THE KANSAS STATE BOARD OF REVIEW:
A STUDY OF CENSORSHIP

by

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INTRODUCTION

About a year ago this writer saw the film version of Lady Chatterley's Lover in a Junction City, Kansas theatre. Before actually seeing the film, he wondered how much of the book had been eliminated and how a movie based on the book ever passed the Kansas film censors. Later he examined passages in the book to determine which parts the movie producers had retained in making the film. Because this study led the writer to consider the question of censorship in a general way, he began an investigation into the matter of censorship. Newspaper accounts and magazine articles relating incidents involving censorship in different parts of the country appear frequently. The writer learned that pressure groups were active in a movement to have the sale of so-called "obscene" literature in cities from Los Angeles to New York City prohibited; furthermore, he was amazed at the number of cases that had appeared both in the lower and higher courts as a result of these attempts at prohibition. Stranger still was the fact that the Supreme Court Justices were, in many instances, unable to agree on a decision about obscenity. General considerations of literary censorship aided the writer in arriving at a specific area of censorship which interested him even more. Discovering an article mentioning the Kansas State Board of Review, the author decided to try to discover the censorship responsibilities of this board.

The purpose of this paper is to study the significant incidents in the area of censorship with which the Board concerned itself, to present a history of the Kansas State Board of Review, and to analyze the apparent changes in standards of the Board, from the time of its establishment to the present.
A REVIEW OF CASES AND INCIDENTS INVOLVING LITERARY CENSORSHIP

For decades the problem of censorship has perplexed many people, including countless law officials. Over and over the question recurs: does any person or group of people have the right to say what others shall or shall not read or see? According to the First Amendment, Congress does not have the prerogative of depriving the American citizens of freedom of speech or freedom of the press. There is no exception for obscenity.\(^1\)

Many believe that our forefathers knew what they were doing when they drafted the Bill of Rights; therefore, they contend that no Federal power should regulate literature "unless it can be shown that some unlawful action may result."\(^2\) Attempting to prove a relationship between bad acts and bad books is a dubious business. Some say that books in question are no worse than the following:

\[\ldots\] the bra, the girdle, and cosmetic ads, the cheesecake photographs, the bust measurements, the beauty contests, the night club offers to girls whose only gifts are the affairs they've had or pretended to have had, the kick-in-the-gut private-eye shows \[\ldots\] and other bauble and gaud around us.\(^3\)

Others believe that so-called "obscene" publications should be kept from the newsstands and away from the young. It is difficult to say exactly what an "obscene publication" really is or, for that matter, just what obscenity means. Even the law is rather vague in its definition. One


\(^2\)Loth, p. 226.

\(^3\)Harvey Breit, "A Right to License the Licentious?" Saturday Review, XXXIV (February 20, 1960), 169.
dictionary defines obscene as "foul; disgusting; offensive to chastity or to modesty; lewd." 4

One authority feels that the primary difference between obscenity and good literature is that the former is "a calculated incitement to sexual desire" 5 and the latter is "an effort to reflect life, including its dirt, with reasonable accuracy and balance... Obscenity must be 'dirt for dirt's sake.'" 6 The major aim of obscene books is to stimulate and evoke lustful desires. 7

Summarizing the various laws regarding obscenity is not easy because the statutes vary a great deal. The determination of what is and is not obscene varies from state to state, court to court, and judge to judge, from time to time; in fact, within the state, courts do not always agree. A publication denounced as obscene trash one year may be acceptable several years later. A good example to demonstrate our changing standards is James Joyce's Ulysses, which was banned at one time but has received sufficient recognition in some college English courses. 8 Even as recently as five years ago, such books as Lady Chatterley's Lover and Lolita would have raised a storm of protest; today these books are available by the hundreds in bookstores and newsstands all over the country. 9

6Fellman, p. 33.
7Breit, p. 34.
One strange fact about obscenity is that some things are permissible in one of the media and forbidden in another.¹⁰ For instance, some "obscene" passages in novels receive a great deal of criticism. Possibly one reason for this is that more people are exposed to the novel than to the drama. For example, all types of people, from the custodian to the college professor, read such controversial works as Tropic of Cancer, Lady Chatterley's Lover, and Lolita. The drama on Broadway, in Little Theatres, and in universities seems to attract the more sophisticated and intellectual—those who are supposed to be more broad-minded. These people are not likely to be shocked when they see Cat on a Hot Tin Roof, A Streetcar Named Desire, Who's Afraid of Virginia Woolf? or Long Day's Journey into Night because many who see plays not only know something about them in advance, perhaps by reading a review but also by attending the theatre of their own volition. Attendance at the theatre is deliberate: one dresses for the event, pays more for his dinner and his ticket, and is there because he wants to be there. Another factor to consider is that one reads alone; there is a vast difference between this and viewing in a group, as in the theatre, movies, or television. When such dramas as the four mentioned earlier are presented as movies, the producers delete many risque parts so that the movie patron usually sees something quite different from what the legitimate theatre-goer sees. For example, the play is presented in its entirety, including all its profanity and suggestive-ness and any other objections that may be there whereas many movie producers frequently either eliminate the obscenity entirely or try to limit it

¹⁰Larrabee, p. 87.
enough to pass the censors.

During the past few years cases involving so-called pornographic literature have been flooding the courts; and a large number of pressure groups throughout the country have been waging vigorous campaigns against the book publishers, authors, and newsdealers. Some significant occurrences in censorship during the past fifteen years include one in which the United States Supreme Court could not decide with unanimity of opinion: tied four to four, the United States Supreme Court upheld the New York obscenity ban of Memoirs of Madame de Scarpet, a novel by Edmund Wilson. As a result of the tie vote, the state court conviction of Doubleday and Company, Incorporated, was left standing. The publishing company violated a law which provided "that the publication, sale, loan, gift, or showing of 'any obscene, lewd, lascivious, filthy, indecent, or disgusting book' is a misdemeanor." The publishing company was warned to stop publication and distribution of the book and was fined $1,000. Arguing that the book was not obscene, the Doubleday lawyers said if the judges would read the book for themselves, they would see that it is a serious piece of literature. The publishers' lawyers argued not that the New York law was unconstitutional but that the application of the law in that particular case violated guarantees of free press and free speech. After hearing the Supreme Court decision, the president of Doubleday declared:

It is regrettable that because of the even decision of the judges of the Supreme Court, four to four, there are no opinions to throw light on the important constitutional question . . . and it is heartening to know that

11 Jay Walz, "High Court Backs N. Y. Book Ban," The New York Times, LVIII (October 26, 1943, 33.)
four of the justices believed that the conviction in the lower court violated the constitutional rights of the publisher. ¹²

Thus Mr. Wilson's book was condemned by four judges without a word of explanation.

An interesting court case in May, 1960, involved James T. Farrell and Vanguard Press, Incorporated, who were successful in restraining the Philadelphia police from interfering with the sale of Studs Lonigan. On the witness stand Farrell stated that it is not fair to take passages out of context and condemn them. When the lawyer asked him whether it was necessary to write about the character's sexual relations with girls, the author replied that sex is a primary fact of life. The attorney then asked him whether his first analysis was based on the sociological importance of the book. Farrell answered:

"My first analysis also said it was an attempt to give the life history of a boy. It was an attempt to give a picture of one human life. In terms of the total picture it is necessary to present those aspects of his life which have a bearing on his full psychology, on his full nature. Now, as I said before, and I might repeat again, that sex is one of the primary facts of life. I would add in this particular case the time was 1923 and 1924, and if you will refresh your memory, that was the Prohibition era, with talk of the jazz age, and if you will look through old newspaper files, you will find there were a great many things, just as I have described them, appearing in many newspapers all over the country."¹³

The author's justification for writing the book was that he was trying to write about life. After the lawyer asked whether he had considered

¹² Talz, p. 33.

the effect of the book on his readers, Mr. Farrell replied that he had. He felt in most instances the effect was good. His reply stated:

"I, a mon has been in circulation . . . for thirteen years, and the American Republic continues to stand. It has been studied in colleges . . . It has been recommended by figures from many walks of life, including one assistant Secretary of State, and America continues to stand. There are students, there has been more than one generation of students brought up on it, and many of them are writers, many of them are teachers, and they go along in their walks of life . . ."

Also in 1943 one significant Supreme Court landmark occurred: a New York statute intended "to prohibit publication and sale of at least the more blood-thirsty detective or crime-comic magazines" was declared unconstitutional.

Two years later in Dubuque, Iowa, many people complained about the literature on the newsstands because they felt it was unfit for young people. In October of that year a grand jury indicted a newsdealer for selling obscene literature; then on January 1, 1951, John L. Duffy took office as new county attorney. After he learned that the case still had not been brought to trial, he asked that it be dismissed for lack of evidence. Some dissenting groups then called a meeting and accused the attorney of negligence. After calling a second grand jury to investigate, he decided to have the jury compare some of the classics to modern objectionable authors. On March 9 two deputy sheriffs subpoenaed the city librarian to appear before the grand jury with copies of Tom Jones, Decameron, Stretch on the River and Rabelais' book. After learning that all the copies of Stretch on the River were checked out, the deputies

14 Farrell, p. 300.

demanded to know who had them. She immediately called Duffy and told him she would rather go to jail than divulge the names. He replied that that was exactly what would happen to her if she did not disclose the names so she went with the deputies to the court house, appeared before the grand jury, and testified for two hours on Dauham, Steinbeck, and other prominent authors. Finally two men from the English Department of the State University were subpoenaed so that the jury could be better informed. After hearing the two men, the jury did not indict.16

On February 19, 1953, a bill intending to strengthen an existing state law concerning obscene literature was introduced into the Minnesota Legislature to repeal a 1917 law on obscene literature and replace it with a bill that would have prohibited "any book containing obscene, immoral, lewd, or lascivious language."17 Many "good" people, including publishers, librarians, and representatives of the Civil Liberties Union opposed the bill because Minnesota already had a law covering obscene literature; this law provided "for evaluating any publication or work of art as a whole"18 whereas the proposed law could have ruled out many great literary works on the basis of even one objectionable word. Such classics as The Arabian Nights and the works of Shakespeare, Boccaccio, Volta, and Jonathan Swift would have been banned under the proposed law.19 On April 6 the

16Ray Clark, "No Indictment," Library Journal, LXVI (May 1, 1951), 764.

17Ray Clark, "Blueprint from Minnesota," Library Journal, LXXVII (June 1, 1953), 955.


bill, being recommended for indefinite postponement, was killed. This action on the part of the people not only indicated the democratic process in action but also showed what people can do in government if they will just let their legislators know their sentiments. When the legislature adjourned on April 21, the old law was still in effect, and the entire new proposal had been killed.

Also in 1953 several publications of the New American Library were among over four hundred paperback books that Chief of Police Allen of Youngstown, Ohio, had removed from the city's newsstands. After the publishers brought suit against Allen, the judge ruled that Allen "had exceeded his authority in circulating lists of prescribed books" and that he had no authority to act as censors. The judge also said that until a court "of competent jurisdiction" labeled a book as immoral or obscene, it could not be suppressed.

A problem arose in San Antonio, Texas, in the summer of 1953 when Mrs. E. Hanse and a self-appointed committee of women published a bulletin (at a dollar a copy) listing authors, their books, and Communist Front Affiliations as set forth in a report that was prepared and distributed by the Committee on Un-American Activities, United States House of Representatives in April of 1953. The bulletin's recommendations were as follows: 1) So that the reader would realize he was reading Communist

20"Blueprint from Minnesota," p. 957.

21Marie Halpenny, "Important Ruling in Youngstown Case," Library Journal, LXXVII (October 1, 1953), 1616.

22"Important Ruling in Youngstown Case," p. 1616.
propaganda, each book was listed and all future books purchased were to be stamped with a RED stamp; 2) they requested that someone who was well-informed on pro-Communist books be added to the library board. They wanted a well-informed committee, such as theirs, to be allowed to check the index files from time to time and submit their findings to the library board. The second part of the problem came when a member of the Texas House of Representatives introduced a censorship bill making it unlawful for anyone to use in any public school or state college or university "any book, magazine, publication, pamphlet, or literature of any kind . . . written by any member or former member of the Communist party," unless it has been printed on the inside of the cover the following in red ink in letters at least one-half inch high:

The author of this publication is a member or former member of . . . organization listed by the United States House of Representatives Committee on Un-American Activities as being communist, communist-front, or subversive organizations.

Something unusual occurred in 1955 when Emily Davie's book Profiles of America was censored and a House Subcommittee on Appropriations placed a ban on the book's use by the government. The historical book, containing such things as excerpts from writings of presidents, inventors, artists, and other leaders, also contains most of our important documents. Each year, after the United States Information Agency chooses books that it thinks will explain and represent our country best, it sends trial copies


24 Halpenny, p. 1179.
to our libraries overseas; then the libraries re-order the books according to their demand. In other words, the number needed is determined by the popularity of the books. In 1954 the USIA re-ordered copies of Profiles—the largest request that the department had ever ordered in its history.

Two members of the House Subcommittee on Appropriations objected to the book when the USIA requested funds to meet the order. Funds were granted for other books, but not this one. The chairman of the Subcommittee said that all the members of the Subcommittee thought it was a good book for Americans, but they objected to a photograph of a 1750 little red schoolhouse because they felt that the Russians would think it was typical of our school systems today, even though this picture was followed with other pictures of our modern high schools and universities. Other objections were to Thoreau's Walden, which they considered "damaging," and O'Neill's Ah, Wilderness, which they thought was "obscene." And they objected to a picture of a dust storm in an arid part of the country because foreigners might think that it was typical of American land; this, though, was followed by pictures of the TVA. The most ridiculous objection was that some disapproved of a photo of a rural schoolteacher because they had seen a Russian propaganda book with a picture of a better-looking teacher. After Senator Kilgore of West Virginia discussed the contents of the book with the author, he got the book reinstated in the Senate by writing an amendment into the bill authorizing funds for American books, including Profiles. There was no controversy over the amendment when it was brought

25 Emily Davie, "Profile and the Congressional Censors," The First Freedom (Chicago, 1960), passim.
In the case of Butler versus Michigan, the defendant was convicted of violating the state obscenity law because he sold a paperback copy of John Griffith's *The Devil Rides Outside*. On February 25, 1957, by a unanimous decision, the United States Supreme Court put aside the conviction. Justice Felix Frankfurter had this to say:

The State insists that, by thus quarantining the general reading public against books not too rugged for grown men and women in order to shield juvenile innocence, it is exercising its power to promote the general welfare. Surely, this is to burn the house to roast the pig... The innocence of this enactment is to reduce the adult population of Michigan to reading only what is fit for children.

On June 4, 1957, after Samuel Roth, a New York bookseller was convicted in a District Court for mailing obscene literature in the United States mails, the conviction was upheld by the Court of Appeals for the Second Circuit. It then went to the Supreme Court "on the ground that the Federal statute against using the mails to forward obscene matter is itself a violation of the First Amendment." Involving the same matter, a second case concerned David Alberts, who had a mail-order business in Los Angeles and who was convicted by a Municipal Court judge of "lewdly keeping for sale obscene and indecent books, and with writing, composing, and publishing an obscene advertisement for them, in violation

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26 Davie, p. 249.

27 Wellman, p. 19.

of the California Penal Code." In a third case concerning Kingsley Books, Incorporated, the authorities confiscated copies of Nights of Horror in New York City. After the court examined the books and found them obscene, the company was convicted.

In November of 1957 the grand jury of Whitley County, in the hill country of Kentucky, learned that Gatherie's book The Big Sky was available in the Corbin Public Library. A missionary complained and underlined passages of the book that he called examples of lust; therefore, he contended the book was not fit for either adults or children. In defense of this, the author said that in the past, Americans have operated on the principle "to each, his opinion," that the American people like freedom and are able to choose "courses that are wise and good," and that censorship is indoctrination. "Each cherishes the right to do his own thinking, to choose his own reading, to defy the extremists who, in their exclusive wisdom, would make him a copy of themselves." He felt that the really serious writer of fiction tries to re-create experience in an honest way, that the truth is important, and that critics would like to see authors "prettypfy" experience by having the writer "make a doll house out of life." He added that morality is not promoted by misrepresentation. Defending his book by saying it is "an accurate representation of a time

29 Gardiner, p. 403.

30 Gardiner, p. 403.


32 Gatherie, p. 205.
and a place," he stressed the fact that words do not corrupt people, but perhaps attitudes, the cheap, the trashy, and the false do. He stated that his book had never been accused of any of these because the book is "embarrassingly moral . . . Through it runs the theme of atonement." He also mentioned the fact that the book had, at that time, been in print for about ten years, and, to his knowledge, none of the people in Corbin had been corrupted by the book. He asserted that if his book were banned because of its lust, which books would the library stock? If books containing references to lust were taken from the shelves of the libraries—the Bible, Shakespeare's books, Dreiser's, Lewis's, Hemingway's, and Steinbeck's—then Corbin would hardly have a library, "or at best one that might appropriately be named 'The Tale of Peter Rabbit' Library." 

In Dixon, Illinois, in April of 1953, the Dixon Council of Church Women sent representatives to an organizational meeting to discuss pornographic literature on the newsstands. The board was composed of the mayor, police chief, one Catholic priest, and representatives from different churches. After this meeting, several of the representatives gave speeches to the Parent-Teachers Associations and other organizations to explain the problem of censorship, to tell them what was being accomplished in the area, and to inform them about how people could co-operate to eliminate this kind of literature. When several delegates went to the stores

33 Gutherie, p. 235.

34 Gutherie, p. 236.

35 Gutherie, p. 236.
they found that many of the owners were amazed at the literature the book companies were distributing. When the Chief of Police visited the stores and quietly asked the owners to remove the literature, he stressed the fact that it was not censorship but a community reaction to an infestation."36

After the Lady Chatterley movie appeared in 1959, the Supreme Court's decision on the film was that part of the New York state film-licensing law under which the movie had been proscribed was unconstitutional. Under this provision, showing movies that present "acts of sexual immorality, perversion, or lewdness" as being "desirable, acceptable, or proper patterns of behavior"37 are forbidden. The Court ruled that the movie did not show such scenes, "but merely approved such matters as adultery, without actually portraying them in an obscene way."38 The Court also stated that the film was protected under free speech; however, many people were not happy with the decision.39

In addition to the Lady Chatterley film controversy in 1959, there was in that same year another dispute. In the spring of 1959 Postmaster General Sumner Field was challenged by a book club that was mailing circulars advertising Lady Chatterley's Lover and a publishing company that was mailing copies of the book. The publisher called as witnesses some of the country's most distinguished critics who insisted the book was "one of

36 "Common Effort," America, CI (July 4, 1959), 1h1.

37 "Lady Chatterley Decision," America, CI, (July 11, 1959), 503.

38 "Lady Chatterley Decision," p. 503.

39 Bergen Evans, "The Storm over Lady Chatterley's Lover," Coronet, XLVII (December, 1959), 1h6.
the most important works of fiction of the century" with "intense nobility of purpose." They also contended that the book has "high religious quality." Judge Bryan said that it was "an honest and sincere novel of literary merit" and that the language in the book was consistent with character, situation, and theme. Therefore, he overruled the Postmaster General and allowed the book to be sent through the mail.

Censors have argued that anyone who reads Lover will be corrupted, but no censor has ever admitted that he has been corrupted by the book. Bergen Evans, in an article titled "Storm over Lady Chatterley's Lover" in the December, 1959, issue of Coronet, said that it is the youth who will become delinquent if adults do not do something about it. However juvenile delinquents

... spend very little time with books, obscene or otherwise; they do not (alas!) live in the world of the printed word ... If those who insist on censoring books are sincere, they should regulate all diversions—music and dancing and, above all, conversation; even advertising and beauty parlors; and no clothing but nylon socks must be permitted to women.

Representative Kathryn Granahan was chairman of the Subcommittee on Postal Operations in 1959, when the Subcommittee toured the United States. She noted that in San Francisco the police took playing from the newsstands and that a "nonsectarian" committee was formed to combat magazines and books that are "undesirable," or, as the committee put it: "those that numb the mind and lead to rape." These books were mentioned—Blackboard

10 Evans, p. 1146.
11 Evans, p. 1146.
12 Evans, p. 1148.
Jungle, Lady Chatterley's Lover, and Pornography and the Law. Granahan came up with some remarkable statistics: one in every twelve persons arrested in the United States is a juvenile and in every case obscene literature was found either on them or in their possession elsewhere. She also learned that "30 per cent of the inmates of juvenile mental institutions in Pennsylvania are children under fifteen and every one of them is there because they read this (lewd) literature."\(^3\)

Three years ago in San Antonio, Texas, a group of women were successful in getting Moby Dick and some of Chaucer's works banned from the bookstores. The same year a Thompson, Michigan, mother managed to have a teacher arrested because the latter had given the son a copy of The Stranger, a book she said had indecent passages. Later that year, after the teacher had served ninety days in jail and had paid a fine of one hundred dollars, the Circuit Court discovered that the teacher had been convicted under a law that had been repealed three years before.\(^4\) Is a result of pressure groups, booksellers in Cleveland banned, or withdrew, two books from their shelves: The Golden Ass, because "the title might be offensive," and Freud's General Introduction to Psychoanalysis, because "it had a chapter on sex."\(^5\)

The city of Detroit, Michigan, one of the most active cities in censoring objectionable books, makes use of a group of off-duty policemen.

\(^3\) "Comstock Rides Again," Nation, CLXXIII (December 5, 1959), 111.


\(^5\) Kyle-Keith, p. 114.
headed by an inspector, who spend a great deal of time looking for obscene books and magazines. Usually about fifty are banned each year by this group, which may have a dubious background in literature evaluation. These men are said to spend approximately 750 hours each year reading such publications. Some of the books that have been prohibited are End As a Man, Battle Cry, Catcher in the Rye, From Here to Eternity, and The Farmer's Hotel; and "to protect the morals of the very young," Hans Christian Andersen's Fairy Tales has also been banned. As a result of the work of these so-called censors, many classical books are not available to the people of Detroit, although they may be acceptable in the cities of forty-nine other states. A singular thing about the Detroit situation is that the only books that are censored are paperbacks; in other words, it seems the hard covered book, it is argued, is available to anyone who can afford to buy it. As one author put it, rather sarcastically: "In Detroit, only the rich are virtuous; the poor are depraved."46 Appearing to be sincere in their actions, these censors believe that pornography and crimes go hand in hand; they are right, according to Representative Granahan. The crime here is that these censors are not qualified to judge because they lack knowledge and insight.47

March 16, 1962, a Los Angeles bookseller, Bradley Smith, was sentenced to thirty days in jail for selling Tropic of Cancer. The Los Angeles City Librarian, Harold Hamill, declared he and others were not happy with the trial. For one thing they did not think it was necessary to read the whole

46 Kyle-Keith, p. 114.

47 Kyle-Keith, p. 114.
book to the jury, word for word. At the same time, a court in Northern California, as well as other courts throughout the country, made contrary decisions. One was in Chicago, where Judge Epstein said the book was not obscene in its effect on the average person, but he felt that "it is a literary work of merit and social significance." He also said:

The right to free utterances becomes a useless privilege when the freedom to read is restricted or denied . . . Censorship is a very dangerous instrumentality, even in the hands of a court. Recent history has proved the evil of an attempt at controlling utterances and thoughts of our population. Censorship has no fixed boundaries. It may become an oppressive weapon in a free society . . . literature which has some social merit, even if controversial, should be left to individual taste rather than Governmental edict. Let the parents control the reading matter of their children; let the tastes of the readers determine what they may or may not read; let not Government or the courts dictate the reading matter of a free people . . . Taste in literature is a matter of education. Those who object to the book are free to condemn or even to urge others to reject it. Such voluntary efforts are praiseworthy and consonant with democratic principles. However, that is a far cry from censorship established by law, whereby all readers are geared to the taste of the relatively few.48

The Supreme Judicial Court of Massachusetts reversed a lower court injunction against Tropic of Cancer on July 17, 1962. The judge's opinion was:

... that the First Amendment protects material which has value because of ideas, news, or artistic, literary, or scientific attributes. If the appeal of material (taken as a whole) to adults is not predominately prurient, adults cannot be denied the material. When the public risks of suppressing ideas are weighed against the risks of permitting their circulation, the guarantees of the First Amendment must be given controlling effect. The dangers of subjective judgments in the

Matter of censorship led to a strong presupposition against suppression. ... It is not the function of judges to serve as arbiters of taste. ... Within broad limits each writer ... is entitled to determine such matters for himself, even if the results is "sic" as dull, dreary, and offensive as the writer of this opinion finds almost all of Tropic.49

On February 18 of this year the Supreme Court, in an 8-1 decision, ruled extrajudicial censorship activities by the Rhode Island Commission to Encourage Morality in Youth unconstitutional. This decision "climaxed a challenge to the Commission's activities which was begun three years ago by four paperback publishers,"50 From time to time, the Commission has sent lists of titles they thought objectionable for sale to youth under eighteen. As a result of a lower court trial, certain publications were removed from the newsstands; however, no one was prosecuted for possession or sale of the publications. The Court felt that "The procedures of the Commission are radically deficient" because they fall short of the constitutional requirements of governmental regulation of obscenity. "The system of informal censorship disclosed by this record violates the Fourteenth Amendment,"51 There were several conflicting opinions among the court officials, including that of William O. Douglas, who said, "This is censorship in the raw; and in my view the censorship and First Amendment rights are incompatible."52 Justice Tom Clark asserted,
In my view the court should simply direct the Commission to abandon its delusions of grandeur and leave the issuance of 'orders' to law enforcement officials. . . ."53 Justice John M. Harlan, the only dissent, felt that the Commission should be supported because of its aims—"the combatting of juvenile delinquency—and should be stripped of power because of its methods."54

These, then, are some of the significant activities with respect to censorship in various parts of the United States during the past fifteen years. Some courts continue to have difficulty defining obscenity; pressure groups still fight to keep the newsstands free from any kind of pornographic literature; and others persist in attempts to uphold the First Amendment. To some, it may seem as if nothing has changed; but if one studies the censorship situation carefully, he will see that two trends are evident: there is more freedom in writing, and the censors are losing ground.

Ultimately the matter of censorship resolves itself to the questions of who will censor and what criteria will be employed. There is no final resolution of the matter of censorship except that time seems to have allowed some of the previous rigidity. In Kansas the responsibility for censorship of movies was relocated to the Kansas State Board of Review.

53 "Rhode Island Censors' Activities . . .," p. 42.
54 "Rhode Island Censors' Activities . . .," p. 42.
In April, 1915, censorship in Kansas was established. A 1913 inspection law had been declared constitutional, and the 1915 legislature made a provision for enforcing the law "by providing that a two dollar film fee be allowed the State Superintendent any funds with which to enforce the law."\(^1\)

Until 1917 all movies were viewed by the State Superintendent of Public Instruction, with the assistance of two other Kansas citizens—Reverend Festus Foster, a minister, and Miss Mary Simpson, a teacher, who received three dollars a day for their work. If they disapproved of a film, the applicant could have it examined by a Commission consisting of the Governor, Attorney-General, and Secretary of State.\(^2\) This body, which was officially named the State Moving Picture Censorship Appeal Commission, was abolished in 1917 when the Kansas State Board of Review was established.\(^3\)

When the censorship began, Mr. Ross, the chief censor, stated that it was difficult to make any definite rules concerning what would or would not be permitted on the screen. At first "scenes of debauchery, actual murders and robberies or other crimes" were prohibited; later a set of rules was developed. He did feel:

\(^1\)"Ross Plans for Movie Inspection," Topeka Daily Capital, (April 1, 1915).

\(^2\)Bessie E. Welder, Governmental Agencies of the State of Kansas, (Lawrence, Kansas, 1957), 116.

\(^3\)Welder, p. 98.
Kansas is a prohibition state and few of her children ever see a drunken man and few ever see the inside of a barroom, even outside the state. It doesn't seem proper to me that the children should be permitted to see scenes of debauchery in the movies that they could not see with their own eyes in Kansas and seldom anywhere else. And so ostrich-like, the minister took the position that if one ignores evil, it will go away. But how can anyone avoid evil if he is never taught to recognize it?

At first the movies were viewed right in the theatres. The inspections of the first movies censored were at the Best and Orpheum Theatres in Topeka. The Board members inspected all the pictures by viewing them or by looking at the printed descriptions.

Beginning work at 8:00 a.m., the censors watched the movies "as steadily as their eyes could stand until noon," then in the afternoons they prepared their reports. The first ten movies that Reverend Foster viewed were acceptable. During the afternoon of the first day he saw a war film, which he also approved. He said there was nothing questionable in any of the films. One manager stated, though, that the films had already been passed by the Kansas City board and by the national board. Many people thought the censors would cut all the drinking scenes. Miss Simpson said that when a drinking scene was necessary "to carry out the line of the play and is not immoral or suggestive or offensive, we

6"Ross Plans for Movie Inspection."
let it go. I have let many drinking scenes go by . . . 

The movie censors were considered by many to be big revenue producers because from $18,000 to $20,000 a year was paid by film manufacturers to have their films censored. During August of 1915 the censors collected $2,202 for the state treasury. Their other expenses were less than $150 (plus the salaries) so in all the State spent about $300 for the film censorship. During the first four and a half months the inspectors turned in $7,948, and after seven and a half months the group cleared nearly $12,000 and allowed $2,773.71 for expenses.

The theatre managers were happy to observe the inspection law because the advertisement, "Passed by the state censorship board," they thought, would be worth the two-dollar fee. Many Topekans did not have the same feelings about censorship that the theatre managers did; they complained because all the censorship was done in Topeka. Other theatres in the state sent in printed outlines of their movies for approval. It would have been easy for a theatre outside Topeka to show an unapproved movie without the Board's knowledge, but if any manager were


9 "Ross Plans for Movie Inspection."

10 "Movie Censors Become Big Revenue Producers," Topeka Daily Capital, (September 2, 1915).

11 "Movie Censors Clear $12,000," Topeka Daily Capital, (December 5, 1915).

12 "Ross Plans for Movie Inspection."

convicted of such a charge, he paid a fine of $25 to $100 for the first
offense and $100 per offense after that. Each showing of a film constituted
another charge. Because of these regulations, most theatre owners showed
approved films.

There were several times in 1915 when the Topeka movie fans became
quite angry over the decisions of the Board. One instance was the barring
of *When We Were Twenty-one*, which the audience enjoyed. After the censors
viewed the film, they told the theatre manager he could not show the movie
again. At a performance the previous evening, the patrons were asked to
vote on the question, "Should this picture be condemned or not?" Twenty-
eight were in favor, but five hundred four were not. The distasteful
part of the film "showed several well dressed men and a few women in a
finely furnished club room." One or two were

imbibing some liquid, probably water or coca cola,
<sup>[sic]</sup> although it was evidently meant to represent
wine. At another part, several men were seen gambling,
without the aid of drinks or carousing. At another few
feet of the picture a woman rendered a graceful and not
obscene dance. The rest of the picture detailed a high
class story.<sup>15</sup>

So went the Topeka reporter's description of the movie.

At the Orpheum Theatre a picture involving boxing was closed. The
manager had this to say about the decision:

I do not see where <sup>[sic]</sup> any person has the right
to prohibit a $50,000 picture upon just seeing the film.
If they had some experience in that line, if they spent
months in the Edison laboratories or other studios, if

11"'Birth of a Nation' to Jane Russell Stormy Era."

15"Censors Anger Movie Fans," Topeka State Journal, (April 13,
1915).
they read the books by the authors carefully and if they knew the moving picture business from the ground up, then I believe they would be fit to censor the film.\textsuperscript{16}

He also felt that if he showed repulsive films, the public would stop attending his theatre.\textsuperscript{17} Films that had appeared in his theatre had seals of approval; therefore, people were not chary of attending them. Were he to begin showing "repulsive" films, people would have ceased to attend and thereby to impose a censorship themselves which would have been reflected in his profit. The managers and patrons appealed to the Board to be fair, but the Board stood firm. The boxing film was not the only one; included were several pictures from standard works of literature, including The Spoilers, Sea Wolf, A Tale of Two Cities, Les Misérables, Prisoner of Zenda, The Iliad, Quo Vadis, Macbeth, and Life of Napoleon.

An author of one newspaper article sarcastically remarked that "if The Last Supper were produced in pictures, it would be barred too."\textsuperscript{18} One Topeka banker topped this statement with the following:

\begin{quote}
We will be privileged to see little travelogues, little tea party films, kid comedies, fairy tales, providing that the wearing apparel of the fairies is not too scanty, studies of the life of birds, plants, and insects and other enjoyable pictures. We shall sit in bliss while the operator happily runs off a few thousand feet showing the beauties of the interior of Siam . . . go into raptures over the rivalries in Norway and the claws of the South American armadilla. Our children will laugh with glee over the Keystone baby comedies . . . Never again shall I sit with disgust in such pictures as 'The Spoilers,' but shall sup tea and toast with my feet upon a stool and watch the thrilling adventures in 'The Little Colonel's House Party.'\textsuperscript{19}
\end{quote}

\textsuperscript{16}"Censors Anger Movie Fans."

\textsuperscript{17}"Censors Anger Movie Fans."

\textsuperscript{18}"Censors Anger Movie Fans."

\textsuperscript{19}"Censors Anger Movie Fans."
Although the Board had taken action against several movies during the past forty-five years, it probably received the most criticism for banning Birth of a Nation in 1915. The film was shown in Chicago for several months to full houses. Several Topeka people saw it in Chicago or Kansas City and said it was "wonderful beyond all description." The Department Commander of the Kansas Grand Army of the Republic went to the state house and protested the film, filed a complaint with the Appeal Board, and stated the Civil War veterans were opposed to the film:

... it is as vile and treacherous, as poisonous to the minds of the rising generation as anything can be. It degrades the sacred war for the Union and the exalted courage of the men who fought to save the nation, into a shameful lust of conquest.

The wives of the members of the State Appeal Board contradicted the opinion of the Board. They thought the film was the greatest they had ever seen. Most of them agreed that the picture did not increase or create race hatred and that it was not immoral. Such remarks as "It is a pity all the people cannot see such a wonderful picture" were expressed.

Many Kansas newsmen severely criticized W. A. Ross for the rejection of Birth of a Nation. For example, in an editorial in the Concordia blade, the following was printed:


... High and mighty state movie censor, the Honorable W. D. Ross, who never in his life had an original idea and who is of a calibre that would make a good ward healer in a country school district has set his mighty mind at variance with some of the greatest in the country and says ... this masterpiece ... will corrupt the morals of the people of Kansas. The refusal of the picture was based on the fact it is not instructive, and the people of Kansas must have their morals looked after by a thirty dollar a month country school teacher and a broken down preacher that holds a job in the pulpit but through some political pull, was given a position where he can shape the morality of the state through arbitrarily saying that 'Thou Shalt Not.'

There is inconsistency of censorship in various media because self-imposed censorship on the part of the newspapers today would prevent their writing an article including such near-libelous remarks as "broken down preacher."

Quite a feud resulted when Madame La Presidente was barred from Kansas in 1916 by Reverend Foster, who branded the movie as immoral; however, the Appeal Board overruled him. There was a heated argument in the newspapers between Foster and Miss Anna Held, the star of the film. She said

Old Fogey! ... Let laughter and love be supreme. What harm is there in a little spice if the human heart is buoyant? To laugh at things a bit suggestive is not harmful. Knowledge brings judgment. The more we know the more we can command ourselves. Ignorance and prudishness leads sic to more immorality than wisdom.24

The film was a typical French farce with "risque situations and a display of lingering."25


25"Topeka and Paris Morals in a Clash."
The only time the Board has objected to newsreels was in 1937 when they eliminated a part of The March of Time that contained dialogue of Senator Burton K. Wheeler on the Supreme Court controversy. The chairman of the Board said the Board felt the dialogue was "partisan and biased." Senator Wheeler said the deletion of his comment "ought to qualify the Governor of the state for the dictatorship of the United States." Many protested that the elimination was an invasion of free speech. Two days later the Board viewed the film again and restored the deletion. The chairman said the governor was not to blame since he knew nothing about the matter.

In 1933 English students at Emporia State who had been enjoying their literature classes because of the use of movies were surprised to learn that the Board had stopped the pictures. The English Department could not afford to pay the censor board the reviewing price of one dollar; the film rental was $.75. Each week a picture showed "something of the life, works, and birthplace of such American authors as Whitman, Hawthorne, Poe, Holmes, and Twain." The head of the department stated that the shows were for educational purposes only, not for public entertainment, and that the five-cent admission charged paid for the cost of the film. The Board replied the show was advertised in an Emporia newspaper that.


28"Kansas Film Censor Board Puts End to College Shows," Kansas City Times, (April 5, 1933).
told of the five-cent charge; according to them that put it in the commercial class. 29

In 1955 Governor Hall signed a bill abolishing the Kansas State Board of Review, but the State Supreme Court ruled the law unconstitutional. The Court said that Senate Bill 222 of the 1955 Legislative session "violated the section of the Kansas Constitution which bans multiple subjects under one title. The original Senate bill to repeal an obsolete motor carrier registration law was amended in the House of Representatives to repeal the 1917 act setting up movie censorship under the State Board of Review." 30

In 1959 Governor Anderson reversed an opinion that he had expressed the previous week which stated that the Kansas State Board of Review should approve all television films, regardless of whether they were "general movie fare or non-profit educational films." He said the Board did not have the authority to censor films shown on television since the stations were under the licensing jurisdiction of the Federal Communications Commission. 31

There have been a few changes in the Board since its beginning in 1917. Today the Board, consisting of three married women, has an office and projection room in Kansas City, where they carry on their work. The salary of the members has changed, along with the times. At first the

29"Kansas Film Censor Board Cuts End to College Shows."


members received three dollars a day for their work; today the chairman receives an annual salary of $2,400, and the other members receive $2,100, plus any necessary traveling expenses. In addition to censoring films, the Board prepares a monthly bulletin that is distributed to theatre managers throughout the state and to the boards in other states. The paper lists the movies that the Board has reviewed, including those disapproved or eliminated and why such action was taken.32

Today there is an inspector who travels around the state checking each theatre about twice a year. She arrives unexpectedly and examines the cartoon, short subjects, and the first reel by feeling a number on the reels. If the film has been approved by the Board, she finds the number. If she should find an unapproved film, the theatre owner, if convicted, "is guilty of a misdemeanor and punished by a fine of not more than $50 or by imprisonment in the county jail for not over thirty days, and the same misbranded film may be seized and confiscated."33

As stated in chapter one, the theatre owners were happy that the films were censored because they felt they would have more patrons if the public knew the movies had been approved. Today some theatre managers feel differently. They think that the Board is bizarre because it sometimes deletes insignificant scenes and leaves parts that probably should be cut. When one theatre manager was recently asked whether or not he was affected by the Board, he just laughed and remarked that it really did not make too much difference to him one way or the other; he feels that


33 Laws and Rules, p. 6.
the Board is more of a nuisance than anything else.

The method the censors use to indicate a place where they feel there is a possible deletion is worthy of examination. Beside their chairs are tables equipped with buzzers, which mark the part of the film that is questioned. Later a projectionist repeats the film as many times as the Board requests. Decisions of the Board are reached by a two-thirds majority.34

Today the Kansas State Board of Review is one of four state censoring boards. In 1954 six states—Kansas, Ohio, New York, Pennsylvania, Maryland, and Virginia—and about fifty cities had some kind of censorship laws.35 In addition to Kansas, Maryland, Virginia, and New York are the only other state boards in existence.36

Actually the laws concerning the submission of films, qualifications, and terms of the members have changed very little during the past few years; most of the changes that have occurred have been relatively insignificant. The general rules and regulations concerning "acceptable" and "unacceptable" films have changed very much since the establishment of the Board. An analysis of the apparent changes in standards will be presented in the following chapter.


Birth of a Nation, Madame La Presidene, and The Arizona Cat Claw were three controversial movies during the early years of the Board. When Birth of a Nation was submitted to the group, Superintendent Roes stated that it was not proper or instructive:

... from its false title through its tissue of misrepresentations of the north, the negro and our country's history to the final culminating travesty which pictures peace on earth and good will to men as the outcome of passion, of hate and murder it is vicious and immoral—immoral not only in the parts that are sexually suggestive, but in its whole revelation of race prejudice and sectional bitterness.¹

Others were critical because the film not only indicated that the North was wrong in the Civil War and the South was right but also depicted the Ku Klux Klan as "knight errants protecting the helpless."² The film, which was taken from The Clansman, showed Sherman's march to the sea and other war events in addition to the Ku Klux Klan's activities during the reconstruction days. The producer defended the film by stressing the fact that, although it was an anti-negro story, it dealt with the colored politicians during the time of the Civil War, not with those living at the time of the release of the film.³ The Grand Army of the Republic protested against the movie violently because one of the characters was


²"Birth of a Nation Rejected by State 'Movie' Censors."

"a moral pervert whose illicit passion for a colored woman brought on
the Civil War." After the Attorney-General viewed the picture, he had
this to say:

Over and above the treatment of the negro, the picture
is an insult to the north and a contemptible distortion of a
well-known history regarding the Civil War. The proper title
of this picture should be 'An Insult to a Nation'... the
author of this picture has dared to attempt to attribute the
action of the leaders of the north to the influence of liaison
with colored women... This picture is neither of a moral,
educational, amusing nor harmless character. The picture, then, was condemned by the Board for several reasons, but
primarily because it did not conform with two of their standards, one re-
garding immorality and the other concerning ridicule of the Negro.

The clash between Miss Anna Held, the star of Madame La Presidente,
and Reverend Foster, the censor who labeled her film immoral, is
interesting today because his reasons for disapproving of her movie are
ludicrous when comparing his conception of immorality with the concept
in 1963. The Reverend contended the movie would have:

... a dangerous effect on the morals of the young. It
misrepresents the married man and will have a tendency
to shake the confidence that women have in their husbands.
... That film would make most any married woman sus-
picious of her husband, and the young girl would doubt her
sweetheart. That seems to be its lesson, that you can't
trust a man... Now, men are to be trusted. At least 50
per cent of the men in Kansas are as virtuous as the purest
woman. Not one man out of 10 would flirt with a married
woman. They are above such things. I have great confidence
in the morality of the Kansas man, and any picture that
represents men in general as weak and loose character is
harmful... Miss Held displays too much of her personal

1"Birth of a Nation Rejected by State 'Movie' Censors."
2"G.A.R. Protest Declares Picture as Base Libel," Topeka Daily
chams. She does it with the purpose of stirring masculine passions. That condemns the picture. A woman's charms are not to be displayed in public. They are for the home... A public display of feminine charms is dangerous... The average normal man is decent, yet the picture shows that the best type of men are susceptible... It is the purpose of the Kansas censors to put the ban on anything that is harmful. It is better that our people know nothing of the wicked ways of the world. Knowledge is not a safeguard against wickedness. A person would be better off if he knew nothing of badness. Why should we allow our young to be educated into the ways of the fast class of people?6

The Reverend's "sermon" about immorality, lingerie, and the like failed to convince either Miss Hild or the Appeal Board; the latter, consisting of the Governor, Attorney-General, and Secretary of State, overruled the minister.7

After viewing the first few hundred feet of The Arizona Cat Claw in 1919, the Board was pleased; but then a scene revealing an attack on a simple-minded girl was projected on the screen. As a result of this one scene, the Board condemned the picture because they found it impossible to delete portions of the film, since the whole story after that revolved around this incident. When someone pointed out that such things do happen in real life, they replied, "Perhaps they do, but aren't there happening also tens of thousands of other incidents equally usable in pictures and not so revolting or suggestive?"8 This scene really did not


7 "Topeka and Paris Morals in a Clash."

8 "Making the Movies Behave in Kansas," Kansas City Star, (October 12, 1919).
violate any of the Board's ten standards for judging a movie; in such a case they usually used the excuse that the movie was not clean and wholesome and that it tended to debase morals.

It is interesting to note the variations in standards of the Board during the last forty odd years to see exactly how morals have changed. In 1920 the Board adopted the following standards to use in evaluating each movie that they viewed:

1. Pictures should be clean and wholesome, whether for entertainment or amusement, and all features that tend to debase morals or influence the mind to improper conduct should be eliminated.

2. No comedy which ridicules any religious sect or particular characteristics of any race of people should be shown.

3. The dress of comedy characters must be condemned when used for evil suggestion.

4. Infidelity to marriage ties must be condemned.

5. A display of nude human figures must not be shown.

6. Bar-room scenes, with drinking, gambling and loose conduct between men and women, should be eliminated when possible, and at all times should be abbreviated, as also social drinking and smoking.

7. Crimes and deeds of violence, with an undue use of guns, revolvers and knives, and criminal methods, such as giving instruction in the committing of crime through suggestions, should be eliminated or abbreviated.

8. Prolonged and passionate love scenes, when suggestive or immoral, will not be approved.

9. Prolonged scenes of roadhouses, dance halls and houses of ill fame must be eliminated . . . Vulgar and suggestive dances by seminude dancers, especially those of the underworld, must not be permitted.

10. Pictures having for their theme white slavery and the allurement and betrayal of innocence will not be approved.9

The Board's interpretation of "clean and wholesome" was strange by standards today. For instance, during the period from April 1, 1921, to June 30, 1921, the Board objected to the following sub-titles in silent films:

9 The Annual Report of the Kansas State Board of Review, for the year ending June 30, 1920.
1. Tell him he'd better pay up or his baby'll be born in jail.
2. She is going to have a child.
3. I've broken your arm and now I'm going to break your neck, for you're the vilest man I've ever known.10

Forty years later it is almost impossible to believe that sentences such as these were not acceptable at one time. There were also many other things that the Board objected to in 1921. Drinking and smoking were definitely taboo; many scenes were deleted because of these two "sins," probably the most objectionable at that time. Some other eliminations from the 1921 movies included:

1. Eliminate the scene of a girl with a dog on her lap and her placing the dog on the floor and the scene of the girl's wet dress.
2. Eliminate all scenes of a robber holding up people in a room at the point of a gun.
3. Eliminate the scene of striking man on head.
4. Shorten execution scene.
5. Eliminate the scene of Fantoma's running sword through old man and withdrawing it.
6. Eliminate close-up scene of dead man's face.
7. Eliminate all scenes of man and girl being crushed under rock door.11

As one can see after examining this list, the Board was very particular about approving scenes involving any kind of violence. Perhaps they had reason to object to scenes showing too much violence, but some of their objections had no stated, reasonable grounds for elimination. It is not easy to fathom their interpretation of such terms as "undue use of guns."

Other titles and scenes eliminated at this time were:

1. Eliminate Fantoma's forcibly kissing a girl.
2. Cut the title: Katie, you'll make a fine squaw for some feller. You're takin' on shape.

10 Kansas State Board of Review for Action, #16, passim.
11 Kansas State Board of Review for Action, #16, passim.
3. Eliminate the scene of girl sitting on man's lap at party ... and scene of man giving girl wine.
4. Eliminate scene of boy flashing sunbeam on seat of man's trousers, and dog biting at it.
5. Eliminate titles: Some churches are blessed with Ladies' Aid Societies and the old hens of the Ladies' Aid.  

At least some of the films eliminated by the Board in 1921 would likewise be eliminated in 1963. It is accurate to imply that the Board cut only the minor scenes and titles that have been mentioned. For example, occasionally they deleted profane words, nudity, and seminudity; however, there were few of these that appeared.

One rare instance of censorship occurred in 1921 when the Board eliminated all scenes and titles of a race riot in Tulsa, Oklahoma, in an edition of the Fox newsreel. From all indications this was the only time the Board cut any part of a newsreel, except when they deleted Senator Wheeler's dialogue in The March of Time in 1937. Today the Board does not have the right to censor any kind of newsreel. In this respect the Board has matured and improved. Wheeler's deletion was an attempt to use censorship to re-write history.

In 1926 and 1927 the Board was still objecting to the same kinds of things: the showing of liquor bottles, drinking, prolonged kissing, violence, and seminudity. That year they deleted two such scenes, one close-up of a girl's legs as she stepped from the bathtub and the other showing a girl fastening the supporters on her hose.

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12 Kansas State Board of Review for Action, #16, passim.
13 Kansas State Board of Review for Action, #16, passim.
14 Kansas State Board of Review for Action, #16, passim.
15 Complete List of Motion Picture Films Present to the Kansas State Board of Review for Censorship, Report #27, passim.
The first major changes in the standards came in 1928 when "Infidelity to marriage ties must be condemned" was omitted, and the statement prohibiting smoking and gambling was also deleted; however, they still objected to barroom scenes and social drinking.\(^{16}\) This writer was unable to learn why the changes were made.

Another change occurred in 1937 when the sentence "No comedy which ridicules any religious sect or particular characteristics of any race of people should be shown" was changed to "Ridicule, adverse criticism, or abuse of any religious sect, or peculiar characteristics of any race of people, or any public official or law-enforcing officer will not be approved." One new point was added: "Ridicule or facetious remarks about motherhood or scenes pertaining to childbirth will be disapproved."\(^{17}\) Since that time several movies have been disapproved because of scenes showing childbirth.

Still in the mid-thirties the censors condemned any movie with drinking or a display of liquor or the pouring of it; with violence, such as a man being lashed, a man hit over the head with a gun, a man throwing a knife and the view of the knife in another's back; with nudity, and even scenes showing dripping blood. Several other eliminations that seem bizarre today were the following: drinking beer and pouring it on the floor, a hypo injected into a leg, a direct shot at gangsters, and a man shooting

\(^{16}\) The Biennial Reports of the Kansas State Board of Review for the biennium ending June 30, 1928—also for the biennium ending June 30, 1928, p. 11.

\(^{17}\) Kansas State Board of Review—Motion Pictures, Laws and Rules, 1928.
a dog. It was also during the thirties that two words were cut—words that were to plague the censors in the late fifties and sixties: slut and bitch.  

An examination of the Board's activities during the forties indicates that fewer films were disapproved or eliminated at that time. Former objections such as "Eliminate the word tree from officer's dialogue, 'She takes her mutt down to the corner tree.' "Eliminate all close-up scenes and dialogue connected with the showing of pictures of women over bar while two men are drinking" and scenes showing "men striking women and other men" were still evident. However, during this time other objections were beginning to appear—objections that are still in force today: strip tease dances, scanty costumes, vulgar movements of the body, and bosom exposure. The objection to "indecent dance" was used many, many times during the forties.

When one considers movie censorship in Kansas, he usually thinks of the eliminating of parts of films themselves; the rarely considers that the advertising may also be censored. There is a good reason for this; censorship of advertising seldom happens. Apparently the only time the Board objected to the advertising was in 1949 when they refused to accept it for Little Women because of "the objectionable scene of Peter Lawford's  

18 Complete List of Motion Picture Films presented to the Kansas State Board of Review for Censorship, Report #33, passim.  

19 Complete List of Motion Picture Films presented to the Kansas State Board of Review for Censorship, Report #40, passim.
hand on June Allyson's breast."^20

When one examines the latest standards of the Board, which were adopted in 1951, he notes a few changes have been made:

1. The Board considers a film cruel, indecent or immoral if the film "presents as desirable, acceptable or proper patterns of behavior, acts relating to sex which constitute felonies or misdemeanors under the laws of the State; either the theme of its manner of presentation, or both, present sex relations as desirable, acceptable or proper pattern of behavior between persons not married to each other; portrays explicitly or in detail an act of adultery, fornication, rape or seduction; or if it portrays nudity or a simulation thereof, partial nudity which is sexually immoral, sexual relations of any kind, or actual human birth, or if it presents scenes portraying sexual hygiene, sex organs, abortion, methods of contraception or venereal disease.

2. Also a film, according to the Board, tends to debase or corrupt morals when "The theme or matter of its presentation is of such character as to present the commission of criminal acts or contempt for law as constituting profitable, desirable, acceptable, respectable or commonly accepted behavior; or "If it advocates or teaches the use of, or the methods of use of, narcotics or habit forming drugs."^21

We can see that since 1921 several standards have been eliminated and several others have been expanded. For example, the Board finally expunged the points that referred to the dress of comedy characters; bar-room scenes with drinking, social or otherwise, and elaborated the points concerned with sex, immorality, narcotics, and nudity.

20. Kansas State Board of Review, Motion Pictures Reviewed from June 1 to June 30, 1947.

An examination of the Board's activities during the past ten years reveals that four times as many movies were either eliminated in part or disapproved in their entirety. The following table indicates this ten-year history.

Table 1. Number of films either eliminated or disapproved, total number reviewed, and percentage disapproved or eliminated.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of films either eliminated or disapproved</th>
<th>Total number reviewed</th>
<th>Percentage disapproved or eliminated (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1953</td>
<td>12</td>
<td>379</td>
<td>3</td>
</tr>
<tr>
<td>1954</td>
<td>7</td>
<td>319</td>
<td>2</td>
</tr>
<tr>
<td>1955</td>
<td>9</td>
<td>incomplete records</td>
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<tr>
<td>1956</td>
<td>9</td>
<td>318</td>
<td>2 1/2</td>
</tr>
<tr>
<td>1957</td>
<td>7</td>
<td>393</td>
<td>2</td>
</tr>
<tr>
<td>1958</td>
<td>32</td>
<td>405</td>
<td>8</td>
</tr>
<tr>
<td>1959</td>
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</tr>
<tr>
<td>1962</td>
<td>42</td>
<td>338</td>
<td>12</td>
</tr>
</tbody>
</table>

In the three per cent of the movies eliminated or disapproved in 1953, the films were not approved primarily because of dances, nudity, suggestive dialogue, and bedroom scenes. The objections in 1954 were about the same as for the preceding year, except that the Board also objected to God damn and childbirth scenes. In 1955 the records are incomplete, but in 1956, the same reasons were given as for 1953 and 1954, in addition to one movie that showed an actual injection of a drug into an arm. The next year, when two per cent were censored, the Board's reasons for objection were still about the same as before: nudity, drug injection, and sex. In 1958 there was a sharp increase in the number of moving pictures
that were objectionable. In addition to the usual objections—nudity and suggestive scenes—the Board noticed that more profanity was occurring. Primarily they objected to such words as whore, butt, slut, God damn, and Damn you. Before 1958 very little profanity was evident in the movies; then all at once it began to increase. One might think that this was the result of the foreign movies since it was about this time that there was an influx of the foreign-made moving pictures. On the contrary, the Board did not eliminate any profanity in foreign movies that year; all the censored films were American. For instance, slut was cut from Saddle the Wind; whore from A Farewell To Arms; By God from both Kings Go Forth and God's Little Acre; shack-up from Tarawa Beachhead; both slut and Damn you from I Want to Live; and God damn war from In Love and War; butt, slut, and Damn you from Anna Lucasta; and Damn you from The House on Haunted Hill.

It is interesting to note, though, that in 1959 there was even more profanity eliminated by the Board. And during that year both American-made and foreign-made films were responsible for this. The American movies and objections to the profanity that year were Damn you in Night of the Quarter Moon; slut in The Middle of the Night; shack-up in Cry Tough; bastard in Take a Giant Step; and slut in A Summer Place. The Board deleted the following examples of profanity in the foreign movies: bastardize and intercourse in A Question of Adultery; whore and dirty old bastard in Room at the Top; bitch in Room 43; and bitches in A Woman Like Water. In other words, about half of the profanity came from domestic movies and about half from those imported. Besides objections to profanity that year, the other objections were usual—nudity and suggestiveness. In
1960 also eight per cent were not approved; the reasons were about the same as for the preceding year. In 1961 the percentage of objectionable films dropped slightly—to about six and one-half per cent, and the reasons were still mainly profanity and nudity; of the twenty-one films found objectionable, eleven were because of profanity and ten because of nudity or seminudity. A surprising thing occurred last year; the number of objectionable films almost doubled. Of the forty-two the Board objected to, twenty-three objections were due to profanity, sixteen due to nudity, and the others due to something relating to sex, in one way or another: rape scene, obscene love scene, lustful scene, ad infinitum. Sex and profanity were the two biggest objections.

Does all this indicate that morals are drastically deteriorating, or does it mean that film makers are becoming bolder and more realistic? The statistics in the preceding table do indicate that standards are changing; apparently people accept more "obscenity" than ever before. The fact that the twelve per cent of the 1962 movies were not acceptable does not indicate that Americans cease to have any high morals; half of the films were deleted then because of one or perhaps two profane words; ten years this was not true since movies then were deleted because of whole scenes, for the most part, not just because of a word or two. Therefore, it would not really be fair to say that because the number of films eliminated or disapproved in their entirety in the last ten years has increased from about three per cent to approximately twelve per cent, that there are more immoral films than ever before. As the writer has already pointed out, much more than mere statistics is involved.

These statistics, along with others mentioned earlier in the chapter,
do indicate that much has happened in movie censorship in Kansas during the last forty years. Times have changed considerably. One last example to illustrate modification is the film Hud, which was released throughout the country this year. It is shown in Kansas exactly as it is shown in states without state censorship boards with the exception of the deletion of one word—bastard. This writer was amazed to discover that such words and phrases as hell of a, damn, and butt were not excised. Each one of these was not used once but several times. Significantly, in Anna Lucasta, just five years ago, the word butt, which is allowed frequent appearance in Hud, was deleted. In Hud the word appears in phrases such as "Get up off your lazy butt!," "Don't get sore on your butt doing it," and "Get your butt out."

Since its inception in 1917, the Board has seen some changes. The least of these involves their now having both a private office and projection room for their work. Still another change regards their salary increase, but most important are the changes that are reflected in the criteria utilized in judging films.

It is a little difficult to assess whether the Board accurately reflects the attitude of the general public. If it does, then the populace, over a period of years, has come to accept many things that were once enough to make a film anathema. For instance, frankness in such scenes involving smoking and drinking and married couples owning a double bed are now acceptable. The Board has made certain changes in its criteria of its own volition, such as the deletion of the standards involving gambling, drinking, and infidelity in marriage. These changes raise some
questions: Was there a greater authority, such as the State Legislature, suggesting these changes? Were the changes made to comply with changing standards in other parts of the country? Were the changes compromises of moral standards? Have the Board members become more modern? Perhaps there are no absolute answers to these considerations.
This paper has been an attempt to study the history of the Kansas State Board of Review and to note the changes which have been made in the guidelines for censorship which the Board set for itself.

In the first place, the activity of the Board and its very being raises all of the age-old issues surrounding censorship in general. One of these, for instance, is reflected in a statement which David Loth makes in his *The Erotic in Literature*: "... no one ever devised an obscenity law that satisfied anyone except the censors, for although no one ever was wise enough to be a censor, few are wise enough to refuse to try." Indeed, changes in the criteria of the Board manifest evidence that filmdom is now allowed at least some of the same freedoms enjoyed by people, such as smoking, drinking, and gambling. And finally censorship resolves itself to two questions: who will censor and what will be censored, as was pointed out earlier in this paper.

In the second place there are considerations that would be explored in a little different manner perhaps by someone from the social sciences. Among other items, the scientist might wish to ascertain are sex, age, religious background, geographical background, and educational background of the censors. No doubt information in these areas would help throw light on some of the activity of the Board; perhaps even greater social issues are involved: war, its aftermath, depression, and general increase in knowledge in the areas of anthropology, sociology, and psychiatry.

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The answers to these questions are the province of another study.

It seems to this writer in his analysis of the activities of the Board, one extremely workable possibility has been overlooked. All the way along the Board puts on its decisions only a two-valued judgment: acceptable or unacceptable. This two-valued judgment does not seem to be very realistic, for seldom are life situations to be adjudged in an either-or manner; such simplicity is indeed hard to come by. Therefore, one wonders why it would not be possible for the Board to consider a scale of ratings for films and thereby admit a gray area into the hitherto black-or-white arena. This scale could conceivably include such categories as "For adults only," "For family entertainment," "For the mature viewer," and "For children only." By so doing the Board would command greater respect and would automatically eliminate the argument that it was making all films fare for children's minds only. The writer would doubt that any mature adult Kansan would blanch at hearing damn in the theatre, although he might not advocate having pre-school children be exposed to the same situation.

One further consideration may be in order. In a recent letter to the Board from the library at Kansas State University, the chairman of the Board sent this reply. "The Board must abide by the United States Supreme Court ruling in censoring all films to be exhibited in the State of Kansas."

10-1-27. Within the meaning of C.0. 1949, 51-133, a film or reel shall be deemed obscene when to the average person, applying contemporary community standards, the dominant theme of the material, taken as a whole, appeals to prurient interest, i.e., a shameful or morbid interest in nudity, sex, or excretions, and if it goes substantially beyond contemporary limitations of candor or representation of
such matters. (Authorized by 6.5.1919, 7th-2263, effective February 13, 1959).2

One wonders, for instance, whether some of the changes in criteria—changes permitting more laxity—have been made so that the board would not be challenged and could therefore continue to exist, each member still drawing his salary. It seems likely that if a theatre manager wanted to make a test case concerning the legality of the Board's decision to delete single words, he would win; the status and structure of the State Board of Review would crumble under a few such defeats.

The Board believes that moving pictures can mold human behavior; there is an equally valid position that moving pictures merely reflect human behavior. These are probably irreconcilable positions. The Board, by its compromises in changes in criteria, mirrors an attempt, perhaps, at such a reconciliation.

2Letter to Miss Mary E. Roberts, Kansas State University, from Kitty McElshan, Chairman, Kansas State Board of Review, June 18, 1963.
ACKNOWLEDGMENT

The author takes pleasure in acknowledging the instructors in the Speech Department of Kansas State University. He especially wishes to express his appreciation to Dr. Norma D. Banton for her assistance and guidance during the preparation of this study.
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**Bulletin**


The Biennial Reports of the Kansas State Board of Review for the Biennium Ending June 30, 1926, also for the Biennium Ending June 30, 1928. Published by: Kansas State Printing Plant, 1928.
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Kansas State Board of Review Report for March, 1953.
Kansas State Board of Review Report for May, 1957.


Motion Pictures Reviewed from June 1 to June 30, 1959.

<table>
<thead>
<tr>
<th>Year</th>
<th>Movie Title</th>
<th>Reason for Cutting or Disapproval and Other Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1953</strong></td>
<td><strong>PILLOW EARLY</strong></td>
<td>Disapproved</td>
</tr>
<tr>
<td><strong>1953</strong></td>
<td><strong>PARENT OF THE WILE</strong></td>
<td>Eliminated</td>
</tr>
<tr>
<td><strong>1953</strong></td>
<td><strong>DEVIL IN THE FLESH</strong></td>
<td>Eliminated</td>
</tr>
<tr>
<td><strong>1953</strong></td>
<td><strong>NARCOTIC RACKET</strong></td>
<td>Disapproved</td>
</tr>
<tr>
<td><strong>1953</strong></td>
<td><strong>TWILIGHT WOMEN</strong></td>
<td>Disapproved</td>
</tr>
<tr>
<td><strong>1953</strong></td>
<td><strong>THE MAN IS BLUE</strong></td>
<td>Disapproved</td>
</tr>
<tr>
<td><strong>1953</strong></td>
<td><strong>SIDE STREET OF HOLLYWOOD</strong></td>
<td>Disapproved</td>
</tr>
<tr>
<td><strong>1953</strong></td>
<td><strong>CITY THAT NEVER SLEEPS</strong></td>
<td>Eliminated</td>
</tr>
<tr>
<td><strong>1953</strong></td>
<td><strong>WIDOWS OF BAGDAD</strong></td>
<td>Eliminated</td>
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<tr>
<td><strong>1953</strong></td>
<td><strong>VIOLATED</strong></td>
<td>Disapproved</td>
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<tr>
<td><strong>1953</strong></td>
<td><strong>TIME CODE BY</strong></td>
<td>Eliminated</td>
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<tr>
<td><strong>1953</strong></td>
<td><strong>THE LITTLE FUGITIVE</strong></td>
<td>Eliminated</td>
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</table>

**1954**

<table>
<thead>
<tr>
<th>Movie Title</th>
<th>Reason for Cutting or Disapproval and Other Comments</th>
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<tbody>
<tr>
<td><strong>THE FRENCH LINE</strong></td>
<td>Eliminated</td>
</tr>
<tr>
<td><strong>WE WANT A CHILD</strong></td>
<td>Disapproved</td>
</tr>
<tr>
<td><strong>MARIJUANA STORY</strong></td>
<td>Eliminated</td>
</tr>
</tbody>
</table>

Jane Russell's dance: rule A (tends to debase morals).
Not clean and wholesome; nude figures displayed; childbirth scene.
Not clean and wholesome; strip tease dance; scene of man tearing blouse off girl.
<table>
<thead>
<tr>
<th>Title</th>
<th>Status</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>DON OF CHINAD</td>
<td>Eliminated</td>
<td>Several scenes where dancers are obscene because of public display of bodies and suggestive movements. &quot;God, that's funny&quot;; &quot;God damn it, that's me.&quot;</td>
</tr>
<tr>
<td>HELL'S AMBASSY</td>
<td>Eliminated</td>
<td>Eliminate all dances; portrays nudity.</td>
</tr>
<tr>
<td>CITADEL ON THE RISE</td>
<td>Eliminated</td>
<td>Portrays nudity or partial nudity, which is sexually immoral.</td>
</tr>
<tr>
<td>CITY JUNGLE (formerly VIOLATED)</td>
<td>Disapproved</td>
<td></td>
</tr>
<tr>
<td>RIVER TO THE PAST</td>
<td>Eliminated</td>
<td>Close-ups of women with upper parts of bodies nude.</td>
</tr>
<tr>
<td>I WANT A HAVEN</td>
<td>Disapproved</td>
<td>Nudity and actual birth scenes.</td>
</tr>
<tr>
<td>SING, SILONA, BLIND EMPIRE</td>
<td>Disapproved</td>
<td>Dance in barn loft where soldier reclines over Theodora, kissing upper part of her body. Dance showing nudity.</td>
</tr>
<tr>
<td>CITY JUNGLE</td>
<td>Eliminated</td>
<td>Nudity</td>
</tr>
<tr>
<td>WANTED AMAZON</td>
<td>Disapproved</td>
<td>Displays nudity.</td>
</tr>
<tr>
<td>STRIP PARADISE</td>
<td>Disapproved</td>
<td>Nudity</td>
</tr>
<tr>
<td>PICTORIAL</td>
<td>Disapproved</td>
<td>Theme of changing sex by surgery; tends to debase or corrupt morals.</td>
</tr>
<tr>
<td>QUEEN OF THE VALLEY</td>
<td>Eliminated</td>
<td>Scenes of nude women.</td>
</tr>
<tr>
<td>SWEET SIX FIVE LADS</td>
<td>Eliminated</td>
<td></td>
</tr>
<tr>
<td>UNITED METHODIST</td>
<td>Disapproved</td>
<td>Tend to debase and corrupt morals.</td>
</tr>
<tr>
<td>NAUGHTY NEW ORLEANS</td>
<td>Eliminated</td>
<td>Strip tease dance; semi-nude girl.</td>
</tr>
<tr>
<td>SONS OF THE NIGHTS</td>
<td>Disapproved</td>
<td>Nudity; obscene and indecent actions at party scene.</td>
</tr>
<tr>
<td>UNMOTHERED MISTRESS</td>
<td>Disapproved</td>
<td>Nudity and low moral theme.</td>
</tr>
<tr>
<td>TWO TIME LOVER</td>
<td>Eliminated</td>
<td>Shows actual injection of drug in arm.</td>
</tr>
<tr>
<td>QUEEN OF BABYLON</td>
<td>Eliminated</td>
<td>Party scene; flagging scene shows cruelty, obscenity; is indecent and immoral,</td>
</tr>
<tr>
<td>WOMAN</td>
<td>Disapproved</td>
<td>Low moral theme; extreme nudity.</td>
</tr>
<tr>
<td>VIOLENT YL-ES</td>
<td>Disapproved</td>
<td>Picture cruel and indecent; whole themes immoral.</td>
</tr>
<tr>
<td>FRUITS OF SUMMER</td>
<td>Disapproved</td>
<td>Indecent and immoral.</td>
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<tr>
<td>1957</td>
<td>1958</td>
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<td>---------------------------------------------------------------------</td>
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<tr>
<td><strong>GARDEN OF EDEN</strong></td>
<td>Disapproved</td>
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<tr>
<td><strong>NAME OF LOVE</strong></td>
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<td></td>
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<tr>
<td><strong>BEDROOM FANTASY</strong></td>
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<td></td>
</tr>
<tr>
<td><strong>BARELY ON MY BACK</strong></td>
<td>Eliminated</td>
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<tr>
<td><strong>WOMAN OF THE RIVERS</strong></td>
<td>Eliminated</td>
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<tr>
<td><strong>WOMAN OF ROME</strong></td>
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<tr>
<td><strong>MUM AND DAD</strong></td>
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<tr>
<td><strong>1958</strong></td>
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<tr>
<td><strong>BADANDELLE</strong></td>
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<tr>
<td><strong>STRIPTEASE</strong></td>
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<td><strong>AND GOD CREATED WOMAN</strong></td>
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<tr>
<td><strong>GIRL IN THE WOODS</strong></td>
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<td><strong>A FAREWELL TO ARMS</strong></td>
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<tr>
<td><strong>BONJOH WINTER</strong></td>
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<td><strong>SADDLE THE WIND</strong></td>
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<tr>
<td><strong>WASTED LIFE</strong></td>
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<tr>
<td><strong>ADAM AND EVE</strong></td>
<td>Disapproved</td>
<td></td>
</tr>
<tr>
<td><strong>STREET OF NAME</strong></td>
<td>Disapproved</td>
<td></td>
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<tr>
<td><strong>THE NIGHT HEAVEN FELL</strong></td>
<td>Eliminated</td>
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<tr>
<td><strong>LONG SAVAGES</strong></td>
<td>Eliminated</td>
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<tr>
<td><strong>LA PANIQUEESS</strong></td>
<td>Eliminated</td>
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<tr>
<td><strong>GIRL WITH THE ITCH</strong></td>
<td>Disapproved</td>
<td></td>
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<tr>
<td><strong>CASE OF DR. LAUNANT</strong></td>
<td>Eliminated</td>
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</tr>
</tbody>
</table>

**1957**

- **GARDEN OF EDEN**: Disapproved
- **NAME OF LOVE**: Disapproved
- **BEDROOM FANTASY**: Disapproved
- **BARELY ON MY BACK**: Eliminated
- **WOMAN OF THE RIVERS**: Eliminated
- **WOMAN OF ROME**: Disapproved
- **MUM AND DAD**: Disapproved

**Extensive nudity.**

- **Low moral theme; nudity; immoral and intimate behavior; picture very suggestive.**
- **Nudity and low moral theme.**
- **Actual showing of injection of drug in man's arm.**
- **Bedroom scene; low moral theme.**
- **Immoral theme; intimate relations with five men, has baby by one; no punishment imposed.**
- **Shows actual birth.**

**1958**

- **BADANDELLE**: Eliminated
- **STRIPTEASE**: Eliminated
- **AND GOD CREATED WOMAN**: Eliminated
- **GIRL IN THE WOODS**: Eliminated
- **A FAREWELL TO ARMS**: Eliminated
- **BONJOH WINTER**: Eliminated
- **SADDLE THE WIND**: Eliminated
- **OIL AND DRY**: Eliminated
- **GOD'S LITTLE ACME**: Eliminated
- **MIRGES GO FORTH**: Eliminated
- **WASTED LIFE**: Eliminated
- **ADAM AND EVE**: Disapproved
- **STREET OF NAME**: Disapproved
- **THE NIGHT HEAVEN FELL**: Eliminated
- **LONG SAVAGES**: Eliminated
- **LA PANIQUEESS**: Eliminated
- **GIRL WITH THE ITCH**: Disapproved
- **CASE OF DR. LAUNANT**: Eliminated

- **Nudity scenes in striptease dances.**
- **Bedroom sequence in which girl arises nude.**
- **Scene where girl comes to man and begins making love; also prolonged tussle on ground.**
- **Objected to word whore.**
- **Indecent umbrella scene between boy and girl on beach.**
- **Word slut.**
- **Eliminate actual birth scenes and scenes pertaining to conception.**
- **Profanity; taking name of Lord in vain: "By God."**
- **Profanity, taking name of Lord in vain: "By God."**
- **Human birth scenes.**
- **Nudity.**
- **Presents sex relations as acceptable between people not married; immoral and indecent throughout.**
- **Extreme nudity.**
- **Extreme nudity.**
- **Recommended for adults only; immoral theme; presents sex relations as desirable between two people not married.**
- **Low moral theme throughout.**
- **Man puts hand on wife's breast; scene showing conventional birth.**
Eliminated

Indecent language: slut.

Nudity scenes.

Mude man and woman.

Dialogue of girl referring to babies as pups; girl said she didn't want her baby; also took of abortion, which is immoral.

Women dancing with bare stomachs; man puts hand on woman's breasts; love scene on bed; man and girl enter bedroom, pull nude, apparently for immoral purpose.

Objected to shackle-up.

God damn you.

Conversation and actions suggestive and obscene; immoral in its entirety.

Objected to butt, slut, damn you, and "she'll take on anything in pants."

Close-ups of girls in nude.

Man rubs hands over lower extremity of woman's body; obscene action.

Man wrestling with girl in water; beach scene where man kisses girl from head to foot. (obscene action).

Obscene language: Damn you.

Obscene action; girl on top of bay at beach.

1959

THE TRAP

Eliminated

Shorten scene of man kissing wife (on the bed); also objected to shackle-up.

Objected to bastardize and intercourse.

Damn you.

Bed scene; not man and wife.

Eliminate all love-making scenes between Tony Curtis and Marilyn Monroe.

Close-up of picture of nude woman.

Dancing woman in scanty attire.
<table>
<thead>
<tr>
<th>Compilation</th>
<th>Love in My Profession</th>
<th>Room at the Top</th>
<th>Eliminated</th>
<th>Disapproved</th>
<th>Elimination</th>
<th>Shorten attempted rape scene; immoral actions and dialogue.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Naked Venus</td>
<td>Headlines Ghost</td>
<td>Back to Nature: Room 43</td>
<td>Disapproved</td>
<td>Eliminated</td>
<td>Disapproved</td>
<td>Extreme nudity throughout. Shorten scene with Salome dancer. Extreme nudity. Use of bitch; theme immoral throughout; recommended for adults only.</td>
</tr>
<tr>
<td>Middle of the Night</td>
<td>Cry Tough</td>
<td>Elimination</td>
<td>Elimination</td>
<td>Disapproved</td>
<td>Elimination</td>
<td>Use of slut. Two bedroom scenes; remark shuck-up. Shorten love scene on ground. &quot;Until I go to prison, you can have all you want&quot;; remark about sleeping with trumpet player and said she did it once or twice; asks boy to come to bed; he says he's not in the mood; &quot;It was two weeks Tuesday morning, so you can be sure who it is.&quot; Dance scene and swimming scene. Entire theme of prostitution; link theme of love-making. Slut. Theme of immorality throughout.</td>
</tr>
<tr>
<td>A Summer Place</td>
<td>Lax Chatelain's Lover</td>
<td>Elimination</td>
<td>Elimination</td>
<td>Disapproved</td>
<td>Elimination</td>
<td>Theme of immorality.</td>
</tr>
<tr>
<td>Kiss of Levant</td>
<td>Scene in Compo</td>
<td>Miami of Park Island</td>
<td>Elimination</td>
<td>Elimination</td>
<td>Elimination</td>
<td></td>
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<tr>
<td>Records of a Model School</td>
<td>A Woman Like Satan</td>
<td>Elimination</td>
<td>Elimination</td>
<td>Elimination</td>
<td>Elimination</td>
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</tr>
<tr>
<td>1960</td>
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<tr>
<td>Absent Minded Tramp</td>
<td>The Pain of Clothes</td>
<td>Naked Amazon</td>
<td>Disapproved</td>
<td>Disapproved</td>
<td>Elimination</td>
<td>Extreme nudity throughout. Theme of immorality. Extreme nudity. Nudity.</td>
</tr>
<tr>
<td>Model School</td>
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<td><strong>JUPE OR SAGHE</strong></td>
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<td><strong>THE KING IS KIDNAPPED</strong></td>
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<td><strong>SABRETT BY NIGHT AND SUNDAY</strong></td>
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<td><strong>ANGEL BABY</strong></td>
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<td><strong>BLACK CHOCOLAT</strong></td>
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<td></td>
<td><strong>RITUAL OF LOVE</strong></td>
<td>Elimination</td>
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</table>

- Slut.
- Partial nudity.
- Nudity when not spoken but appears on screen.
- Breast exposed; man's hand going up girl's leg.
- Slut.
- Nudity.
- Nudity, hair, iris in shower (behind glass shower doors).
- Shacked-up.
- Obscene these and dialogue.
- Slut.
- Bitch.
- Nudity, bathing in nude.
<table>
<thead>
<tr>
<th>Film Title</th>
<th>1950s Rating</th>
<th>1960s Rating</th>
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<tr>
<td><em>ONTOCHELALES</em></td>
<td>Disapproved</td>
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<td>Vulnerable theme; extreme nudity.</td>
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<td><em>NOW TONIGHT, BILLY</em></td>
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<td>Disapproved</td>
<td>Objection to word &quot;rape.&quot;</td>
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<td><em>LAST WOMAN ON EARTH</em></td>
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<td>Elimination</td>
<td>Bitchy.</td>
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<td><em>BLOOD AND INNOCENCE</em></td>
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<td>Elimination</td>
<td>Whore and bitch.</td>
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<tr>
<td><em>LA DOLOCA VITA</em></td>
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<td>Elimination</td>
<td>Girl partially nude; bitch and bastard.</td>
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<tr>
<td><em>THE TRUTH</em></td>
<td>Elimination</td>
<td>Elimination</td>
<td>Girl pulls out her breast and says to men and women, &quot;You can have this milk. I don't need it anymore.&quot;</td>
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<tr>
<td><em>TWO WOMEN</em></td>
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<td>Elimination</td>
<td>Rape scene; bastards.</td>
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<tr>
<td><em>VIRGIN SPRING</em></td>
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<tr>
<td><em>DIANA, THE VIRTUOUS</em></td>
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<tr>
<td><em>WAR IN THE MOON</em></td>
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1962

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<td><em>MONDAY</em></td>
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<tr>
<td><em>SLEEPING EIGHT OF YOUTH</em></td>
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<td>Elimination</td>
<td>Soldier tears gown off woman, leaving her nude.</td>
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<tr>
<td><em>SNARE ON SABRETS</em></td>
<td>Elimination</td>
<td>Elimination</td>
<td>Bastards: &quot;I could make you if I wanted to.&quot;</td>
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<tr>
<td><em>WOMAN</em></td>
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<td>Elimination</td>
<td>Slut.</td>
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<tr>
<td><em>TIDES OF GLORY</em></td>
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<td>Elimination</td>
<td>Partial nudity.</td>
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<tr>
<td><em>HITLER</em></td>
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<td>Elimination</td>
<td>Bitch.</td>
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<td><em>GIRL IN ROOM 13</em></td>
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<td>Slut.</td>
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<td><em>PEEPING TOM</em></td>
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<td>Slut.</td>
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<tr>
<td><em>ONLY YOU CAN PLAY</em></td>
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<td>Elimination</td>
<td>Girl's bare breast; bitch, slut, and whore.</td>
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<tr>
<td><em>PERI AND AFTER DARK</em></td>
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<td>Elimination</td>
<td>Obscene throughout.</td>
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<tr>
<td><em>ROAD AND GIRL</em></td>
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<td>Elimination</td>
<td>Girl's bare breasts.</td>
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<tr>
<td><em>A TASTE OF HONEY</em></td>
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<td>Elimination</td>
<td>Obscene love scenes; breasts exposed.</td>
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<td><em>NUDITY STORY</em></td>
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<td><em>MACOCACIO 70</em></td>
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<td>Slut and whore.</td>
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<td><em>IT'S NOT IN PARADISE</em></td>
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<td>Elimination</td>
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<tr>
<td><em>A VERY PRIVATE AFFAIR</em></td>
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<td>Elimination</td>
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<td><em>DIVORCE, ITALIAN STYLE</em></td>
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<tr>
<td><em>MARRY TOO YOUNG</em></td>
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<td>Elimination</td>
<td>Slut and bloodsucking prostitute. Bastard.</td>
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<td><em>THE NIGHT</em></td>
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<td>Lustful theme. Bastard and slut.</td>
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<td><em>MURDER IN THE POCKET</em></td>
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<tr>
<td><em>ISLAND AND HIS BROTHER</em></td>
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<td>NOT MANY GIRL</td>
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<td>PHALERA</td>
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<td>D0 EXIT</td>
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<td>LOVE OF SALAMBO</td>
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<tr>
<td>THE PIGLOM THAT TOOK HOME</td>
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<td>Nude girl in shower.</td>
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THE KANSAS STATE BOARD OF REVIEW:
A STUDY OF CENSORSHIP

by

DALE LIVERGOOD

B. S., Kansas State University, 1957

AN ABSTRACT OF A MASTER'S REPORT

submitted in partial fulfillment of the

requirements for the degree

MASTER OF ARTS

Department of Speech

KANSAS STATE UNIVERSITY
Manhattan, Kansas

1963
The first part of this paper is devoted to a study of the significant incidents in the general area of censorship in the United States, primarily during the past fifteen years. It is difficult to summarize these activities because the various laws regarding obscenity vary from state to state, court to court, judge to judge, from time to time; in fact, courts within the state do not always agree. A publication denounced as obscene one year may be acceptable several years later. In addition to the courts’ activities, pressure groups are active in attempting to free the newsstands from pornographic literature, and others persist in attempting to uphold the First Amendment. To some, it may seem as if nothing has changed in recent years; but if one studies the censorship situation carefully, he will see that two trends are evident: there is more freedom in writing, and the censors are gradually losing ground.

In the second part the author, who presents a history of the Kansas State Board of Review—the group responsible for censorship of movies in Kansas since 1917, also discusses the activities of the Board, the attitudes of the theatre managers and patrons toward the censors during the first few years after the establishment of the Board. Several other significant highlights are reviewed, including the Birth of a Nation and Wheeler controversies, and the attempt to abolish the Board in 1955, among others.

The third part is devoted to an analysis of apparent changes in the standards of the Board during the forty-six years of its existence. Since its inception in 1917, the Board has seen several changes in its criteria; among these are the deletion of standards involving smoking, drinking, infidelity in marriage, and gambling.
It is rather difficult to assess whether the Board accurately reflects the attitude of the general public or perhaps the State Legislature; whether the changes were made to comply with changing standards in other parts of the country; whether the changes were compromises of moral standards; or whether the Board members have become more modern. Perhaps there are no absolute answers to these considerations.