the time these films were produced, a particular set of conventions for telling stories by means of the moving photographic image had already become more-or-less established as the 'right' way make films. In particular, certain constructions of narrative space and time began to dominate the cinematic image, largely as a consequence of the construction of a series of rules governing what would soon be called 'continuity editing'. Continuity editing is a set of techniques for, among other things, matching shots on action; matching the direction of characters' eyelines; punctuating temporal ellipses in stories; and constructing a dissected fictional space intelligible to the spectator. By about 1917, these techniques were widely accepted as constituting the only proper and competent method of putting together fiction films.⁶ Many films made during the late 1910s, however, are marked by an unevenness in the application of the continuity system to their construction: or rather, to put it less teleologically, not all films of this period are organised strictly according to the principles of the continuity system. It

may also be noted that since the model for classical cinema is generally taken to be the American film, other national cinemas did not necessarily, certainly in this relatively early period, conform in all respects to that model.

In this context, it is of relevance to note that in 1919 the British film Damaged Goods was regarded as rather 'old-fashioned' in its style.⁷ Many of its sequences, for example, are organised as frontal 'tableau' shots of the sort which characterise earlier forms of cinema,⁸ though a tableau-like framing and composition of shots does occasionally persist in films into the 1920s. By about the mid-1910s, however, the tableau was usually functioning simply to establish the space of a particular scene. Such a scene would also contain cut-ins to narratively significant detail and closer framings of characters: at this point, close shots rarely involved much alteration in the camera's angle of view. Silent cinema in general, without the resource of synchronous sound (though, given the regular performance of live musical accompaniment to films in picture palaces, rarely in its time really 'silent'), dealt with speech and dialogue by a mix of expressive acting and written intertitles.

This combination of non-dissected narrative space with extradiegetic sound, a minimum of dialogue, and a

maximum expressivity of emotion through gesture and facial expression on the part of a player, is associated with stories and modes of narration prevalent in silent cinema of a certain period; notably with simple, almost folktale-like, melodramas involving 'good' and 'bad' characters constructed as such through iconographies of costume, mise-en-scene and gesture. In these films, the camera tends to keep a distance from the action, sustaining a single angle and point-of-view even where a close-up or cut-in signals significant detail or emotion. A close-up of an actor's face, on which emotions are writ large, marks a particularly dramatic moment. Intertitles function to explain action, to quote dialogue, occasionally even to comment on action or characters.

VD propaganda features occupy a rather uneasy relationship with these conventions of cinematic narration, however. On the one hand, their construction of characters as moral positions--specifically their counterposing, as moral types, of sexually active women and promiscuous men against the chaste and pure of both sexes--may be regarded as quite characteristic of the fiction cinema of the time. In this sense, the VD films' stories are indeed simple enough moral tales. At the same time, though, their simplicity vis-a-vis the moral positions they produce is overdetermined by the

narrative imperative of rectifying a lack of knowledge. For instance, while iconographic codes might construct a character as morally deficient, the narrative's drive towards knowledge might position that character not as 'bad' so much as merely ignorant or misinformed. Thus in the 1919 version of Damaged Goods, George--despite his moment of 'dangerous sexuality'--is presented not as depraved, but rather as a confused young man who has come up against a moral and familial impasse because of his (admittedly rather wilful) ignorance of the true horror of venereal disease. His stricken conscience and moral vacillation are underscored in many an anguished close-up.

In narrative and cinematic terms, the moral positions set against one another in a film like Damaged Goods are in effect subsumed to the narrative's logic of rectifying a lack of knowledge. In this film, the doctor, as representative and enunciator of the desired knowledge, assumes a peculiarly privileged position. In the scenes in which he appears, his discourse motivates both image and intertitles. When not shown as part of a setting (surgery, laboratory) connoting professional status and specialised knowledge, this character is typically presented in individual close-up, or in medium two-shot alongside whichever character is at the moment receiving the benefit of his wisdom. Everything about this man's appearance and expression conveys rectitude,

sternness, strictness and rigorously unbending correctness. From this elevated position, his enunciation of information--the 'facts' about VD--acquires a peculiarly authoritative quality, as do his instructions and injunctions to other characters (urging George to break off his engagement, for instance) and his sweepingly universalistic statements ('It is the future of the race I am defending').

To the extent that knowledge is not spoken, as it were, directly by the film itself but is mediated instead through a fictional character, the rhetoric of the VD propaganda feature does eschew the didacticism of a direct address to the spectator. At the same time, though, the specifically cinematic aspects of characterisation may operate to some extent to subvert the narrational rhetoric. So, for example, the doctor in Damaged Goods functions simply and solely as repository of a knowledgeability and moral rectitude which are first of all reduced to one another, and then expressed in a degree of verbosity which stretches to the limit the capacity of silent cinema to deal with words as opposed to actions and emotions.

In line with their avowed project of disseminating information about sexually transmitted diseases, VD propaganda films at once propose a want of knowledge and

offer themselves as a means of filling the gap by providing not merely knowledge, but knowledge of exactly the right sort. The 'correct' knowledge, moreover, is proposed as coming from--spoken from--a particular source. In the case of VD propaganda, knowledge is guaranteed mainly by Science, specifically by Science harnessed to discourses of medicine and social purity. In this space, the 'correct' knowledge about VD is produced, and delivered through the authoritative agency usually of properly qualified medical practitioners, though sometimes also by professionals whose brief is public morality--namely, social workers.

So, for example, films like Open Your Eyes and Damaged Goods (1919) are at pains to distinguish between 'proper' and 'non-proper' knowledge about venereal disease, and to establish a source for the former: the qualified doctor as against the quack. But at the same time, these films also operate within, appeal to, a particular moral universe: the benefits of proper medical and scientific knowledge are represented as by no means easy to come by for the VD sufferer. If George Dupont in Damaged Goods has to wait three or four years to be fully cured, this may be regarded as both adequate punishment of, and sufficient retribution for, his sexual transgression. Nor is it by chance that, in the medico-moral discourse of VD propaganda, cure and salvation are repeatedly conflated. In one especially

illuminating exchange, George pleads with the doctor:

'No, no, for pity's sake! You can cure me before that. Science can do everything!'

To which the doctor sternly replies:

'Science is not God Almighty (except by prayer). The age of miracles is past'.

Despite a refusal to equate Science with God or with miraculous cures, the reference to prayer still appeals--if only parenthetically--to a concept of salvation: salvation brought about by one's own efforts as much as by the munificence of the Almighty or even by the blessings of scientific knowledge. More secular metaphors of salvation are invoked, too, in some VD propaganda films: in The End of the Road, for example, social workers and police are constructed as possessors of the knowledge and authority that will enable them to 'save girls and boys from unwise conduct, dangerous to health and morals' (emphasis added).

The narratives of VD propaganda films produce and circulate discourses centred on knowledges of specific kinds, with particular institutional locations. For instance, they participate in the discursive and institutional construction of Public Health by authorising--literally by giving authority to--Science as a means of securing the health of the public (of the social, as much as of the sexual) body. At the same

time, though, the power of Science and the rewards of moral virtue are constituted as interdependent. The health of the sexual body serves in some respects as a metaphor for the fitness and moral soundness of the social body. In VD propaganda features this is commonly expressed in a preoccupation with the integrity of the family in society.

Thus in Damaged Goods, and to a certain extent also in Open Your Eyes, the virulent contagiousness of VD is set up as a direct and ever-present threat--not only within the area of illicit and 'dangerous' sexual practices, but also to that sphere par excellence of clean and socially acceptable sex, marriage and the family. In Open Your Eyes, the man who goes to a quack to be cured of syphilis and then marries has a child born blind. This affliction of the family, it may be inferred, is a direct result of--if not a punishment for--his failure to seek knowledge in the right quarter and so obtain a proper cure for his disease. A similar fate befalls the Dupont family in Damaged Goods: not only are George's innocent wife and child infected with syphilis, but the baby's wetnurse is in danger of contracting the disease as well. The 'sins of the fathers' referred to in one of the film's intertitles have clearly returned to roost within this particular family. Again, moral and medical discourses are elided. In a cut-in close-up of a Biblical extract, reference is made once again to sin:

FIGURE 2 Disease, innocence and morality: publicity for
Damaged Goods(1919)



DAMAGED
GOODS

Against thee, thee only have I sinned
...be clear when thou judgest.

If the integrity of the family is to be restored, both disease and sin must be purged (figure 2).

The final scene of Damaged Goods marks the end of George's three-year cure and expiation. In an emblematic moment of closure for popular fiction cinema, George, Henriette and the child are reunited, while the doctor proclaims: 'Whom God hath joined, let no man put asunder'. In the film's closing moment, George holds the child in one arm, puts the other around his wife, and kisses both of them. If George's disease and failure to have it cured are brought about by a lack of knowledge which results in the breakup of his family, a full restoration of the situation and a resolution of the film's narrative must entail a cure of the disease and a reconstitution of the family. Both of these are brought about by the agency of the doctor as repository of proper knowledge, and sealed by his positively priestly blessing (figure 3).

If the 'family romance' has been a staple of narrative cinema from its earliest years,⁹ VD propaganda films--where they construct stories around heterosexual courtship, sex, marriage and family life--take up this preoccupation. The specificity of these films, however, would lie in their proposal of 'improper' sexual conduct

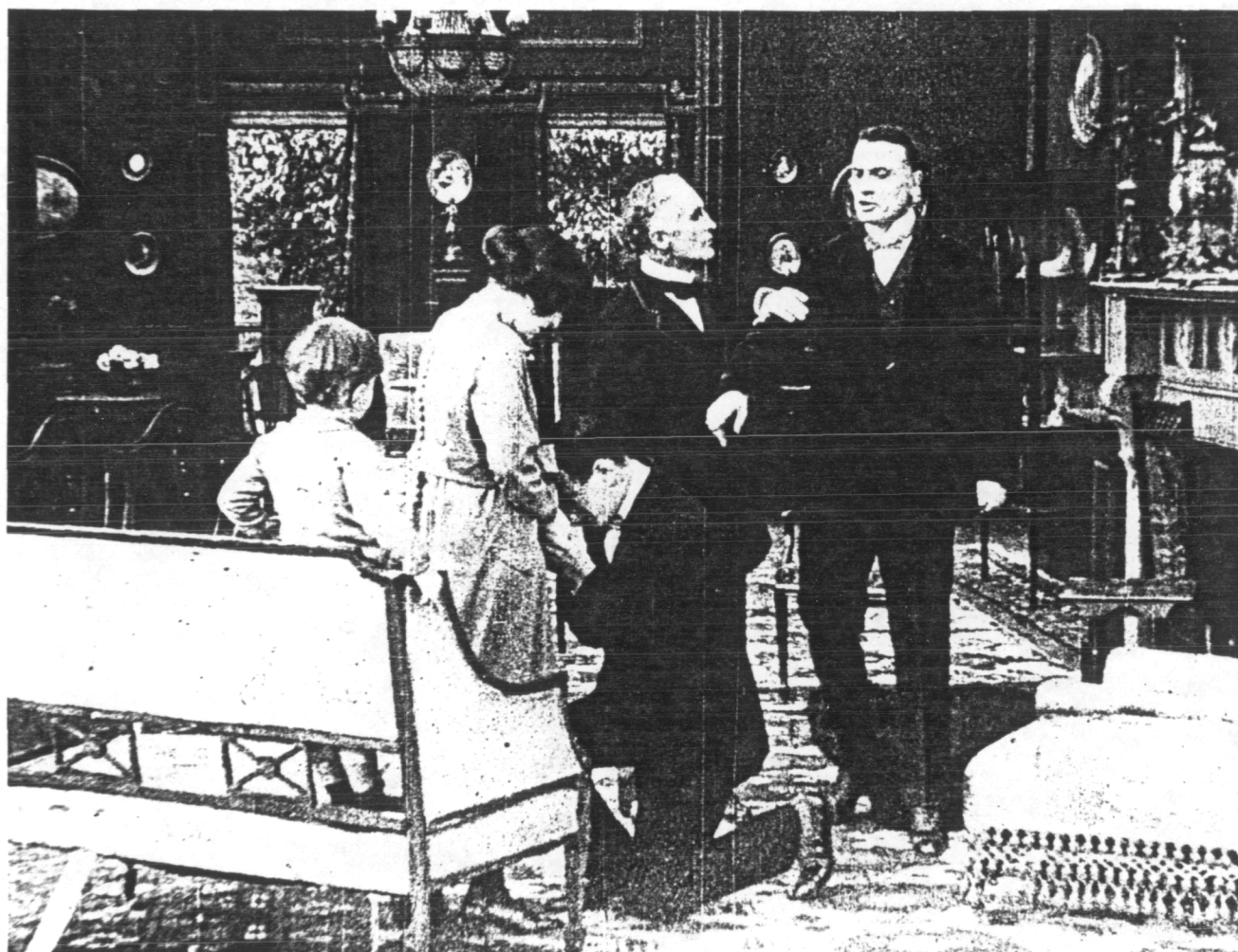


FIGURE 3 Damaged Goods(1919): the family reunited, doctor at centre

and the ensuing physical disorder as a particular kind of threat to the integrity of the family. In this respect they might depart somewhat from the characteristic 'family romance' of mainstream silent cinema. Some VD propaganda films, however, forgo the 'family romance' altogether, thus placing themselves at yet greater distance from the preoccupations of contemporary fiction cinema.

The theme of Fit to Fight, for example, is not so much the integrity of the family as that of the nation, as represented by its fighting forces, in time of war. To this extent, the film is caught up in a particular set of discourses circulating outside cinema itself, discourses which are produced also through other representations and institutions, and which produce notions of 'patriotism'. Such a passage across discursive practices is by no means unproblematic, however. In this film, moral positions are constructed around the contrast between men who are fighting fit because they do not have VD, and 'useless slackers' infected by disease and in consequence unable to go to the Front. However, the possibility that, for the audience at which the film was directed, a choice between syphilis on the one hand and possible death in the trenches on the other might not have seemed entirely attractive could perhaps introduce an element of instability into the reception of this fiction film as a

piece of instruction. One thing which is abundantly clear in Fit to Fight, though, is that it is women, or women of a certain kind, who are at the root of the trouble: the soldiers are urged by their officer to 'keep away from prostitutes as the only sure way of avoiding a venereal disease'.

Such a preoccupation with the troublesome consequences of certain manifestations of female sexuality is entirely characteristic of the VD propaganda genre. In The End of the Road, a film aimed at a female audience, the moral lesson is intended to appeal to a 'woman's point of view'. The background of the 'bad girl' and the circumstances of her 'fall' are set out before the inexorable consequences of disease, desertion and disgrace ensue. Similarly--and significantly, given the character's marginality in the original play--Edith's story of seduction and desertion is told at some length in the 1919 version of Damaged Goods. In all these films, there is a certain fascination with the moment of a woman's fall from sexual innocence to disgrace (there being no intermediate possibilities posed); a preoccupation which in fact pervades the fiction cinema of the period: women are typically constructed as essentially pure and innocent, but infinitely morally corruptible; and once initiated into extramarital sex, disgrace inevitably follows for them. In the VD

propaganda feature, specifically, it seems to be sexual initiation as much as the disease itself that brings about a woman's downfall. In a film like The End of the Road, the only effective way proposed for women to avoid such a downfall is foreknowledge: armed with proper sex education and the lofty moral principles learned from her mother, the 'good girl' avoids a terrible fate and is thus able, in her capacity as a nurse, to be of service to society. Later, it is implied, she in her turn will be a good wife and mother.

VD propaganda films, with whatever degree of sympathy, construct sexually active women as the principal cause of venereal infection. This is effected within a set of discursive constructions of female sexuality which operate to distinguish it from male sexuality. Women are fundamentally innocent, but extremely vulnerable to corruption at the hands of men. At the moment of corruption, though, women immediately lose all vestiges of purity and become dangerous--to themselves as well as to men. Men, on the other hand, are not basically pure and innocent, nor are they automatically disgraced by sexual initiation. Sex in an 'improper'--that is, in a non-marital--context may involve risks of other kinds for them, but these can be avoided by chastity ('clean living') or minimised by a healthy respect for medical expertise.

Discourses around female and male sexuality are constructed through VD propaganda films in their deployment of cinematic signifiers and modes of narration which also operate across other types of fiction cinema of the period: these include certain codes of characterisation and a narrativisation of female innocence and its ever-threatened loss. At the same time, though, these representations draw upon and recirculate contemporary social discourses which also operate outside of cinema. A similar argument might also be advanced concerning representations of the family both within and outside the cinema of the period, and also--though perhaps less straightforwardly--about discourses on nationhood, on the health, quality and integrity of 'the race'.¹⁰ This indicates that an attention to film texts, though productive, does not exhaust analysis of the processes by which social discourses around sexuality, morality, health and nationhood are circulated in VD propaganda features: for such discourses do not inhabit films alone.

The VD Film, Censorship, and Social Purity

When the British version of Damaged Goods was previewed to the film trade in London late in 1919, the occasion--which included a luncheon and speeches by various public figures--provided an opportunity to contrast the achievements of the native cinema with those of an

American film industry whose products were already dominating British cinema screens. One speaker compared the film favourably with an unnamed recent American offering on the same topic (most probably The End of the Road), saying that where 'the American production dealt with the subject in all its ugliness and almost vulgarity', the British film was distinguished by 'its artistic qualities and the display of taste'.¹¹ Although a distinction between the vulgarity of American cinema and the tastefulness of the home product has repeatedly been appealed to in defence of British cinema, it has a particular resonance in this instance.

The negative criticisms of the American film are undoubtedly an allusion to its explicit representation of the 'horrors' of VD, as, for instance, in the quasi-documentary sequences in which the 'bad girl' is shown exhibits of cases of syphilis. Such a tactic was not confined to this particular film: on the contrary, it seems to have been a distinguishing mark of the VD propaganda genre. It can be traced back at least to the (American) 1915 version of Damaged Goods, in which George is shown pictures in a medical textbook of the effects of VD on its victims, and witnesses a medical lecture in which syphilis sufferers are put on display. Such graphic illustrations excited a good deal of condemnation in Britain. The Times review of The End of the Road, for instance, calls one or two incidents in

the film 'revolting', while a reviewer of the same film in the Association of Social and Moral Hygiene's journal The Shield contends that the horrors of VD had already been pressed too much. Another American film, Open Your Eyes, was similarly criticised. Photographs of the effects of diseases, said one reviewer, 'cultivate an unhealthy taste for horrors', and appeal to a 'public taste for dwelling on horrors and disease, a morbid taste fostered by the war'.¹²

By contrast with the alleged sensationalism of the American VD films, the British Damaged Goods aspired to sell itself as a piece of 'quality' cinema. Its treatment of sensitive subject matter is ostentatiously 'restrained': information about sexually transmitted diseases which might be conveyed visually in other VD propaganda films is here communicated through the doctor's speeches, which take the form of the long intertitles already referred to. At the same time, the film was regarded at the time it was made as lacking in the qualities which would make it good cinema ('from the point of view of screen art', said one reviewer, 'it is not good'¹³), precisely because, in its refusal to construct VD as a spectacle, it failed to capitalise on cinema's potential as a visual medium.

The issue of the cinematic qualities of VD propaganda

features links with the question of what these films were intended to do, by whom, and for whom. It seems clear that, in Britain at least, efforts were made to promote them on the basis of their educative value: and in textual terms, to the extent that their narratives aim to rectify a certain lack of knowledge, they do indeed deliver on such a promise. The educational project is institutionally implicated as well, in that VD propaganda films were sometimes sponsored and/or promoted by social purity and social reform organisations. Particularly active in this sphere was the National Council for Combating Venereal Disease, founded by Lord Sydenham of Combe, Chair of the Royal Commission on Venereal Diseases.¹⁴ The End of the Road, for example, was 'approved' by the NCCVD (and by the newly-formed Ministry of Health). The precise nature of the relationship between such organisations as the National Council and producers of VD propaganda features is not so clear, however. For example, although Lord Sydenham, in a private letter written in 1917 to the Home Secretary, expressed the view that a film version¹⁵ of Damaged Goods would be a worthwhile project, there is no evidence of NCCVD backing or support for the film either during or after its production. The film was apparently produced as a purely commercial venture.

With their somewhat indeterminate relationship with social purity and social reform, VD propaganda films

entered the arena of exhibition in a slightly anomalous manner. They might, as in the case of the launch of Damaged Goods, be showcased at special private screenings sponsored by social purity groups, with attendant publicity and announcements to the effect that they were not for exhibition in commercial cinemas.¹⁶ At the same time, some at least were screened in public cinemas as well: this is certainly true, for example, of Damaged Goods and The End of the Road. However, the commercial exhibition of VD propaganda films was mediated by various conditions, foremost among which were undoubtedly institutions and practices of film censorship.

By 1920, the British Board of Film Censors had been in existence for seven years. As the outcome of proposals put by the film industry to the Home Office for a 'voluntary', trade-sponsored scheme for regulating the content of films, the Board had been set up at the beginning of 1913. Although the trade's initiative in the matter had been undertaken with a view to forestalling central government action on film censorship, the voluntary arrangements did not meet with immediate success, and a few years later a scheme of State censorship was proposed--and only narrowly averted (chapter 2). Several more years were to pass before the Board of Censors finally succeeded in

obtaining the wholehearted backing of the Home Office and local cinema licensing authorities, and the status of the BBFC remained rather shaky even at the threshold of the 1920s.

VD propaganda features appeared on the scene, then, at a time of particular uncertainty vis-a-vis institutions and practices of film censorship in Britain. The BBFC was struggling to establish some degree of credibility for itself, while its decisions about individual films were far from universally accepted and wide local variations in censorship practices prevailed. Such a lack of uniformity was troublesome--for different reasons--to both the Home Office and the film industry. The Home Office, for its part, was eager not to be seen involving itself directly in censorship, and was in consequence embarrassed at receiving complaints from the public about particular films, and indeed in general about the apparently hit-and-miss regulation of cinema.

When 'propaganda' features--not only VD films but also films dealing with other social problems--began to make an impact, the BBFC was thrown in a quandary. It eventually resolved its dilemma by deciding, as a matter of policy, to refuse certificates a priori to all propaganda films: not--significantly enough--on grounds that such films might be 'indecorous', but because the cinema was, according to the Board, not a suitable place

to air matters of potential controversy. The BBFC's treatment of the pro-eugenics feature Where Are My Children (see chapter 3) indicates that in 1917 a distinction between education and entertainment was already emerging. A film could inhabit one or other, but never simultaneously both, of these categories, and only members of the former were considered suitable for exhibition in commercial cinemas. Cinemas, that is, were exclusively for 'entertainment' films: and entertainment films were to be neither educational nor controversial. By 1919, in response to the rash of VD propaganda films, the Board of Censors sent a circular letter to film producers and distributors explaining its policy of withholding certificates from all propaganda features. These films, it was stated, were unsuitable for public commercial exhibition and were better viewed in halls specially taken for the purpose, 'where securities could be taken for choosing the audience¹⁷ which are impossible in the ordinary cinema'.

This discourse places certain films outside the domain of mainstream commercial cinema, while authorising a policy of refusing to certificate them for public exhibition. At the same time, particular formulae of audience and viewing context for different types of film are effectively sanctioned, even privileged: specifically, commercial cinemas, the mass of the

filmgoing public, and 'entertainment' are seen as going hand-in-hand. The BBFC's practices were geared wholly to this model of the cinema and its audience: a model, moreover, which was endorsed by the Home Office. When Lord Sydenham of the NCCVD offered his support to the idea of a film version of Damaged Goods, he had contended that 'the film would reach an audience that the play could not touch and...good might result'. But as far as the Home Office was concerned, the popular appeal of cinema was precisely the problem. A film outside the entertainment category could never be regarded as appropriate fare for the regular cinema audience, because

...the Cinema differs greatly from the Theatre: the audience is less intelligent and educated and includes far more children and young people.(18)

The inappropriateness of propaganda films for commercial exhibition is explicitly (though not publicly) justified in terms of the class, as well as the age, composition of the cinema audience.

A policy of refusing to certificate a particular group of films may produce unexpected consequences, however. In this instance, it is exactly through this policy that propaganda films are created as a category apart. A discursive practice was instrumental, in other words, in constituting a film genre: in this sense, censorship has obviously been productive. At the same time, within

the complex configuration of institutions and practices surrounding the censorship of films during the 1910s, the policies of the BBFC--scarcely, as has been noted, authoritative or determining at this point--were liable to produce effects contrary to those intended. For one thing, whatever the Board might recommend with regard to particular films or groups of films, the power to permit or prohibit their exhibition rested in the final instance with local licensing authorities: and many authorities were at this period quite prepared to ignore any recommendations the BBFC might choose to make.

This, perhaps, explains how--despite the BBFC's Home Office-backed threats of refusing certification--a British film version of Damaged Goods was actually made in 1919, evidently for commercial release. With an uncertificated film, a distributor might, depending on the conditions attaching to local cinema licences, be able to approach individual licensing authorities to seek permission to exhibit in particular areas. Producers, distributors, exhibitors or sponsors could, however, try to impose conditions on a film's public exhibition. So, for example, another VD propaganda film, The End of the Road, was announced on its release to be available for exhibition in cinemas, but only provided no children under 14 were present and the film was not shown in conjunction with another, 'ordinary' feature. Advertisements for the film, too, were to be approved by

its sponsor, the NCCVD. This particular film was in
fact never submitted to the Board of Censors.¹⁹

Since the BBFC's powers to discourage local authorities from allowing public exhibitions of uncertificated films were limited, VD propaganda features were in fact shown in commercial cinemas up and down the country (though quite how widely it is impossible to tell). This continued even after the distribution and exhibition arms of the cinema industry weighed in with their own bid to suppress the films: early in 1919, the Cinematograph Exhibitors' Association recommended that propaganda films should not be screened for commercial purposes, and later attempted specifically to persuade
²⁰
its members not to book Damaged Goods. But less than half of all cinema proprietors in Britain belonged to the Association, and public screenings of this and other propaganda films continued. Local responses varied: while some licensing authorities permitted propaganda films to be exhibited in commercial cinemas in the normal way, others banned them outright, while yet others imposed special conditions upon their public exhibition, or restricted screenings to specialised non-
²¹
public venues such as Mechanics' Institutes. Where VD propaganda features were exhibited, then, they were screened in public cinemas in scattered localities in defiance of the recommendations of the BBFC and of the

more 'respectable' elements of the film trade; otherwise they were shown in special halls of the sort favoured by the Board, often under the aegis of a social purity or social reform organisation.

The attraction of reaching large numbers of people notwithstanding, the commercial exhibition of VD propaganda features still posed something of a problem to their supporters within the social purity movement. In these circumstances, reception becomes something of a hazardous business: since outside sponsors were rarely in a position to control either publicity or audience composition in the commercial sector, 'intended' readings could by no means be ensured. Cinema proprietors with an eye to profit, for instance, were not above exploiting the sensation value of VD films as a means of attracting audiences. Lurid publicity, restricting admission to persons above a certain age (at a time when there were no age restrictions on admission to films in most places), alternating women-only and men-only screenings--all these tactics for dealing with exhibitions of propaganda films must undoubtedly have suggested an element of the forbidden to the filmgoing public. As one (anti-censorship) commentator was later to remark on observing the behaviour of cinemagoers queuing to see propaganda films: 'one has only to listen to the conversations of many of these people who believe they are going to see something frankly

22
pornographic'.

The problem about exhibiting propaganda films in commercial cinemas, though, really had less to do with their content than with their audience. In certain crucial respects, discourses of the BBFC, of the Home Office, even of the film trade itself, constructed cinema and its social function basically in class terms. Once a distinction between entertainment and non-entertainment cinema along implicitly class lines--in terms of the class composition of cinema audiences, that is--had been produced and put into circulation, it was recognised that 'intended' readings of films could not be guaranteed, most especially in circumstances where the entertainment/non-entertainment distinction threatened to break down. Since exhibitions of propaganda films in commercial cinemas might constitute a confusion of these carefully distinguished categories, they were evidently to be deplored. Although the Board of Censors was not alone in condemning this practice, the position of propaganda features in relation to discourses surrounding film censorship is an important condition of their marginality with regard to mainstream cinema.

But the situation, certainly in 1919, was perhaps more contradictory than this analysis might suggest. For

despite the effectivity of what might be termed discourses of categorisation, there was nevertheless a movement towards, a space opened up for, resistance to such discourses. On a very general level, those very relations of power which marginalised propaganda films vis-a-vis mainstream cinema also constituted an incitement to discourse around their subject matter, namely--broadly speaking--the body and its sexuality. That is to say, there is an incitement if not to the actual production of films on 'propaganda' topics, certainly to modes of reception of such films which would go against the grain of their purported 'educational' objectives.

More specifically, space for such 'resistant' readings is opened up within the film texts themselves, through the deployment of strategies of cinematic narration already established in the mainstream popular fiction film. In terms of theme and style, propaganda features did not on the whole differ enormously from the standard fare of commercial cinemas, and in this respect might not have appeared wildly out of place in such a context. Resistance has institutional aspects here as well, though. Indeterminate and at times antagonistic relations between the Home Office, the Board of Censors and local authorities furnished an opportunity which could be grasped on the one hand by elements in the film trade motivated by financial gain--or even social

concern--to produce and promote propaganda films, and on the other by social purity organisations aspiring to get their message across to broad sections of the public: even though the interests of these two groups did not necessarily coincide.

Nor indeed was there unanimity within the social purity and social reform movements themselves as to the value of propaganda films. In the National Council for Combating Venereal Disease, widespread dissemination of information on the issues with which this organisation concerned itself appears to have been regarded more-or-less unquestionably as a good thing. The NCCVD clearly aimed to address itself directly to the public, particularly to the working class public: its endorsement of cinema as a propaganda vehicle was precisely due to the large, and largely working class, audience the medium could command. This, however, was exactly the basis of objections on the part of other social puritans and reformers, many of whom were disdainful of cinema: an attitude, ironically enough, which had a great deal to do with the class composition of the cinema audience. But it was also felt that cinemas were dangerous places, because the conditions (darkness, the proximity of strangers, and so on) in which films were viewed, not to mention the supposedly questionable content of a great many of them,

constituted moral risks in themselves. To use commercial cinema for propaganda purposes might, from this point of view, turn out to be a self-defeating manoeuvre.

As noted in the previous chapter, the social purity movement at this period was a site of struggle over understandings of cinema: was cinema to be seen as a threat to public morals, or as a means of spreading moral enlightenment? Such uncertainties might well underlie criticisms of some of the ways in which the moral messages of propaganda films were articulated-- notably of the virtually routine inclusion in VD films of visually explicit sequences detailing the horrors of sexually transmitted diseases. 'Constructive moral teaching', argued one feminist moral reformer in reference to this tactic, might in the end prove more effective than scaring people.²³ As time passed, the social purity movement became increasingly cautious about the commercial exhibition of propaganda films. The National Council for Public Morals, for example, after its flirtation with cinema in the shape of sponsoring Where Are My Children, apparently abandoned its endeavours in this area: though on the other hand, the NCCVD (which in 1925 changed its name to the British Social Hygiene Council) held to its pro-propaganda position well into the 1930s.

Nevertheless, even after the mid-1920s, when a degree of national uniformity in censorship practices had been achieved and the BBFC's decisions were more widely accepted by local authorities, propaganda films continued to be shown in commercial cinemas. At a certain point, indeed, the practice even became to some extent institutionalised: while the BBFC continued to refuse its certificate, many local authorities devised special arrangements for dealing with applications to show propaganda films in their areas.²⁴ In a 1929 speech, Ivor Montagu, a well-known campaigner against the political censorship of films, paints a picture of the propaganda feature as a thriving and profitable sideline for the film trade:

...the only films which it is possible to distribute without leave of the Board of Censors are lurid and highly-coloured melodramas, which by their very flamboyance are capable of earning tens of thousands of pounds, such as The End of the Road dealing with venereal disease and The White Slave Trade. (25)

A divergence of interest between the film trade on the one hand and the social purity movement on the other emerges at this juncture. The increasing scepticism of the latter about the value, for its purposes, of commercial exhibition of propaganda films was bolstered by some quite sophisticated audience research. In the early 1930s, for example, one social purity organisation

(the National Vigilance Association) was advised by another (the American Social Hygiene Association) that commercial exhibition of propaganda films was not a good idea, 'because in spite of all possible safeguards in advance...it has been found that sensational publicity for advertising purposes, and the consequent opposition of certain civic and religious groups, have resulted'. The problem with commercial screenings lay not just with the frequently 'sex-exciting' character of publicity for the films, but also with the difficulty of ensuring that they would be read for their 'social hygiene' content and not be of 'pornographic interest to their audiences'. Limits to the instability of meaning in these texts could, it was felt, be imposed only by tightly controlling the conditions of their reception. Propaganda films, therefore, were best shown non-commercially:

...under the auspices of...
organisations interested in social
hygiene, or reputable individuals.
Audiences are usually selected groups
... . [A] speaker explains and
supplements the important points
made in the picture.(26)

This advice was based on the findings of an American investigation, undertaken in 1922, of the effects on audiences of the VD propaganda film Fit to Fight. The researchers expressed doubts about the effectiveness of fictional narrative in this type of film, and stressed the crucial roles of exhibition context and audience

composition in their reception.

Although never articulated in these terms, it is clear that, as far as social purity organisations were concerned, the instability of propaganda films as bearers of meaning was a major drawback. In particular the films' position within, or on the margins of, most institutions and some textual operations of mainstream commercial cinema opened them up to unintended and, from the point of view of social purity, 'undesirable' readings. Arguing against propaganda films, one social puritan attributed this undesirability to the fundamentally erotic character of the pleasure of fiction cinema:

...instead of effecting the mind,
and still less so the heart, [film
dramas] affect the nerves, and, above
all, the sexual instincts... . In
that lies the mysterious secret of the
astonishing success of the cinemas.(28)

Aside from the effects of pleasures evoked in spectator-text relations in cinema, it may also be argued in the specific case of VD propaganda features that an important condition of unintended readings is precisely those practices of censorship which on the one hand marginalised the films vis-a-vis commercial cinema, while on the other producing special conditions for their exhibition and reception.

VD propaganda features continued to be made long after

the disappearance of the circumstances in which they first emerged during World War I. They were certainly being produced and commercially exhibited well into the 1930s: a film called Damaged Lives was made in 1933 by Hollywood B-movie director Edgar G. Ulmer; and Marriage Forbidden, an American remake of Damaged Goods, was released in Britain in 1938 under the auspices of the British Social Hygiene Council.²⁹ Such durability is perhaps to be explained by the peculiar capacity of propaganda films to sustain a range of different readings. But by the 1930s, they had acquired their own institutional niche as well as their own 'aberrant' readings. Both of these transcend the social conditions under which the VD propaganda feature made its initial appearance.

A Moral Panic: The Place of Cinema

At the moment in the late 1910s when propaganda films acquired their generic title and a number of fiction features dealing with VD appeared, a moral panic about venereal diseases, syphilis in particular--its high incidence, its enormous contagiousness, its dreadful consequences--was raging, both in Britain and elsewhere. In 1913, a Royal Commission had been set up to look into the question. By 1916, when the Commission's report was published, Britain was two years into war, and the problem seemed even worse than before. It was not simply that venereal disease was much more widespread

than had been supposed: according to the Royal Commission, it also had 'grave and far-reaching effects...upon the individual and the race'. The findings of the Commission were widely publicised, and the suggestion that, as a preventative measure, 'the young should be taught to lead a chaste life as the only certain way of avoiding infection'³⁰ was enthusiastically received.

The Report of the Royal Commission on Venereal Diseases produced a discourse on nationhood, sexuality and public morality which was to be a crucial component of the moral panic following on its publication. This discourse--reconstructed, recirculated and modified across a variety of representations over several years--effects a conflation of disease with the state of the British nation, the 'race'. Fears that the race was in decline were prompted in part by the concrete threat to its integrity from without by the enemy. But overdetermining such fears were anxieties about changes in social and sexual mores, the temporary breakup of families, and the equally temporary emancipation of women, in time of war. All these are condensed in a moral panic about diseases, specifically--and not by chance--about sexually-transmitted disorders that were virtually incurable, could spread invisibly and uncontrollably, and have terrible social consequences.

At a particular moment, then, a discursive conflation of the moral and spiritual state of the nation with its physical health, with the fitness of the national body, combined itself with fears about uncontained sexuality to produce a moral panic with venereal disease as its focus.
31

VD propaganda films were not merely an effect of this moral panic, however: they were caught up in it, actively and independently constructing, reconstructing and circulating discourses, as well as drawing upon wider social discourses. The latter is evident especially in the preoccupation of individual films with the threat posed by VD to the family; with the state of 'the race'; with the need for the country's fighting men to keep themselves fit in body and soul by avoiding contagion. To the extent that these films claimed to be educative, they participate also in discourses of sex reform, discourses which constituted widespread knowledge about VD as a crucially necessary--if not a sufficient--condition for its control:

'Continuous and consistent efforts will be required to keep the complex question of venereal disease before the public mind....(32)

In this particular quest for knowledge, the 'problem' is constantly re-invoked--as if such repetitiveness, rather than fuelling a moral panic, could actually hope to eradicate its causes.

In contemporary comments on VD propaganda films, as well as in the films themselves, the desirability of 'frankness' in these matters is frequently alluded to. In this respect, VD propaganda films may be seen as participating in an incitement to discourse on sexuality: they certainly recirculate discourses in operation in media--government reports, newspapers, and so on--outside of cinema itself. At the same time, though, as fiction films deploying modes of representation and address peculiar to cinema and drawing upon broader cultural conventions of narrativity, they mediate, modify and reconstruct these discourses in their own ways. So, for instance, VD propaganda features constitute their spectators as moral subjects by constructing moral positions for their fictional characters; address spectators as lacking in knowledge and promise to rectify that lack; claim to rectify the lack by constructing the acquisition of knowledge as coterminous with narrative closure. In the course of all this, they draw upon and rework on the one hand discourses of social reform and social purity, and on the other codes of narrative cinema, to position their moral subjects in certain ways: notably as either male or female; and as occupying particular positions with regard to sexuality, sexual practices, innocence/corruption, and 'dangerous sexualities'.

The morally-positioned spectators of VD propaganda films were, however, also historical subjects, also a social audience. Since audiences for cinema during this period were widely, and probably accurately, believed to be predominantly working class, it might perhaps be suggested that VD propaganda films participate in that process named by Michel Foucault the 'moralisation of the poorer classes',³³ a specific deployment of sexuality as an instrument of power. Foucault argues that 'bio-power'--the constitution of the body as a site of the expression of power--is manifest in the correlation of a 'racism of expansion' with a concern with the (sexual) body as strong, vigorous and healthy. Not only, in other words, may the health of the nation be seen simultaneously in physical and in sexual terms, but relations of class may also be at stake in these representations.

The foregoing analysis suggests that, while VD propaganda feature films might indeed be caught up in these discursive productions, their involvement is not necessarily straightforward. For example, to the extent that they deploy pre-existing conventions of cinematic representation and cinematic narrativity, these films might be seen as more readily constructing the family than the race. While this obviously does not preclude the possibility of the one standing in for the other, it

does betoken a certain complexity in relations between discourses and powers in this area. What, moreover, is to be made of the observation that--in relation to particular social groups--VD propaganda features could be regarded simultaneously as a source of moral enlightenment and as an instrument of moral corruption? This, at the very least, signals a fluidity in meanings, suggests that these films could generate a range of readings--including, perhaps, 'pornographic' ones.

But readings do not emerge from texts alone. As the sponsors of VD films within the social purity movement soon discovered, readings of films are governed by the conditions of their reception. Or to put it another way, readings are generated across, are actively implicated in, an entire apparatus of discourses, practices and powers. Practices of film censorship propose a particular construction of VD propaganda films: namely, that these films are to be regarded not as entertainment for the mass of the cinemagoing public, but as education and uplift for the few. Nevertheless, they managed to elude this construction: when exhibited commercially and exploited as in some sense 'other' because of unusual conditions of exhibition and special status as objects of censorship, VD propaganda films provoked different--perhaps even resistant--readings. If film censorship produced the propaganda genre, it also incited the very readings of propaganda films that

it sought to prohibit. That censorship may be instrumental in the production of certain kinds of readings of films is also demonstrated in the case history which follows.

NOTES

1. On narrative structure in general, see Vladimir Propp, Morphology of the Folktale, 2nd ed. (Austin: University of Texas Press, 1968); Roland Barthes, 'Introduction to the structural analysis of narratives', in Image-Music-Text (London: Fontana/Collins, 1977), pp.79-124. On classical narrative structure in cinema, see David Bordwell and Kristin Thompson, Film Art: An Introduction (Reading, MA: Addison-Wesley, 1979), chapter 3. Descriptions of films in this chapter are based in part upon viewings made possible by the National Film Archive, by the Motion Picture, Broadcasting and Recorded Sound Division of the Library of Congress, and by David Samuelson: see 'Sources Consulted': Films for further details.
2. Library of Congress, Motion Picture, Broadcasting and Recorded Sound Division, Copyright Deposit Material (hereafter LC-CM), L13765, synopsis of Open Your Eyes, 18 May 1919 ; Kinematograph Weekly, 22 January 1920, p.119.

3. Quoted passages referring to Fit to Fight and The End of the Road are drawn from synopses of the films in Fawcett Library, National Vigilance Association Records (hereafter FL-NVA), S1³.
4. LC-CM, L14184, script of The End of the Road, 1 March 1919.
5. Bill Nichols, 'Documentary theory and practice', Screen, vol.17 no.4 (1976/7), pp.34-48; Annette Kuhn, 'The camera I: observations on documentary', Screen, vol. 19 no.2 (1978), pp.71-84. Silent films, of course, would have no incorporated voice-over, though the notion of a 'lecture film' does imply an authoritative voice--precisely that of a lecturer. On the role of the 'lecturer' in silent cinema, see Noel Burch, 'How we got into pictures: notes accompanying "Correction Please"', Afterimage, nos.8-9 (1981), pp.22-38.
6. Bordwell and Thompson, Film Art: An Introduction, pp.163-73; Barry Salt, Film Style and Technology: History and Analysis (London: Starword, 1983), pp.162-65; David Bordwell, Kristin Thompson and Janet Staiger, The Classical Hollywood Cinema: Film Style and Mode of Production to 1960 (London: Routledge and Kegan Paul, 1985), chapter 14.
7. Rachael Low, The History of the British Film, 1918-1929 (London: George Allen and Unwin, 1971), p.141.
8. Burch, 'How we got into pictures'.

9. Stephen Heath, Questions of Cinema (London: Macmillan, 1981), chapter 4.
10. On the latter, see Lucy Bland and Frank Mort, 'Look out for the "good time" girl: dangerous sexualities as threat to national health', in Formations of Nation and People (London: Routledge and Kegan Paul, 1984), pp.131-51; and chapters 3 and 6 herein.
11. Kinematograph Weekly, 25 December 1919, p.63.
12. The Times, 8 November 1919, p.15e; The Shield, December 1919-January 1920, pp.189-90; Kinematograph Weekly, 22 January 1920, p.119.
13. Kinematograph Weekly, 25 December 1919, p.70.
14. On the NCCVD, see Edward J. Bristow, Vice and Vigilance: Purity Movements in Britain Since 1700 (Dublin: Gill and Macmillan, 1977), p.149. On the Royal Commission on Venereal Diseases, see Jeffrey Weeks, Sex, Politics and Society: The Regulation of Sexuality Since 1800 (London: Longmans, 1981), p.215.
15. Public Record Office, Home Office Papers (hereafter PRO-HO), 45/10955, Lord Sydenham to Sir George Cave, 6 August 1917.
16. On Open Your Eyes, for example, see Kinematograph Weekly, 22 January 1920, p.119.
17. British Board of Film Censors, Annual Report 1919; 'Film censorship and health propaganda', Bioscope,

- 18 December 1919, p.89.
18. PRO-HO 45/10955, handwritten minute, 14 August 1917.
 19. The Times, 11 November 1919, p.11d; 5 January 1920, p.10a.
 20. Neville March Hunnings, Film Censors and the Law (London: George Allen and Unwin, 1967), p.71; Bioscope, 6 February 1919, p.51.
 21. The Cinema, 16 December 1920; Low, History of the British Film, 1918-1929, p.61.
 22. Dorothy Knowles, The Censor, the Drama and the Film, 1900-1934 (London: Allen and Unwin, 1934), p.244.
 23. The Shield, December 1919-January 1920, p.190.
 24. FL-NVA, S1^E, 'Conditions under which propaganda films may be exhibited at premises licensed by the Council', London County Council, March 1926.
 25. Ivor Montagu, 'The censorship of sex in films', in Proceedings of the Third Congress of the World League for Sexual Reform, 1929 (London: Kegan Paul, Trench and Trubner, 1930), p.330.
 26. Material quoted in this paragraph is from FL-NVA, S1³, 'Memorandum on the use of Social Hygiene propaganda films in the United States', 1932.
 27. Karl S. Lashley and John B. Watson, A Psychological Study of Motion Pictures in Relation to Venereal Disease Campaigns (Washington, DC: US Interdepartmental Social Hygiene Board, 1922).

28. Vigilance Record, November 1931, p.41.
29. Academy of Motion Picture Arts and Sciences,
Production Code Administration Case Files, Damaged
Goods (a.k.a. Marriage Forbidden) etc., 1927-40;
Damaged Lives, 1933-53; FL-NVA, S1⁶, Marriage
Forbidden.
30. United Kingdom, Royal Commission on Venereal
Diseases, Final Report of the Commissioners,
Cd. 8189 (London: HMSO, 1916), para. 232.
31. Bland and Mort, 'Look out for the "good time"
girl...'. On the moral significance of the
'scourge' of syphilis, see Susan Sontag, Illness
as Metaphor (New York: Random House, 1979), p.39.
32. Royal Commission on Venereal Diseases, Final
Report, para. 236.
33. Michel Foucault, The History of Sexuality, Volume
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1978), p.122.

CHAPTER 5

PLEASURE, PREVENTION AND PRODUCTIVITY

If through a mist of awful fears
Your mind in anguish gropes
Dry up your panic-stricken tears
And fly to Dr. Stopes.

If you have missed life's shining goal
And mixed with sex perverts and Dopes
For normal soap to cleanse your soul
Apply to Marie Stopes.

And if perhaps you fail all round
And lie among your shattered hopes
Just raise your body from the ground
And crawl to Marie Stopes.

Noel Coward, 1922

From 'Married Love' to 'Maisie's Marriage'

Maisie Burrows, the eldest of ten children, meets and falls in love with Dick Reading, a fireman. When Dick proposes marriage, Maisie refuses him because she cannot face an existence like that of her parents, who have too many children and not enough money. Turned out of home by her father after a family row, Maisie wanders the streets in desperation, eventually attempting suicide by jumping off a bridge. She is rescued, but immediately

arrested and sent to jail for two months. On her release, Maisie is taken in as a maidservant by her rescuer's wife, Mrs Sterling. The Sterlings have three children and a blissfully happy marriage, and from Mrs Sterling Maisie learns that she can enjoy married love without the consequences she fears. One evening, when Maisie is alone in the house with the Sterling children, her degenerate brother calls and extorts money. In the ensuing fracas, the house catches fire and Maisie is rescued by Dick. The couple, joyously reunited, marry.

This, in brief, is the story of Maisie's Marriage, a British film made and released in 1923. Besides being a love story of a kind undoubtedly commonplace enough in the popular cinema of the day, Maisie's Marriage also deals--implicitly at least-- with birth control and marital happiness, proposing a causal link between the two. Such matters were the subject of extensive debate and much controversy in the early 1920s: the year 1923 in particular was in a number of respects a key moment in the politics of birth control in Britain.

In the early 1920s, the birth control movement had entered a new phase, having begun to secure a broader base of support for its objectives than it had hitherto enjoyed. One of its new goals was to persuade government and local authorities to sponsor clinics dispensing advice and contraceptives: the first birth

control clinics in Britain, which were private, had opened in 1921. Arguments in favour of birth control began to emphasise its benefits in terms of the health, welfare and general happiness of mothers and children, a shift away from the earlier, predominantly eugenic, emphasis on the quality of the 'race'. The movement was now ready to make a bid for party political backing, or at least for a voice in Parliament. Although no party ever did actually formulate a policy on birth control, a number of individual MPs were publicly supportive of the cause. Outside Parliament, the movement was also gaining ground within the Labour Party: the idea of birth control as a public health issue was certainly more attractive to the Left than had been the more characteristically middle-class eugenic approach. It was during this period that a number of Labour-controlled local authorities came into conflict with the government over the question of publicly-funded birth control clinics.

At the beginning of 1923, public awareness of all these issues was heightened spectacularly by a handful of causes celebres. A health visitor, Nurse E.S. Daniels, was suspended and later dismissed from her job for giving advice on birth control to a number of her clients. The case aroused a great deal of interest and much support for Nurse Daniels herself. At about the

same time, two left-wing birth control activists, Rose Witcop and Guy Aldred, were prosecuted for circulating Margaret Sanger's pamphlet, Family Limitation, and found guilty of selling an obscene publication. And finally in February, eugenicist, best-selling author and well-known birth control campaigner Marie Stopes went to court with a much-publicised libel suit.¹

If the appearance of a film like Maisie's Marriage at such a moment constituted a strategic intervention in a broader debate, any relationship between the latter and the former pivots as much on discourses surrounding the film as on the content of the film itself. These include, but are by no means confined to, contemporary preoccupations around sexuality, sexual pleasure and contraception. Maisie's Marriage is at once produced by these discourses and productive of meanings of its own, meanings which--in a series of complex and at times contradictory operations--recirculate and also transform their originating discourses. The film encounters other practices, too--relations of power through which in specific ways at a particular conjuncture it becomes constituted as a cultural product of a certain kind. Predominant among these are practices of what might be termed the cinematic institution, and within these, more specifically, of film censorship. Significant in the passage of Maisie's Marriage through these apparatuses and practices is the film's association with the name of

Marie Stopes. Stopes is credited as writer of the story, though the scenario was actually written by her credited co-writer, Walter Summers, with Marie Stopes maintaining the right of final approval of script and control over the contents of intertitles.² The question of precisely who wrote what is beside the point here, though, for the involvement of Marie Stopes in this production far exceeds any conventional understandings of the notion of authorship.

In 1923, the name of Marie Stopes was a byword: her book Married Love (subtitled 'a new contribution to the solution of sex difficulties') had been an enormous success from its first publication in March 1918. By the end of that year, in fact, it was already in its sixth reprint. In November 1918, in response to demand by readers of Married Love, Stopes published another best-seller, Wise Parenthood, a short treatise on birth control (of which there had been only brief discussion in Married Love) which included recommendations on methods of contraception. These successes were followed in 1920 by Radiant Motherhood, in part advice manual for first-time parents, in part eugenic tract. Marie Stopes's constituency was at first confined largely to the book-buying public--to the middle classes, that is--though within a few years her ideas began to gain much wider circulation.

Marie Stopes's growing fame was perhaps due as much to notoriety--her books were looked on in some influential quarters as nothing less than scandalous, even obscene, and in some countries were banned--as to the social needs addressed by her work. Her writings certainly provoked huge public response, much of which revealed hitherto untapped depths of ignorance, fear, sexual frustration and conjugal misery.³ At the same time, since they could lay claim to a certain scientific respectability and were endorsed by various eminent medical practitioners, Stopes's ideas could not be dismissed entirely as the outpourings of a crank. The combination of scientificity with sexual subject matter, moral conservatism and romantic appeal guaranteed extensive publicity and a degree of acceptability--as well as controversy--for her work.⁴

In 1923, Marie Stopes's already high public profile was raised several notches when the trial opened in February in a libel suit which she had brought against a Catholic doctor, Halliday Sutherland, who had made some uncomplimentary remarks about birth control in general and Marie Stopes in particular in one of his books. During the nine-day trial, other issues were raised, notably the alleged obscenity of Married Love. The trial attracted a great deal of publicity, and was reported in all the popular newspapers. On an unclear

jury decision, the judge finally ruled in favour of Sutherland, a verdict which produced yet more furore, as well as a good deal of sympathy for the loser. The judgement was taken to appeal, and reversed on 20 July. (The verdict did eventually go against Stopes, however: in November 1924, the Lords ruled four to one in favour⁵ of Sutherland).

During the first half of 1923, then, Marie Stopes and her books were much in the public eye. Controversy raged and sales boomed throughout the year: of Married Love alone the number of copies sold leapt from 241,000⁶ to 406,000 between March and December. In the period between the February verdict and the July appeal in the Sutherland case, Stopes made her first--and, as it turned out, her last--foray into fiction cinema as a vehicle for her ideas. Maisie's Marriage was produced by Samuelson's, a British company with a reputation for quality films. The film's original title was Married Love, but despite its celebration of marital harmony it was in no sense a cinematic version of the book: it made no pretence at being either a scientific treatise or a manual of advice, but was in fact a work of fiction--a 'fast-moving popular melodrama' not very different from the fare on offer in commercial cinemas at the time. Stopes was later to claim that the idea of calling the film Married Love had not been hers:

whether or not this is so, its producers were evidently well aware of the publicity value attaching to that particular title. The film was made in just two weeks--in an effort, perhaps, to seize the crest of the Sutherland trial publicity wave. It was trade shown on 11 May, and scheduled for a June release.

Married Love⁷ was well-received by at least one national newspaper, and the trade press, too, was fairly cordial--an attitude which was to be modified in light of subsequent events. It was, however, pointed out early on that the title could generate expectations that the film could not fulfil. One reviewer nonetheless concluded that

Whatever may be the suggestion of the title, the film itself is a straightforward human story of sentimental rather than sexual appeal,

while another noted that 'in spite of its title, the story...will appeal to the popular imagination'.⁸ But if critics emphasised the appeal of the story as against the 'misleading' character of its title, there was already some unease in the trade about the latter. Kinematograph Weekly, a journal which saw itself as representing the more 'respectable' elements of the exhibition arm of the film industry, expressed serious misgivings about the choice of title, saying that this was exactly the sort of thing to bring the trade into disrepute.⁹ Exploiting the name of a controversial book

was far too crude a piece of gimmickry, it seems, to be tolerated in an industry still aspiring to shed the socially inferior image of a sideshow catering to the most vulgar tastes.

However, before Married Love was to find its way into the cinemas of the land, it ran into a rather more formidable obstacle. On the day of its trade show, the film was submitted to the British Board of Film Censors, where it languished for more than a month before being released. The Board took exception to the film straight away, on the grounds that

there are many scenes and sub-titles which render this film in our opinion unsuitable for exhibition before ordinary audiences; while the title, taken in conjunction with the name of the book and the authoress referred to, suggests propaganda on a subject unsuitable for discussion in a Cinema Theatre.(10)

Films based on 'notorious books' were to prove repeatedly troublesome to the Board during 1923, and there was particular disapproval of the use of titles of publications dealing with topics which were regarded as exceeding the proper social function of cinema--namely
11
to entertain. The BBFC had evidently seen through the producers' bid to capitalise on the publicity value--and the 'forbidden' connotations--of the title Married Love. But if this title suggested that the film dealt with issues 'unsuitable' for the cinema, namely sex and birth control, was there anything in it which might be held

objectionable from the standpoint of British film censors of the early 1920s? The Board's verdict, despite its suggestion that the film contained objectionable scenes and intertitles, must have been that there was really very little, if anything, in its content that could specifically be objected to. And yet they were very reluctant to grant it a certificate.

In this atmosphere of uncertainty, the BBFC took the unusual step of asking the Home Office for guidance. On 18 May, a week after the film had been submitted for censorship, officials from the Home Office called at the Board's premises to view Married Love.¹² In the interim there had been a protest from Marie Stopes to the BBFC President, T. P. O'Connor (who was a Catholic--a fact which was to figure large in Stopes's assessment of events), and a discussion between O'Connor and the film's producers.¹³ Presumably, no agreement had been reached, and O'Connor told the Home Office that he was inclined to refuse to pass the film. The Home Office representatives, however, took a slightly less negative view about the film's content ('there is nothing of an objectionable nature that could not be easily removed by the censor's pruning knife'), though they did agree that there were problems about its title. Their private opinion, nevertheless, was that 'a Birth control-Marie Stopes-propaganda film ought not to appear with a censor's certificate if this could be avoided' --¹⁴

acknowledgement that the trouble was not the actual film, but its association with a 'notorious' public figure and a topic that was at once taboo and controversial.

In other circumstances, perhaps, Married Love might at this point, with the collusion of the Home Office and the Board of Censors, have been quietly suppressed. But it was not, for several reasons. Because neither the BBFC nor the Home Office possessed legal powers to censor films, they could strictly speaking do no more than advise the bodies which did hold such powers, namely the local cinema licensing authorities. Prominent among these was the London County Council, which since the BBFC's inauguration a decade earlier had assumed the role of pacesetter for censorship practices up and down the country. The Board of Censors was eager to maintain good relations with the LCC, which was represented at the May 18 meeting. However, on the question of Married Love, the Council disagreed with the BBFC, finding it unobjectionable. This difference of opinion provoked anxieties at the Home Office about possible discord between the BBFC and local cinema licensing authorities, or indeed between the various authorities themselves, as to the film's censorability. For if either of these things were to come about, the national uniformity in film censorship practices, which

the Home Office had been striving for a number of years to attain and which it now felt was at last in sight, would immediately be undermined.

At stake as well was a challenge to the BBFC's hitherto rather shaky authority and credibility. After ten years of indecision and struggle, it was hoped within the government that the Board's tenuous legal position was about to achieve at least conventional consolidation, and that local authorities would soon automatically look to it for advice on the censorship and certification of films. To this end, the Home Office was preparing a new set of recommended model conditions for cinema licences: these were to include, for the first time and after some legal struggles (see chapter 2) a provision that no films without the BBFC's certificate were to be exhibited without the express consent of the licensing authority. When the Home Office was called in to give advice on Married Love, these new conditions were in process of being drafted: they ultimately formed the basis of the circular sent to local authorities on 6¹⁵ July. In this delicately-balanced situation, any upset in relations between the parties involved--Home Office, Board of Censors, local authorities--brought on by the Married Love affair was clearly to be avoided. 'I am afraid', said the government official reporting on the meeting, 'that the film is bound to cause controversy but it is a pity it has come at a time when

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we were hoping to secure greater uniformity'.

By 1923, the BBFC, over the ten chequered years of its existence, had evolved a set of censorship procedures, including some rules or guidelines as to the sorts of subjects which were acceptable in films destined for commercial exhibition and what was, in the Board's term¹⁷ 'prohibitive'. 'Controversy' was regarded with automatic suspicion, and this covered not only the sphere of public order--strikes, revolutions, any treatment of 'politics'--but also all matters of 'public morality', which included not only sex per se but related topics such as divorce, abortion, contraception and venereal disease. For several years, 'propaganda' films on such topics had automatically been refused certificates (see chapter 4). Despite its similarity in subject matter to the film discussed in chapter 3, Where Are My Children, Married Love was constructed through censorship as a very different object. In particular, unlike Where Are My Children it was never really regarded as a 'propagandist' film: rather it was taken more-or-less without question as inhabiting the space of commercial/entertainment cinema. Consequently, it could not be treated as belonging to an already excluded category of films. There was little in it, either, that the Board of Censors could call 'prohibitive'. Nevertheless, it was seen as potentially controversial:

a 'problem' to be handled with the utmost care.

Married Love remained at the BBFC for several weeks while the Censors were trying to arrive at a decision about it. In response to protests at the continuing delay, the Board wrote to the producers saying the film had been viewed four times and that 'careful and¹⁸ prolonged consideration' was still required. But finally on 7 June a list of alterations was agreed between the two parties. After all the delay, the changes demanded by the Censor were few and on the whole minor in nature, the most significant being that the film's title should be changed to Maisie's Marriage, and that posters and other promotional material were not to say that it was based on Marie Stopes's book Married Love. Aside from this, eight intertitles were objected to, though only one of these was to be deleted: for the¹⁹ rest, amendments were requested. These changes having been agreed, the BBFC passed the film 'A' (for 'public' exhibition--recommending exhibition to adults-only audiences). Perhaps as a trade-off for the certificate, the London County Council lent the weight of its support to the BBFC's demands for changes, and checked a number of attempts within its area to show the film in uncensored form, or to advertise it²⁰ 'misleadingly'. The Board expressed the hope that²¹ other licensing authorities would be equally vigilant.

This expectation, however, was to prove vain. Within a fortnight of the agreement, it had been brought to the BBFC's attention that the producers of Maisie's Marriage had not in fact made all the changes asked for, that uncensored prints of the film were in circulation, and that in many places the name of Marie Stopes was being used in promotion in breach of the spirit of the understanding between the Board and the film's producers (Figure 4). Some exhibitors were apparently advertising the film as 'Maisie's Marriage--a story of married love written by Dr Marie Stopes'. Worse still, there were reports that the film had been judged unobjectionable by some local authorities, which were presumably permitting exhibition of the uncut version in their areas.²² 'Respectable' elements of the film trade, having already given their backing to the BBFC in the matter of the film's censorship, expressed their disapproval of exhibitors who were flouting the Censors.²³

These reports were not entirely without foundation. Marie Stopes later conducted an informal survey of local authorities, discovering that a number of them had indeed permitted the exhibition of Maisie's Marriage in uncensored form. She was angry about not having been consulted about changes made to the film, whose distributor afterwards claimed that before it was put

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The Original Title of our Film cannot be used by order of the Home Office.

so

????? (CAN YOU GUESS?)

will be shown as

MAISIE'S MARRIAGE

A Film for all thinking MEN and WOMEN to whom PURITY is TRUTH and TRUTH is PURITY.

THIS FILM IS SPECIALLY WRITTEN FOR THE SCREEN by

DR. MARIE STOPES

In Collaboration with CAPT. W. SUMMERS

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FIGURE 4

A Sheffield cinema defies Censors: poster announcing Maisie's Marriage

into circulation, all of the cuts had in fact been
restored.²⁴ In the version of the film discussed here
some, but certainly not all, of the changes demanded by
the BBFC have been made. It is likely in fact that
several different versions were in circulation.

Whatever the case, the Home Office was convinced that a
'fraudulent and impudent evasion'²⁵ had indeed taken
place, and was moved to take the unprecedented step of
intervening directly at local level in the censorship of
a film. On 30 June, a confidential administrative
circular was issued to local licensing authorities in
England and Wales, endorsing the BBFC's and the LCC's
actions with regard to Maisie's Marriage, and
expressing the hope that local authorities would 'only
allow the revised form of the film to be exhibited under
the conditions agreed to by the publishers'.²⁶ But even
this remarkable excursion into State censorship failed
to produce the desired effect.²⁷ Furthermore, the
film's producers managed to find out about the Home
Office's 'confidential' circular, and within three weeks
of its issue, Marie Stopes had threatened the Home
Office with legal action and discussed the matter with
the Home Secretary, who responded in somewhat
conciliatory manner by assuring her that there had never
been any intention that her name should be excluded from
the film or from advertisements for it. Nevertheless,
while admitting that the Censor's ruling had no status

in law, the Home Office refused to climb down to the
28
extent of withdrawing the 30 June circular. Only a
few days later, in a renewed wave of publicity, the
judgement on appeal in the Stopes-Sutherland libel case
was handed down. This coincidence of events ensured the
29
success of Maisie's Marriage. Censorship had produced
the very opposite effect to that which had been
intended.

Popular Cinema and a Film with a Message

Not ours to preach nor yet to point a
moral--yet if, in the unfolding of our
story, there is aught that comforts,
helps or guides, then are our efforts
doubly paid.

30
So begins Maisie's Marriage, at once disclaiming and
confirming its status as a film with a message. After
this, the story begins:

The Burrows family live in Slumland but
their prototypes dwell in all our cities--
wherever our artificial civilisation has
planted its weeds where the struggle for
existence is hard and ruthless and the
narrow dogma of our disciplined beliefs
turn life and the joys of living into
meaningless phrases.

The 'Slumland' setting is a concession to the BBFC which
objected to the geographical specificity of the original
Camberwell. Maisie's family, the Burrowses, are
characterised as representing a particular social group,
one whose misery is signalled in the scene of poverty,
overcrowding and familial discord which follows the
opening intertitle: mother overworked and weary,

children quarrelsome, babies snivelling, father drunk and violent. Next we are introduced to Maisie, the film's heroine and the eldest of the ten Burrows children, at work as a waitress: smart, pretty, polite and smiling, yet capable of handling with firmness and determination customers' sexual advances. If the other Burrowses are specimens of the 'weeds' referred to in the introduction, their ill-kempt garden has somehow produced a perfect rose in Maisie.

What is already implicit in the contrasting characterisations and locations of these first two scenes--that Maisie does not really belong with her family--is rapidly confirmed in the story that follows. The agency of the inevitable separation between Maisie and the rest of the Burrowses comes in the character of Dick Reading, a fireman stationed opposite Maisie's place of work, an only child who enjoys an affectionate relationship with his mother. The young pair are brought together by Dick's dog, and their encounter inspires in Maisie both intimations of erotic pleasure ('dim tremulous thoughts of waking womanhood') and fear of what yielding to such impulses will bring ('"It's drudgery--drudgery--drudgery--then there'll be children we can't afford to clothe and keep"'). Unwilling to face the prospect of becoming like her cowed and worn-out mother, Maisie refuses Dick's offer of marriage,

despite the fact that she loves him. But Maisie's parting from her sweetheart also brings about her separation from her family: her brutish father, overhearing her telling Dick "I'm afraid you'd be like my father in a few years", throws her out for her ingratitude:

'Now listen ter me, girl--if yer father's roof ain't good enough ter shelter yer--yer'd better pack yer fings and clear--and good riddance to yer'.

Maisie, like many another romantic heroine, is all alone in a world which turns out to be full of pitfalls for an attractive and sexually innocent young woman. On her first night away from home, she falls into the company of prostitutes, and narrowly avoids losing her virtue to a man whose wife's frigidity has forced him to seek solace elsewhere. Fortunately, he turns out to be a gentleman and Maisie escapes intact, only to be frightened out of her wits ('Forms that lurk in every shadow--Faces that leer at every turn') merely by finding herself where no decent girl ought to be--out alone on the streets. Desperate, she tries to commit suicide by jumping off a bridge, but is saved from drowning by Paul Sterling, a successful and comfortably-off writer whose wife immediately takes pity on Maisie and offers to take her home. But Maisie's troubles are far from over: her suicide attempt brings her to court, where she is sentenced to two months' imprisonment.

Through a series of lacks--of a proper family life, of a man, and (most crucial of all) of a particular type of knowledge--Maisie is exposed to a whole range of perils. It is not merely that, in common with many an ingenue heroine of silent cinema, Maisie's virtue is constantly at risk: so too are her liberty and even her life. But the conventions of the narrative genre to which this story belongs--the popular romance--as well as the imperatives of the vehicle of its telling--popular cinema--demand a happy ending. For this to be possible, Maisie's lacks must be liquidated and Maisie herself brought from danger to safety.

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The first lack--of a family--is in some measure dealt with by the intervention of the Sterlings, who take Maisie into service as a maid when she is released from prison. The Sterling family is all that the Burrowses are not: small, financially secure, and happily ensconced in a delightful home with a huge garden. The Sterlings have three charming and adored children, whose antics awake in Maisie 'the longing that has dwelt unaltered through the ages in every woman's heart'. But it is clear that the Sterlings cannot provide Maisie with the 'proper' family she lacks. Aside from a not inconsiderable difference of class, Maisie can never be a 'real' mother to the Sterling children, nor even, as it turns out, can she be an adequate mother-substitute:

they already have a nanny, and when Maisie is eventually given sole charge of them, disaster strikes--the house catches fire. Maisie may long for happiness of a kind the Sterlings enjoy, but she can never attain it by becoming part of that family. Instead she must deal with the lack of a proper family by making her own, which in the world of the popular romance means only one thing--the liquidation of another of the narrative's lacks, Maisie's of a man. Maisie must marry.

And that, of course, is exactly how the story--'like all true fairy tales', in the words of the film's closing title--ends. But what of the problem that separated Maisie in the first place from both her sweetheart and her family of origin, her fear of the consequences of marriage? Here again the agency of the Sterlings--or more precisely that of Mrs Sterling--is crucial. For it is Mrs Sterling who explains that what Maisie most fears is not after all inevitable:

1. IT: 'I will tell you a story, dear, a parable. There were two men each owning a garden of roses, but the trees of the first grew wild and untended'
2. MCU two-shot Maisie and Mrs Sterling talking. FADE.
3. MS a sickly-looking rose bush.
4. IT: 'But though the blossoms grew heavy on the branches, they were meagre and colourless'
5. MCU unhealthy-looking roses. FADE.
6. As shot 2.
7. IT: 'But the other was wiser--armed with knowledge he pruned his trees carefully'
8. As shot 6.
9. MCU hands pruning a rose.
10. IT: 'each bud was cared for and nurtured,

- and though his roses were fewer--each
bud had turned into a perfect flower'
11. MS some perfect roses. DISSOLVE.
 12. CU one perfect rose. DISSOLVE into face
of baby. FADE.

Maisie, the rose among the weeds, now has it within her power not only to produce perfect roses of her own, but also to secure lasting conjugal bliss with a true lover. All that remains is for the former sweethearts to be reunited in a dramatic scene in which Maisie is rescued from fire by Dick and his ever-faithful dog. Not only does Maisie get her man, she will--it is implied--also enjoy 'married love' and a planned family.

Maisie's Marriage can be read at a number of levels, though only one approach is strictly necessary to a 'culturally competent' reading of the film. Cultural competence in this context calls for familiarity--shared within a cultural or a subcultural group of readers--with the particular conventions of narration or representation deployed in a text: a reading of Maisie's Marriage as a certain kind of story both demands and produces such competence. At this level, Maisie's Marriage may be regarded as a commonplace love-story, with elements of drama, suspense and action, and with characterisations and narrational strategies typical of the fiction cinema of the period. Among these are a 'woman-in-peril' theme (Maisie endures trials by water and by fire); drama and suspense created through action and cross-cutting (evident notably in the

two scenes in which Maisie is rescued); tender love scenes (Dick's proposals of marriage); melodramatic conflict (family rows, Maisie in court standing trial for attempted suicide); sentimentality (Dick's dog, the Sterling children, their kittens); themes of female virtue and male rapacity (two scenes in which Maisie deals with sexual harrassment at work, her excursion into London lowlife with the prostitutes); and a 'fairy tale' ending (the wedding of Maisie and Dick in the final scene). All things considered, Maisie's Marriage is certainly readable as no more complex than a commonplace popular romance, in which lovers are parted through no fault of their own, and after a series of vicissitudes are reunited and marry.

In this type of story, the narrative pivots on the cause of the lovers' parting. In Maisie's Marriage, it is fear--fear not so much of sex itself as of what the heroine sees as its inevitable consequences--which separates the lovers. A satisfactory resolution of the narrative calls for a dissolution of Maisie's fears about sexual love and marriage, which is brought about by her enlightenment on certain issues. However, it is at exactly the level of questions of sexuality, sexual pleasure, family limitation and marital harmony that the film exceeds its purely narrative enunciation, embodying a discourse that, while taking the narrative as its

starting point, also transcends it. This excess constitutes what may be termed the social address of the film, and it is at this level that the 'message' of Maisie's Marriage is articulated.

By definition, narrative films with 'messages' adopt positions on, or speak on behalf of, issues which are in some sense external to the individual fiction in question, but which are at the same time dovetailed with it. The merits of such films are commonly judged according to the smoothness with which fiction and 'message' are interwoven, since there is always a risk that the one might dominate the other. If the 'message' dominates, a film can be dismissed as 'mere' propaganda, while if the story is paramount, the 'message' easily becomes submerged; or--and this may simply be another way of saying the same thing--the film may open itself up to a range of different, and potentially conflicting, readings. Given the ascendancy of fictional narrative in cinema and the expectations this generates in audiences, the latter type of 'film with a message' can be rather unstable as a bearer of meaning.

If Maisie's Marriage is considered in these terms--for the fictional narrative form had certainly assumed hegemony within the cinematic institution by 1923--it is clear that the film belongs in the second category: that is, as a film with a message--if not as a romantic

narrative, it may be regarded as in some degree 'open', and its social message optional. It might nevertheless be useful to look at the film in terms of its enunciative qualities--as it articulates discourses through which different meanings are produced, in other words--if only because this raises the question of the precise conditions under which particular readings of a film become available.

This is pertinent to the issue of the social message of Maisie's Marriage. For in order to read the film as being 'about' birth control, or 'about' sex or sexual pleasure, certain sorts of knowledge must guide its reading: for example, a prior awareness of the existence of Marie Stopes, of the general tenor of her ideas, and perhaps a more direct acquaintance with the contents of such books as Married Love and Wise Parenthood. The events surrounding the various attempts at suppressing the film would certainly suggest that such knowledge was indeed at stake. All parties involved in these events agreed that the film's capacity to disseminate ideas, to make money, or to make trouble, lay precisely in its association with the name of Marie Stopes and all that this implied, particularly in the Summer of 1923. The conflict was never really about the film's content: it was about the conditions under which it was constructed as a film with a particular message.

What is the nature of this embattled message of Maisie's Marriage, then, and how does it engage those discourses which allow the film to be read as bearing a particular message? First of all, the message is not unitary: it incorporates a number of voices, some of which are more insistent than others. Among the most insistent must be the relationship the film sets up, notably in the scenes in the Burrows household, between large families, poverty and unhappy home life. However, to make a connection between these things and a failure to limit fertility calls for a certain amount of knowledge about birth control, for the point is certainly not made explicitly in the film. Secondly and relatedly, it might be inferred from the ways in which Dick and his mother and more particularly the Sterlings are represented, that small families are happy and healthy families. Again, this does not on its own call forth the conclusion that they may be so by intention more than by chance, though this is certainly hinted at in the one intertitle cut from the film at the BBFC's request. In explaining to Dick why she will not marry him, Maisie says: "Your father died before he did the harm mine's done"'.

It is in the sequence in which Mrs Sterling tells Maisie the parable of the rose growers, though, that the film ^Papproaches the birth control question most directly. The

pruning metaphor, lifted from Wise Parenthood, encapsulates Marie Stopes's characteristic combination of eugenic and health/welfare arguments on behalf of birth control. To readers of that book among the film's audience, the reference would be obvious. But the sequence condenses into a few shots a rather specific set of birth control arguments, which would not at the time have been universally endorsed even within the birth control movement itself. These images operate metaphorically, and their meaning is in no measure fixed by the intertitles. On its own, then, the 'parable' remains relatively 'open': though the shot in which a close-up of a rose dissolves into a baby's face does provide the film's least oblique allusion to birth control. The metaphor of pruning is anchored to some extent, then, though significantly not verbally. Contraception must remain unspoken in the text.

A 'social' reading of Maisie's Marriage extracts more than simply an endorsement of birth control, however, even if this might be its readiest message. The film is also 'about' sexual pleasure in marriage, which was in fact the central topic of the book Married Love. According to Stopes, the control of fertility was a necessary, but by no means sufficient, condition of marital happiness. She advanced the view that sex was a good thing (though only within marriage) and its

enjoyment a positive value in itself, essential to conjugal bliss and family contentment. To this end, she exhorted husbands to be sensitive to their wives' sexual needs and desires, and both husbands and wives to perfect their lovemaking techniques.³³ Nothing of this, of course, is explicit in Maisie's Marriage, though to readers of Married Love references to Stopes's views on sex would be obvious enough at various points throughout the film.³⁴

For Marie Stopes, sexual pleasure in marriage and a frank and open attitude to discussion of sexual matters went hand-in-hand with a happy and loving partnership between husband and wife. The flamboyantly sentimental manner in which this aspect of Stopes's teaching was at times expressed in her writings³⁵ also has its echoes in the film, where such expression fits well with the generic requirements of the romantic narrative. As Mrs Sterling says to Maisie after telling her the parable of the roses:

'Before I married I used to think
of my lover--somewhere in the world--
searching for me--passing all others
by--never resting till we met--and
I think this is true, dear'.

To a considerable extent, then, Maisie's Marriage is readable as a film with a message by virtue only of its participation in certain discourses on sexuality, sexual pleasure and birth control. It acquires its social

address in its engagement with such discourses, especially as they operate in the writings of Marie Stopes. This does not, however, mean that a social reading of the film would have been available only to readers of Stopes's books: simply that prior knowledge of this kind offers ready access to a certain reading of the film. Stopes's name was known to millions who had never read a word she had written: she was a highly controversial figure and her work touched on topics which had the seductive lure of the taboo. Moreover, at the time Maisie's Marriage appeared, her court appearances in the Sutherland libel suit had placed her in the forefront of public awareness. If many people did not know precisely what Marie Stopes's ideas were, they certainly knew what they were about: sex and birth control. Whether Stopes's name was attached to them or not, these were burning issues of the day. It is in this context that the social address of Maisie's Marriage is to be understood. To the extent that such an address speaks through the film text, it may be heard in part or in whole, soft and muted, or loud and clear. Indeed, it need not even be heard at all, for the film is perfectly intelligible without it. And yet it was the film's social address that inspired the mobilisation of all the apparatuses of censorship, and it is precisely through censorship that the film is constructed as troublesome, as conveying a

'controversial' message. In this sense, censorship did for the film what the film could not have done for itself.

But if Maisie's Marriage acquires certain meanings by virtue of discourses in circulation outside the film text itself, these meanings pervade the text at a number of levels. Aside from being readable as popular romance or as a film with a social message, Maisie's Marriage can be regarded as dealing also with the problem of knowledge. Maisie lacks knowledge of a particular kind, and it is Mrs Sterling who, with her happy family and loving husband, possesses and passes on the knowledge that Maisie lacks. In this respect, Maisie's Marriage departs from propaganda films, which typically constitute institutions and practices such as Science, medicine, social welfare and the law as repositories and agencies of knowledge. Where, in a propaganda film, knowledge is enunciated by an individual character in the fiction, that character invariably stands in for some institutional source of knowledge (chapter 4). But if the Mrs Sterling character in Maisie's Marriage is a stand-in, what exactly is she representing? Women's traditional knowledge of matters emotional, sexual and reproductive? Possibly, but the portrayal of the Sterlings--of Mrs Sterling in particular--suggests otherwise: that Mrs Sterling, independent-minded, happily married purveyor of useful knowledge and good

advice, is none other than Marie Stopes herself.

This conclusion acquires added force on examination of the class relations of knowledge proposed by the film. The working class, represented by the Burrowses, Maisie, Dick Reading and his mother is constructed as either lacking in knowledge, or incapable of articulating knowledge, or both. Yet since the narrative demands that a working-class heroine acquire it, the missing knowledge must be provided from some source or other. Sure enough, it is: a middle-class woman, who is also the employer of its recipient, is that source. Knowledge is imparted, then, not so much in a relation of gender solidarity--a woman passing on female lore to another woman--as through a connection that, for this one purpose, crosses a social class divide. It is class difference, then, rather than gender solidarity which here provides the condition for the communication of narratively crucial knowledge.

The 'truth' about sexual pleasure, about birth control, about married love, is not universally available in society, nor is it evenly distributed between the different classes. But it can nevertheless be communicated across class barriers by good works--acts of personal kindness, generosity or patronage by the middle class towards the working class. If this sums up

Marie Stopes's personal view of her mission to enlighten the working classes in matters sexual and reproductive, it represents only one of several positions in circulation at the time within the birth control movement on the question of the dissemination of knowledge.³⁶ In this sense, Maisie's Marriage adopts, at a certain level, a somewhat partisan stance in its advocacy of birth control--a stance precisely privileging Marie Stopes (or 'Marie Stopes').³⁷ To the extent that it instates 'Stopes-as-sex-expert' as the authoritative source of knowledge about 'married love', Maisie's Marriage also restates the contentions at the forefront of the Stopes-Sutherland libel trial. Could Marie Stopes legitimately represent scientific authority in matters which, shorn of the protective cloak of Science, would certainly have been considered 'indecent'? Or was this knowledge sufficiently guaranteed by personal experience, by Stopes's image as a happily-married woman? It is significant that Marie Stopes stood for both these things, and it was perhaps the combination which made her work so controversial.

The trajectory of enunciation of knowledge in Maisie's Marriage, however, may enter into conflict with the narrative and cinematic imperatives of the genre to which the film, as popular cinema, belongs. If the romantic narrative requires that lovers be subjected to needless separation in order that they may ultimately be

reunited, it also demands that the reader understand more than the unfortunate couple about exactly what it is that has separated them. The reader must be aware that the lovers' parting is unnecessary in order that the pleasure of its poignancy may be fully indulged while the reader remains safe in the knowledge that matters can, and certainly will, be sorted out in the end. In the case of Maisie's Marriage, then, generic imperatives would suggest that spectators of the film ought to know what Maisie does not know. But, as has been noted, while in 1923 some audience members might well have been in this position, many undoubtedly were not: for this would call for knowledge which was in many respects esoteric at this time.

To the extent that Maisie's Marriage addresses a knowing spectator, and to the extent that readers of Married Love would be forearmed with the necessary knowledge, the film's address must surely be, in some degree at least, class-specific. Given the social composition of the book-buying public, the film would divide its audience, more-or-less along lines of class, into groups with distinct narrative viewpoints. Spectators who have no more understanding than Dick and Maisie themselves as to what has brought about their separation assume the standpoint of these characters--a 'view with'. On the other hand, spectators with access to such an

understanding are in a position to occupy a 'view
38
behind', since they know more than the characters.

What is important here is that the knowledge necessary to the assumption of a narrative 'view behind' cannot be spoken in the film itself: it has to be brought to its reading. There are two main reasons for this. Firstly, the conventions of popular cinema would limit the extent to which matters of information can be dealt with in a fiction feature film without its sliding over into the 'propaganda' category. And in any case, overt expressions of the kind of knowledge required in order to guarantee the spectator a 'view behind' would certainly have been 'prohibitive' at this period. In this sense, a 'view behind' is sustained by knowledge prior to the film, for the knowledge around whose absence the film's narrative pivots cannot be articulated within the text itself. The audience addressed by the film consequently divides--to a considerable extent probably along class lines--into those who already know and those who do not know but probably 'ought' to. As a piece of popular romantic fiction, Maisie's Marriage constructs an audience in the former category; as a 'film with a message', in the latter. And since the film was constituted as censorable almost entirely in regard to its status as a 'message' film, then the problem as regards censorship was precisely that section of the audience that did not

know--broadly speaking, the working class.

It has been suggested here that the excessive censorship activity provoked by Maisie's Marriage had a great deal to do with the film's association with the name of Marie Stopes. It is clear that the various parties involved in the processes of censorship were well aware of this; and it is apparent, too, that they were at some level conscious of the film's instability as a carrier of knowledge of certain kinds. The BBFC's most significant demands--that the title Married Love not be used and that no suggestion be made in advertising the film that it was based on Marie Stopes's book--show this clearly enough, for they are aimed precisely at inhibiting the availability (especially to that section of the audience that 'did not know') of a 'social' reading of the film. Hence the strongly-expressed irritation of both Censors and Home Office officials, and the unprecedented resort of the latter to direct intervention at local level, when infringements of these prohibitions came to light.

But Marie Stopes's figuration in Maisie's Marriage operates at several levels, not all of them susceptible to the operations of censorship. Firstly, and most obviously, Stopes the individual figures as the film's author: in the opening title, she is co-credited, complete with academic qualifications, with its writing:

G.B. Samuelson presents
MAISIE'S MARRIAGE
A Story specially written for the Screen
by
DR MARIE STOPES DSc PhD
in collaboration with
CAPTAIN WALTER SUMMERS

At this level, censorship was powerless to intervene, much as those involved might have wished to do so: Marie Stopes, at the time a leading member of the Society of Authors, was in a position to see to it that she kept her writer's credit, on the screen at least.³⁹

As to the film's advertising and promotion, these matters rested ultimately with the film trade, with exhibitors in particular, rather than with either Marie Stopes on the one hand or the British Board of Film Censors on the other.

Secondly and more importantly Marie Stopes--or perhaps rather her writings and other propagandising activities--figures as the locus of that knowledge which makes possible a reading of Maisie's Marriage as a film with a certain message. It is at this reading that the operations of censorship were mainly directed. But these efforts at prohibition had unexpected, even contradictory, effects: far from limiting the availability of a 'social' reading of the film, they actually invited such a reading, certainly once the prohibition was made public. Finally, there is one more level at which Marie Stopes--or 'Marie Stopes'--figures in the film: this is the point at which 'Stopes' is

constituted as the enunciative source of narratively crucial knowledge. This level is beyond the reach of any institutional procedures of censorship. As the BBFC's rather paltry demands for alterations indicate, there was little in the film that could be regarded, certainly in terms of these procedures, as 'prohibitive'. These minor changes, in combination with the efforts made to circumscribe readings of the film, may be regarded as symptomatic of a certain awareness that its troublesome qualities far exceeded any question of censorable content.

The Productivity of Censorship

Institutional practices of film censorship are obliged to assume as their object individual films--texts, representations which are in some sense bounded; and yet in any actual instance of censorship there is always more than this at stake. Certainly in the case of Maisie's Marriage the content of the film does not provide sufficient explanation either for the excessive censorship activity it provoked, nor for the consequences of that activity, many of which were unforeseeable and some indeed the very opposite of what had been intended. Maisie's Marriage became an object of censorship by virtue of its implication, at a specific moment, within certain discourses and power relations, which penetrate the text and yet also exceed

it. These include discourses and practices of film censorship; but also involved in the constitution of Maisie's Marriage as censorable are on the one hand the operations of the film industry and on the other contemporary debates around sexuality and birth control. Each of these--censorship, the film industry, discourses on sexuality--constructs the film differently, and each is caught up in a struggle over the conditions under which the film was to enter the public domain. Each, too, inscribes different--and sometimes contradictory--power relations.

As a product of the British film industry of the early 1920s, Maisie's Marriage may be regarded as an unexceptional piece of commercial fiction cinema, comfortably occupying, both thematically and stylistically, one of the popular film genres of the day: a marketable enough commodity, perhaps, though it had to contend with the firmly established hegemony in
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Britain of American cinema. For its producers, of course, it had something extra, something that promised to make it a much better box-office proposition than any run-of-the mill British-made love story was liable to be: it could trade upon the name of Marie Stopes, a name which in 1923 was a byword for the forbidden and alluring topic of sex. In attempting to call the film Married Love, its producers hoped to maximise the potential of Stopes's authorship by implying that the

film, like the book--or, for that matter, the image of the book in the public mind--was 'about' sex. But this elicited the response from other sections of the film trade that such a patent attempt at deception could only bring the industry into further disrepute. These elements aligned themselves with the British Board of Film Censors to the extent, once the film had been released, of condemning not so much the film itself as the way it was being promoted.

If one of the principal objectives of the BBFC was to avoid controversy, it found a powerful ally in the Home Office; and it is perhaps due only to a coincidence of timing that the film was not suppressed. The Summer of 1923 was a critical moment for institutional practices of film censorship in Britain. The Board of Censors was on the very threshold of finally attaining the credibility it considered crucial for its survival, and avoidance of open conflict between it and local cinema licensing authorities was felt to be essential. The matter had therefore to be handled with the greatest care: and since at least one powerful local authority found Maisie's Marriage unobjectionable, there was no alternative but to certificate the film, and so permit its entry into the public domain as a film suitable--under certain conditions at least--for commercial exhibition.

The routine procedures of film censorship at this period were instrumental in determining the limits of what was and what was not 'suitable' material for commercial cinema screens. If Maisie's Marriage could not be faulted either in content or in style, the film's connection with the controversial name of Marie Stopes made it extremely troublesome, all the more so because there was very little in the film itself that could seriously be objected to. If the film was produced as an object of censorship through its implication in contemporary debates around sexuality and birth control, these issues are not explicitly spoken in it. This made it a peculiarly elusive object of censorship. One of the difficulties Maisie's Marriage posed vis-a-vis film censorship was that it was already a product of other contemporary censorships, notably of the widespread taboo on discussion of sexual matters and the virtual impossibility of obtaining information on birth control.

Nevertheless, although the film may be open to a variety of readings, meanings in Maisie's Marriage become relatively fixed in the moment of censorship, through which it is constructed precisely as 'controversial'. Film censorship creates censorable films: and a censorable film, once it has entered the public domain, becomes a marketable property exactly because of the lure of forbiddenness conferred by known acts of

censorship. In the Maisie's Marriage affair, censorship operates not only prohibitively--in the regulation of a public sphere of discussion--but also productively--in the actual creation of such a sphere.

NOTES

1. Jeffrey Weeks, Sex, Politics and Society: The Regulation of Sexuality Since 1800 (London: Longman, 1981), chapter 10; Sheila Rowbotham, Hidden from History (London: Pluto Press, 1973), p.150; Jane Lewis, 'The ideology and politics of birth control in interwar England', Womens Studies International Quarterly 2 (1979), 33-48; Robert E. Dowse and John Peel, 'The politics of birth control', Political Studies 13 (1965), 179-97.
2. British Library, Marie Stopes Collection (hereafter BL-SC) ADD 58507, memo of meeting with producers of film, dated 11 April 1923. For biographical information on Stopes, see Ruth Hall, Marie Stopes: A Biography (London: Andre Deutsch, 1977).
3. Ruth Hall, ed., Dear Dr Stopes: Sex in the 1920s (Harmondsworth: Penguin, 1981).
4. Weeks, Sex, Politics and Society, p.192; Lewis, 'The ideology and politics of birth control', pp.35-8.

5. Muriel Box, ed., The Trial of Marie Stopes (London: Femina Books, 1967); Hall, Marie Stopes, chapter 13.
6. Hall, Marie Stopes, p.243; Marie Carmichael Stopes, Married Love: A New Contribution to the Solution of Sex Difficulties, 11th ed. (London: G.P. Putnam's Sons Ltd, 1923).
7. Daily Telegraph, 14 May 1923.
8. Bioscope, 17 May 1923, p.61; Kinematograph Weekly, 17 May 1923, p.73.
9. Leader, Kinematograph Weekly, 17 May 1923, p.59.
10. BL-SC ADD 58507, BBFC to Napoleon Films, 11 May 1923.
11. British Board of Film Censors, Annual report 1923. Other book-based films which ran into censorship trouble at this time include Three Weeks, a Sam Goldwyn production founded on a racy Elinor Glyn novel, and La Garçonne, based on a book by French writer Victor Margueritte which was banned in Britain: Public Record Office, Home Office Papers (hereafter PRO-HO) 45/20045; PRO-HO 45/11446.
12. PRO-HO 45/11382, Home Office memo, dated 24 May 1923.
13. BL-SC ADD 58507, Napoleon Films to Marie Stopes (MCS), 14 May 1923; MCS to T.P. O'Connor, 15 May 1923.
14. PRO-HO 45/11382, Home Office memo, dated 24 May 1923.

15. PRO-HO 158/23, 'The censorship of cinematograph films', circular 373,422/78, 6 July 1923: see Appendix for full text of this circular. See also PRO-HO 45/11191 and 45/22906.
16. PRO-HO 45/11382, Home Office memo, dated 24 May 1923.
17. Neville March Hunnings, 'T.P. O'Connor's 43 rules', in Film Censors and the Law (London: George Allen and Unwin, 1967), pp.408-9.
18. BL-SC ADD 58507, Brooke Wilkinson to Napoleon Films, 29 May 1923.
19. BL-SC ADD 58507, Napoleon Films to MCS, 2 July 1923. The amendments agreed were:
 - a. Opening intertitle--'Camberwell' changed to 'Slumland'
 - b. 'Can't you work that damned thing in the daytime?' to 'Can't you work that machine in the daytime?'
 - c. 'It's drudgery and then it will be children, children, and we can't afford to clothe and keep them' to 'It's drudgery, drudgery from morning till night'
 - d. Delete 'Your father died before he did the harm mine's done'
 - e. 'Did I ask to be created? Don't you think had I known I should have remained unborn?' to 'I almost wish I had never been born'

f. 'Afraid to make another home' to '...have another home'

g. Change 'I wish to say goodnight to Amelia's children'.

In the version of the film discussed herein, amendments a, b, d and e have been effected, but the rest have not.

20. London County Council, Music Halls and Theatres Committee, 27 June 1923; BL-SC ADD 58507, Napoleon Films to MCS, 20 June 1923; LCC to Napoleon Films, 3 July 1923; LCC to various London cinemas, June and July 1923; LCC to MCS, 16 July 1923.
21. PRO-HO 45/11382, Brooke Wilkinson to Home Office, 27 June 1923. It should be noted that Maisie's Marriage was released only a few months after the implementation of the LCC's controversial regulation excluding unaccompanied children from screenings of 'A' films (chapter 2). This film's 'A' certificate would therefore--at least in the populous LCC area--have greatly limited its audience.
22. PRO-HO 45/11382, handwritten Home Office minute, dated 28 June 1923; BL-SC ADD 58507, correspondence between BBFC and Napoleon Films, 22, 25 and 27 June 1923; Daily Herald, 28 June 1923.
23. BL-SC ADD 58507, Cinematograph Exhibitors' Association to MCS, 6 June 1923; Kinematograph Weekly, 7 June 1923, p.61; 21 June 1923, p.51.

24. Morning Post, 11 July 1923; BL-SC ADD 58507, correspondence between MCS and Chief Constables, July 1923; Frederick White to MCS, 9 August 1923. It is difficult to assess the validity of the distributor's claim that all deleted parts of the film had been restored: it may well have been made in order to placate Stopes.
25. PRO-HO 45/11382, minute by S.W. Harris, dated 27 June 1923.
26. PRO-HO 45/11382, circular 446,368/3, 30 June 1923: this circular is reproduced in the Appendix.
27. Hall, Marie Stopes, p.245, footnote quoting a local newspaper advertisement for Maisie's Marriage, 21 July 1923; PRO-HO 45/11382, correspondence between Home Office and Sheffield Chief Constable, July and August 1923. See also figure 4.
28. PRO-HO 45/11382, MCS to Home Office, 11 July 1923; Home Office to MCS, 12 July 1923; BL-SC ADD 58507, MCS to Home Office, 14 July 1923; Home Office to MCS, 17 July 1923.
29. Hall, Marie Stopes, p.245.
30. All references to Maisie's Marriage herein are based on the print of the film in possession of the Samuelson family, which was loaned to the author by David Samuelson. This print has a Censor's certificate which is placed after the title card.

31. This approach is based upon the structural analysis of narrative. See, for example, Vladimir Propp, Morphology of the Folktale, 2nd ed. (Austin: University of Texas Press, 1968).
32. Marie Carmichael Stopes, Wise Parenthood: The Treatise on Birth Control for Married People, 10th ed. (London: G.P. Putnam's Sons Ltd, 1922), chapter 1.
33. Stopes, Married Love, chapter 5.
34. For example, the scene in the nightclub recalls her contention that if married couples cultivated an enjoyment of sex, husbands would have neither the need nor the desire to resort to prostitutes (Stopes, Married Love, chapter 3). And a scene in which the Sterling children are told that their cat is pregnant evokes the argument that parents should be frank with children on sexual matters (Marie Carmichael Stopes, Radiant Motherhood: A Book for Those Who Are Creating the Future [London: G.P. Putnam's Sons Ltd, 1925], chapter 18).
35. 'The half-swooning sense of flux which overtakes the spirit in that eternal moment at the apex of rapture, sweeps into its flaming tides the whole essence of man and woman... .' (Stopes, Married Love, p.130). This is by no means untypical.
36. Dowse and Peel, 'The politics of birth control'.
37. This is a distinction made in auteur-structuralist film theory. Stopes--regarded as 'author', an

individual--the creative subjectivity behind the film to which her name is attached--is to be seen as distinct from 'Stopes'--a convenient label for a structural element of the film which is not reducible to the input or conscious intent of Stopes the person. See Peter Wollen, Signs and Meaning in the Cinema, 3rd ed. (London: Secker and Warburg, 1972), pp.167-68.

38. The distinction is proposed by Tzvetan Todorov, 'Categories of the literary narrative', Film Reader, no.2 (1977), pp.19-37; see also Annette Kuhn, Women's Pictures: Feminism and Cinema (London: Routledge and Kegan Paul, 1982), p.52.
39. On Stopes's protest to the Home Office that attempts were being made to delete her name from the film, S.W. Harris expressed the private opinion that 'I never imagined this could be part of the undertaking (desirable as it might be)': PRO-HO 45/11382, handwritten Home Office minute, dated 12 July 1923.
40. Margaret Dickinson and Sarah Street, Cinema and the State: The Film Industry and the British Government, 1927-84 (London: British Film Institute, 1985), pp.8-12. See also chapter 2 herein.

CHAPTER 6

SEXUALITY AND CINEMA

Only along these lines--by raising the ideal of marriage, by education for parenthood, and by intervening to prevent degeneracy--can we cope with the demoralization which is sapping the foundations of the national wellbeing.

Manifesto of the National Council of Public Morals, 1911

Science and the Socio-sexual

If the films discussed in the last three chapters called forth the acts of censorship directed at them, this was clearly not so much because they were held to be 'indecent' or 'obscene' as because they were regarded as 'controversial'. This, however, begs the question of how controversiality figures in the concrete instances of censorship examined in the present inquiry; and also more generally how controversiality may be produced as an attribute of representations, an attribute which sanctions certain gestures of censorship.

The question of the controversial quality of certain representations acquires a special inflection with

regard to cinema as an institution and a mode of representation, as well as in relation to the specific cases of film censorship examined here. How, it may be asked, does a film or a group of films come to be constituted as censorable? The case histories highlight both the specificity and also the variety and complexity of discourses and power relations involved in such processes. But while any one instance of censorship will embody a unique combination of discourses and power relations, certain general points do seem to emerge from these cases. They arise, of course, after the fact: no ¹ 'macro-historical masterplan' is being assumed here.

One such generalisation is that the distinctive relations of power which come to light in each of the case histories are all implicated in discourses around the body and its sexuality, in the broadest sense of both terms. These discourses are instrumental in turn in the production, at particular historical moments, of certain forms of knowledge: namely, knowledges which aspire to order the domain of the sexual as it participates in and is contained by the social, and which constitute the body and its sexuality as essentially social processes. This discursive field will be termed here the socio-sexual. During the first two decades of this century, certain areas of knowledge competed with each other in the production and

circulation of constructs of the socio-sexual. It is not in this instance simply a question of the production and dissemination of certain forms of knowledge, however: the 'application' of these knowledges in the cause of constituting and regulating their objects is also involved.

At issue here, therefore, is the ordering of objects of knowledge, where certain knowledges produce the socio-sexual as an arena of intervention. Power is exercised in the production and deployment of discourses on sexuality, specifically of knowledge about the socio-sexual. But in concrete instances of the sort considered here, such processes are more complex than might be implied by abstract statements concerning the relationship between knowledge and power. For each of these instances embodies different understandings of both the social and the socio-sexual--and conflicting views about, and strategies for, the perfectibility of these objects. Cinema at this period is actively implicated in the deployment of, and indeed in the competition between, various knowledges as they constitute society and the socio-sexual as spheres of intervention and regulation. Specifically, the operations brought to light in the three case histories constitute a series of exchanges, both between religious and 'scientific' discourses, and more significantly between different scientific discourses on the socio-

sexual.

In the latter case in particular, during the period under consideration here science and sexuality encountered one another in the disciplines of eugenics and sexology. In the earlier part of this period the science of eugenics enjoyed unrivalled pre-eminence as a discipline concerned with certain aspects of human sexuality. As a body of knowledge directed at both measuring and improving the physical and intellectual quality of the population, eugenics concerned itself with questions around reproduction and fertility. Aspiring to scientific authority for their work, eugenists gathered information on fertility; cross-correlated it with variables such as social class, physical and mental health, and environmental conditions; and produced quantitative data on the social-psychological determinants of human fertility. Eugenics, besides being a forerunner of quantitative sociology, also gave birth to what was to become a pervasive and highly authoritative strategy of normalisation, intelligence testing.² If, however, in its quest for scientificity, eugenics aimed to produce 'hard' data on human fertility and its determinants, it made no claim to be a 'pure' science: the substantive findings of eugenic inquiry, in combination with its aspiration to scientificity, gave rise to the

characteristically eugenic doctrine that the quality of the population was capable of improvement. Views among eugenists as to the most effective means of going about this task differed somewhat, however. Whilst, for instance, some favoured a 'negative' eugenics--advocating the discouragement of breeding by the 'unfit', others proposed a more 'positive' approach, whereby the most eugenically 'fit' members of the population were to be encouraged to be more fertile.³

But whatever their internal differences, the social policies of eugenists were invariably actuated by a broadly demographic set of concerns. From a purely eugenic standpoint, if--say--the health and welfare of individuals and families was regarded as important, this was because these benefits would contribute to the general well-being of 'the race'. Eugenics, in taking as its object entire populations, draws upon and amalgamates a particular set of knowledges--medical science, biological science, social science. Each of these knowledges constructs a specific domain of the socio-sexual as an object not only of investigation and scrutiny, but also of regulation.

While eugenics was at the height of its intellectual currency, another corpus of knowledge relating to the body and its sexuality was in process of formation. Sexology--which initially enjoyed rather less public

acceptability than eugenics--also constituted itself as a science, but with an object distinct from that of eugenics: human sexual behaviour and the relations between the sexes. If sexology's object of inquiry differed from that of eugenics, so also did its methods. Sexology aimed not only to record and classify human sexual behaviour in all its variability, but also to set forth the laws which governed it. But to the extent that this project--in its latter aspect, certainly--called for some consideration of the place of sex and sexuality in society, sexology, in common with eugenics, was implicated in the discursive production of a domain of the social--though society is undoubtedly differently conceptualised in either case. For sexology, society was a system operating according to a set of laws, discoverable at a general level by means of observation of particular social behaviours. If sexuality was a variant of social behaviour, then its 'scientific' study was to be regarded as a constituent of that broader science of society, sociology.⁴

The rise of the discipline of sexology as a scientific discourse of the socio-sexual produced diverse and at times contradictory consequences. It has, for example, been argued that sexology's claim to scientificity has privileged certain views about the nature of sexuality: for example, that sexuality was a force of nature,

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governed by immutable urges and instinctive forces. At the same time, however, such a view conflicted with the sociologising imperative of a discipline which, by highlighting the cultural variability of sexual behaviour, often aligned itself with 'progressive' causes of sexual enlightenment and social reform. Thus whereas sexology might well have been instrumental, say, in the construction of categories of 'normal' as opposed to 'abnormal' sexuality, it also claimed a vanguard position in the struggle against repressive, 'old-fashioned' ideas about sex.

If these two tendencies within sexology were contradictory, their conjunction nevertheless produced a distinctive and significant strategy of normalisation: sex education in general, and more particularly advice and guidance on sexual matters delivered by 'experts' to the general public. In somewhat transformed state, some of the ideas of the sexologists gained currency in a body of writings--beginning in the 1910s and achieving wider circulation during the 1920s--advancing, among other things, the novel notion that sexual harmony between husband and wife was a cornerstone of happy marriage. Published in 1918, Marie Stopes's Married Love was among the best known of many books informed by the arguments of the sexologists and directed at the promotion of sexual pleasure as a good thing in itself, whilst simultaneously circumscribing its objects and the

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contexts within which it might properly be sought.

Sexology, like eugenics, concerns itself with the socio-sexual. Both aspire, too, to sanction their project of producing knowledge about, of constituting the field of, the socio-sexual by laying claim to a certain scientificity. And both seek to deploy their respective knowledges in the cause of social reform, so that reform becomes a matter of the application of scientific knowledge rather than, say, an expression of religious, moral or philanthropic principles. However, the socio-sexual is constituted rather differently by eugenics and by sexology, as are the nature of social reforms envisaged and the means advocated for bringing them about. Most importantly, perhaps, while the target of eugenic reform was the population as a whole, the enlightenment on sexual questions promised in popular versions of sexology was directed not at 'the race' but at married couples and families. In practice, however, these objectives were not mutually exclusive: as many of the 'sex experts' of the 1920s argued, a 'eugenic' marriage, in which births were planned and fertility controlled, had a better chance of being a happy union than one in which such matters were left to chance. Nevertheless, this general shift of emphasis away from the population towards the wellbeing of the family and the married couple (if not yet to the individual) must

be regarded as significant, certainly as regards the concerns of the present inquiry.

The films looked at in the three case histories, in their relations with the apparatuses through which they became constituted as objects of censorship, are caught up in a number of ways in this exchange between eugenics and sexology. VD propaganda films, for instance, are marked by a specific eugenic concern--anxieties about the decline of the race as a consequence of the spread of syphilis, a highly contagious and at the time a virtually incurable disease, often contracted sexually but capable also of being passed on to children and other 'innocent' victims. A film like Where Are My Children, on the other hand, might be read as articulating a slightly different eugenic preoccupation--fears that the best elements of the population were at risk of being swamped by the prolifically breeding cohorts of the 'unfit'--the lumpenproletariat and the 'feeble-minded'.

Maisie's Marriage, too, can be understood as bearing a eugenic message: the misery of the Burrows family and the depravity of certain of its members would certainly justify such a reading, while the Sterlings' marriage is clearly a eugenic union. In this film, though, a 'hard' eugenic concern with the state of the race is softened to the extent that the fecundity of the Burrowses is

proposed as the cause, rather than the effect, of their degeneracy, and the happiness of the Sterlings as a family is stressed. At the same time, while this film's stance on eugenics may be seen as positive, even as progressive, there is a sense in which Maisie's Marriage is not primarily 'about' eugenics at all. The trajectory of the film's narrative forces it in the direction, precisely, of Maisie's marriage. The story's central concern, though, is not merely matrimony, but also marital happiness in a world in which large, unplanned families militate against such a state. The pivotal role accorded in this film to a certain type of knowledge, and to the method by which it is communicated to the heroine, suggest a sexological rather than a eugenic impulse in Maisie's Marriage.

But if the films dealt with in this inquiry might be readable as 'speaking' eugenics, or as 'speaking' sexology, this is not to suggest that they simply reproduce or reflect discourses already in circulation outside them. First of all, given that film texts are actively instrumental in the production of such discourses, no fixed and unproblematic boundary can be drawn between the textual and the extratextual. Secondly, in their implication within, and articulation of, debates around eugenics and sexology, the films operate in a complex and often contradictory manner.

For example, the various readings of Where Are My Children--a film which was constituted differently in relation to the eugenics question in Britain as against the USA--indicate that meanings immediately available from what appears to be a single and unitary text may vary according to circumstance. In its country of origin, Where Are My Children was not seen as being solely, or even at all, 'about' eugenics. In Britain, on the other hand, it was immediately slotted into current preoccupations about the falling birth rate and the decline in the quality of the population. This difference, which had to do largely with the conditions surrounding the film's reception in either country, had important repercussions. In Britain especially, the film's appropriation for eugenics, in combination with emergent conceptualisations of cinema and its proper social function, rendered it highly censorable.

But if a 'eugenic' reading of Where Are My Children effectively obliterated the film as a piece of popular fiction, the specificity of cinema--as a mode of representation, as a set of relations between films and their consumers, and as an industry devoted to the production and circulation of a particular type of commodity--must also be taken into consideration in considering the relationship between film texts and discourses which also circulate outside them. Fiction cinema has its own imperatives, and in certain

circumstances these may impede, even undercut, the logic of discourses with which it comes into contact--and indeed vice versa. Processes of discursive productivity, interchange and transformation are at work here.

For example, conventions of fiction cinema might obstruct more than facilitate the expression of eugenic or sexological ideas. Cinematic narrative cannot be regarded as a neutral vehicle through which ideas which pre-exist films are conveyed through films. On the contrary, as each of the case histories demonstrates, the characteristic privileging of the individual and the dramatic in fiction cinema through its emphasis on character and action specifies, even at moments occludes, issues which go beyond the narrative. Film, in other words, deals with such matters in its own way, at times with unexpected consequences. If at a particular period cinema, and specifically fiction cinema, was taken up as a means of disseminating 'scientific' knowledge of various kinds, Science certainly did not have things all its own way. As a signifying system, fiction cinema might not have barred the way to Science, but it seems to have opened up only those entrances it deemed, in terms of its own conventions, appropriate.

Social Hygiene, Social Purity and Social Science

The courtship, successful or otherwise, of cinema by Science at a certain historical moment may be seen as a bid to advance the epistemological claims of Science as against those of religion. Eugenics and sexology both constituted themselves as sciences, devoted to a specific approach to the production of knowledge and to the mobilisation of that knowledge in the cause of social reform. If they differed as to their objects of knowledge and objectives of reform, they nevertheless inhabited a similar world of epistemology and value. Both eugenists and sexologists adopted the term 'social hygiene' to characterise their approach to social reform: such a label had the merit of imbuing their activities with overtones of scientificity, while stripping them of the philanthropic and moralising (in short, the 'unscientific') connotations of earlier conceptualisations of social reform.

The struggle between religion and Science overarches the exchange, within the latter's sphere, between tenets and programmes of eugenics and sexology: the implicit distinction between social hygiene and social reform may be regarded as symptomatic of a rivalry between religious and scientific worldviews. This rivalry was embodied in several contemporary institutions and practices, notable among them being Public Health. The earliest years of this century saw a renewed interest in

public health issues, fuelled largely by a number of scientific 'advances', notably the isolation of the bacilli of certain diseases. These developments had repercussions for the ways in which the highly socially visible disorders of tuberculosis and syphilis were--in all senses of the word--treated. (The syphilis spirochaete, for example, was isolated in 1905, and salvarsan--the earliest cure for the disease known to Science--was formulated in 1910.⁷) Although the preoccupations of the social hygiene movement were not the same as those of Public Health, they shared substantial areas of common interest, while both projects were informed by the scientific attitude.

Writing in 1912, the sexologist Havelock Ellis stated that social hygiene is 'a development, and even a transformation, of what was formerly known as Social Reform'.⁸ Social hygiene was an advance on social reform, Ellis continued, because it was directed at the prevention of social evils by attacking them at root, an objective made possible by advances in the sciences, particularly in the biological sciences. Ellis's prescriptions for the tasks of social hygiene are grounded not in biology, though, but rather in the sciences of the socio-sexual: eugenics to deal with the problems of the falling birth rate and feminism's deleterious effects upon maternity; sexology to promote sexual instruction for children and to inform the legal

regulation of certain sexual behaviours; and a combination of the two to handle the question of 'married love'. The domain of social hygiene, then, is exactly the socio-sexual: which is regarded as an area to be discovered, described, mapped, understood, and finally reformed with the assistance of Science. Science, in this view, offered a superior approach to the betterment of society because it was diagnostic: it could predict, and therefore it could also prevent.

The contention that social reform, unlike social hygiene, is an activity that comes into play only after the event, that it deals with the symptoms rather than the causes of social ills, may be seen as a blow struck in a larger battle being waged at this period between the claims of Science, as against those of God, in the quest for knowledge and understanding of the world. For God, in these years, was still far from dead: in the arena of social reform, certainly, a religious worldview did not merely survive, but flourished in discourses of social purity and public morality. The social purity movement rose to public prominence after the mid-19th century, on a wave of moral indignation about social evils such as prostitution, promiscuity, sexual exploitation and the sexual double standard. With its predominantly moralising impetus, social purity was active, if not always directly and unproblematically so,

in various arenas of social reform.

The social purity movement, then, shared with social hygiene the constitution of a socio-sexual sphere as an object of reform. However, rather different understandings of the socio-sexual are at stake in each case. For social purity, the importation of sexuality into the realm of the social rendered the former subject to strategies of surveillance and regulation governed by notions of morality. Morality was regarded as a social, or a public, matter, while specific moral codes were usually seen as in the final instance God-given. Morality, in this view, was no private matter: it inhabited the sphere of the socio-sexual precisely as public morality.

This is not, however, to suggest that the battle between Science and God, between secularly- and religiously-grounded knowledges and strategies of reform in the area of the socio-sexual, was waged on terrain neatly divided between two distinct and readily identifiable antagonistic forces. The situation was rather more complex than this: for the period is marked, discursively, by a remarkable degree of interpenetration of religious and scientific worldviews and associated apparatuses and practices. It is symptomatic and quite characteristic of the time, for example, that a social purity organisation like the National Council of Public

Morals should embrace both Science and God in its objective of working towards 'the regeneration of the race--spiritual, moral and physical'. This statement of aim manages to combine a eugenically-inspired social hygienist concern about the physical quality of the population with a religiously-based construct of morality as a public sphere of regulation.

Within the terms of such a 'hybrid' discourse, a cinema harnessed to the aspirations of moral reform becomes feasible, and capable at the same time of legitimation in terms of claims to scientificity: hence the sponsorship or promotion of certain films by social purity and/or social hygiene organisations--Where Are My Children by the NCPM, for example, and The End of the Road by the National Council for Combating Venereal Disease. In concrete instances, it is often difficult to assess the degree to which the claims of religion outweigh those of Science, or vice versa, for they appear very much interrelated. It is characteristic, for example, that at the launch of Where Are My Children, both interests were represented--in the figures respectively of the Bishop of Birmingham, President of the NCPM, and C.W. Saleeby, sociologist and noted populariser of eugenic ideas. The National Council and bodies like it were usually supported by public figures standing for an extremely wide range of

scientific, political and religious interests and shades
of opinion.¹⁰ Different knowledges also co-exist within
many of the films under consideration in this inquiry.
In particular, the VD propaganda genre is marked by a
medico-moral discourse in which cure (wrought by
Science) and salvation (wrought by God) are conflated:
in these films, both are typically constituted, in
narrative terms, as necessary to the restoration of the
integrity of a character who has fallen prey to a
sexually transmitted disease.

The imbrication of scientific and religious discourses
during this period suggests that their struggle for
epistemological ascendancy was intense. The religious
worldview was evidently very much alive in the fields of
social purity and public morality, and quite capable of
putting up a fight against the claims of Science, even
though in most areas of social reform Science--at the
service not only of voluntary agencies of reform but of
the State as well--would in one guise or another
eventually win the day. The NCCVD's change of name in
1925 to the British Social Hygiene Council, for
instance, may be regarded as symptomatic of a shift
away, in the deployment of knowledge about the socio-
sexual, from purification of the moral body and towards
hygienisation--precisely rendering physically healthy--
of the social body.

Such a shift is manifest, too, in a growing tendency among agencies of social reform to appeal to certain types of 'scientific' knowledge in support of their activities. When the NCPM mounted its Cinema Commission of Inquiry in 1916 to look into the 'physical, social, educational and moral influences of the cinema', it was in fact participating in the production of a science of the social--of social science, that is--as an adjunct of social reform. Investigations like this promised to confer credibility on reform programmes, precisely because such programmes could lay claim to scientific predictiveness, precision and objectivity. The Report of the Cinema Commission, when published in 1917, was the first piece of work of its kind on cinema to appear in Britain: as such it inaugurated a certain strategy of describing, of knowing about, and thus of constituting, cinema. Cinema, according to the Report, could indeed be a social problem, particularly in relation to certain audiences--though handled in the right way it could also be a good thing.

At a certain conjuncture, then, social science and social hygiene forged an alliance in the struggle for secular hegemony over discourses of social reform. As part of this process, the field of the socio-sexual was mapped with the authoritative and powerful assistance of Science, in the teeth of religion's counterclaims for it

as a domain of public morality. Out of this conflict emerged new approaches to, and objects of, reform: among the latter being cinema itself, which took its place alongside other components of a social body increasingly conceptualised in terms of degrees of health or sickness, and as subject to regulation by interventions seen as likely to be effective in the degree to which they were scientifically-grounded. Science, then--in the guise of social science and social hygiene--aspired to become the principal means of restoring the integrity of the social body. At the same time, though, wherever notions of public morality persisted or prevailed in the sphere of the socio-sexual, society continued to be conceptualised also in terms of religiously-based discourses on the body and its sexuality. In such circumstances, both sexual morality and the sexual body became matters of pressing social concern.

The Instrumentality of Corruption

In a particular set of historical circumstances, then, the sexual body and the social body became assimilated to one another. The case of VD propaganda films illustrates how, at a particular moment, the perceived health of the sexual body came to stand in for the integrity--the fitness and the soundness--of an entire society. Such an identification is understandable only in terms of a specific discursive combination of Science

and religion: on the one hand, discourses of social hygiene which concerned themselves with the health, or lack of it, of society; on the other, discourses of social purity which claimed morality in general, and sexual morality in particular, as matters for public discussion and social regulation.

Any such discursive ensemble must be regarded as conjuncturally specific. In the case once again of discourses surrounding the VD propaganda genre, scientificity made its appearance in a eugenic concern of a kind especially prominent in the wake of the moral panic about venereal disease during World War I: it was feared that a rapid spread of VD would inevitably have a deleterious effect on the general physical quality of the population. On the other hand, while--also during the 1910s--a eugenic reading of the film Where Are My Children was effectively forced upon it by the conditions of its reception in Britain, the eugenic concern was in this instance directed at a decline in birth rate among the middle- and upper-middle classes, a trend which, it was also felt, constituted a threat to the quality of the population.

Underlying such preoccupations with the physical state of a population is an anxiety about its vulnerability to corruption. In this context, corruption must be

understood in all its senses: the perversion of something from some original state of purity; taint or contagion; making or becoming morally corrupt; moral deterioration or depravity. A healthy, clean or pure community or society might become corrupted by disease, then, or by decay if its 'best stocks' were being swamped by the over-fecund 'unfit'. To the extent that a notion of corruption assumed moral or spiritual, as well as physical, overtones, though, the would-be impartial scientific discourse of eugenics stood at risk of sliding into a social puritanical one of moral judgement. At the same time, however, social hygiene and social purity continued to advance their own distinct remedies for corruption. For the moral reformer, spiritual regeneration constituted the corrective; while as an alternative to the purification of the collective soul, Science offered the cleansing properties of impartial, secular knowledge. For Science, an understanding of how, say, venereal disease is contracted and transmitted was a prerequisite to bringing its racially corruptive effects under control. From a scientific standpoint, it was not so much sin as ignorance--or perhaps rather the 'wrong' sort of knowledge--that corrupted.

In accordance with this view, social hygiene allied itself with the scientific objectives of sex reform in advocating widespread education on sexual matters. The

NCCVD, for example, contended that that the cause of eliminating venereal diseases would be assisted if young people could receive instruction about the nature and effects of these disorders, and about how they could be avoided and cured. After the VD scare had died down, this body--now with a new name--broadened its remit to take in sex education in general, emphasising its commitment to social hygiene. In line with its general policy on education, the NCCVD/BSHC was consistent over many years in supporting 'health propaganda' films. It is on this question of sex education, perhaps, that scientific and religious worldviews diverged most sharply. Informing young people about sex was regarded in many social purity circles as in itself a moral risk, even an incitement to illicit sexual activity. Indeed in discourses of social purity, moral rectitude, sexual innocence and ignorance often went hand-in-hand.

The fear of corruption that lay at the heart of much eugenic thinking during the earliest years of the twentieth century obviously opened a space for the recursion of a religious worldview into 'scientific' knowledge about society, especially when deployed in the service of social reform. Notions about the hygienisation of the race acquired moral and spiritual, as well as mundanely physical, overtones. In the first two decades of this century, and especially during World

War I, the discursive conflation of the population's moral with its physical condition coalesced into a set of anxieties about the decline of Britain as a nation. As a consequence, race and nation became constituted as synonymous with one another. The production, promotion and reception of films like Where Are My Children, Damaged Goods and The End of the Road participated in all these discursive processes.

Knowledge, though, is rarely if ever monolithic: eugenics, certainly, incorporated several different positions. After the War ended, eugenic thinking appears to have undergone a shift of emphasis, which heralded its eventual decline as the hegemonic scientific discourse of the socio-sexual. From its earliest years, the eugenic movement had always counted among its numbers some who adopted a 'progressive' line on the improvement of the race. Progressive eugenicists advocated positive programmes of social reform--including child welfare benefits and better housing--whose end result would be to enhance the overall quality of the population.¹¹ A concern with the general health, welfare and happiness of the community brings this branch of eugenics close--at the level of policy, certainly--to other reform groups whose overall objectives were actually distinct from those of eugenics. Among these was the birth control movement,¹² which was supported also by sex reformers.

In the 1920s, with the transformation of eugenics and the rise of new scientifically-grounded social hygiene movements, reform began to concern itself less with the state of the race than with the welfare of families, or the improvement of the life chances of women and/or the working classes. But if these different objectives are founded on dissimilar conceptualisations of the social order, they are not actually mutually exclusive at the level of policy and practice. A film like Maisie's Marriage, whose theme sets it apart somewhat from Where Are My Children and the VD features, is readable in light of a movement towards the family and away from the race as a major object of social reform. Nevertheless, this is not to imply, for instance, that a concern with the family is absent in the earlier films: on the contrary, in fact. In Damaged Goods, as has been argued, the hero's transgression is instrumental in, even punished by, the breakup of his family, while a resolution of the film's narrative is dependent upon the family's reconciliation. And in Where Are My Children, the tragedy of the Waltons lies exactly in the fact that, doomed to a childless marriage, they will never enjoy a 'real' family life. In fact, perhaps in all of the films which have been considered here, regardless of differences of theme and emphasis, a 'proper' family is constituted if not as a goal towards which the narrative

must proceed, certainly as necessary to the happiness of key characters in the story.

The fact that such a varied group of fiction films shares a preoccupation of one sort or another with the family must be regarded as significant. It suggests, for one thing, that film texts cannot be seen as merely reflecting 'extratextual' processes, such as shifts in discursive constructions of the socio-sexual. While it would be misleading to posit any fixed line of demarcation between a film as text and a world of social practice or discourse outside the text--between text and context, in other words--it should be remembered that cinema, as a specific practice of representation, does possess a logic of its own. Thus, for example, if at a certain moment a moral panic about VD mobilised a peculiar combination of eugenic and moralistic thinking in an articulation of anxieties about the decline of the nation, fiction films on the topic had no alternative but to speak these concerns in the 'language' of cinematic narrativity. Films, then, do not reflect a 'real' world outside the text, nor indeed--if it is conceptualised as operating prior to its textual formation--any discursively constructed social formation. Cinema is a discursive process in its own right: thus in the present instance, films themselves are actively instrumental in discursive constructions of the socio-sexual. In this process, films--certainly the

ones dealt with in this inquiry--tend to privilege the family over against the race/nation: though to the extent that it incorporates constructions of the latter, cinema's processes of discursivity cannot be regarded as entirely autonomous.

Cinema--specifically fiction cinema--has a momentum of its own. Conventions of cinematic narrativity privilege individual characters, their actions and their relations with other characters, as opposed to more abstract concerns such as the state of the nation. Even so, meaning can never be completely fixed, and readings of individual films as parables, say, or as moral tales are undoubtedly available, especially where authorised by certain conditions of production and reception. Where Are My Children, for example, was constituted by the conditions under which it appeared in Britain as a 'film sermon' on the question of race suicide, never emerging as the riveting family melodrama it had been in the USA; at a meta-narrative level, Fit to Fight identifies freedom from disease with patriotism, suggesting that both are necessary prerequisites of a nation's victory in war; in VD propaganda films in general, characters are usually constructed as types--in terms of their moral positions, or the positions they occupy as enunciators or recipients of narratively-crucial knowledge. In these respects many of the films dealt

with in this inquiry combine the concerns with the familial and the personal characteristic of the popular fiction cinema of the day with a preoccupation with contemporary social and socio-sexual questions.

Cinema's active involvement in processes of discursivity is well illustrated by the ways in which fears about corruption in the socio-sexual sphere are articulated in these films. During the 1910s, anxieties about the corruption of the moral and physical integrity of the race/nation grounded both fears about a declining birth rate and also a moral panic about venereal disease. In the films, these concerns are seized upon, but are transformed--often beyond recognition--when they come in contact with the specific qualities of cinema as representation: with the conventions, that is, of narrativity and characterisation, and by cinema's properties as spectacle. In particular, in the production of meanings centering upon innocence, specifically that female sexual innocence with which fiction films of the period seem to be fascinated, not to say obsessed, cinema constructs corruption in opposition not so much to health or integrity as to a certain kind of innocence.

Alongside sexual innocence, however, knowledge might also be posed as a counterforce to corruption. As has been noted, in many of the films dealt with here, lack

of certain kinds of knowledge is a typical narrative motivator, though the eventual provision of the absent knowledge might serve a variety of narrational ends. In a VD propaganda feature such as Damaged Goods, the downfall of the hero as a syphilis victim comes about as a direct result of his ignorance about venereal diseases and how they can be cured: a satisfactory resolution of the narrative demands that George Dupont obtain both knowledge and cure. Knowledge, therefore, is itself constituted as prophylactic. In another VD film, The End of the Road, this is even more explicit: sex education is urged as a means of preventing women from falling into 'disease and disgrace' as a result of ignorance. On the other hand, in Maisie's Marriage, a film informed more by sexology than by eugenics, knowledge of another sort--about birth control--is proposed as a prerequisite of a rather different narrative goal--personal and conjugal happiness.

But while a certain sexual innocence might be set up as an object of desire, the simultaneous construction as narratively crucial of knowledge on sexual matters opens up a space of contradiction between different discourses on corruption and its remedy. It is significant, perhaps, that the question of female sexuality is involved here; especially given that the period is marked by conflicts about the morality, desirability and

utility of propagating information on sexual matters. These conflicts, waged against a background of struggle between the rival claims of various scientific and religious knowledges to the socio-sexual as an arena of inquiry and reform, are centred upon the problem of knowing about the body and its sexuality. Conducted on the terrain of cinema, they call forth relations of power which constitute cinema as a particular domain of regulation, so setting in play certain machineries of regulation.

Knowledge, Power, Cinema

The period under consideration in this inquiry is characterised by a series of rivalries, struggles even, between various forms of knowledge competing for pre-eminence in the discursive production of the sphere of the socio-sexual as a distinct object of inquiry and regulation. If the principal antagonists here were Science and religion, there was also competition within each area. In the field of secular knowledge, in particular, eugenics and sexology both laid claim to scientificity, while each defined the socio-sexual in its own terms. But while the socio-sexual was constructed differently through various forms of knowledge, there was also a certain degree of accommodation between different knowledges. So, for instance, the objectives of social hygiene and social purity might be united in the activities of

organisations devoted to social reform--the National Council of Public Morals being a case in point: while--as in the case of their common advocacy of birth control--eugenicists and sexologists increasingly came to share similar goals.

Rivalries nevertheless persisted: in particular, distinctions were frequently made between acceptable as against unacceptable knowledge about the body and its sexuality, and contending claims made, if not for the truth certainly for the practical usefulness of different forms of knowledge.¹³ If such struggles signal some broad interrelation of knowledge and power, an analysis of particular instances demonstrates more specifically how knowledge is produced within particular apparatuses and practices, and how these in turn are caught up in various strategies of power. Conflicts as to the truth and/or utility of specific knowledges, then, are institutionally implicated. Was the source of 'proper' knowledge about the body and its sexuality to be the Church, the medical profession, the Eugenics Society, the social purity movement, or the sex reform movement? Among the various knowledges which staked their claims to the territory of the socio-sexual during the early part of this century, conflict prevailed not only over the contents and sources of 'proper' knowledge in the field, but also over the dissemination of such

knowledge: where was it to be directed, and what was the most appropriate means of circulating it? If knowledge of the socio-sexual is institutionally implicated, so too is its social availability. Relations of power surrounding knowledge of the socio-sexual comprise both incitements and resistances, then, not only to the production, but also to the circulation, of such knowledge.

Cinema is caught up, at a number of levels and in a variety of often contradictory ways, in these power relations. For example, certain sources of knowledge of the socio-sexual may be privileged over against others in films. VD propaganda features in particular repeatedly stress the disastrous consequences, for characters seeking cure for their condition, of relying on 'improper' forms of scientific or quasi-scientific knowledge. Only characters who consult qualified medical practitioner can be sure of a cure, while for those who go to 'quacks'--practitioners whose claims to scientific proficiency are constituted as spurious¹⁴--ruin of one kind or another is inevitable. In a different thematic context, the perversion of medical expertise is also condemned in the character of the abortionist Malfit in Where Are My Children. In Maisie's Marriage, however, the knowledge necessary to satisfactory narrative closure is provided not by a doctor but by a happily-married, and presumably sexually

satisfied, middle-class wife and mother, whose enunciative authority is guaranteed by life experience rather than by any specialised scientific knowledge.

If, at least at a surface level, the films dealt with in this inquiry are readable as speaking on behalf of particular sources of knowledge about the socio-sexual, such superficial readings are not necessarily exhaustive. In all of the films, socio-sexual knowledge of one sort or another is pertinent, even pivotal, to the progress of the narrative; and yet the narrative cannot propose any simple, fixed opposition between knowledge as desirable and its lack as undesirable, because the imperatives of cinematic representation get in the way. The narrative trajectory of knowledge is particularly prone to interruption on the part of female sexuality, or rather by constructs of female sexuality in the fiction cinema of the period--a cinema in which female sexual innocence and virginity are commonly reduced to one another and eroticised as 'purity'. In their preoccupation with a sexual purity at constant risk, and with the moment of a sexually uninitiated young woman's fall from innocence, the films examined here are by no means untypical. The character of the housekeeper's daughter in Where Are My Children--whose seduction and fall lead ultimately to her death--exemplifies this tendency at its most extreme. However,

if purity is commonly represented as contingent upon sexual ignorance, its construction as desirable must impede a narrative's impulse to knowledge. Any film which proposes not only sexual knowledge but also (where innocence equals ignorance) sexual innocence as desirable is obviously enmeshed in a contradiction. In many of the films considered here, both processes are indeed simultaneously at work: as propaganda, they privilege knowledge, while as popular fiction they sanction innocence/ignorance. It is this hybrid quality, perhaps, which places most of these films at the margin of contemporary mainstream cinema.

The question of the nature of popular cinema links with that of the social availability of knowledge of the socio-sexual: the somewhat uneasy position of such knowledge vis-a-vis certain conventions of fiction cinema renders the latter rather problematic as a vehicle for its dissemination. In fact, within social purity and sex reform movements, there was a good deal of disagreement on this very issue: while in some quarters, cinema was regarded as a potentially useful means of reaching large numbers of people, in others it was seen as partly responsible for that very decline in moral standards against which purity campaigns were being mounted. So, for example, although VD films were sometimes promoted by organisations devoted to the elimination of sexually transmitted diseases, there was

at the same time a good deal of resistance to this tactic within the sex reform and social purity movements themselves. To this extent, VD propaganda films cannot be regarded unproblematically as participating in an
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'education for chastity' movement.

A reluctance to countenance cinema as a means of disseminating socio-sexual knowledge might be justified by reference to certain 'problems' arising from the prevalent conditions of exhibition and reception of feature films. Since meaning is never finally fixed, a film may be open to a variety of readings--and in the case of films of the sort dealt with here, not all of them necessarily in accord with the intentions of those working for the cause of sex reform or moral enlightenment. Indeed, it was the possibility of unintended readings--especially readings of films for their pornographic, rather than for their educative or moral, value--which led most social purity and social hygiene campaigners to an increasingly cautious attitude towards cinema as an instrument for propagating their ideas. Commercial exhibition was considered particularly troublesome, precisely because in such circumstances readings of films could not easily be channelled in the desired direction. With private screenings, on the other hand, publicity remained under the control of sponsors rather than cinema proprietors,

and audiences could be pre-selected and directed towards 'appropriate' readings by means of printed leaflets, talks and other supporting material. At the same time, though, such strategies for circumscribing meaning also effectively eliminated the main point in favour of commercial cinema: the large audiences it could command.

The films discussed in this study came to be constituted as troublesome in the degree to which they escaped certain attempts to direct their reading. Foremost among the problems presented by these films, when set loose in the relative semiotic free-for-all of the picture palace, was the sort of people who would be likely to see them--the cinema audience. During the period covered by this inquiry, the audience for commercial cinema was assumed to be comprised largely of working-class people, large numbers of children and adolescents among them. Much of the concern expressed about the appropriateness of cinema as an instrument of moral and sexual reform turns precisely on the social composition of the audience for films. Were the working classes fit to receive knowledge of this kind? And if so, was the cinema the best way of disseminating it? What, after all, was commercial cinema for: entertainment or enlightenment?

Behind such questions lie two key assumptions of the

period about the cinema and its audience. Firstly, it was felt that certain groups in society--namely, the working classes, and working-class children especially--might easily be corrupted rather than enlightened by socio-sexual knowledge, especially when disseminated in the already morally questionable conditions of the public cinema. Knowledge in these areas, far from 'moralising' the infinitely corruptible lower classes, might actually incite them to immoral acts--might, in short, 'demoralise' them.

To the extent, therefore, that at a certain moment matters pertaining to the body and its sexuality were raised in fiction films, especially in films intended for commercial exhibition, cinema took part in producing and circulating certain forms of knowledge of the socio-sexual, and consequently in that proliferation of discourses on sexuality which is said to mark this period. At the same time, however, such incitements produced resistances, ranging in this instance from a rejection of cinema as a vehicle for transmitting certain types of knowledge, to acts of censorship directed at particular films. This dual movement of incitement and resistance is condensed in the moment around the mid-1910s when the social purity movement became a site of struggle over understandings of cinema and its place in society: was cinema to be considered a

threat to public morals, or a means of spreading moral enlightenment? Crucial in the resolution of such a question was the discursive construction, at a specific juncture, of the cinema audience, and the processes through which cinema itself came to be constituted as a public sphere of regulation.

NOTES

1. Jeffrey Weeks, Sexuality and its Discontents: Meanings, Myths and Modern Sexualities (London: Routledge and Kegan Paul, 1985), p.7.
2. Nikolas Rose, 'The psychological complex: mental measurement and social administration', Ideology and Consciousness, no. 5 (1979), pp.5-68.
3. G.R. Searle, Eugenics and Politics in Britain, 1900-1914 (Leyden: Noordhoff International Publishing, 1976).
4. Weeks, Sexuality and its Discontents, chapter 4.
5. Weeks, Sexuality and its Discontents, p.70.
6. On 'expert' advice about sexual matters, see Ellen Ross, '"The love crisis": couples advice books of the late 1970s', in Women, Sex and Sexuality, edited by Catharine R. Stimpson and Ethel Spector Person (Chicago: University of Chicago Press, 1980), pp.274-87(p.279). For a radical feminist view of these developments, see Sheila Jeffreys, 'Sex reform and anti-feminism in the 1920s', in The Sexual Dynamics of History,

- edited by the London Feminist History Group
(London: Pluto Press, 1983), pp.177-202.
7. C. Fraser Brockington, A Short History of Public Health (London: J. and A. Churchill Ltd., 1966), p.53.
 8. Havelock Ellis, The Task of Social Hygiene (London: Constable and Co. Ltd., 1912), p.1.
 9. Edward J. Bristow, Vice and Vigilance: Purity Movements in Britain Since 1700 (Dublin: Gill and Macmillan, 1977); Jeffrey Weeks, Sex, Politics and Society: The Regulation of Sexuality Since 1800 (London: Longmans, 1981), chapter 5.
 10. For example, signatories to the NCPM's manifesto included representatives of various churches and religious bodies, ranging from six bishops to 'General' William Booth of the Salvation Army; academics and practitioners in the fields of science, medicine, eugenics and philosophy; politicians; and such public figures as Beatrice Webb, Mary Scharlieb, C.W. Saleeby and Rider Haggard: The Times, 31 May 1911, p.5d.
 11. Michael Freeden, 'Eugenics and progressive thought: a study in ideological affinity', Historical Journal 22 (1979), 645-71.
 12. See Sheila Rowbotham, Hidden from History (London: Pluto Press, 1978), chapter 22; Jane Lewis, 'The ideology and politics of birth control in interwar England', Womens Studies International Quarterly 2

1979, 33-48.

13. On the denigration of one form of knowledge, folk 'science', see Carlo Ginzburg, 'Morelli, Freud and Sherlock Holmes: clues and the scientific method', History Workshop Journal, no. 9 (1980), pp.5-36.
14. In 1917, following a recommendation of the Royal Commission on Venereal Diseases, Parliament passed the Venereal Diseases Act, which placed restrictions upon advertising and practice by unqualified practitioners.
15. As Edward Bristow suggests: see Vice and Vigilance, pp.149-51.

CHAPTER 7

CINEMA: A NEW PUBLIC SPHERE

From the censoring of films to the censoring of audiences is but a short step.

The Bioscope, 1917

Public and Private

Having made its debut in the 1890s, cinema entered a certain public sphere of regulation in 1909, with the passage of the first Cinematograph Act. However, this legislation, far from settling the issue of cinema's place in the public sphere, effectively inaugurated a series of struggles over precisely that question. For at least a decade and a half, the question of how cinema was to be defined, understood and in the final instance regulated stood at the centre of an array of discourses, practices and powers which participated in a common--but contested--project of constituting this new medium. A good deal of uncertainty about what cinema was to become, and what was to become of cinema, marks the years between 1909 and 1925. Many of the struggles, the

rivalries, the alliances--in short the power relations-- at work in this period, as cinema was in process of constitution as a public sphere of regulation, reveal themselves in the case histories at the centre of this inquiry.

But if cinema was, for a time at least, 'up for grabs', it was eventually to take its place in the public sphere as a highly circumscribed object. Before considering how this came about, it might be useful briefly to look at some of the conditions under which specific formations of the public sphere are produced in concrete social instances. Such formations may purport to be grounded in the first place in a certain distinction between public on the one hand, and private on the other. This distinction functions to demarcate areas of social life and social space, constructing them as mutually exclusive, self-evidently distinct from one another. Thus the public/private opposition is commonly deployed in the service of ordering and classifying diverse forms of social organisation, appealing to an underlying or *a priori* dualism. This, however, is not what is being proposed here.

For when the public/private opposition is traced in its specificity in concrete social-historical instances, it soon becomes clear that not only the content of each category, but also the site of the boundary between the

categories, are potential sites of struggle. Even if at some abstract level the public and the private might be seen as constituting distinct domains, there will still be variations in actual social-historical instances as to what is held to belong in either category, and where the one is held to stop and the other to begin. Public and private, in other words, are discursive constructs, produced differently in every one of the instances in which they operate as categories in opposition, and yet at the same time appealing to a universal distinction. These categories are to be understood, therefore, as effects of negotiation and contestation between discourses and powers in play in particular social, historical or cultural instances.

If there is any general ground for distinction between public and private spheres, this might be that the public constitutes the domain of legitimate social regulation while the private falls outside, or inhabits the fringes of, that domain. Although this may seem tautologous--whatever is public is in the field of regulation and whatever is in the field of regulation is public--such circularity may be dispensed with by considering specific constructs of public and private. For example, even within one system of thought--political philosophy--at least three understandings of the private sphere can be identified: a geographical

notion of private space; an alignment of privacy with the person or her/his individuality; and an association between privacy and property or ownership.

The desire of each of these constructs of the private would be to place its contents outside the ambit of social regulation. And yet as constructs they can never be finally fixed: each is always negotiated, always in process. The boundaries between the public and the private, the regulated and the unregulated, then, are constantly shifting, constantly susceptible to challenge and reformulation. Thus, for instance, a liberal political philosophy might seek to determine the limits of the public sphere by appealing to certain notions of harm, arguing that only transitive harm--harm done by persons to others, say--justifies legal regulation. A conservative view, on the other hand, might hold that this particular harm condition is insufficient, because it excludes moral and social harm. Morality, according to such a view, is not a matter of individual choice, but rather a public issue, and so subject to regulation on grounds that a breach of the moral code constitutes¹ an offence against the community. Not only are different limits to the public sphere produced in different discourses, but these distinctions also call into play operations of power through which boundaries between public and private--and therefore strategies of regulation of the public--are negotiated. At stake,

therefore, in the public/private distinction, and in the definitional struggles across the various discourses which construct it, is nothing less than the regulation of the social order.

During the period early in the present century when cinema was becoming established as a major leisure industry, it was also in process of becoming a public sphere, subject to regulation. The emergence of a public sphere of cinema was, however, contested: its creation involved struggles over both its character and its boundaries, struggles between different powers and various understandings of what cinema--both as industry and as representation--ought to be. Through these contestations cinema was produced as a particular public sphere of regulation. What, then, were the powers involved? How did they operate, and with what effects? In what ways was the public space that would be inhabited by cinema conceptualised during this formative period?

Initially, perhaps, cinema was regarded as a public sphere in the degree that films were consumed in public, as opposed to private, places: after 1909, films were increasingly exhibited in purpose-built picture palaces to which the general public could gain admittance simply on purchase of a ticket. In this context, cinema could

be defined as a public sphere on the grounds that cinema buildings were places of public resort. Such an effectively spatial understanding of cinema's public sphere was enshrined in the earliest legislation relating to the medium, the Cinematograph Act of 1909. At the same time, however, the public/private opposition soon began to acquire other inflections vis-à-vis cinema. In particular, a distinction on grounds of person informs certain debates about the users of cinema. This becomes most evident where the effects of cinemagoing on the morals and conduct of cinema audiences was at issue.

In relation to cinema, then, the public/private distinction is constructed first of all in terms of the places in which films were consumed. Also important, however, is the constitution of consumers of films as inhabitants of a public sphere of regulation. Between cinema buildings on the one hand and the cinemagoing public on the other lie actual films, representations seen as inhabiting a public sphere by virtue not only of the place, but also of the manner, of their consumption. At a certain moment, all these would-be constituents of cinema's public sphere--buildings, persons, representations--became the target of a series of sometimes contradictory strategies directed at the definition and regulation of cinema. Various contending forces were at work in determining the nature of

cinema's public sphere--what cinema was, what it was for, and how it was to be regulated. However, this process of definition, like any other, is exclusive as well as inclusive: if it aimed to settle the question of what cinema was, it would also determine what cinema was not. Power relations involved in the creation of the public sphere of cinema placed certain films, modes of consumption and relations of spectatorship outside the limits of that sphere, with the result that a circumscribed public sphere of cinema eventually became coterminous with cinema tout court.

A Contested Public Sphere

The places in which films were shown were public in the sense that they were open to any passer-by choosing to walk in and buy a ticket. But if cinemagoing involved economic exchange, film was a curious sort of commodity: the consumer purchased not the film itself as a physical object, but simply the right to sit for a while in a darkened auditorium watching shadows on a screen. Cinema's success as a business, however, depended exactly on this mode of consumption: one film was capable of simultaneous viewing by a large number of people; while for each projection of a single print of a film, hundreds of tickets might be sold. If the pleasure obtained from viewing a film was an individual or a private matter, the conditions of its viewing made

the act of spectatorship a public, if not necessarily a social, activity. And while the peculiar commodity status of films did not necessarily dictate that they be consumed in places of public resort, the imperatives of an industry founded upon a certain technology and devoted to the maximisation of profit certainly rendered the public commercial cinema a highly appropriate site for the consumption of its products and for the formation of its consumers.

While apparatuses of exhibition and consumption of films might be historically contingent, strategies for regulating cinema effectively endorsed a particular set of exhibition practices, so privileging certain modes of reception. Among the most significant of these strategies is undoubtedly the legal discourse embodied in the 1909 Cinematograph Act, which provided for controls over cinema buildings. Buildings were defined in the Act in terms of cinematographic technology: they were places where 'pictures or other optical effects' were exhibited 'by means of a cinematograph [projector], or other apparatus, for the purposes of which inflammable films are used'. Because the nitrate film stock in general use at the time was considered dangerously inflammable, it was argued that cinemas presented a special risk of fire. Certain controls over the places where films were shown were consequently seen as justifiable in the interests of public safety.

But legal discourse in this area was more complex and contradictory than would be suggested by an apparent concern with the physical safety of cinemagoers. This is due partly to the Cinematograph Act's incorporation of pre-existing approaches to the legal control of places of public entertainment, and partly to the way in which the Statute itself was drafted. In the first instance, as places of public entertainment catering to the common people, cinemas were regarded as comparable with music halls: the Cinematograph Act's provisions for local authority licensing of cinema buildings adopted, in essence, arrangements of the sort that had been in operation for some years for these particular public places. Secondly, the Cinematograph Act neither defined nor did it specify how safety was to be ensured, though the statutory instruments issued under it did give some guidance in this area.

Statute law--the Cinematograph Act--and delegated legislation--its statutory instruments--together framed the conditions under which cinema buildings were to be subject to legal regulation, constructing in the process a predominantly spatial definition of the public sphere inhabited by cinema. The machinery laid down by statute for effecting legal regulation of this sphere was to be a cinema licensing system administered by local

authorities. This system, however, was active in its own right in constructing cinema's public sphere in ways which overlapped, and even at points conflicted with, the operations of Statute and delegated legislation. For example, local licensing authorities soon began to impose licensing conditions unrelated to the safety, however broadly defined, of cinema buildings, including provisions as to the character of films shown on licensed premises. If controls over film content were never actually written into law, the practice of censoring films acquired legal sanction indirectly, following on judgements in a series of court actions which challenged local authorities' powers under the Cinematograph Act. These judgements indicated that local authorities were within their legal rights in imposing licensing conditions not strictly related to the safety of cinema buildings; and it was taken for granted--an assumption never directly challenged in law--that local licensing authorities' powers included the right to censor films. The cinema licensing system thus became the sole legal foundation of film censorship in Britain (see chapter 2).

To a certain extent, though, legal discourse was instrumental in producing diverse constructions of cinema's public sphere. For example, the move on the part of local cinema licensing authorities to prohibit films 'likely to be injurious to morality'² draws into a

public sphere of regulation the moral welfare of cinemagoers, constituting it precisely as public morality. To this extent, the licensing system became the instrument of a certain legal moralism. Inasmuch as the objects of cinema's legal regulation ranged from the structural features and equipment of picture palaces, to the character of films, to the morals of the cinemagoing public, cinema's public sphere was constituted in legal discourse as a rather heterogeneous object.

At the same time, the cinema licensing system inhabited a border ground between legal and extra-legal regulation. If the Cinematograph Act unquestionably enjoyed the authoritative status of legal discourse, while on the other hand the rules and procedures of the British Board of Film Censors, say, did not, between these two extremes lay a series of what might be termed 'quasi-legal' discourses--discourses which, while at moments laying claim to the discursive authority of law, actually bear a rather uneasy relation with it. In particular, the Home Office administrative circulars which advised local authorities on their implementation of the cinema licensing system (see chapter 2) occupy a highly ambiguous position vis-a-vis the processes of making and executing laws. While Statute law and delegated legislation are backed by the authority of Parliament, regulative discourses emanating from the

Administration are not. In practice, however, matters are rarely so clearcut. Circulars

are not intended to be legislative in character and are issued, not under statutory authority, but for guidance. They may, however, contain legislative material:

which suggests that a distinction between legislation and administration is difficult to maintain in practice.⁴ In the case of the Home Office circulars on film censorship, 'guidance' came from a department of State and was both unpublished and confidential: maximum authority, then, was combined with minimum public accountability.

During the period under consideration in this inquiry, questions concerning the censorship of films were handled by the Administration exclusively through 'advisory' circulars, a situation which betokens a split between machineries of regulation and objects of regulation. While the highly visible discourses of law were directed at cinema as a space, a place of public resort, films and their contents were targeted by lower profile--if nonetheless authoritative--discourses of regulation. The most publicly visible practices directed at regulating film content, notably those of the British Board of Film Censors, enjoyed no status whatever in law, ambiguous or otherwise.

The cinema licensing system bridged legal and extra-

legal strategies of regulation, in that it combined elements of both. For example, although in abstracto the licensing system was backed by law, certain conditions attaching to actual licences became a focus of legal disagreement. Significantly, test cases brought under the Cinematograph Act suggest that trouble arose exactly at the point at which licensing shifted away from the regulation of cinema buildings and towards the regulation of films shown in them, and of the consumers of those films. At a certain moment, therefore, the cinema licensing system, embodying diverse constructs of a public sphere of cinema, became a site of struggle over definitions of that sphere. Was the public sphere of cinema to be seen in purely spatial terms? Or was it to embrace also the representations on public view and the morals of the public viewing them?

During this period, strategies of definition and regulation of cinema were guided by assumptions as to who cinema was for. It was not merely the public accessibility of places in which films were shown that rendered cinema susceptible to certain strategies of regulation, but also the class and age composition of the people frequenting those places. A preoccupation with the cinema audience might well in fact subtend the shift of regulative activity, already noted, from

buildings to films, and the struggles surrounding this shift might betoken uncertainty over whether cinema was in process of becoming a proletarian or a bourgeois public sphere. If pre-existing structures and relations of social class were implicated in this process,⁵ so also were those apparatuses and power relations more directly involved in the contest over the public sphere of cinema. In Britain, cinema's public sphere emerged in a series of alliances and rivalries involving not only legal and quasi-legal strategies of regulation, but also practices of film censorship institutions, of the film trade, and of social purity and social reform bodies. At the very centre of these various forces stood the cinema audience, which entered the public sphere of cinema not merely as cinema's public, but as its besetting problem.

If the cinema audience presented a problem, this was in part because it was discursively constructed around a series of fears: specifically, fears about the peculiar vulnerability of certain social groups to corruption. While anxieties about the demoralisation of the entire nation were a prominent preoccupation of the first two decades of this century (see chapter 6), cinema audiences were considered to be in especially grave danger in this area. Such anxieties draw into the public domain the very bodies and souls of cinemagoers, who were typically characterised as a proletarian mass,

exceptionally corruptible because, uneducated and unsophisticated, they were incapable of making moral choices. A comment by the Home Office on plans to make a film version of Damaged Goods--

the Cinema differs greatly from the Theatre:
the audience is less intelligent and educated,
and includes far more children and young
people(6)

--is unambiguous in its affirmation of such an
attitude.⁶t

Fears evoked by the working class as cinema audience were not confined to the supposedly demoralising character of the films they saw, but extended to the very circumstances in which they were seen. The crowding together of large numbers of people in dimly-lit auditoria, for instance, was regarded as conducive to the spread of epidemics, and also--more significantly--as an inducement to 'improper' conduct. Characteristic of this view is a statement made by the Edinburgh Chief Constable, and reported by the Cinema Commission of Inquiry in 1917, to the effect that "the darkness, combined with the low standard of morality of the individual" led to indecency'. During the late 1910s, the Home Office received a number of reports about 'improper' behaviour in cinemas, and some years later W. Joynson Hicks, as Home Secretary, was to recall that

Numerous complaints were made at one period

that the bad lighting prevalent in cinemas led to undesirable conduct among the audience and to improper behaviour towards children.(7)

Such anxieties were particularly strongly expressed in relation to young audiences: during the 1910s, the danger of sexual assaults on children in or near cinemas was frequently discussed, as also as was the risk of eyestrain and other physical damage to children caused by film viewing. So, for example, the report of an inquiry undertaken in 1917 by the Bradford Medical Officer of Health concludes, characteristically, with the observation that

cinemagoing can affect the vision and mind of children, giving rise to visual and mental fatigue prejudicial to normal development, which if these displays are too frequently indulged in, is certain to lead in the end to a greater or less degree of organic defect.(8)

A conflation of children's physical health with their moral welfare is a mark of many such expressions of disquiet. A Times leader of 1915 on the question of children and the cinema refers, for instance, to 'the moral and physical dangers to which young children may be exposed if they are allowed unrestricted admission to cinematograph shows', while the primary concern of the Cinema Commission of Inquiry was children's 'health, intelligence and morals'. These were seen as equivalently and concomitantly susceptible to the deleterious effects of cinemagoing.

If children on the one hand and the adult working classes on the other were held, as audiences for films, to present particular problems, then working class children were considered dually troublesome. Apart from being exposed to the risk of 'demoralisation' inherent in cinema, children and adolescents of the working class were seen as peculiarly vulnerable to a whole range of other harms associated with cinemagoing. It was feared, for one thing, that they might be tempted to imitate criminal acts shown in films: indeed, plans made in 1916 to institute a State-operated scheme of film censorship were justified precisely on grounds that the 'recent increase in juvenile delinquency' was attributable to 'demoralising cinematograph films'.¹⁰ The vision of hordes of working-class adolescents roaming the streets after a night at the cinema gave rise to a number of fears, then: fears partly for their safety, moral and physical, but also about their predilection to disorderly or criminal conduct.

A number of the test cases under the Cinematograph Act were in fact brought as a result of attempts to deal with these 'problems' through the cinema licensing system. At issue, for example, in Theatre de Luxe (Halifax) Ltd v Gledhill (1915) was a local authority's imposition of the regulation that children unaccompanied by adults should not be admitted to cinemas after 9p.m.

Although this particular condition was ruled ultra vires, subsequent efforts to regulate children's attendance at cinemas and to limit their exposure to certain types of film (Mills v London County Council [1925], for instance) met with greater success, vociferous opposition from film exhibitors notwithstanding. General concerns about the cinema audience were intensified, then, in expressions of anxiety about the exposure of working class children and young people to films. These groups were not only considered particularly prone to moral corruption, but were at the same time looked on as an active threat to public order. Cinemagoing was quite evidently regarded as capable of causing a whole range of social evils, then; and behind many expressions of anxiety on this count lies a preoccupation with the integrity of the social order.

Concerns of this kind are instrumental in producing their own objects of regulation; and in this context cinema, as a set of social and economic relations governing the reception of films, is constituted as a public sphere of regulation by virtue of the class and the age composition of its audience.¹¹ Films were 'for' the working classes in general, and 'for' working class children in particular, and were to be consumed in the public space of the picture palace. The censorship activities described in the foregoing case histories

may be understood in light of such a construction of the nature and limits of the public sphere of cinema, a construction which produces cinema as a particular kind of object of regulation. But if the audience was a key component of this construct, it was also rather an unknown quantity: indeed it was perhaps the very fact that so little was known, and so much assumed, about the cinema audience that rendered it the object of such obsessive concern. Its regulation demanded precisely that it be known about, and a significant element in the discursive construction and regulation of the cinema audience was exactly a quest for knowledge about it. This quest was to harness itself to an emergent science of the social.

For a period of some four or five years during the mid-1910s, anxieties about the 'problem' of the cinema and its audience reached a peak. During this time, new power relations--in the shape of the social purity/social hygiene/social reform/social science nexus identified in chapter 6--entered the contest over the public sphere of cinema. These forces sustained the production of 'scientific' accounts of the cinema and its audience, knowledge which not only promised an impartial demystification of its objects, but also proposed solutions to the problems they posed. The earliest project of this sort in Britain was the 1917

Cinema Commission of Inquiry, undertaken under the aegis of a social purity organisation, the National Council of Public Morals. The Commission proposed looking into

the physical, social, educational and moral influences of the cinema, with special reference to young people.

Here, the methodology of social science is allied with an aspiration to social reform in the cause of producing knowledge about the cinema audience.¹² If knowing involves mastery, then this attempt to find out about the cinema audience is clearly an exercise of power.

The inclusion of 'physical, social, educational and moral influences' within the terms of reference of this inquiry bespeaks an assumption that the moral and the social occupy similar terrain, inhabit the same public sphere of regulation, as the physical. Such a construction of morality and society as concomitant objects of investigation and regulation is quite characteristic of the period. Not only social purity organisations, but also most social reform groups of the time--even 'progressive' ones--shared the view that morality was a matter of public concern, and could and should be subject to social regulation. While such opinions were not always associated with arguments in favour of the enforcement of morals, legal moralism did inform the regulation of films and their contents wherever prohibitions as to the character of films shown in public cinemas were written into cinema licensing

conditions. The Cinema Commission of Inquiry's Report endorsed practices of this sort, even going so far as to recommend that State censorship should replace the existing 'voluntary' arrangements. The public morality lobby was to remain active for some years to follow, pressing for greater intervention in film censorship on the part of government and the law. Although they did not succeed in this particular objective, the influence of public morality pressure groups on practices of film censorship was to become considerable, especially during¹³ the 1930s.

In the period with which this inquiry is concerned, however, the efforts of social purity and social reform movements vis-a-vis cinema were directed not so much at tightening controls on films through strengthening the machinery of censorship as at raising the morale of the cinemagoing public by improving the quality of what was on offer in cinemas: the conclusions and recommendations of the Cinema Commission of Inquiry make this quite clear. If, however, this was an effort to embourgeoisify the new medium, it met with a certain amount of resistance. The precise nature of that resistance reveals itself in the case histories.

For example, efforts on the part of social purity and social reform movements to use fiction film and

commercial cinema as a means of informing the public about 'social problems' such as venereal disease (chapter 4) encountered censorships which were instrumental not so much in determining the content of individual films as in setting boundaries to the public sphere of cinema. And the Where Are My Children affair (chapter 3) suggests that while efforts on the part of social purity to enhance the respectability of cinema were welcomed at first by a film trade eager to improve its discreditable public image, the recruitment of cinema to social and moral reform also constituted a potential threat to another of the industry's goals--profit. Consequently, opposition within the trade to the practice of exhibiting 'propaganda' films in commercial cinemas very soon began making itself felt.

Against the background of such rivalries, differences arose as to whether cinema should entertain its audience, or seek to 'improve' it. The view, embodied in discourses and practices of both the film trade and film censorship, that cinema's task was to entertain, comes up against the notion, embodied in discourses of social purity and social hygiene, that cinema could be harnessed to the 'good and high motives' of moral enlightenment and social reform. At the same time, however, while censorship and social purity might produce divergent understandings of cinema, they concurred in the view that cinema, however defined, was

a problem demanding urgent attention: this in turn was strongly resisted by the film trade. Was cinema a problem, then, or was it not? If it was a problem, what was to be done?

Cinema as Domain of Regulation

It has been argued here that at a certain conjuncture, the 'problem' presented by cinema was laid at the door of its audience. How, therefore, was the cinemagoing public, as a crucial constituent of an emergent public sphere, to be dealt with? Answers to this question are embedded in the diverse, if at points overlapping, understandings of cinema and its audience produced through the various relations of power in play in the contest over cinema's public sphere. As far, for example, as social purity and social reform were concerned, the audience was first of all to be known about--investigated, understood--and then it was to be improved. For the film trade, on the other hand, the audience--despite its regrettable lack of respectability--was to be left alone to enjoy, whenever it chose, whatever films it wished to see:

Why hinder a great and growing industry whose business it is to give rest and relaxation to the toilers in munition factories, workshops and warehouses, to give entertainment and amusement to our soldiers, and to bring into the lives of hundreds of thousands of homes the only cheering prospect in the drab and colourless day, the thought of a visit to the cinema in the evening?(14)

If the cinema audience is ceaselessly spoken about during this period, it seldom speaks for itself. Its voice is filtered in the record through other discourses--those of governments, social purity, the film trade. Nevertheless, despite the virtual silence of the cinema audience on its own account, and despite the passive position it occupies as an object of discourse, its instrumentality in the events described here does emerge to some extent. The three case histories highlight the instrumentality of legal, quasi-legal and extra-legal discourses and practices of film censorship in the construction of a particular public sphere of cinema during the formative period between 1909 and the mid-1920s. But they also bring to light the active involvement of the cinema audience in the constitution of cinema's public sphere as a commercialised leisure pursuit involving the consumption of fiction films for recreation, in places of public resort frequented by a proletarian mass incorporating large numbers of children and adolescents.

At the same time, though, the cinema audience constantly troubles this emergent public sphere, threatening instability, uncontrollability: for if not already corrupted, it was seen as particularly susceptible to corruption. In either case, it would be highly volatile and prone to immoral, socially disruptive, even

criminal, behaviour. In discourses and practices of film censorship, the cinema, its troublesome working-class audience, and 'entertainment' go hand-in-hand. This ensemble becomes the object of regulative strategies directed not only at the content of films but also at the conduct of cinemagoers.

However, if the public sphere of cinema was contested, constructs of it embodied in discourses and practices of film censorship could hardly be determining: indeed, the very activities of censorship detailed in this study could operate only as an outcome of challenges to such constructs. These censorships operate, in other words, in the space of conflict between the various forces implicated in producing definitions of cinema's public sphere. If censorship is productive in the sense that a certain public sphere of cinema is created through its discourses and practices, then so also is it a product in the sense that it is generated in the moment of resistance to the very definitions and regulative strategies it proposes.

NOTES

1. H.L.A. Hart, Law, Liberty and Morality (London: Oxford University Press, 1963), p.4; Patrick Devlin, The Enforcement of Morals (London: Oxford University Press, 1965). On public and private, see Beverly Brown, 'Private faces in public places', Ideology and Consciousness, no.7 (1980), pp.3-16.
2. This phrase forms part of the first of the recommended licensing conditions as set out by the Home Office in its January 1917 circular: Public Record Office, Home Office papers (hereafter PRO-HO) 158/18, 'Cinematograph licences: model conditions', circular 312,397/151, 24 January 1917. For the complete text of this circular, see Appendix.
3. T.C. Hartley and J.A.G. Griffith, Government and Law (London: Weidenfeld and Nicolson, 1981).
4. J.A.G. Griffith and H. Street, Principles of Administrative Law, 5th ed. (London: Pitman, 1973), p.57.
5. See Miriam Hansen, 'Early silent cinema: whose

- public sphere?' New German Critique, no. 29 (1983), pp.147-84.
6. PRO-HO 45/10955, handwritten minute, 14 August 1917.
 7. National Council of Public Morals, Cinema Commission of Inquiry, The Cinema: Its Present Position and Future Possibilities (London: Williams and Norgate, 1917), p.xxvi; PRO-HO 45/24570, Reports on improper behaviour in cinemas; PRO-HO 45/12969, Memo on children and the cinema, July 1925. The inclusion in the 1917 model conditions of a clause relating to lighting (condition 5: see Appendix) was a direct outcome of these concerns.
 8. PRO-HO 45/11008, Report of Bradford MoH, 1917.
 9. The Times, 5 January 1915. See also PRO-HO 45/11008, report on a deputation of educationists, 29 May 1916; and the objectives, noted below, of the Cinema Commission of Inquiry.
 10. PRO-HO 158/17, circular 264,149, 16 May 1916. See Appendix for the full text of this letter.
 11. In 'Early silent cinema', Miriam Hansen argues that in Germany the gender composition of audiences was crucial in the production of a public sphere of cinema there. This does not appear to have been the case in Britain.
 12. The Times, 29 November 1916; National Council of Public Morals, The Cinema, p.ix. Michel

Foucault's discussion of 'pastoral power' in the twentieth century is illuminating in this context. He argues that the objective of power shifts away from that salvation in the next world which is associated with religious forms of pastoral power, and moves towards a this-worldly concept of salvation seen in terms of 'health, well-being..., security, protection against accidents': 'The subject and power', Critical Inquiry 8 (1982), 777-95 (p.784).

13. Jeffrey Richards, The Age of the Dream Palace: Cinema and Society in Britain, 1930-1939 (London: Routledge and Kegan Paul, 1984), chapter 5.
14. The Bioscope, 12 April 1917, p.103. This is typical of views widely expressed in the trade press of the period.

CHAPTER 8

RETHINKING FILM CENSORSHIP

What can you do but disrupt a history and re-create it
as another history?

Juliet Mitchell, 1984

Prohibition and Production

Historical and sociological studies of film censorship have invariably emphasised its institutional and prohibitive aspects, constructing it as an activity on the part of specific organisations--organisations whose avowed objective is to place controls on films, usually by excluding from them themes, topics and images deemed for one reason or another unacceptable. Although it cannot be denied that film censorship can and does operate in this way, the present study indicates that a great deal more is at stake in the censorship of films than cuts, bans and boards of censors.

In each of the instances of censorship examined in the case histories, a complex set of practices and processes

may be seen at work. By no means all of these emanate from organisations with a specific remit to censor, nor are they all necessarily prohibitive in their effects. Although these cases share some common ground in that similar sorts of operations may be traced across the separate instances, each one, with its unique configuration of processes and practices, should nevertheless be regarded as distinct. This inquiry has attended to the complexity of these configurations, and in combining certain investigative strategies with particular objects of inquiry, has sought to transcend the prohibition/institutions model of film censorship. For while this study might be read on one level as simply effecting an amplification in the number and the operative scope of institutions and prohibitions involved in the censorship of films, it actually does more than this: it challenges the very premisses on which the prohibitions/institutions model is grounded.

Such a challenge emerges most clearly in relation to institutions, for it has been shown that institutional practices of censorship are not confined to censoring organisations. By the same token, the activities of such organisations do not necessarily determine the nature and effectivity of specific acts of censorship. In Britain during the period under consideration here, a series of institutions--local cinema licensing authorities, the Home Office, the film trade, the social

purity and social reform movements, as well as the British Board of Film Censors itself--was implicated, in different ways and under different conditions, in processes of film censorship. But it is not merely a question of which institutions are caught up in any one instance of censorship: each instance is produced in its historical specificity in the interactions between the various institutional practices involved. To this extent, the object of inquiry becomes not simply the content--nor even the activities--of particular institutions, but the relations between them, the ensemble of practices condensed in any one instance of censorship.

Film censorship is a matter of relations, then: it is a process, not an object. Film censorship is not reducible to a circumscribed and predefined set of institutions and institutional activities, but is produced within an array of constantly shifting discourses, practices, apparatuses: it cannot, therefore, be regarded as either fixed or monolithic. The struggles, rivalries and alliances which come to light in each of the instances analysed here suggest, on the contrary, that film censorship is an ongoing process embodying complex and often contradictory relations of power. Hence the specific instrumentality vis-a-vis film censorship of rival claims to epistemological pre-

eminence on the part of different knowledges about the socio-sexual (chapter 6); and more broadly of conflicts over the nature of the emergent public sphere of cinema (chapter 7). These relations, furthermore, may be creative as much as repressive in their effects. And while practices directed at prohibition are prone to unanticipated consequences, much more than the merely unexpected is usually at stake.

During the period under consideration in this inquiry, film censorship participated, in conjunction with other apparatuses and practices, in the production of cinema as a public sphere of a particular kind. This constitutive process necessarily involved the drawing of boundaries around that sphere, and this in turn set limits to the terms under which cinema was dealt with in public discourse. Moves to keep 'health propaganda' films out of commercial cinemas can be understood in this light, as can the assumption underlying this prohibition that certain topics were not appropriate for a medium directed at a largely working-class and youthful audience. In this respect, film censorship obviously has a prohibitive logic. But at the same time, acts of prohibition produce their own objects. For example, the BBFC's policy of refusing to certificate propaganda films depended upon a construction of limits to cinema's public sphere, limits beyond which the newly-created genre was then placed.

The propaganda film's outlaw status, then, is a production which licences a prohibition. In this context, therefore, prohibition and productivity may be regarded not as opposites, nor as mutually exclusive, but as two sides of the same coin.

Gestures of prohibition can produce unintended consequences: the widespread publicity received by the film Maisie's Marriage, to take just one example, was a direct consequence of efforts to suppress it. At the same time, prohibitions may also be effects of discursive productions. The constitution of cinema as a medium of entertainment for the working classes effectively sanctioned prohibitions on films which proved problematic in relation to this definition, perhaps by addressing the 'wrong' kind of audience in the 'wrong' way: propaganda films are a case in point here. Film censorship, then, incorporates production and prohibition in a relation of mutual dependence.

All of the apparatuses and instances of regulation examined in the present inquiry operate in a play of production and prohibition. The concept of regulation itself bespeaks such an interaction: for it is not an imposition of rules upon some pre-existing entity, but a process of constituting objects from and for its own practices. It also signals a shift away from a

prohibitions/institutions model of film censorship towards a more intricate and kaleidoscopic approach. If it is accepted that film censorship comprises an ensemble of interrelated institutions, practices and discourses participating in complex and potentially contradictory relations of power, it becomes impossible to conceptualise power itself as monolithic, determining or wholly repressive. The notion of regulation captures not only the instrumental and processual character of the power relations involved in institutional practices surrounding film censorship, then, but also the simultaneously productive and prohibitive logic of their operation.

Strategies of regulation may be productive in other senses, too, for they are capable of generating resistances. If film censorship creates censorable films, then so also may it call forth transgressions of the boundary between the acceptably representable and (to use the BBFC's term) the 'prohibitive' in film content. In this sense, censorship incites resistances, which in turn may provoke further gestures of censorship directed at maintaining the boundaries under challenge. Censorship, then, is an ongoing activity of definition and boundary-maintenance, produced and re-produced in challenges to, and transgressions of, the very limits it seeks to fix. The site of these limits and the degree of their fluidity are effects of the activity, at any

particular moment, of the various relations of power and resistance involved in censorship.

Such an understanding of resistance and of its productivity sheds a good deal of light upon the instances of censorship examined here. For example, implicit in the aspirations of social hygiene and social purity movements during the mid- to late 1910s to harness cinema to their objectives of racial regeneration and moral enlightenment is a move towards embourgeoisement of the new medium: not only might the existing audience for films be 'improved', but a new and more respectable one created as well. But this move encountered resistances of various kinds, despite initial support from a film trade anxious to acquire a less unprepossessing image for itself (chapters 3 and 6).

These resistances are to be understood in light of the fact that cinema's public sphere was being constructed largely in terms of class: cinema, that is, was seen as a medium 'for' a working-class audience. While this audience might have been regarded in some quarters as a 'problem', and while the film trade might have wished for a less disreputable public image than--largely due to its clientele--it suffered, the position occupied by a working-class audience in constructs of cinema's

public sphere seems to have been unassailable. Attempts to raise the tone of the medium met with opposition precisely because they presented a challenge to notions about its class character.

However, while emergent definitions of cinema might seek to construct its consumers as largely working class, such an audience--itself a site of resistance to strategies of regulation--was to prove extremely troublesome. As such, it became all the more a target of regulation. If the cinema audience was a problem, this was partly because of the peculiar characteristics of film's mode of consumption. The fascinating qualities of the moving photographic image, especially as viewed from a comfortable seat in a darkened auditorium, have provoked comment since the earliest days of cinema. When an audience, as a social group, is caught up in the pleasure of watching a film, it becomes a gathering of spectators. The nub of the problem posed by cinema, perhaps, was this indefinable moment when an already troublesome social audience became subject to the power and fascination of the cinematic image--when, that is, audiences entered into a relationship, as spectators,¹ with film texts.

With regard to censorship, film texts figure most significantly as objects of rules directed at 'drawing lines'--establishing and policing the limits of what, at

any historical moment, is representable. These rules may be embodied in lists of forbidden themes and subjects, such as those enumerated in 'O'Connor's 43', the informal censorship code which the BBFC began using in the late 1910s.² With such codes, rules of exclusion can be applied to individual films, and cuts requested where the rules would call for them. To the extent that they create censorable films, such exercises in boundary setting obviously have their own productivity. But looked at in another way, efforts of this sort are doomed to failure, if only because they construct their objects, film texts, as carriers of fixed meanings, when meaning is not actually inherent in films, but is produced in the process of their consumption.

If meaning in films emerges as much in their reception--in the relationship between films and their consumers, in other words--as in their content, film censorship is always faced with the difficulty that prohibitions directed at the contents of individual films could turn out to be off target. The 'problem' presented by cinema and its users is more than a problem of 'prohibitive' as against acceptable representations, therefore: it has to do also with the use of representations, with audiences and modes of consumption. But while this might make cinema an elusive object of regulation, it also provokes--precisely as a response to such

elusiveness--intensified efforts at regulation. This, perhaps, would explain why, throughout its history, cinema seems to have attracted more censorship than any pre-existing medium.³

Short of blanket prohibition, however, film censorship might seek to circumvent the difficulties posed by attempts to deal with the specificities of film content by directing its efforts towards readings of films. Readings are inevitably informed by the circumstances in which films are consumed, and by what the social audience brings to the activity of viewing by way of prior knowledge or 'cultural capital'. The BBFC's refusal to certificate propaganda films provides an instance of this kind of strategy. The outcome of such a prohibition, had it been entirely effective, would have been to limit the exhibition of propaganda features to non-commercial venues. These surroundings--in combination with the fact that the audience in such circumstances would probably have been a relatively 'respectable' one--might solicit readings of the films for their educational value, whilst reducing the possibility of their being consumed as pornography.

That censorships of this sort might not, however, always produce the consequences intended is amply demonstrated by the case of Maisie's Marriage. The BBFC's demands that the film's original title, Married Love, be

changed, and that its association with Marie Stopes be downplayed in publicity material, were clearly directed at limiting readings of the film: devoid of its link with Stopes and her 'notorious' book, Maisie's Marriage would be no more scandalous than any ordinary love story. In the event, though, it proved impossible to effect such a dissociation. This case signals not only the instrumentality of the cinema audience's cultural capital in the reception of films, but also indicates that in certain circumstances strategies of censorship directed at films and cinema are unable to cover all of the circumstances under which readings are generated.

At a certain conjuncture, film censorship was produced in the space of resistances to emergent definitions of the public sphere of cinema. The Maisie's Marriage affair suggests that censorship could also be incited by other resistances: notably by 'improper' readings of films. Censorship was provoked here not so much by transgression of the boundaries of cinema's public sphere, nor indeed of prohibitions on film content, as by a breach of certain extra-cinematic censorships (notably taboos on public discussion of sex and birth control). This transgression had its effects at the level not of the film text, but of its reading: for it was the cinema audience's cultural capital that licenced 'improper' readings of this film. The spectacularly

unsuccessful efforts of the BBFC and the Home Office were aimed at inhibiting such readings by restricting the audience's access to certain types of knowledge.

The distinction which emerged around 1917, in the context of notions about cinema's 'social function', between entertainment and enlightenment also informed strategies directed at regulating readings of films. As noted in the cases of censorship explored in chapters 3 and 4, it was this distinction which underlay attempts to prevent the public exhibition of propaganda films. However, resistances not so much to a distinction between entertainment and enlightenment as to the exclusion of the latter from the public sphere of cinema did ensure that at least some propaganda films received commercial exhibition. This challenge to the would-be limits of an emergent public sphere of cinema provoked moves to protect those limits: these took the form of renewed gestures of censorship.

The cycle of boundary construction-resistance-prohibition-resistance, as it emerges in these two cases, signals the active and processual character of film censorship. Film censorship ceases to be a series of isolated once-and-for-all acts of exclusion which always have whatever prohibitive effects might be intended, becoming instead a process of negotiation between contending powers, apparatuses and discourses.

The long-running saga of VD propaganda films is a good case in point here. This subcategory of the propaganda genre survived, from its beginnings in the middle and late 1910s, well into the 1930s: this could hardly have been possible had institutions of censorship been monolithic and practices of censorship decisive. In fact, over a period of some twenty years, a continuous play of resistance and regulation generated an entire set of institutional infrastructures for the circulation and exhibition of these supposedly 'prohibitive' films (chapter 4). In this instance at least, censorship actually became a necessary condition for the survival of a subgenre of censorable representations.

Film Censorship and Power

As well as exposing the interrelations of prohibition and productivity in particular instances of film censorship, the case histories also highlight the nature of the relations of power involved: these were exceptionally provisional during the period under consideration in this study, the years between 1909 and 1925. A shifting array of forces was implicated in film censorship, and various resistances and countercensorships were produced in the rivalries and alliances between them. For example, for virtually the whole of the period--and particularly in the five or six years immediately following the passage of the 1909

Cinematograph Act--relations between the exhibition arm of the film trade on the one hand, and the local cinema licensing authorities on the other, were extremely uneasy. The principal bone of contention was the interpretation of the cinema licensing provisions in the new Act. The film trade--which had initially been in favour of the Act--started objecting to local authorities' use of it to impose licensing conditions which bore no relation to safety in cinemas. A series of court cases--beginning with London County Council v. Bermondsey Bioscope Co. Ltd. in 1911 and ending with Mills v. London County Council in 1925--centred on conflicts between the trade and licensing authorities over the legal powers of the latter.

A few years after its first resort to the courts, the film trade entered into open conflict with the government on the issue of State censorship, a proposal for which was put forward in 1916 by the Home Secretary. This scheme, whose success depended upon the co-operation of local licensing authorities, prompted objections from the film trade, largely on grounds that it would constitute an unwarranted interference with business. On this same issue, the government was also at odds, though rather less publicly so, with the British Board of Film Censors: the new censorship scheme was necessary, the Home Office implied, because the BBFC was not doing its job properly. The film

trade, as has been noted, eventually got its way on this question, and the BBFC was saved. Nevertheless, relations between The Board and the Home Office were to remain somewhat difficult for several years. It was not until the mid-1920s that the BBFC's position became relatively secure vis-a-vis both the government and the local licensing authorities.

Just as the Board of Censors was recovering from the crisis over official censorship and was entering a period of trial under the leadership of its new President, T.P. O'Connor, it came into conflict with the social purity and social hygiene movements over propaganda films. The reformers wanted to educate the filmgoing public on questions of morality and sexuality, but the BBFC regarded such a move as a potential threat to its already precarious position. Films dealing with such issues were bound to be controversial, and the last thing the Board wanted was attention of that sort. It consequently adopted a policy of refusing to certificate propaganda films. Although it might appear strange that film censors would oppose efforts to 'improve' cinema and its audience, this particular clash is perfectly understandable in light of the BBFC's overriding objective of self-preservation. There were undoubtedly other considerations at work here, too, in particular the Board's complicity in a definition of

cinema as a medium dedicated to the diversion and amusement of the working classes. The exhibition of propaganda films in commercial cinemas, however worthy their sponsors and objectives, constituted a challenge to such a construct.

Also on the face of it somewhat unlikely is the alliance, shortlived as it might have been, between moral and social reformers and the film trade on exactly this issue of 'improving' the cinema audience. When social purity organisations began sponsoring propaganda films in the mid-1910s, the film trade backed their efforts. This support, however, gave way to an acceptance of the BBFC's line as soon as it became clear that, since it might well mean smaller audiences in cinemas, respectability could prove a costly goal. Alliances as well as conflicts, then, were the order of the day. These relations were in a constant state of flux: in particular, relations between the BBFC, the Home Office and the local licensing authorities were never, over the entire period between 1909 and 1925, really stable.

These kaleidoscopically shifting allegiances and rivalries produced openings for resistance to various strategies of regulation of cinema, censorship included. Resistances emerge in the space of contradictions between the various forces involved in the production

and regulation of a public sphere of cinema. The events described in the three case histories at the centre of this inquiry are certainly characterised by a fluidity of relations of power and resistance. In these three instances at least, it is clear that the operations of the various institutions and institutional practices involved in the censorship of films were complex and overdetermined, and that acts of censorship might be productive as well as, even perhaps more than, prohibitive in their effects.

While an approach of this sort might usefully be deployed in investigations of film censorship in social-historical circumstances other than those considered here, it is nonetheless important to bear in mind the historical specificity of this inquiry, for it deals with a particularly formative period both for cinema and for film censorship, during which relations between contending forces were more fluid than they were to become in later years. In a sense, the entire period constitutes a moment of risk, for cinema was in many respects still 'up for grabs': indeed, one of the main reasons for placing the endpoint of this investigation in the mid-1920s is that this was an important moment of accommodation between key contending forces. When the Home Office circulated its new recommended licensing conditions in 1923, and the final judgement in Mills v.

London County Council was given in 1925, the Home Office, the local licensing authorities and the British Board of Film Censors moved together towards mutual accord. While this did not necessarily herald an end to all conflict, it did introduce a degree of hegemony into a previously fragmented set of power relations.

At the same time, the social purity movement, having largely abandoned the strategy of using commercial cinema to propagate its own ideas, maintained an active involvement in questions of cinema and censorship well into the 1930s. And although some sections of the movement came to exert influence on policies and practices of film censorship, others met with a certain amount of opposition.⁴ It seems unlikely, moreover, that the film trade would have ceased advancing its own cause as soon as the BBFC, in alliance with local licensing authorities and the Home Office, secured a decisive enhancement of its own authority—even if it might have become more difficult at this point for the trade to influence events. A decisive answer to this question, however, must await a historical account of the place of the film industry in relation to film censorship in Britain. The fact remains, though, that at a certain moment key forces involved in struggles over the definition and regulation of cinema entered into an authoritative alliance. At this moment the power relations of film censorship in Britain entered a new

phase. If still by no means monolithic, these powers became less fragmented, less provisional, more hegemonic, than they had been hitherto. The moment of risk was over.

If there is any general conclusion about film censorship and power to be drawn from this inquiry, it must be that it is unwise to suppose that the forces involved in film censorship at any conjuncture are in any way fixed or decisive. Such an assumption, given that it does not raise questions so much as suggest answers in advance, would in any case make historical inquiry redundant. This is not to deny that in certain social-historical circumstances film censorship might operate hegemonically. The question for the historian, however, must be: under precisely what conditions has it done so, or might it do so? In other words, establishing degrees of hegemony and homogeneity on the one hand, or of fluidity and provisionality on the other, must be the objective, not the starting point, of inquiry. Such an approach permits examination and analysis of the forces involved in film censorship in different historical circumstances; of the interactions of these forces; and thus of the nature of, and potential for, changes in these relations of power.

NOTES

1. The relationship between social audience and spectator is explored by Annette Kuhn, in 'Women's genres', Screen, vol.25 no.1 (1984), pp.18-28.
2. 'T.P. O'Connor's 43 rules', in Neville March Hunnings, Film Censors and the Law (London: George Allen and Unwin, 1967), pp.408-9.
3. As early as 1915, the US Supreme Court ruled that cinema was not entitled to the protection from censorship accorded other publications under the First Amendment to the Constitution. Although this ruling was rescinded in 1952, cinema continues to be set apart from other cultural products in debates on censorship. In Britain in 1979, for example, the Williams Report recommended the abandonment of nearly all legal prohibitions on obscene publications, an exception to this being film, which in the Committee's view demanded continuing controls, because of the peculiar power of the cinematic image. Mutual Film Corp. v. Industrial Commission of Ohio [1915] 236 US 230;

United Kingdom, Home Office, Report of the Committee on Obscenity and Film Censorship, Cmd. 7772 (London: HMSO, 1979), para.12.10.

4. During the 1930s, the Public Morality Council was the most influential pressure group in the field of film censorship. More extreme moralist views, such as those espoused by the Birmingham Cinema Inquiry Committee, met with some opposition, however: see Birmingham Cinema Inquiry Committee, Influence of Cinema on Children, April 1930-May 1931 (Birmingham, BCIC, 1931); British Film Institute, BBFC Verbatim Reports, Report of a deputation to the Home Secretary, 6 April 1932.

APPENDIX

HOME OFFICE CIRCULARS

1. [Untitled]. Circular 264,149, 16 May 1916
2. 'Cinematograph Licences: Model Conditions'.
Circular 312,397/151, 24 January 1917
3. 'Censorship of Cinematograph Films'.
Circular 446,368/3, 30 June 1923
4. 'The Censorship of Cinematograph Films'.
Circular 373,422/78, 6 July 1923

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Any communication on the
subject of this letter should be
addressed to—

THE UNDER SECRETARY OF STATE,
HOME OFFICE,
LONDON, S W.,
and the following number quoted —

264,149.



HOME OFFICE,

WHITEHALL.

16th May, 1916.

1031

Sir,

I am directed by the Secretary of State to say, for the information of your Council, that he has under consideration the need of making further provision in regard to the control over films shown at Cinematograph Exhibitions. Numerous representations have been made to him respecting the harmful character of some of the films exhibited, which indicate that the present control, depending partly upon a voluntary censorship exercised by the trade itself and partly on the exercise by the licensing authorities of their powers under the Cinematograph Act, is inadequate. A number of Chief Constables have expressed to him the strong opinion that the recent increase in juvenile delinquency is, to a considerable extent, due to demoralizing cinematograph films, and his attention has also been called by local authorities and other bodies to the exhibition of films of a very objectionable type.

The Secretary of State is glad to acknowledge the effort which has been made by various licensing authorities to exercise an effective supervision over the character of the films shown in their area, and also the good work which has been done by the voluntary censorship established by the trade.

It is impossible, however, under the present system to secure a uniform and satisfactory control. Some authorities have not taken any action at all, and when action is taken each authority has to determine for itself whether any particular film is to be considered objectionable or is of such a kind that it ought to be prohibited.

It has happened therefore that a film which has been banned in one area as objectionable, has been allowed to be exhibited at cinemas a short distance away with all the advertisement which its prohibition has given it.

The decisions of the trade censorship moreover have no binding force, and in some cases the decisions have not commended themselves to the licensing authorities.

The Secretary of State is inclined to the view that the most satisfactory solution would be the establishment by the Government of a
central

The Clerk to the County Councils
and County Boroughs

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central and independent censorship, under the auspices of the Government Department concerned.

The enactment of legislation at the present time would be a matter of much difficulty; but it seems to Mr Samuel that with the concurrence of the licensing authorities such a censorship might be effectively established by administrative action in combination with the powers conferred on Local Authorities by the existing Law.

Under the Cinematograph Act, 1909, a number of authorities have adopted the rule of attaching to every licence a condition that no film which the licensing authority regard as objectionable, shall be exhibited. If a similar rule were adopted by all authorities and the authorities would agree to accept the decisions of the official censorship, uniform and effective control would be established.

The scheme would be on the following general lines:-

1. An official and independent censorship would be established by the Government.
2. Licensing authorities would require as conditions of any licence (a) that no film should be exhibited which the authority might prohibit on the ground of its objectionable character. (b) that if the film has not been passed by the official censorship previous notice should be given to the authority, so that they should have the opportunity of examining the film before its exhibition. (The Home Office would be glad to suggest model clauses).
3. Films which had been passed by the official censorship would not be objected to by the licensing authorities.

The number of films not submitted by the manufacturers to the central censorship would probably be exceedingly few, if any, because the trade, above all, are desirous of certainty and security.

The scheme can only be carried out if there is general agreement on the part of the licensing authorities and the Secretary of State will accordingly be glad to have the views of your Council on the subject. From the inquiries which he has made in various quarters he has reason to believe that many local authorities would be glad if the present unsatisfactory state of affairs could be changed by the establishment of an official censorship; and leading representatives of the manufacturers of films have informed him that they would welcome the suggested arrangement. In the event of the licensing authorities generally supporting such a scheme, the Secretary of State proposes that the Home Office should work out the details, and that subsequently the completed scheme should be communicated to the authorities before it is put into operation.

I am, Sir,

Sir,

Your obedient Servant,

Edward Thorp

Any communication on the
subject of this letter should be
addressed to—

THE UNDER SECRETARY OF STATE,
HOME OFFICE,
LONDON, S.W.,

and the following number quoted —

312,397/151.



HOME OFFICE,

WHITEHALL.

24th January, 1917.

1209

Sir,

I am directed by the Secretary of State to refer to the correspondence which has passed between the Home Office and your Council on the subject of Mr. Herbert Samuel's scheme for the establishment by consent of a Government Censorship of Films.

It was understood that the Cinematograph Trade would welcome this scheme on the condition that it should also be accepted by the local licensing authorities and that the Trade should not be subjected to a local censorship as well as to a central censorship; and as a result of the letters addressed to them by Mr. Samuel all the authorities in England and Wales (with the exception of two County Councils in Wales, from which no definite replies have yet been received) expressed their willingness to adopt the plan. But it now appears from a communication which has been received from the Cinematograph Trade Council that the scheme will not be accepted by the Trade, and in view of this opposition the Secretary of State has come to the conclusion that it is impracticable now to proceed with the proposal, and that the question of a Central Censorship must be postponed until there is opportunity for legislation. He desires, however, to express his great appreciation of the readiness shown by the licensing authorities to co-operate with the Government in establishing an effective censorship.

In the meantime Sir George Cave thinks it desirable that, until the matter has been considered by Parliament, the licensing authorities should exercise to the full extent the powers vested in them under the Cinematograph Act, 1909, for the purpose of checking the exhibition of objectionable films and of dealing with other abuses which may occur, and accordingly that they should insert in all licences granted under the Act the conditions necessary to secure an effective control over the films exhibited in their area; and I am to enclose model conditions which Sir George Cave would suggest as suitable for the purpose. These deal not only with objectionable films but with offensive posters or programmes, and with inadequate lighting in the auditorium, both matters requiring the careful attention of the licensing authorities.

The Secretary of State will be glad to hear that your authority have decided to take action on these lines, if indeed they have not already done so.

I am,

Sir,

Your obedient Servant,

Edward Troup

See attached list.

CINEMATOGGRAPH LICENCES: MODEL CONDITIONS.

1. No film shall be shewn which is likely to be injurious to morality or to encourage or incite to crime, or to lead to disorder, or to be offensive to public feeling, or which contains any offensive representations of living persons. If the licensing authority serve a notice on the Licensee that they object to the exhibition of any film on any of the grounds aforesaid, that film shall not be shewn.
2. No film shall be shewn unless three clear days notice, stating the name and subject of the film, together with a copy of any synopsis or description used or issued in connection with the film, has been given to the licensing authority; and the licensee shall within that period, if the licensing authority so require, exhibit the film to such persons as they may direct.
3. Films which have been examined by any persons on behalf of the licensing authority shall be exhibited exactly in the form in which they were passed for exhibition, without any alterations or additions, unless the consent of the licensing authority to such alterations or additions has previously been obtained.
4. No poster, advertisement, sketch, synopsis or programme of a film shall be displayed, sold or supplied either inside or outside the premises which is likely to be injurious to morality or to encourage or incite to crime, or to lead to disorder, or to be offensive to public feeling, or which contains any offensive representations of living persons.
5. Every part of the premises to which the public are admitted shall be so lighted during the whole of the time it is open to the public as to make it possible to see clearly over the whole area.

Any communication on the
subject of this letter should be
addressed to:—

THE UNDER SECRETARY OF STATE,
HOME OFFICE,
LONDON, S.W. 1,
and the following number quoted:—



HOME OFFICE,
WHITEHALL.

CONFIDENTIAL.

30th June, 1923.

CENSORSHIP OF CINEMATOGRAPH FILMS.

Sir,

A film entitled "Married Love, a story specially written for the screen by Dr. Marie Stopes", was recently submitted to the Board of Film Censors, and only passed by them with considerable modifications and under certain conditions; and as the Secretary of State understands attempts may be made to show the film in its original state and to advertise its connection with Dr. Stopes book and licensing authorities may find difficulty in deciding what action they should take in regard to it, he thinks it desirable to inform them of the decision of the Board of Film Censors.

After the fullest consideration the Examiners came to the conclusion "that there were many scenes and sub-titles which rendered the film unsuitable for exhibition before ordinary audiences, while the title, taken in conjunction with the name of the book and the authoress referred to, suggested propaganda on a subject unsuitable for discussion in a cinema theatre", and they declined to give a certificate.

The Publishers of the film then approached the Board of Film Censors, offering to eliminate all incidents from the film dealing with the question of birth control and to make no mention in the posters or other printed matter that the film was founded on Dr. Marie Stopes' book "Married Love". They gave a written undertaking that these alterations would be carried out and that the film so amended would be shown only under the title "Maisie's Marriage". The Board of Film Censors decided under these conditions to give the film as amended an A certificate.

It is understood that the London County Council are in agreement with the opinion of the Board of Film Censors and will not allow the film to be exhibited in London except under the conditions agreed to by the publishers of the film.

The Secretary of State concurs with the action taken by the Board of Film Censors and the London County Council and hopes that other licensing authorities will adopt the same course and only allow the revised form of the film to be exhibited and under the conditions agreed to by the publishers.

I am,

Sir,

Your obedient Servant,

J. W. Harris

91.104.



Any communication on the
subject of this letter should be
addressed to:—

THE UNDER SECRETARY OF STATE,
HOME OFFICE,
LONDON, S.W. 1.

373, 422/78
and the following number quoted —



HOME OFFICE.

WHITEHALL.
6th July, 1923.

THE CENSORSHIP OF CINEMATOGRAPH FILMS.

Sir,

At the beginning of 1917, after the scheme for establishing a Government Censorship of Films had been abandoned, a circular letter was addressed by the Home Office to Licensing Authorities under the Cinematograph Act, 1909, suggesting the adoption of certain Model Conditions for the purpose of checking the exhibition of objectionable films, etc., and from information which Licensing Authorities were good enough to supply to the Home Office a year or two ago it appeared that the Principal Licensing Authorities had adopted some if not all of the Model Conditions with or without slight modifications.

About the time that this circular was issued the Cinematograph Trade took steps to strengthen the censorship conducted on their behalf by the British Board of Film Censors, over which Mr. T.P. O'Connor M.P. now presides. The Secretary of State believes that the work of censorship, which presents considerable difficulties, has been conducted by the Board of Film Censors with a sincere wish to prevent the exhibition of any film which is likely to give offence to public taste, and judging from the small number of complaints that reach the Home Office the work of the Board appears to have met with considerable success. Mr. Bridgman gathers from the fact that so many Licensing Authorities now accept the decisions of the Board that their experience confirms his own impression.

The main difficulty of the present system is that there is still a certain want of uniformity in the action of Licensing Authorities throughout the country, and it sometimes happens that films which have been passed by the Board of Film Censors are rejected by some of the Licensing Authorities, and there are instances on the other hand where films for which the Board have refused a certificate are allowed to be exhibited in certain parts of the country. It may not be possible to secure complete uniformity owing to the difference in local conditions, and the Secretary of State is far from wishing to interfere in any way with the exercise of the discretion entrusted by Parliament to Licensing Authorities. He is sure, however, that they will agree that it is very desirable to secure uniformity of practice as far as possible, and with that object in view he took the opportunity of discussing the matter fully with representatives of the principal Licensing Authorities who came to a conference at the Home Office at the beginning of last month.

Fortunately the statutory position has been made clearer by an important decision which was given in the High Court in July, 1921 [*Ellis v. Lubrowski* 3 K.B. (1921) 621], in which it was decided that a condition "that no film which has not been passed by the British Board of Film Censors shall be exhibited without the express permission of the Licensing Authority" would be a valid condition of a licence. The London County Council decided to adopt a condition in this form, and it has been in force in London since the beginning of 1922. Other Licensing Authorities have made similar conditions, and at

the conference referred to it was agreed that the Secretary of State should recommend all Licensing Authorities in the country to take similar action.

It may be pointed out that such a condition, though it implies a general acceptance by the Licensing Authority of the decisions arrived at by the Board of Film Censors, does not involve any forfeiture of its powers and it would be open to it to deal specially with any particular film. The Secretary of State hopes, however, that such exceptions would become rare and that substantial uniformity would be gained.

A further question of importance was discussed at the conference, namely the desirability of giving effect to the Board's classification of films which receive their certificate. As your Authority is no doubt aware, when the Board of Film Censors was first appointed by the Trade in 1912 the Examiners found that many of the films while suitable for adults were of a character generally undesirable for children, and they made a practice of dividing films which received their certificate into two classes - Public Films marked "A", which were suitable only for adult audiences, and Universal Films marked "U", which were fit for general exhibition. This practice has been consistently followed by the Board since its inception; but when special performances for children were abandoned the classification ceased to have any practical effect, and it became the practice to exhibit both classes of films to mixed audiences. The London County Council realising that this practice was illogical and that it was desirable to give effect to the classification made by the Board, decided to insert in their licences the following condition :-

"No film - other than photographs of current events - which has not been "passed for "universal" exhibition by the British Board of Film Censors shall "be exhibited without the express consent of the Council during the time that "any child under, or appearing to be under, the age of 16 years is therein. "Provided that this condition shall not apply in the case of any child who is "accompanied by a parent or bona fide adult guardian of such child".

This condition came into force on the 1st January, 1923, and the Secretary of State is informed that in the experience of the Council the new condition is giving satisfactory results and that no difficulty in administration has arisen. He understands that foreign countries have recognised the same need for distinguishing films which can be shown to young persons and adults respectively. The representatives who attended the conference were of opinion that this condition also should be brought to the notice of Licensing Authorities for their consideration, and it is hoped that it may meet with general acceptance.

I am to enclose copies of the Model Conditions originally proposed in 1917, to which have been added the new conditions which the Secretary of State now wishes to recommend to licensing authorities for their adoption.

I am,

Sir,

Your obedient Servant,

CINEMATOGRAPH LICENCES.

MODEL CONDITIONS RECOMMENDED IN 1917.

1. No film shall be shown which is likely to be injurious to morality or to encourage or incite to crime or to lead to disorder, or to be offensive to public feeling, or which contains any offensive representations of living persons. If the licensing authority serve a notice on the Licensee that they object to the exhibition of any film on any of the grounds aforesaid, that film shall not be shown.

2. No film shall be shown unless three clear days notice, stating the name and subject of the film, together with a copy of any synopsis or description used or issued in connection with the film, has been given to the licensing authority; and the licensee shall within that period, if the licensing authority so require, exhibit the film to such persons as they may direct.

3. Films which have been examined by any persons on behalf of the licensing authority shall be exhibited exactly in the form in which they were passed for exhibition, without any alterations or additions unless the consent of the licensing authority to such alterations or additions has previously been obtained.

4. No poster, advertisement, sketch, synopsis or programme of a film shall be displayed, sold or supplied either inside or outside the premises which is likely to be injurious to morality or to encourage or incite to crime, or to lead to disorder, or to be offensive to public feeling, or which contains any offensive representations of living persons.

5. Every part of the premises to which the public are admitted shall be so lighted during the whole of the time it is open to the public as to make it possible to see clearly over the whole area.

NEW MODEL CONDITIONS.

No film - other than photographs of current events - which has not been passed for "universal" or "public" exhibition by the British Board of Film Censors shall be exhibited without the express consent of the Council.

No film - other than photographs of current events - which has not been passed for universal exhibition by the British Board of Film Censors shall be exhibited in the premises without the express consent of the Council during the time that any child under, or appearing to be under, the age of 16 years is therein.

Provided that this condition shall not apply in the case of any child who is accompanied by a parent or bona fide adult guardian of such child.

SOURCES CONSULTED

Films

The titles listed below are of films which have been consulted in the course of this inquiry. Those viewed by the author have an asterisk beside the title (e.g. *MAISIE'S MARRIAGE): prints of a number of films could not be traced, and have probably not survived. The following information is included, where available and in the order given, with each entry:

Title
Date (usually of first release)
Country of origin (c)
Production company or producer (prod)
Director (dir)
Synopsis (s)
Location of print, if found (loc)
Unpublished documentation (du)
Selected published documentation (dp)

*DAMAGED GOODS (1915)

(c) US (prod) American Film Manufacturing Co. Inc. (s)
Film version, with the original cast, of the Broadway version of Eugene Brieux's play about syphilis in a bourgeois family (loc) paper print, Library of Congress (du) Library of Congress, Motion Picture, Broadcasting and Recorded Sound Division, Copyright Deposit Material (hereafter LC-CM), L3450 (dp) Moving Picture World, 2 October 1916

*DAMAGED GOODS (1919)

(c) GB (prod) G.B. Samuelson (s) Adaptation of the play by Eugene Brieux about syphilis in a bourgeois family (loc) David Samuelson (du) Public Record Office, Home Office Papers (hereafter PRO-HO) 45/10955 (dp) Variety, 21 November 1919; The Times, 17 December 1919; The Bioscope, 25 December 1919; The Cinema, 16 December 1920

***DAMAGED LIVES (1937)**

(c) Canada (prod) Weldon Pictures Corp. (dir) Edgar G. Ulmer (s) An update of the Damaged Goods story (loc) Library of Congress (du) Fawcett Library, National Vigilance Association Records (hereafter FL-NVA), S1Q; LC-CM, LP4100; Academy of Motion Picture Arts and Sciences, Production Code Administration Case Files (hereafter AMPAS-PCA) (dp) Dorothy Knowles, The Censor, the Drama and the Film, pp.243-4; New York Times Film Reviews, 14 June 1937

***DOCTOR EHRLICH'S MAGIC BULLET (1939)**

(c) US (prod) Warner Brothers (dir) William Dieterle (s) Biopic about the discoverer of salvarsan, the first known cure for syphilis (loc) Library of Congress (du) AMPAS-PCA; University of Southern California, Doheny Library, Warner Brothers Collection (dp) Variety, 2 February 1940; Film Daily, 2 February 1940

THE END OF THE ROAD (1918)

(c) US (prod) Public Health Films (dir) Edward H. Griffith (s) The lives of two young women, one of whom leads a decent life and embarks on a career as a nurse while the other falls into 'disgrace' and contracts a venereal disease (du) FL-NVA, S13; LC-CM, L13333, L14184 (dp) The Shield, December 1919-January 1920, pp.189-90; The Times, 8 November 1919

FIT TO FIGHT (1919)

(c) US (prod) American Social Hygiene Association/Public Health Films (dir) Edward H. Griffith (s) Of five young men drafted into the Army, only two get to the front: the rest fall victim to VD (du) FL-NVA, S13; LC-CM, L13350 (dp) Kevin Brownlow, The War, the West and the Wilderness (London: Secker and Warburg, 1979), pp.127-8

FIT TO WIN (1919)

(c) US (prod) American Social Hygiene Association/Public Health Films (dir) Edward H. Griffith (s) Fit to Fight (q.v.), with epilogue added (du) FL-NVA, S13; LC-CM, L14210 (dp) Karl s. Lashley and John B. Watson, A Psychological Study of Motion Pictures in Relation to Venereal Disease Campaigns; Edward de Grazia and Roger K. Newman, Banned Films, pp.199-200

***MAISIE'S MARRIAGE (1923)**

(c) GB (original title: Married Love) (prod) G.B. Samuelson (dir) Alexander Butler (s) 'A fireman's fiancée, ejected by her father, becomes maid and finds small families happier than larger ones' (loc) David Samuelson (du) PRO-HO 45/11382; British Library, Marie Stopes Collection, ADD58507 (dp) The Bioscope, 17 May 1923; Kinematograph Weekly, 17 May 1923, 7 June 1923

***MARRIAGE FORBIDDEN (1938)**

(c) US (US release title: Damaged Goods) (prod) Criterion Pictures Corp. (dir) Phil Stone (s) 'On the dangers of syphilis to society, and the havoc in a family if unchecked': based upon Brieux's play Damaged Goods (loc) National Film Archive (du) FL-NVA. S16; LC-CM, LP8129; AMPAS-PCA (dp) New York Times Film Reviews, 16 July 1938; Kinematograph Weekly, 26 January 1939

OPEN YOUR EYES (1919)

(c) US (prod) Warner Brothers (dir) Gilbert P. Hamilton (s) Three young men decide to sow their wild oats, and all of them contract syphilis as a result (du) LC-CM, L13765 (dp) Variety, 4 July 1919; Wid's Daily, 6 July 1919; Kinematograph Weekly, 22 January 1920

THE SCARLET TRAIL (1918)

(c) US (dir) John S. Lawrence (s) A VD film with a social purity subplot, ending with the suicide of a syphilis victim (du) LC-CM, L13541 (dp) New York Times Film Reviews, 22 December 1918; Variety, 3 January 1919

THE SPREADING EVIL (1918)

(c) US (dir) James Keane (s) A thriller whose plot revolves around the search for a cure for syphilis (du) LC-CM, L13209 (dp) Variety, 22 November 1919; Lashley and Watson, A Psychological Study of Motion Pictures..., p.6

***WHATSOEVER A MAN SOWETH (1919?)**

(c) GB (prod) Lord Beaverbrook (s) A drama about VD among soldiers (loc) Archive Film Agency

***WHERE ARE MY CHILDREN (1916)**

(c) US (prod) Universal (dir) Lois Weber (s) An upper-middle-class woman has abortions and procures them for others, with disastrous consequences (loc) Library of Congress (du) PRO-HO 45/10955; LC-CM, L8170 (dp) Variety, 14 April 1916; Moving Picture World, 29 April 1916, 3 June 1916, 1 July 1916; Photoplay, June 1916; The Bioscope, 9 November 1916, 16 November 1916, 23 November 1916

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