

AN ANALYSIS OF THE CENSOR'S ROLE AS A CATALYST FOR REPRESSION, SUBVERSIVE INSPIRATION AND RECOGNITION IN ART.

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The artistic cannon – what history defines as the acceptable set of art and ideas – has been shaped by both the carrot of the patron and the stick of the censor. In this article, the impact of censorship on creativity is explored. Whether the censorship is directed by religious institutions like the Catholic Church during the Renaissance, horrific 20th century dictatorial regimes or industry and business self-regulators like the Motion Picture Association of America and the Comics Code Authority, the desire of powerful interests to control content and creativity has been a historical constant. Michelangelo, the Nazi deemed Degenerate Artists and EC Comics were all targeted based on the perceived threat of their designated impure creations. The work that they created and history's perception of its value has been shaped by the institutions that sought to control them.

INTRODUCTION

On the afternoon of Wednesday April 21st, 1954, Dr. Frederick Wertham, author of the recently published *The Seduction of the Innocent* was sworn in as a witness to *United States Senate Subcommittee Hearings into Juvenile Delinquency (with the special focus on comic books)*. The hearings were co-chaired by Estes Kefauver the hard on crime Senator from Tennessee who had become a household name earlier in the decade for introducing Americans to organized crime and the mafia when he led the televised and hugely popular *Senate Special Committee to Investigate Crime in Interstate Commerce*. Kefauver's hearings on juvenile delinquency occurred towards the end of the infamous red scare era – where names were named and black lists were created - and demonstrated the seriousness of the Senate committee's desire to censor the comic book industry and the reality of their power. Lives can and had been ruined in Senate hearing rooms just like this.

Dr. Wertham was not the first and will certainly not be the last, but he was one of America's more influential "but what about the children" polemics. His book popularized the belief that mass media – in his case 50's crime and horror comics – were a direct

cause of juvenile delinquency. He was a strong advocate for censoring content, and in the paranoid climate of 1950's America his opinions were sought out and eagerly embraced. His book was a rallying cry for those who wanted institutional solutions to censoring comic book content and as an expert on juvenile delinquency (he was a board certified neurologist and psychiatrist) his testimony that day offered up a combination of salacious detail and perceived scientific legitimacy.^[1]

SENATOR KEFAUVER: Would you liken this situation you talk about, showing the same thing over and over again until they finally believed it, to what we heard about during the last war of Hitler's theory the story over and over again?

The CHAIRMAN: The "big lie" technique?

DR. WERTHAM. Well, I hate to say that, Senator, but I think Hitler was a beginner compared to the comic-book industry. They get the children much younger. They teach them race hatred at the age of 4 before they can read.

But he did say it, despite the overwhelming irony.

Dr. Wertham was not a new phenomenon in the world of art and ideas. He was an educated man who understood the power of art, even commercial/pulp art (perhaps *especially* commercial art), but feared its influence and believed it to be a cause of society's ills rather than a reflection of them. As the above excerpt from his testimony succinctly reminds us, he was just the latest in a long line of history's censors. The Senate hearings were a mid-twentieth century American example of a recurring theme where powerful institutions flex their muscles when threatened by the dissemination of art and ideas labeled unpopular, troubling and/or controversial. The outcome of the 1954 Senate hearings was the Comics Code Authority (CCA),^[2] a highly repressive industry led "wholesomeness" code that fundamentally changed the comic book industry for generations and untimely spawned an underground and alternative comix art movement as a reaction.

The comic book publishers who were in Kefauver and Wertham's crosshairs got off relatively easy compared to designated art offenders of previous times. The censor's power was wielded via an industry solution. The hardship for non-conformity was financial. Censorship wasn't a life and death matter to American comic book publishers, as it had been to the Nazi era Degenerate artists or to the renaissance artists tasting their first bit of enlightenment in 15th century Europe. However, in all cases the censors had a

powerful impact on the artistic expression of their time - they repressed as intended, held up some as examples of virtue and inspired subversive dissent from others.

AN ARTISTIC REVOLUTION, MICHELANGELO AND THE RENAISSANCE

The hand of the censor and sponsor can be seen most clearly in times of artistic revolution and civil unrest. Michelangelo, perhaps the most recognizable renaissance artist, was someone who experienced both the rewards of patronage and the stick of censorship. He was sponsored by the Catholic Church and various assorted city/state masters, and he was overtly censored by the church (in his lifetime and regularly throughout the ensuing centuries). As a successful commercial artist plying his trade in volatile times working for powerful and violent patrons, Michelangelo's body of work—which consisted primarily of religious themed commissions - was shaped by the gauntlet he had to navigate.

The Last Judgment, a Sistine Chapel fresco he painted at his professional peak was deemed obscene by many at the time of its painting. The painting depicts a mass of nude human flesh awaiting God's last judgment. It is a painting that would raise an outcry in many parts of America today, and it is understandable that it would raise the ire of 16th century Catholics. However, Michelangelo was undaunted by his contemporary critics and even included an unflattering depiction of one his detractors in the piece. The nudity in the painting was obscured 24 years after its completion (after Michelangelo's death) and was partially restored in 1993. The dual view of Michelangelo as both the aristocracy's hired gun (a company man) as well as an iconoclast adds to his mystique by giving him the "cred" of a rebel and the smarts of a skilled politician. It also helps reinforce a fundamental paradox of the renaissance: how a 14th – 16th century artistic rebirth could be simultaneously considered revolutionary and officially sponsored by the illiberal church and its patrons. Michelangelo's body of work was shaped by overt external censorship, the internal self-censorship required of a successful commercial artist, and if history's view is accurate, a rebels reaction to the censor's constraints.

Through the telescope of time, it is difficult to discern the real world challenges an avant-garde artist like Michelangelo experienced in his lifetime. The renaissance's rebirth seems as close to its two millennia old classical roots as it does to more recent contemporary art, and five centuries of canonical embrace tends to obscure its revolutionary associations. Early 20th century Europe provides a more recent and palpable example of the extreme circumstances the artistic avant-garde experiences when free expression and revolutionary artistic themes confront head-on the iron fist of a determined censor.



Fig. 1 Michelangelo's (1475 - 1564) *The Last Judgment* (1536 -1541).

LONG LIVE THE DEGENERATES

Despite Dr. Wertham's assertion, Hitler and the Nazis were no mere beginners when it came to propaganda and censorship. Hitler and his *Reich Minister of Public Enlightenment and Propaganda* Joseph Goebbels were enthusiastic censors and propagandists alike. Their intent to (de)construct a racially pure 1,000 year Reich included a strongly asserted official view of cultural purity and what is and isn't acceptable art. They were powerful and deadly fanatics who were so confident in their ability to squelch dissent through brute force they did not merely censor, they propagandized their censorship as a cultural cleansing of the abominations wrought by decadent modern artists.

In July 1937 in Munich, the Nazi's staged a show of Nazi designated degenerate art. The show was called *Entartete Kunst*, German for Degenerate Art, and was a "what not to do" art primer whose intent was to provide specific and clear examples of unacceptable art.



Fig. 2 The cover of the guide from the Degenerate Art Show (Munich, Germany; July 19, 1936 – November 30, 1937) depicts a sculpture by Otto Freundlich (1878–1943). Freundlich died in the Majdanek concentration camp.

The show was an adult's only affair. The art on display was considered inappropriate for children. The works were culled from tens of thousands works of modern art that were confiscated from German museums by the Nazi art police. The Degenerate Art show singled out the worst offenders and was designed to negatively compare with the *Great German Art Exhibition*, a showcase for art deemed acceptable and virtuous by the Nazis, which also appeared in Munich in July 1937. As Adolph Zielger, president of the *Reich Chamber of Art* (the organization responsible for selecting and confiscating impure art) stated in a letter to Karl Schmidt-Rottluff an expressionist painter, the penalty for being a non-conforming degenerate in Hitler's Germany was clear:

“I hereby expel you from the National Chamber of Fine Arts and forbid you, effective immediately, any activity - professional or amateur - in the field of graphic arts.”

Their power was absolute. They controlled access to the professional creative marketplace. They sterilized modernism from museums and other official institutions of fine art and they actually believed they could restrict an artist from creating “amateur” art. The letter above – written from one painter to another – is chilling in its officiousness and its assuredness. Unfortunately for Ziegler, his belief in German cultural purity did not extend to a blind faith in Hitler and he was reported to have been briefly imprisoned at the Dachua concentration camp for expressing his doubts. Once considered Hitler’s favorite painter, his post war reputation understandably suffered a bit. His story provides an excellent cautionary tale on the importance of a creative courtesan’s need to pick a winner to court. Too bad for him, his body of work cannot be evaluated independent his reprehensible Nazi behavior.

The Degenerate Art show was an audacious move by a confident and powerful censor that seems incomprehensible in a 21st century digital world where overt censorship is challenged directly - in real time - in an online wiki-connected world where free expression has become a default concept. The Nazi’s fanatical obsession with racial purity and their unchecked dictatorial powers gave them the confidence of the psychopathic and deluded. The same brain trust that came up with the Final Solution also believed they could obliterate modern art.

INDUSTRY SELF-REGULATION

Unlike the religious censorship of renaissance Italy or the totalitarian repression of Nazi Germany, the outcome of the 1954 Senate hearings was industry self-regulation. As a commercial medium, the horror and crime comic publishers were dependent on viable production and distribution networks. Freedom of speech does not guarantee access to ink, paper and the nation’s newsstands. The CCA’s stringent content restrictions choked off access to the marketplace – a marketplace that prior to the Code embraced their product. The market may have spoken, but the message was not well received and with the threat of Senate action, the comic book industry sacrificed (consumed?) some of its own in an oddly subservient form of laissez-faire capitalism. The Code was an industry proscribed self-censorship regimen that was far more restrictive than anything Senator Kefauver could have legislated – had he actually intended on doing anything other than grandstanding. The Code was an immensely successful censor for decades. While the 1960’s underground comix artists successfully delinked the art and promise of comics from the banality of the Code, Code approved comics continued to dominate the marketplace and only fell out of favor when it became a profit killer in a newly invigorated and highly competitive comics’ industry.

If there is a law of unintended karmic consequences, the Code’s direct influence in creating the underground and alternative comix movements of the 1960s and 1970s would provide a case study.

- Crimes shall never be presented in such a way as to create sympathy for the criminal, to promote distrust of the forces of law and justice, or to inspire others with a desire to imitate criminals.
- If crime is depicted it shall be as a sordid and unpleasant activity.
- Criminals shall not be presented so as to be rendered glamorous or to occupy a position which creates a desire for emulation.
- In every instance good shall triumph over evil and the criminal punished for his misdeeds.
- Scenes of excessive violence shall be prohibited. Scenes of brutal torture, excessive and unnecessary knife and gunplay, physical agony, gory and gruesome crime shall be eliminated.
- No comic magazine shall use the word horror or terror in its title.
- All scenes of horror, excessive bloodshed, gory or gruesome crimes, depravity, lust, sadism, masochism shall not be permitted.
- All lurid, unsavory, gruesome illustrations shall be eliminated.
- Inclusion of stories dealing with evil shall be used or shall be published only where the intent is to illustrate a moral issue and in no case shall evil be presented alluringly, nor so as to injure the sensibilities of the reader.
- Scenes dealing with, or instruments associated with walking dead, torture, vampires and vampirism, ghouls, cannibalism, and werewolfism are prohibited.
- Profanity, obscenity, smut, vulgarity, or words or symbols which have acquired undesirable meanings are forbidden.
- Nudity in any form is prohibited, as is indecent or undue exposure.
- Suggestive and salacious illustration or suggestive posture is unacceptable.
- Females shall be drawn realistically without exaggeration of any physical qualities.
- Illicit sex relations are neither to be hinted at nor portrayed. Rape scenes as well as sexual abnormalities are unacceptable.
- Seduction and rape shall never be shown or suggested.
- Sex perversion or any inference to same is strictly forbidden.
- Nudity with meretricious purpose and salacious postures shall not be permitted in the advertising of any product; clothed figures shall never be presented in such a way as to be offensive or contrary to good taste or morals.

Fig. 3 The Code of the Comics Magazine Association of America, adopted October 26, 1954

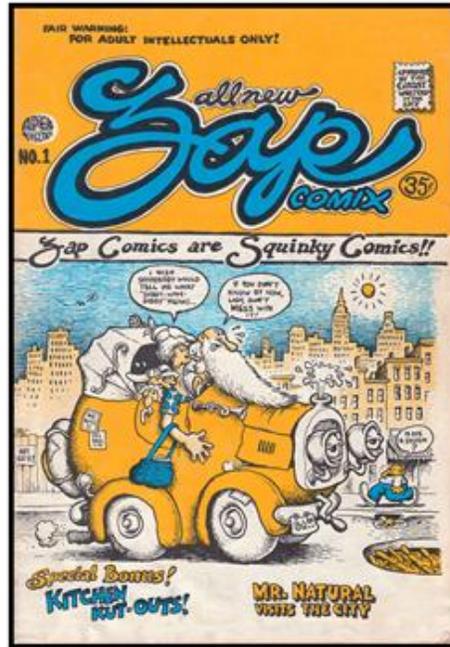


Fig. 4 Zap Comix #1 (1968). Cover art by R. Crumb (1943 -).

A censorship regime designed to protect the nation's youth from decadent content spawned an artistic movement that nourished the nation's youth with volumes of decadent and subversive content. Characters such as Mr. Natural, the Fabulous Furry Freak Brothers and the Checkered Demon were underground comix anti-heroes whose depictions of sex, drugs and rock and roll were a direct counter culture challenge to the Codes authoritarian mandated view of straight society.

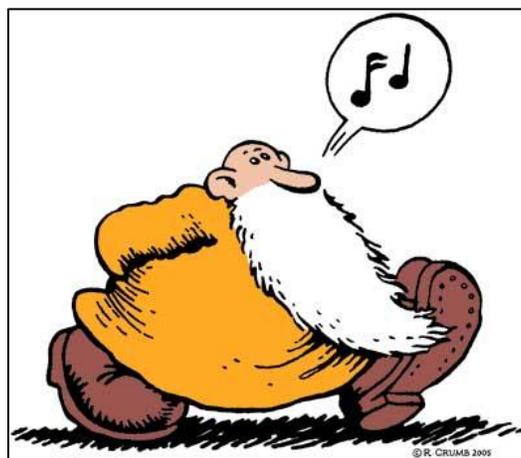


Fig. 5..R. Crumb's Mr. Natural. First appeared in Yarrowstalks (1967).

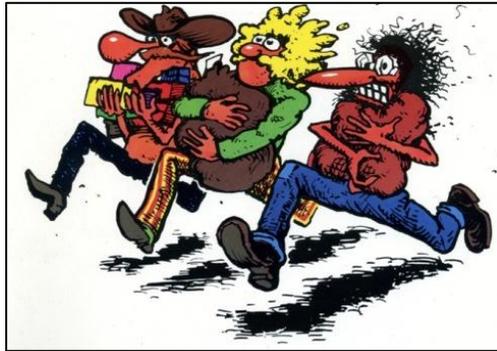


Fig. 6.. Gilbert Shelton's The Fabulous Furry Freak Brothers; Freewheelin' Franklin, Fat Freddy and Phineas. First appeared in The Rag (1968).



Fig. 7 S. Clay Wilson's The Checkered Demon. First appeared in Zap Comix #2 (1968).

The Comics Code Authority and its spiritual cousin the Motion Picture Association of America's (MPAA) explicit content guidelines for access to the creative marketplace establish clear boundaries that eliminate any ambiguity regarding free expression. If it is a Code approved comic or an MPAA rated film it is by definition regulated content. Regulation and censorship may not devalue a work of art produced under its constraints; however the censorship always has an impact. It is interesting to note that today's film marketplace is dominated by formerly Code approved superhero comic characters demonstrating that creative atrophy is another consequence of censorship.

CENSORSHIP IN THE DIGITAL AGE

Censorship in the 21st century in many ways is not much different than it has been throughout history. Institutional powers – religious, government and/or business –

continue to censor and propagandize as their interests dictate. Artists in some parts of the world are still confronted with life and liberty restraints to free expression. However, in the digital interconnected world we currently live in where binary content is impossible to contain within a border or even a device, overt censorship regimes are extremely difficult to enforce. Tyranny and tyrants are as they always have been – they continue to kill, maim and wreak havoc, but their ability to censor dissent has been significantly curtailed. Dictators and dissenters communicate with the same tools on the same digital networks. The incredible hunger to create, consume and pirate digital content insures that just about any idea will have an un-censorable digital echo.

In addition, decadence and degeneracy - historically low-hanging fruit for a censor - have become part of our socially networked source code. Pornographers once considered irredeemable degenerates are now publically traded stocks. In a world where click through behavior provides an accurate view of actual human interest, it is no longer possible or economically feasible to deny the allure of degenerate content. The belief that you can control the dissemination of ideas in a digital world is as illusory as predicting the next big viral video. The genie is out of the digital bottle.

With the threat of absolute censorship waning with an increase in digital transparency, the age-old institutional instinct to control content has shifted from the stick of the futile and always frustrated censor, to the carrot of the active patron. Many creative institutions are underwritten by risk adverse business interests who have an insatiable appetite for content. In previous eras, the line between regulated content and unregulated content was clear and unambiguous. Whether it was the Catholic Church, the Nazi party or the MPAA doing the regulating, artists and their audience pretty much always knew where they stood.

In today's interconnected, multi-channel world the line between officially authorized content and organic, authentic creativity is obscured under layers of seemingly benign corporate investment. Museums, galleries and experimental fine arts organizations are underwritten by the same companies whose ATMs we use, whose cigarettes we smoke and whose data networks our smartphones communicate on. As a non-unique example, The Kitchen, a highly respected avant-garde creative arts space in Chelsea, New York includes among its funders Bank of America Private Wealth Management, Warner Music Group, Pricewaterhouse Coopers and HSBC Bank.^[3] While their support of the arts is laudable and necessary, as publicly traded, for profit companies, their interests are explicit and ultimately monetary. Corporate funders are risk adverse content investors whose patronage has become the life blood of many reputable arts institutions. Rather than censor content, their investment incentivizes the creation of fundable art – i.e. art that at the very least will not threaten their business interests. Similar to a comic produced under the Code, or a film with an MPAA rating, or a painting commissioned by the Catholic Church, an artwork partially underwritten by Bank of America is no less

valid due to its source of funding, but it is clearly shaped in some way by the editorial constraints inherent to that investment.

CONCLUSION

Censorship by definition is a business of failure. It is a term conveyed upon those who we consider got it wrong – usually history’s losers. The hand of a successful censor is rarely seen. Artistic patronage - which could be considered the inverse of censorship through its system of rewards and incentives - has a more benign and hopefully far more pervasive role on shaping artistic expression. As history’s gatekeepers to the creative marketplace, the patron’s incentives of compensation and adulation provide powerful motivation for an artist to self-censor and avoid challenging ideas that threaten the status quo or to produce only marketable works of art. Artists, like most people, have simple needs - they like to eat (and breathe), and to be appreciated. The artistic cannon – what history defines as the acceptable set of art and ideas – has been shaped by both the carrot of the patron and the stick of the censor. Censorship’s impact on free expression and creativity is explicit, onerous and easy to trace. The patron’s impact is opaque, highly beneficial and by design very difficult to distinguish.

References

- [1] “1954 Senate Subcommittee Hearings into Juvenile Delinquency Transcripts.” <http://www.thecomicbooks.com/1954senatetranscripts.html> (05 February 2012),
- [2] “The Code of the Comics Magazine Association of America.” Adopted October 26, 1954. <http://www.comicartville.com/comicscode.htm> (05 February 5)
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