

# *The Birth of a Nation* and the Kansas Board of Review of Motion Pictures: A Censorship Struggle

by Gerald R. Butters, Jr.

CHALLENGED OVER ONE HUNDRED TIMES in and out of courts throughout the country, D. W. Griffith's controversial film *The Birth of a Nation* clearly illustrated the difficulties American society had in dealing with the new art form of motion pictures. When President Woodrow Wilson saw the film he called it "history written with lightning."<sup>1</sup> Members of the U.S. Supreme Court concurred that the film was an accurate account of the Civil War and Reconstruction. Yet D. W. Griffith's controversial portrayal of this period in American history has been banned more than any other film in American history. *The Birth of a Nation* truly tested the motion picture censorship apparatus of the State of Kansas: the Kansas Board of Review of Motion Pictures. For nine years and through the terms of three governors the film haunted everyone connected with the censorship board. The film transformed the Board of Review from an independent body into a political football.

*The Birth of a Nation*, released in 1915, was also a milestone in the history of the cinema. The film clearly illustrated the pervasive power that the film medium could have on the American social conscience. The film became a cause célèbre, a topic on the tongues of every politician, moviegoer, and social worker in the United States in this period. *The Birth of a Nation* rewrote American history, and it made the U.S. citizenry dwell on the role of black Americans in society and the sectional differences that still divided the nation more than half a century after the end of the Civil War. The initial reaction to the film could be described as "varied hysterics." Millions laughed, cried, cheered, and cared about the people on the screen. Countless others saw the film's harsh images and were horrified by them. When *The Birth of a*

*Nation* was first exhibited in Boston, three thousand people marched in protest and demanded that the film be stopped. Similar protests erupted in New York City, Chicago, and Cleveland. Jane Addams said that she was "painfully exercised over the exhibition." Harvard president Charles E. Eliot charged that the film was a "tendency to perversion of white ideals."<sup>2</sup>

Kansas was one of seven states to enact film censorship legislation in the United States. Supported by women's clubs, educators and religious organizations, film censorship was instituted in Kansas when these groups became increasingly concerned with film and its impact on society. These citizens claimed that the moving picture caused many social ills including immoral conduct, sexual promiscuity, and criminal behavior. These reformers pushed for some type of governmental control over the new medium: film censorship. The Kansas Board of Review of Motion Pictures was established in 1913 but did not officially begin its work until 1915 when the U.S. Supreme Court rendered a decision in *Mutual Film Corporation v. Industrial Commission of Ohio* legalizing film censorship. From its very beginnings, the Kansas Board of Review of Motion Pictures fought a number of problems that threatened its very existence. One of these major problems was *The Birth of a Nation*. The film touched the emotional levels of thousands of Kansas citizens as Kansas had a long and proud tradition of antislavery sentiment. "Bleeding Kansas" had proslavery and antislavery forces fighting in the Kansas territory as a national prelude to the Civil War. Kansas' entry into the Union in 1861 as a free state was a major victory for the antislavery forces. Their sacrifices were honored by Kansans who believed in a traditional Northern history of the Civil War and Reconstruction.

*The Birth of a Nation* and its pro-Southern historical interpretation of the Civil War and Reconstruction ran counter to many Kansans' views on this turbulent period of American history. The harsh racial image of blacks in the film also disturbed the ancestors of those

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Gerald R. Butters, Jr., is an instructor at Donnelly College in Kansas City, Kansas, and St. Mary's College in Leavenworth. He received his Master's degree from the University of Missouri. He is currently working on his Ph.D. at the University of Kansas in Lawrence.

1. Ilene Landay, *Black Film Stars: A Picture Album* (New York: Drake Publishers, 1973), 26.

2. Garth Jowett, *Film: The Democratic Art* (Boston: Little, Brown and Co., 1976), 102.

citizens who helped to free the slaves. Led by the Grand Army of the Republic, the Union army's veterans organization, a major grass roots fight to ban the film from the state developed, and from 1915 to 1923 the most popular movie of the era was not shown in the state of Kansas. Finally, in 1924, with increasing political pressure and a changing racial climate, the film was allowed in the state. The Kansas State Historical Society exhibited *Birth* in 1962 with little fanfare or response. Yet in the 1980s the film evoked great emotional responses, showing that many of the attitudes and prejudices which existed in 1915 are still prevalent and that as a society we are much more aware of racism in the media. In the spring of 1986, the Granada Theater of Kansas City, Kansas, attempted to show the film as part of a revival series of classic films. Various political protests by black organizations and threats of physical violence against the theater manager, Bob Maes, and his family convinced the manager not to exhibit the film to the public. The concepts of historical accuracy, racist ideology, and the use of motion pictures in controversial subject matter (*The Last Temptation of Christ* and *Do The Right Thing*) is as much an issue as we enter the last decade of the twentieth century as it was in 1915.

While *The Birth of a Nation* was and still is a controversial film, it was also a triumph in terms of film technique, and it established the genius of D. W. Griffith as film director. Many of the film techniques used today were introduced in this movie—techniques such as night photography, moving camera shots, soft focus photography, split screens, and acute camera angles. The film helped establish Griffith as the premiere cinematic figure in the early twentieth century.

The genesis of the film was from two of Thomas W. Dixon's books—*The Leopard's Spots* (1901) and *The Clansman* (1903). Born in 1864 in a farmhouse near Shelby, North Carolina, Dixon was eight years old when he accompanied his uncle to the state legislature in South Carolina where he saw in the body "ninety-four Negroes, seven native scalawags [white South Carolina Republicans] and twenty-three white men [presumably carpetbaggers from the North]."<sup>3</sup> This made an impression on young Dixon. The sight of "Negroes and undesirable whites" running the legislature was to profoundly shape his future career. Dixon was raised in an environment of racism where blacks were seen as inferior to whites, immigrants were not to be trusted, and Southern white "trash" were not to be associated with. Dixon learned the class patterns of the South before the Civil War and how important it was that its citizens return to traditional roles.

As a young man, Dixon appears to have been both restless and talented. He was at various times an actor, clergyman, essayist, and lecturer. After hearing Justin D. Fulton speak in Boston on "The Southern Problem" (the inability of the South to run its own government), Dixon found his life's work. Outraged at Fulton's derogatory remarks against the South, he interrupted the minister halfway through the lecture to denounce his remarks as "false and biased."<sup>4</sup> Dixon's main purpose in life became the desire to "set the record straight" regarding Reconstruction.

Dixon consequently turned to fiction to tell his story. His first novel, *The Leopard's Spots: A Romance of the White Man's Burden*, was a conscious attempt to answer Harriet Beecher Stowe's classic abolitionist novel *Uncle Tom's Cabin*.<sup>5</sup> While Stowe's novel attempted to show the nation the cruelties of slavery, Dixon attempted to show the horrible anguish the Southern white man suffered in the Reconstruction period. Stowe used her villain Simon Legree to illustrate the exploitation of blacks in a physical sense. Dixon countered with the misuse of blacks in a political sense. Dixon took a character from Stowe's novel, a freed black slave, and transformed him into a graduate of Harvard, a poet, and a scholar who overreached his societal boundaries when he asked to marry the daughter of a white defender of the Negro cause. Dixon's novel was an instantaneous success, selling over one hundred thousand copies in its first three months of publication.

*The Leopard's Spots* established Dixon in the public eye as an "expert" on Southern life and Reconstruction. He believed that there was an evolutionary gap between the black and white races and that racial peace could only occur with the complete separation of the races. Dixon's nightmare in life was that of miscegenation which he believed would lead to the mongrelization of the white race. He went so far as to suggest that all freed slaves be returned to a new homeland in Africa. While the "back-to-Africa" movement was to become popularized by black leaders such as Marcus Garvey and others some twenty years later, Dixon believed that a complete extermination of blacks out of the United States was the only way that the country could be "saved." Dixon also despised the treatment that the North gave the South during the Reconstruction period and the dwindling power of states' rights.

The success of *The Leopard's Spots* led to a constant demand for Dixon as a lecturer and writer. Tall and commanding, he preached his diatribe on race,

3. John Hope Franklin, "Birth of a Nation—Propaganda As History," *The Massachusetts Review* 40 (Autumn 1979): 418.

4. Richard Schickel, *D. W. Griffith: An American Life* (New York: Simon and Schuster, 1984), 78.

5. Ibid.

Reconstruction, and the Southern way of life across America. Before the public, Dixon tried to tone down his aversion towards Northerners and immigrants, stressing instead his fears of the free, political, black male. Dixon told audiences: "My object is to teach the north, the young north, what it has never known—the awful suffering of the white man during the dreadful reconstruction period. I believe that Almighty God anointed the white men of the south by their suffering during that time . . . to demonstrate to the world that the white man must and shall be supreme."<sup>6</sup>

Within a few years Dixon completed his second and most famous novel, *The Clansman: A Historical Romance of the Ku Klux Klan*. *The Clansman* was a reworking and expansion of *The Leopard's Spots* with a heavier stress on the heroism of the Ku Klux Klan and a vicious attack on Dixon's *bête noire*, Thaddeus Stevens, the Pennsylvania leader of the Radical Republicans. Contrary to most historical accounts, the Stevens character was portrayed as a despicable individual who lived with a mulatto mistress. Dixon dwelled on immense injustices which he claimed whites suffered during Reconstruction, and he cast the Ku Klux Klan in the heroic role of returning the Negro to his place of inferiority.

*The Clansman* was even more successful than *The Leopard's Spots*. The great success of the novel caused Dixon to consider its possibilities as a drama. In 1905, *The Clansman* was converted into a play and successfully toured the Midwest and the South.

In the same year a little known Southern actor starred in another one of Dixon's plays entitled *The One Woman*. This actor, David Wark Griffith, would go on to become the director of *The Birth of a Nation*, and was to become America's leading silent film director, an individual who brought controversy and craftsmanship to the film industry. Griffith learned his trade under the guidance of Edwin S. Porter who directed *The Great Train Robbery*.<sup>7</sup> Griffith made hundreds of one-reel films from 1908 until 1912. He became an innovator and introduced such film techniques as the pan shot and the traveling shot, cross cut editing, artificial lighting, and the use of ensemble acting. Prior to Griffith, silent films were static and extremely simplistic in terms of storyline. Griffith developed the use of the narrative film, which told long and complex stories with performers who acted realistically and emotionally. Several of his best-known works in this period were *The Lonely Villa* (1909), *The Lonedale Operator* (1911), and *The New York Hat* (1912). From 1912 to 1914, Griffith shot several four-reel films. Inspired by

the Italian spectacles, Griffith helped conceive the idea of the feature film.

For his first independent project in 1914, Griffith chose Dixon's novel *The Clansman*. Dixon had tried to persuade film producers throughout the United States to put his novel to film but they insisted that *The Clansman* was too long, too serious, and too controversial. Producers did not believe film audiences could follow a complex story. Griffith decided to film *The Clansman* for several different reasons. First, the novel appealed to him because it was a vast story, one which covered the age before the Civil War, the war itself, and the turbulent post-war era. The novel was an excellent source for a full-length feature film. There were superb opportunities for thrilling drama, with grand armies, sweeping war scenes, and intense emotional impact. Second, Griffith was attracted to the novel because of its message. He was a Southerner and his father had served in the Confederate army. Griffith's knowledge of history was limited but he was moved by Dixon's political views. Griffith also held definite racist views on blacks. When he portrayed blacks on film they were either "good" or "bad" and always were shown in a condescending manner. Griffith shared Dixon's views on Reconstruction and the South, but his views were more sentimental in nature in contrast to Dixon's violent racial ideology. Griffith once commented on his heritage and its effect on the film: "I used to get under the table and listen to my father (a Confederate colonel) and his friends talk about the battles and what they'd been through and their struggles. Those things impress you deeply—and I suppose that got into *The Birth*."<sup>8</sup>

Griffith and Dixon arranged to collaborate on the film in 1914, and throughout that year the pair tried to raise enough capital to film the picture. The actual scenario of the film was written by Griffith and Frank Woods, based on both of Dixon's plays *The Clansman* and *The Leopard's Spots*, and Griffith's own company, the Epoch Producing Company, produced the film. *The Birth of a Nation* was rehearsed for six weeks, filmed in nine weeks, and final editing took another three months. The leading actors in the film were Lillian Gish, Mae Marsh, Henry B. Walthall, and Miriam Cooper.

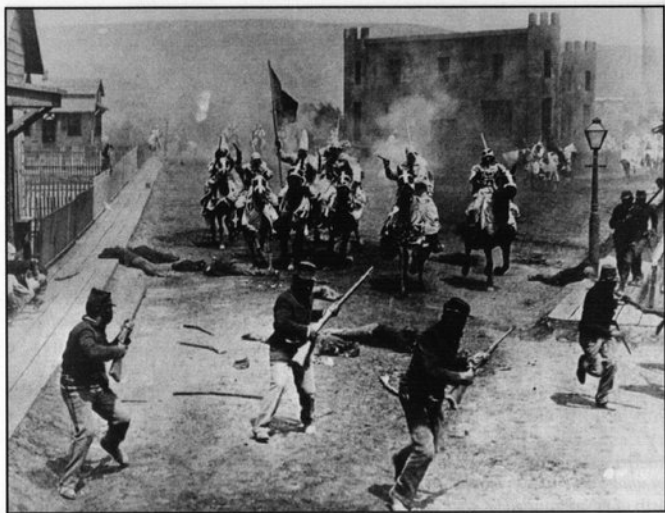
The film focuses on the relationship between a good decent family of the South—the Camerons, and their Pennsylvania friends—the Stonemans. The movie opens with a prologue, which includes a scene showing blacks being sold into slavery at auction. The title introducing it indicates one of Griffith's main themes: "The bringing of the African to America planted the first seeds of disunion." The film argues

6. Thomas Cripps, *Slow Fade to Black: The Negro in American Film, 1900-1942* (New York: Oxford University Press, 1977), 44.

7. Schickel, D. W. *Griffith*, 91-92.

8. *Ibid.*, 77, 236-37.





*The sympathetic treatment given to the Ku Klux Klan in *The Birth of a Nation* led to controversy and the ban on showings in Kansas.*



again and again the point that the black presence in the United States brought disruption and then disunion to the country.

Before the Civil War the Cameron family is portrayed as living in "a quaint way that is no more." Dr. Cameron and his sons are sturdy benevolent fathers to their childlike servants—the slaves. The slaves appear happy and content. In the fields the slaves cheerfully pick cotton. In their living quarters, they dance and

sing for the white man. Big Mammy contentedly does her chores. The Stonemans come to visit their Southern friends, having a good time until the impending war puts a stop to their visit.

The movie then shifts to Washington D.C., where Arthur Stoneman, father of the clan, hurries to business. Stoneman is closely patterned after Thaddeus Stevens, the antislavery Republican congressional leader. Stoneman, an ardent advocate of black rights,



Real life scenes such as this large gathering at an unidentified Kansas location in the 1920s left little doubt of the Klan's following in the state. Opponents to the KKK feared that *The Birth of a Nation* would encourage the organization's growth and activities.

keeps a mulatto mistress in Washington D.C. This interracial relationship is described in a title as "a weakness that is to blight a nation."

During the Civil War the years take their toll. In Piedmont, the Cameron home, Negro raiders terrorize the poor white family and the South is left in devastation. "Ruin, rapine and pillage" are all that is left of the South. Two of the Cameron boys and one of the Stonemans are killed in battle. The first half of the film ends with the assassination of Lincoln, leaving the Camerons to ask gloomily, "What is to happen to us now?"

The answer is Reconstruction. White carpetbaggers and "uppity" Negroes from the North come south to exploit and corrupt the free slaves. In the film these forces turn congenial Negroes into renegades who seek revenge against their former masters. One card in the film reads, "Lawlessness runs riot." The entire South is then pictured as being overrun by Negroes. Blacks don't work, they just dance, sing, and drink. Blacks pictured in the movie take over all aspects of life. In the legislatures of the South, black lawmakers are pictured as stupid, arrogant, and lustful. In the Senate halls they eat chicken, drink whiskey, and take their shoes off. The movie climaxes when a renegade black named Gus attempts to rape the younger Cameron daughter. Rather than face such a horrible fate, the girl commits suicide. Arthur Stoneman is faced with a terrible dilemma when a mulatto, Silas Lynch, approaches him and asks permission to marry his daughter, Elsie. At this time Stoneman realizes that he no longer believes in racial equality and attempts to save his daughter from such a fate.

All things look incredibly bleak in the movie when the heroes come forward—the Ku Klux Klan. These protectors of white morality battle the blacks and carpetbaggers in direct confrontation. Defenders of white womanhood and white justice, they attempt to restore the South to everything it had been before the war. Bound and gagged, Elsie is taken to a cabin where Lynch is determined to marry her. Then, the Klan rides into town, frees Elsie, and rescues the town from violence. The next scene is of blacks throwing down their weapons and scurrying away. The film comes to a close with an allegorical figure of Mars who dissolves into "The Prince of Peace." The film suggests that life in the United States would be much better, and the world would be filled with "the halls of brotherly love," if blacks would go back to Africa.<sup>9</sup>

On February 8, 1915, the film opened at J. R. Clune's Auditorium in Los Angeles with the title *The Clansman*. On March 3, 1915, Griffith changed the film's name to *The Birth of a Nation* and re-released it at the Liberty Theatre in New York.

*The Birth of a Nation* was an enormous success. George D. Proctor in *Motion Picture News* declared that the film was "the greatest picture ever produced." He wrote, "*The Birth of a Nation* is a most happy and strong combination of spectacle and story. To do the spectacle justice is practically impossible."<sup>10</sup> The Rev. Thomas

9. Daniel J. Leab, *From Sambo to Superspade: The Black Experience in Motion Pictures* (Boston: Houghton Mifflin, 1975), 32.

10. George D. Proctor, "Review of *The Birth of a Nation*," *Motion Picture News* 11 (March 13, 1915): 49-50.

B. Gregory wrote in the *New York American*: "As an educator, its value is well-nigh inconceivable and its chief value in this direction lies in its truthfulness."<sup>11</sup> Hector Turnbull of the *New York Tribune* called it a "spectacular drama" with "thrills piled upon thrills."<sup>12</sup>

Yet, despite this praise, *The Birth of a Nation* quickly became embroiled in a morass of controversy. Even before the film reached New York, the National Association for the Advancement of Colored People (NAACP) had begun action against the film. Thousands of pamphlets were mailed asking citizens to demand that the film be barred from their area. The NAACP knew that it was in for a horrible struggle. The film in its technique and vast scenes was great, yet in the view of the NAACP, it contained a racist message. The West Coast secretary of the organization admitted, however, that "from an artistic point of view, (the film is) the finest thing of its kind I have ever witnessed."<sup>13</sup>

Many well-known figures spoke out against the film. They included Harvard University president Charles Eliot, black leader Booker T. Washington, Rabbi Stephen Wise, and *New York Post* publisher Oswald Garrison Villard. Over the next year the film was banned in the state of Ohio, and the cities of Denver, Boston, St. Louis, Chicago, and Pittsburgh. Despite widespread banning, more than twenty-five million people had seen the film by 1916.<sup>14</sup> In New York City, it was estimated that 825,000 people had seen the film.

The Epoch Producing Company, distributor of the film, was aware of the hard-line conservative stance toward censorship that the Kansas Board of Review had displayed during its first year of operation when it had banned countless films. Epoch was afraid that *Birth* would suffer the same fate. In addition, Kansas had a long tradition of pro-Union sentiment and the film was bound to cause a controversy. In November 1915, the distributors decided not to present the film to the board because they did not want to risk the probable denial of the film in the state.<sup>15</sup>

*The Birth of a Nation* did open in Kansas City, Missouri, on October 24, 1915. The state of Missouri did not have a censorship board at this time but the city of Kansas City, Missouri, did. The picture passed the censorship board and played to the public with little conflict. The film was an immense hit in Kansas City, and many Kansans who lived in the eastern part of the state crossed the state border and saw the controversial film.

The immense popularity of the film and the public demand from many Kansans to view *The Birth of a Nation* eventually influenced the film company to submit the movie to the review board in December 1915. This board consisted of Carrie Simpson, a Paola schoolteacher, the Rev. Festus Foster of Topeka, and W. D. Ross, state superintendent of public instruction and review board chairman. The board members viewed the film and ruled that it could not be exhibited in Kansas. Ross issued an appeal statement that denied exhibition of the film because: 1) *The Birth of a Nation* was historically inaccurate. The board believed that Griffith had taken license with his depiction of certain facets of history in order to appeal to the emotions. Examples included the similarity between Stoneman and Thaddeus Stevens and the portrayal of the heroism of the Ku Klux Klan; 2) The board believed that the film was full of race hatred, promoting the idea that black Americans were the root of many social problems in the country. In the board's view, blacks were continuously portrayed in a negative light; 3) The film was immoral and sexually suggestive because of the implication of rape and biracial sexual situations which the board judged to be inappropriate; 4) *The Birth of a Nation* could inspire sectional bitterness between the North and the South.<sup>16</sup>

The motion picture company appealed the decision and on January 24, 1916, the film was presented to the state appeal board of motion pictures. The appeal board consisted of the Republican governor, Arthur Capper; S. M. Brewster, attorney general; and J. T. Botkin, secretary of state. Capper did not view the film but gave the task to his private secretary Charles Sessions. Capper initially appeared not to take sides over the *Birth* decision, perhaps waiting to see the popular reaction to the decision.

H. A. Sherman, manager of the Epoch Producing Company, pleaded his case before the appeal board on January 24. He stated that the film was elevating, a true historical representation which promoted peace between the black man and the white man. Brewster, a foe of the film, "grilled" Sherman on the accuracy and historical representation of the movie, and he called attention to the misrepresentation of Thaddeus Stevens and several other "distortions" of history. Sherman replied that Brewster was the first "living" man to ever question the film's historical accuracy. Additionally, to appease concerns over the portrayal of blacks, Sherman stated that an extra hundred feet of film had been made, portraying the wonderful advances the Negro had made since the war; he promised that this footage gladly would be added to

11. Thomas B. Gregory, "Review of *The Birth of a Nation*," *New York American*, April 2, 1915, p. 23.

12. Advertisement for *The Birth of a Nation* in *New York Tribune*, March 7, 1915, pt. 3, p. 6.

13. Cripps, *Slow Fade To Black*, 53.

14. Landay, *Black Film Stars*, 26.

15. "Kansas Cut Out," *Topeka State Journal*, November 23, 1915.

16. "Birth of a Nation Rejected By State 'Movie' Censors," *Topeka Daily Capital*, January 25, 1916.



*The Birth of a Nation* when it was displayed in Kansas. (This additional film was never produced.) Brewster questioned the necessity of this extra film when the film's basis was prejudicial. Sherman then blatantly lied to the court to defend the film: "I even understand that Booker T. Washington himself has cordially indorsed [*sic*] 'The Birth of a Nation.'"<sup>17</sup> After hearing the arguments of Sherman, the decision was made to uphold the rejection and bar the film from the state.

Superintendent Ross issued the following statement after the appeal board's decision:

The picture is rejected because it is not proper, is not instructive, and 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 outcome of passion, of hate and murder it is vicious and immoral—immoral not alone in the parts that are sexually suggestive, but in its whole revelation of race prejudice and sectional bitterness.<sup>18</sup>

This decision to ban the film was influenced by a variety of factors. The state had a strong tradition of antislavery activism. A large number of free blacks had come to live in the Quindaro and Lawrence regions of Kansas to escape slavery. Kansas joined the Union on January 29, 1861, after several Southern states had seceded. The Civil War started within a few weeks and Kansas became involved in the violence. In 1863, Confederate raiders under William C. Quantrill burned most of Lawrence and killed about 150 persons. During the war, Kansas sent more men to the Union army, in proportion to its population, than any other state. After the war ended in 1865, thousands of Union veterans and newly freed slaves moved into Kansas to claim land. These historical influences had a great impact on Kansas' acceptance of a film which was perceived to be blatantly racist and anti-Union.

The board of review faced a constituency of ex-Union soldiers and their families, who protested the gross displacement of history in *The Birth of a Nation*. The Grand Army of the Republic led the fight against the film, objecting to what it considered the obvious Southern slant of the picture and the incorrect portrait of Northerners during Reconstruction. C. A. Meek, commander-in-chief of the Kansas G.A.R., called in person on January 24, 1916, the day of the appeal decision, and said that he "protested, in the name of the old soldiers, against allowing the false impression created by the picture to be spread over the state. . . . it makes out that the North was all wrong and the South right in the Civil War. It holds up the Ku

Klux Klan as knight errants protecting the helpless."<sup>19</sup> Another political factor was Arthur Capper. If Capper and the review board allowed the film to be shown, a large constituency of voters would be upset with the decision which could have a definite impact upon the governor's political future. Some voters were offended by what they considered gross inaccuracies which the film portrayed and felt as if their family honor and tradition were threatened by the depiction of these scenes. The decision of the review board, it was argued, protected blacks by banning a film that had the potential of inciting violence, additionally, the decision justified the actions of all Kansans who had fought in the Civil War to protect the Union.

The Epoch Producing Company could not compete with the various interest groups. Many individual citizens also wrote Governor Capper and asked him not to allow the film to be shown in Kansas. This strong pro-Northern sentiment fought against the film's release in the state.

Democratic based newspapers throughout Kansas argued that the *Birth* decision was a political ploy by the Republicans to appeal to the Negro vote. The *Topeka State Journal* noted: "Almost without exception the action of the state censors has been branded as a ploy for Negro votes." The *Independence Daily Reporter* claimed: "In rejecting *The Birth of a Nation* in Kansas the moving picture censor board has made a serious mistake. It has allowed the fear of a loss of negro votes at the polls next fall to overshadow its duty."<sup>20</sup> Clearly, the Negro question was on the mind of Governor Capper who wrote to G. W. Clarke, governor of Iowa: "We have a large Negro population in Kansas. As a rule they are good citizens . . . and I am opposed to exhibitions of this kind which excite race prejudice."<sup>21</sup> Capper and his supporters were very sensitive to the racial nature of the film. Although blacks comprised less than 5 percent of the population in Kansas, Capper chose not to allow the film to dehumanize these citizens. Capper possibly could have lost two distinct voting groups if the appeal had overturned the censors' decision: pro-Union sympathizers and the black vote. Ross' public statements regarding the film therefore were politically motivated to save the Capper administration.

The film remained banned in Kansas during Capper's term in office but not without a major state supreme court case, *State of Kansas, ex rel, S. M. Brewster v. L. M. Crawford et al.* The case involved the Kansas

19. *Ibid.*

20. *Independence Daily Reporter* as quoted in "Hammers Are Out," *Topeka State Journal*, February 7, 1916.

21. Arthur Capper to G. W. Clarke, January 13, 1916, Records of the Governor's Office, General Correspondence, Gov. Arthur Capper, box 7, folder 67, Archives Department, Kansas State Historical Society [hereafter cited as Capper Papers].

17. *Ibid.*

18. *Ibid.*

Board of Review's reexamination of *The Birth of a Nation* during Capper's term of office. On May 5, 1917, the film was reexamined by the board and after some discussion, it was announced that after certain eliminations had been made the film would be passed. The eliminations required by the board were not made public. The proposed changes were mailed to the Epoch Producing Company, along with the film, on May 7. On May 9, a new order was mailed to the film's producers with quite a different message. It read: "The Board of Review of Motion Pictures, Kansas, hereby orders the recall of the film, 'The Birth of a Nation' for reexamination, and we are giving you the official thirty days' notice. In the meantime, of course, there must be no exhibition of the picture in the state."<sup>22</sup> This meant that the board of review wanted to see the film for another examination, even though the film had been approved just two days before. Capper was infuriated with the overturn of the decision and demanded that the board "re-examine" the film, pressuring to keep the film banned from the state.

The motion picture company refused to comply with the order under Section 17, Chapter 308, of the Kansas Laws of 1917, which said that the board of review had the right to demand the film to be returned if reexamination was determined to be an appropriate action. The Epoch Producing Company questioned the "appropriateness" of the examination and would not return the film. The State of Kansas therefore took the company to court.

The defendants, under the counsel of L. M. Crawford, pleaded that the film had been approved, and alleged that the members of the board were satisfied with the decision until they had been influenced adversely "by certain prominent and influential" outside persons to recall the picture. The defendants pleaded that this unyielding outside pressure was ordering the members not to reexamine the film but to reject it in entirety. The overwhelming influence referred to was indeed Capper.

For many years, including those after his two terms as governor, Capper discouraged the distribution of *The Birth of a Nation* for both political and social reasons. In a letter to the board of review, Capper explained his position: "The only way to make that picture moral, . . . is to eliminate everything after the title." He continued to state that it was immoral and debasing to picture General Grant as a "rough-neck," to picture Thaddeus Stevens as a "tyrant and habitue of negro hovels," and to "pervert history by saying the South was right and that the North was

wrong. . . . To do anything that would tend to stir up race and class hatred. . . borders on treason."<sup>23</sup> Obviously the release of the film in Kansas would seriously question the extent of his authority over his administrative agencies, because Capper openly expressed his disgust over the film. The plaintiff, the State of Kansas, was headed by Attorney General Brewster. The state declared that the board members were simply doing their job and decided to have another look at the film. The court considered each point and argument, and the majority of the justices found that the film certificate had been approved and therefore, under law, the film could be recalled for reexamination. The court found that this was a decision that would affect public morals; therefore, it could be required by mandamus to supply the film to the board. The Epoch Company was required to give the film back to the board of review. Shortly after the court decision, *The Birth of a Nation* was again banned from exhibition in Kansas.

Capper's influence was pervasive enough that the supreme court gave the Kansas Board of Review the judicial decision it needed to once again prevent *The Birth of a Nation* from exhibition. According to information released in 1924, Capper told the board never to review the film again. Capper instructed the board not to let the movie be made public no matter how many scenes were removed. During his term of office, he received a vast quantity of correspondence concerning the possible exhibition of the film. Most of it was in support of Capper's decision to stop the film. In a letter to Capper, John R. Shillady, secretary of the NAACP, claimed, "This picture is emphatically objected to by the colored people of this country who regard it as inimical to them and as tending to accentuate and engender race prejudice and race hatred."<sup>24</sup> While Capper's decision may have been politically motivated, it was extremely unusual for the time for a governor to be so concerned with the racial climate of his state, particularly with the role of blacks. Capper's actions were far ahead of their time.

By 1919, *The Birth of a Nation* had been exhibited to more Americans than any other film. Its popularity remained consistent with continuous showings across the country. Roughly 5 percent of the American population had seen the film by 1919, a feat unmatched by any other film. Gov. Henry J. Allen inherited *The Birth of a Nation* problem when he took office the same year. Now with Capper out of the way, distributors once

22. *State of Kansas, ex rel, S. M. Brewster v. L. M. Crawford et al., Kansas Reports* 103 (Topeka: State Printer, 1919), 76-79.

23. Capper to Mrs. J. M. Miller, Chairman, Kansas Board of Review of Motion Pictures, May 10, 1917, box 11, folder 45, Capper Papers.

24. John R. Shillady, Secretary of the National Association for the Advancement of Colored People, to Arthur Capper, October 10, 1918, box 11, folder 45, Capper Papers.



CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appear after the check (number of words) this is a telegram. Otherwise the character is indicated by the symbol appearing after the check.

# WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appear after the check (number of words) this is a telegram. Otherwise the character is indicated by the symbol appearing after the check.

RECEIVED AT 505 KANSAS AVENUE, NEW ENGLAND BUILDING, TOPEKA, KAN. ALWAYS  
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WICHITA KANS FEB 19 1920

HON HENRY J ALLEN

GOVERNOR TOPEKA KANS

DEAR SIR THE NEGROES OF WICHITA IN A SPECIAL MEETING  
ASSEMBLED MOST EARNESTLY PROTEST THE RAISING OF THE BAN ON  
THE INQUITONS MOTION PICTURES PLAY ENTITLED THE BIRTH OF A  
NATION FOR THE REASON THAT IT IS CONCIVE TO RACE  
HATRED ANTAGONISM AND STRIFE WHICH EVERY TRUE AMERICAN DESINES  
TO AVOID SIGNED

LIEUT W A BETTIS, MR F J MILLER ATTY JAS A SPEAR  
F J GODFREY ATTY C L JONES B N HUMIGAN JR J OMISTON WM S JOHNSON

210A FEB 20 1920

Correspondence from  
Kansas citizens and orga-  
nizations generally  
expressed opposition to the  
film's showing; most feared  
increased racism and vio-  
lence against blacks.  
Among the items shown  
here and on the facing  
page, only the letter from  
Emporia's Strand Theater  
manager approved the film  
for Kansas viewing.

1607 South Manning,  
Winfield, Kansas,  
February 24, 1919.  
Hon. Allen  
Topeka, Kansas.  
Dear Sir:  
I write to ask you to  
not let the show entitled  
"The Birth of the Nation" come  
to Kansas, Because it  
causes more prejudice  
against our people.  
For God sake and the  
sake of humanity, I ask it.  
I speak the sentiment  
of all our people in Winfield.  
I am respectfully yours,  
M. W. K. P. H.  
J. Res. Maymond & C. J. H.

CONFIDENTIAL.

JOSEPH TAGGART  
ATTORNEY AT LAW  
Kansas City, Kansas

June 8, 1923.

Hon. J. M. Davis,  
Governor of Kansas.

Dear Governor:--

If you refuse to allow the moving picture, entitled "the Birth of a Nation" to be exhibited in this State, it will mean hundreds of negro votes for you in this county in another campaign, and on a higher ground it would be right to prevent that nasty criminal exhibition from being seen by the young people of this State. It is intended to gratify negro haters. It doesn't belong in this State. When there was talk of showing it before, there was suspicion of graft, and there is now talk of liberal offers on the part of the people who want it to pass the Censor Board.

If you stop it, I want everyone here who will appreciate your action to know it. It will help you.

Yours friend,

*Joseph Taggart*

W. D. ROSS

PAID GREEN

WILLIAM TULLER  
WILLIAM TULLER  
WILLIAM TULLER  
WILLIAM TULLER

**STRAND**  
THEATRE  
CORPORATION

EMPIRE, KANSAS 10/1/22

Governor J. M. Davis,  
State Capital Building,  
Topeka, Kansas.

Dear Governor:--

From time to time we have had a large number of inquiries from representative people in Emporia as to why we have not shown "The Birth of a Nation". We know that the picture has been shown all over the country and we find it rather hard to explain to our patrons why they cannot see it.

We are at a loss to understand why the Kansas State Board of Censors have not approved this picture as we strongly feel that the people of Kansas are entitled to see it.

We have a natural pride in presenting the neatest pieces of the screen in our theatre and are very anxious to show the greatest of all Griffith productions.

At your convenience we would appreciate a line advising the possibilities of this picture being approved.

Very truly yours,

THE STRAND THEATRE

*W. D. ROSS*  
MANAGER

again submitted the film to the board of review.<sup>25</sup> But their hopes were dashed when Allen, a Republican, told W. D. Ross, "That so far as my influence is concerned in Kansas the picture will not be admitted to the state."<sup>26</sup> Allen rejected *The Birth of a Nation* for many of the same moral and political reasons that Capper had.

Between 1919 and 1921 several educators attempted to show the film in college classrooms. When Professor M. L. Smith of the Kansas State Normal School requested permission to show the film to his students, Allen, not the review board, denied his request. He told Smith, "it is a powerful picture, but it undoubtedly has an unfortunate racial effect for the very reason that it is powerful."<sup>27</sup> During his term of office, Allen remained under constant pressure to allow the film in the state. The film's immense popularity, coupled with the fact that Kansas was the only state to still not allow the film to be shown, made Kansas, in the words of one board member, "the butt of many jokes." There were rumors that some of Allen's staff members were offered bribes by motion picture distributors to try to influence the governor to change his mind on the matter. The local distributors saw an immense economic opportunity and were willing to try almost anything to get the film exhibited. It is significant to understand that this decision was no longer that of the board but was that of the governor.

*The Birth of a Nation* remained in the collective conscience of the American people as the country entered the 1920s. The state of Kansas, and the United States as a whole, had undergone a resurgence of racial unrest beginning with the end of World War I. The Ku Klux Klan had swollen its ranks throughout the nation. In 1915 there were only a few hundred members of the Klan in Kansas, but by 1923 membership leaped to sixty thousand. The Klan had become a powerful, yet radical political force in the state. *The Birth of a Nation* was attacked by some anti-Birth individuals as a part of a campaign to stimulate the Ku Klux Klan. Those who opposed the film feared that the exhibition of *The Birth of a Nation* in Kansas could further increase the political clout and membership of the Klan.

As the 1924 election approached Kansans were concerned with the growth of the Ku Klux Klan. Governor Allen had said that it was the "greatest curse that comes to a civilized people" and he had

25. W. D. Ross to Henry J. Allen, February 19, 1920, Records of the Governor's Office, Correspondence Files, Gov. Henry J. Allen, box 15, Motion Picture Board 1920 folder, Archives Department, Kansas State Historical Society [hereafter cited as Allen Papers].

26. Allen to W. D. Ross, February 24, 1920, box 15, Motion Picture Board 1920 folder, Allen Papers.

27. Allen to M. L. Smith, Department of Visual Education, Kansas State Normal School, June 7, 1919, box 15, Motion Picture Board 1919 folder, Allen Papers.

done his best to run it out of the state. It has been estimated that possibly forty thousand Kansans were enrolled in the "Invisible Empire" in the early 1920s. Allen brought suit against the Klan and the crusade was carried on by the attorney general. The prosecutors and the courts had trouble keeping witnesses who were willing to testify against the Klan because of threats and pressure, and the campaign proved to be unsuccessful. William Allen White, a leading Kansas newspaper editor, also became involved in the anti-Klan campaign. Since White was so well known, his campaign attracted national attention. According to White, "The way the Catholics and Jews and colored people were persecuted by the Klan in Kansas was a dirty shame and I couldn't rest under it."<sup>28</sup>

Jonathan M. Davis, a Democrat, took the office of the governor in 1923. Davis faced a difficult political situation upon his election. The Ku Klux Klan had gained immense political power in a short period of time. Kansas Klansmen belonged to both Democratic and Republican parties. Davis not only faced a Republican legislature but had to please the Democratic party and the radical Ku Klux Klan which had significant power. The governor brought in a message full of progressive reforms and pledged to "modernize" the state.<sup>29</sup>

Davis was pressured by the Ku Klux Klan and the Epoch Company to review the Kansas decision concerning *The Birth of a Nation* early in his term. In a confidential letter to Gertrude A. Sowell, chairman of the Kansas Board of Review of Motion Pictures under Davis, the governor inquired about the film's previous and current status. Mrs. Sowell replied: "It is my understanding that this film was approved by the former members of the board and through the wishes of Ex-Governor Capper the approval was withdrawn and the film has stood rejected since then. At that time the approval card signed by the members of the board was destroyed and a rejection card made."<sup>30</sup> The letter, whether true or not, clearly showed Capper's immense influence on the board of review and its decisions. The board had become a politically manipulated tool by both Capper and Allen, both of whom instructed the board according to their decisions, not allowing the board any independence as a non-political agency. Davis continued in their tradition, using the film in a way to benefit his own needs.

28. Quoted in Robert W. Richmond, *Kansas: A Land of Contrasts* (Saint Charles, Mo.: Forum Press, 1974), 227, 229-30; Charles C. Alexander, *The Ku Klux Klan in the Southwest* (Lexington: University of Kentucky Press, 1965), 48.

29. Richmond, *Kansas: A Land of Contrasts*, 225-26.

30. Gertrude A. Sowell, Chairman, Kansas Board of Review of Motion Pictures, to Jonathan M. Davis, May 12, 1923, Records of the Governor's Office, Correspondence Files, Gov. Jonathan M. Davis, box 21.2, folder 6, Archives Department, Kansas State Historical Society [hereafter cited as Davis Papers].

In early June 1923, the press was notified by the distributors that the film might be granted permission to be exhibited in the state. This was obviously a publicity stunt to garner support of the film. A flurry of activity followed the announcement. Anti-*Birth* forces mobilized much more quickly than they had in 1915. Various branches of the NAACP sent telegrams and letters to Davis in hope that the film would not be permitted to be shown. The NAACP sent letters from the national office, state offices, and from city offices in Wichita, Lawrence, and Kansas City, Kansas, protesting the film and asking that Kansans not be "outraged by this nefarious display of human viciousness."<sup>31</sup> Other black organizations emphatically pushed to deny access of the film for Kansans. The Wichita Ministerial League, an organization of black ministers, wrote Davis telling him that *The Birth of a Nation* "is absolutely capable of arousing racial malice and ill-will."<sup>32</sup> The action by blacks in the 1923 controversy was much more overt and vocal than in 1915. This immediacy of action by the black community was probably triggered by the race riots that had wounded the nation from 1919-1921 and by the fact that the film could possibly inspire even more Kansans to join the KKK. Fearing black rights would be limited even more severely by the growth of the Klan, blacks fought against public exhibition of the film.

They were joined in protest by white citizens. Joseph Taggart, a prominent Kansas City, Kansas attorney, sent a confidential letter to Davis pleading with him to "prevent that nasty criminal exhibition from being seen by young people of the State."<sup>33</sup> Over six hundred Kansans signed a petition which asked the governor not to allow the film to be presented in Kansas. Many citizens still thought that the film was *wrong* even though the Klan permeated many facets of life in their communities and even though the film had been extremely popular throughout the country. Citizens in Kansas became divided over the issue of allowing the film to be shown in the state. Many Kansans felt that the film was socially undesirable because it was anti-black and racist; thus the film was immoral because it encouraged race prejudice. Many other citizens felt that the film was historically accurate and a wonderful piece of socially acceptable entertainment.

Despite vigorous action by many Kansas citizens against the film, many theater managers anxiously anticipated increased profits if the film passed the review

31. James A. Spears, Secretary, Wichita NAACP, to Davis, June 14, 1923, box 21.2, folder 6, Davis Papers.

32. B. C. Rannavalona, Secretary, and W. L. Hutcherson, Asst. Secretary, Wichita Ministerial League, to Davis, December 3, 1923, box 21.2, folder 6, Davis Papers.

33. Joseph Taggart to Davis, June 8, 1923, box 21.2, folder 6, Davis Papers.



board. W. D. Fulton, manager of the De Luxe Theatre in Hutchinson, inquired about the film's possible showing: "From all reports I have heard and from the attitude of the general public it seems to me that the logical thing to do would be to let the public see this great picture. . . it is the duty of the Board to pass or reject this picture on its own merits with no outside influences to interfere."<sup>34</sup> H. A. McClure of Emporia also eagerly awaited the decision of the board. He commented: "We have a natural pride in presenting the masterpiece of the screen in our theatre and are very anxious to show this greatest of all Griffith productions."<sup>35</sup> No evidence was found in regard to the Klan's opinion of the film being allowed to be exhibited although one can easily speculate that *The Birth of a Nation* would only help swell the ranks of the Kansas Klan.

The film was finally approved by the board in the fall of 1923. As expected there was an outcry of protest. A special meeting of the NAACP assembled in Metropolitan Hall in Topeka on December 5 to discuss what action to take. A committee was appointed to protest Governor Davis' decision. The protest was based on the following: "1. The distortion of facts. 2. The general immoral nature and corrupt practices depicted therein. 3. The demonstrated effect of this exhibition in engendering racial bitterness, antagonism and strife. 4. The wide-spread desire of the citizens of this state to foster and promote interracial good will, co-operation and mutual security." Protests and petitions flowed into the office of C. B. Griffith, attorney general. Members of the clergy, professors, military personnel, and private citizens from Kansas City, Kansas, Fort Scott and Arkansas City angrily arrived to protest the decision. The attorney general told the various groups that he would discuss with the censor board the advisability of passing such a picture. He advised protesters to ask the officials of their respective cities to pass ordinances forbidding the appearance of the picture. The attorney general stated: "I am amazed the board (of Review) should have passed it, and still more amazed that Governor Davis says he sees nothing objectionable in it."<sup>36</sup>

Immediately the press demanded to know if the decision to allow the exhibition of the film in the state was that of the Kansas Board of Review of Motion Pictures or that of Governor Davis. A confusing controversy developed over Davis' role in the decision. In the summer of 1923, Davis sent a letter to Gertrude Sottell, review board chairman, regarding the film.

34. W. D. Fulton to Davis, November 2, 1923, box 21.2, folder 6, Davis Papers.

35. H. A. McClure to Davis, October 19, 1923, box 21.2, folder 6, Davis Papers.

36. "Showers of Protest Greet Governor Davis," *Topeka Daily Capital*, December 6, 1923.



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STARTING MONDAY  
Matinees—2:30    Evenings—8:15

**All Records Broken**  
Never before has any motion picture been given the enthusiastic support and applause that was accorded this great screen masterpiece.

**HALF OF TOPEKA**  
*Has Already Seen It—You Must Hurry or You'll Miss*

# "The Birth of A Nation"

The Authentic Historical Drama of America, by America and for Americans

**DON'T LET THE CHILDREN MISS IT!**

**SEE**

Griffith's Greatest and the stars made by this big triumph.

**HENRY B. WALTHALL  
LILLIAN GISH  
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THREE HOURS  
of thrills, laughter and tears.

EVENING AT 8:15 P. M.  
PRICES—50c, 75c, \$1, \$1.50  
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**Get Your Seats Right Now**

**SEE**

America's Heroes,  
LINCOLN, GRANT,  
LEE and SHERMAN

The terror of our civil strife,  
the awful reconstruction period,  
the burning of Atlanta, the  
South before the war

MATINEE AT 2:30 P. M.  
PRICES—25c, 50c, 75c, \$1  
Plus Tax

**SYMPHONY ORCHESTRA**

*Although arguments continued, the controversial film was permitted into Kansas movie houses and played successfully across the state in 1924 and 1925.*

Davis wrote: "I write this letter to inform you that it is my wish that the board of review refrain from reviewing the picture called *The Birth of a Nation*. If you do review it, do not allow it to be exhibited in Kansas. I am satisfied that the picture tends to cause race hatred. We cannot have any of that in the state."<sup>37</sup>

It is unknown whether Davis had seen *The Birth of a Nation* prior to this letter. In September of 1923, the governor, at the request of the promoters of the film, reviewed the film in Kansas City, Missouri, before it came to the review board. After viewing the film, Davis stated, "I told the members of the board that I had seen the picture and thought it could be censored and admitted to Kansas. I told them, however, to use their own judgment in the matter."<sup>38</sup>

37. "Davis Hasn't Announced Reason For Changing His Mind On Birth of a Nation," *Topeka Daily Capital*, January 20, 1924.

38. "Governor Says He Didn't Order Movie Censor Board To Pass 'Birth of a Nation'," *Topeka Daily Capital*, December 12, 1923.

Several rumors in the statehouse said that the governor sent a personal emissary from Kansas City to Topeka with instructions to pass the picture. Carl J. Peterson, state bank commissioner, was alleged by the *Topeka Daily Capital* to be the emissary. Both Davis and Peterson denied the story. Davis did admit that he had a conversation with the review board after he had seen the film and before the board made its decision. Obviously Davis' opinion was important enough for the censors to change their minds on allowing the highly controversial film to be exhibited.<sup>39</sup> One can only speculate as to why Davis made such a dramatic change in opinion concerning the film. Davis possibly could have not considered *The Birth of a Nation* racist or offensive enough to prevent it from being seen. Davis might have made a political move to get the backing of the Ku Klux Klan in Kansas which now greatly outnumbered blacks in the state. Davis could have received a bribe from the Epoch Company to allow the film to be played. Whatever the reasons behind the decision, it was a dramatic one.

Former Governor Allen summed up his feelings on Davis' decision: "In my four years' administration every influence from that of the practical politician to the use of money was brought to bear to an effort to induce me to permit this picture to be shown in Kansas . . . There is only one reason 'The Birth of a Nation' is to be shown in Kansas, and that is commercial. . . . The action of Governor Davis is sordid and inconsiderate. . . . This is the very worst hour since the Civil War to show it. . . ."<sup>40</sup>

As the film was exhibited across the state, cities such as Wichita and Junction City passed ordinances to prevent the exhibition of *Birth*. These ordinances did not hold up in federal district court, and restraining orders were placed on cities that passed such laws. Numerous citizens across the state protested such action, but according to the court decision, the film could be legally exhibited anywhere in the state of Kansas based on the action of the Kansas Board of Review.<sup>41</sup> The NAACP also led a campaign to have the permission revoked, but its efforts were to no avail. *The Birth of a Nation* played successfully throughout Kansas in 1924 and 1925 despite all the protests.

The case of *The Birth of a Nation* is a classic example of film censorship, both governmental and non-gov-

ernmental, violating the First Amendment right of free speech. Exhibiting to a mass audience a motion picture which clearly presents racial prejudice and a distortion of American history was a true dilemma for Kansans. The problems regarding *Birth* were extremely critical because of the widespread belief that the film could incite racial prejudice and increase the membership of a vigilante terrorist organization—the Ku Klux Klan. Balancing constitutional freedoms with protecting the American population from violent racism remains a critical problem today.

A large number of citizens in Kansas supported the censorship of *The Birth of a Nation*. These citizens, both black and white, organized campaigns to keep the film out of the state, but interestingly a biracial group was never organized to fight *Birth*; the races worked separately. Despite this "lack of cooperation," Kansas was progressive in race relations compared with most of the United States.

The story of *The Birth of a Nation* has several paradoxes. While a large segment of the Kansas population supported banning the film because of racism, the Ku Klux Klan with its doctrine of racial hatred continued to grow. It was not until the successful campaign of several prominent newspapermen to "expose" the Klan in 1924 and 1925 that the organization lost much of its power. Additionally, while the majority of citizens in the state did not support motion picture censorship, many felt that a picture as controversial or dangerous as *The Birth of a Nation* should not be allowed in the state.<sup>42</sup>

The subject of *The Birth of a Nation* was a crucial one in the administration of Kansas governors Arthur Capper, Henry Allen and Jonathan Davis, and all three exerted pressure on the Kansas Board of Review of Motion Pictures. The motion picture board became a political and sociological tool of the governors, enabling them to use the board to appeal to blocks of voters. The governors felt the need to conform to the wishes of Kansas citizens, but the state's chief executives also had strong personal feelings about the controversial subjects of race and the Civil War as portrayed in the film. Together, the governors and factions against the film relegated *The Birth of a Nation* to a special niche of American film censorship. [KH]

39. Ibid.

40. "Won't Stop Film," *Topeka State Journal*, December 4, 1923.

41. "Show 'Birth of Nation,'" *Topeka Daily Capital*, January 1, 1924.

42. Gerald R. Butters, Jr., "The Kansas Board of Review of Motion Pictures and Film Censorship, 1913-1923," (Master's thesis, University of Missouri, 1989).