Queens "Campin'" Onstage: Performing Queerness in Mae West's "Gay Plays"

Ariel Nereson

Crowds gathered in the streets outside Broadway's Biltmore Theatre late in the evening on Monday, 1 October 1928, anxiously awaiting the cast of Mae West's latest production, *The Pleasure Man*. As the cast members made their way to the street, police pushed the public away to give themselves better access to the performers. They were not seeking autographs, but were instead carrying out orders to take the sixty-one members of the cast and crew down to the West 47th Street Station.[1] As the doors from the theatre to the street opened, cheers, bouquets, jeers, and handcuffs greeted the cast as they were hauled away for violation of the Wales Act, an amendment to New York's obscenity code created partially in response to another West play, *The Drag*. On this particular evening, the raid on *The Pleasure Man* was the best show in town, and newspapermen furiously scribbled down its details, giving it the status of the play's fourth and final act. The production was granted an injunction by the New York State Supreme Court and allowed to play out the week, but was again raided after the Wednesday matinee (fig. 1). It took eighteen months for the case to come to trial, and theatre producers, lawyers, booking agents, and the Actor's Equity Association followed the court proceedings closely (as did the papers) to see just how this early test of the Wales Act would fare, and how far you could now go in representing "indecency" on the legitimate stage.

While West is perhaps best-known for her work in film during the 1930s and '40s, she got her start in vaudeville in the early years of the twentieth century. She began writing plays in 1921 and completed twelve in all (most between 1921 and 1931). While West's participation in theatre could be characterized as burlesque and, in its own time, "vulgar," it was the very vulgarity and notoriety of three plays in particular

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[1] Newspapers reported varying numbers of cast and crew arrested during the raid. The *New York Times* reported fifty-five actors arrested along with West, while the *New York World* claimed that sixty-one people were arrested, including wardrobe crew and stagehands. As the trial of *The Pleasure Man* progressed, charges were dropped against some of the actors and thus the number charged changed frequently in the press. See "Raid Mae West Play, Seize 56 At Opening," *New York Times*, 2 October 1928, 34; and "Mae West and 61 of 'Pleasure Man' Cast Are Arrested," *New York World*, 2 October 1928, 1.

Figure 1. One of *The Pleasure Man*'s female impersonators waiting in a Black Maria after the second raid. (Source: *New York Daily News,* 4 October 1928, 3. Copyright © Daily News, L.P. [New York], reprinted with permission.)

that helped launch her to stardom.[2] *Sex*, *The Drag*, and *The Pleasure Man* were written in quick succession (1926, 1927, and 1928, respectively)[3] so that each might capitalize on the notoriety achieved by the preceding production. These plays banked on the public's interest in "deviant" sexualities and behavior, and indeed, the large crowds outside the Biltmore Theatre, numbering 2,000 according to the *New York World*, attested to this interest.[4] Of primary concern to me are the two "gay plays," *The Drag*

[2] With *The Pleasure Man*'s trial, West solidified her national notoriety, as the case was covered coast to coast in major newspapers. Soon after the trial's end, West toured *Diamond Lil* nationally and made her big push for Hollywood.

[3] The Manuscript Collection of the Library of Congress houses fourteen of West's scripts, among them *The Drag* and *The Pleasure Man*, which were published in *Three Plays by Mae West:* Sex, The Drag, The Pleasure Man, ed. Lillian Schlissel (New York: Routledge, 1997). All quotations from the plays are from Schlissel's edition and will be cited parenthetically in the text. *Sex* and *The Drag* were written under West's pseudonym, Jane Mast.

[4] "Mae West and 61 of 'Pleasure Man' Cast Are Arrested."

and *The Pleasure Man*, which get their name from West's absence; while she wrote the plays, she never intended to perform in them.[5] Her absence onstage was unusual in her theatrical career, as many of the plays she wrote were star vehicles for her own performance. *The Drag* and *The Pleasure Man* were instead built around female impersonators and gay actors.[6] West's reasons for constructing this opportunity for various types of queer performers vacillated over the years: in the 1920s, she claimed that the plays were written to help young men realize and reject their perversion;[7] in the 1950s, she claimed that she was merely offering gay actors, many of whom she had worked with in vaudeville and on other productions, the opportunity to star on Broadway.[8] Scholarly criticism of her plays also vacillates between, on the one hand, lauding West for making gay life visible, and, on the other, viewing her gay plays as clear exploitation of queer performers and participating in the popularity of "slumming," whereby spectators sought out other racial, sexual, or class experiences and pleasures in order to confirm their own superiority.[9]

My intention in this essay is to examine West's gay plays in the context of queer performance in New York City in the 1920s, rather than in the context of her career and life. Instead of focusing on West's notoriety, although to be sure this played a role

[5] Schlissel uses the term "gay plays" in the "Introduction" to *Three Plays by Mae West*, 2. I find "gay plays" an apt shorthand for *The Drag* and *The Pleasure Man*, as they are unique instances of gay actors playing gay characters and of the staging of a larger queer social world. I therefore continue its use throughout this essay.

[6] Claims of a person's homosexuality were often based on hearsay and gossip. The casts for these two productions were drawn from a known gay nightclub in Greenwich Village, and this evidence, combined with their treatment by the press and West's own reminiscences, have led most scholars to conclude that many actors involved in these productions also performed and practiced various kinds of queerness. For an account of casting *The Drag,* see George Eels and Stanley Musgrove, *Mae West: A Biography* (New York: Morrow, 1982), 65.

[7] "The Story of Mae West: A Broadway Phenomenon," *New York Times,* 22 April 1928, 9:1.

[8] See West's own *Goodness Had Nothing to Do with It: The Autobiography of Mae West* (Englewood Cliffs, NJ: Prentice-Hall, 1959) for this claim. I suspect that her justifications changed swiftly, because she was a successful opportunist; pinning down the "original" or "true" reason seems unlikely. Charlotte Chandler's recent biography, *She Always Knew How: Mae West, a Personal Biography* (New York: Simon & Schuster, 2009), was compiled from Chandler's interviews with West, and here West claims that the gay characters in *The Drag* were dramaturgically essential to the story she wanted to tell (114), although her initial interest in writing the play was the opportunity to stage the drag ball (117).

[9] Schlissel, for example, offers a positive reading of West's construction of queer life, whereas Kaier Curtin, in *"We Can Always Call Them Bulgarians": The Emergence of Lesbians and Gay Men on the American Stage* (Boston: Alyson Publications, 1987), is more critical.

George Chauncey gives a thorough explanation of the various terms used to describe homosexuals by both insiders and outsiders in this historical period, and how these terms were or were not interchangeable. As he notes, "gay" described both homosexual men and those simply taking on effeminate qualities, with or without participation in homosexual relationships, and was often used in "straight settings" as a way for queer men to identify one another verbally. "Fairy" identified particularly effeminate homosexual men, whereas "queer" generally applied to men interested in homosexual relationships but not in effeminacy, although it could also refer to any man who expressed a nonnormative sexuality. A further term, "trade," described straight men who participated in homosexual relations, often for pay. See Chauncey, *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890–1940* (New York: Basic Books, 1994), 14–17, for further definition and expansion of these terms along race and class lines.

Throughout this essay, I generally use "queer" to refer to female impersonators, gay actors, and their performances, because it has an inclusivity that is productive for my argument: it was not only performances of effeminacy in these productions that issued a profound challenge to the stage, but also performances of gay kinship communities that did not fit perfectly into "fairy" land.

in the reception of her work, I propose that her gay plays, operating within a network of queer performance traditions and by juxtaposing high and low, heterosexual and homosexual, effectively carved out space for transgressive sexualities on the legitimate stage as much as they shocked and titillated. Further, whereas West's portrayal of homosexuals has been regarded as one-dimensional and whereas most studies of her work have assumed a relatively homogenous homosexual population, as well as a singular spectatorial response, reviews of *The Drag*'s and *The Pleasure Man*'s premieres, as well as the lively archive of the trial of the latter, provide evidence of various queer modes of performance and spectatorship articulated through these productions.

Both within the worlds of the plays and in the relation between the performers and spectators, West's plays offered opportunities to perform gay kinship in support and recognition of nonnormative lifestyles within the specific time and place of New York City in the 1920s.[10] Whereas text-centered critiques of the plays suggest that they satisfied a straight audience's desire for knowledge about deviant sexualities, refocusing the debate on performance and reception complicates claims about a singular interpretation of and spectatorship at West's work. Much of the transgressive potential of the plays came from the staging of drag balls, performances that interrupted the plays' narratives though are only loosely sketched in the texts. Recovering the performances of the drag-ball scenes is a true challenge, as much of the dialogue was created through improvisation if not ad-libbed on the spot, and much of the balls' gestural archive was never recorded. Nonetheless, I believe it is within these scenes that West's plays achieve their grandest and most commonplace possibilities: to recover a public, legitimate space for queer sexualities and to pack the house.

High and Low, On- and Offstage: New York in the 1920s

The gay world in New York City during the early 1900s was complex, with social interactions complicating race and class distinctions. Often, sexual identification allowed groups of people who may not ordinarily have come into contact to forge communities in both private and public spaces throughout the city. Some of the most flourishing gay communities were in working-class immigrant neighborhoods, and Harlem hosted the most popular gay nightclubs in the city, as well as the largest drag ball, attracting both gay and straight spectators in the thousands.[11] Attitudes toward queer people, especially in public spaces, ran the gamut, although George Chauncey claims that "indifference or curiosity—rather than hostility or fear—characterized many New Yorkers' response to the gay world for much of the half-century before the war."[12] This curiosity contributed to a proliferation of queer entertainers occupying highly contested stage spaces. West's plays are particularly significant in their Broadway aspirations. Like the female impersonators who acted in her plays, West had been successful in Off-Broadway venues, but she wanted the largest possible audience and to be taken seriously. She arrived on Broadway at a poor historical moment for her project. Prior to the 1920s, Broadway was, as a highly public space, self-regulating. As the decade

[10] I draw the notion of gay kinship from Chauncey, *Gay New York*, 290–91.

[11] Chauncey describes the myriad spaces the gay community carved out as constitutive of a gay world: "They forged an immense gay world of overlapping social networks in the city's streets, private apartments, bathhouses, cafeterias, and saloons, and they celebrated that world's existence at regularly held communal events" (ibid., 2).

[12] Ibid.

progressed, however, the stage became a site for increasing censorship, as politicians and vice societies sought any venue where they could enforce a moral code, even as Prohibition led to the creation of a huge criminal underground. Queer performance came increasingly under the vice societies' fire, as slumming recreations moved from the peripheries into the city's center. Female impersonators had been standard in minstrel shows and vaudeville circuits for years and for proper middle-class audiences, in addition to underground club venues,[13] but Broadway was somewhat sacred ground. Female impersonators had been part of Broadway revues in the past and, as Laurence Senelick argues, their material was elevated by its venue: "The footlights neutralized and beautified what was unacceptable under the streetlights."[14] Beauty is in the eye of the beholder, however, and as the changing social world influenced the stage, opinions and aesthetics changed. Plays with gay and lesbian themes embraced melodrama (and frequently supported normative values) in order to make it past the censor;[15] plays that included material resembling nightclub acts came under increasing scrutiny. As Andrea Friedman writes: "Broadway's claim to cultural legitimacy became harder to sustain as its shows integrated more representations associated with low cultural forms."[16]

West's plays aggravated the moral arbiters of Broadway in two key ways: first, her own performance of female sexualities pushed the conventions of the increasingly popular "sex plays" beyond any decorum they could claim.[17] Unsurprisingly, despite their unsavory content, sex plays were wildly popular. When the *New York Times* profiled West in April 1928, it noted: "It became the fad in not a few quarters to see 'Sex' two or three times, and some of our best people were caught entering or leaving Daly's Sixty-third Street Theatre."[18] The popularity of sex plays crossed class lines, reflective of the topic's universal appeal and a harbinger of *The Pleasure Man*'s eventual controversy on Broadway. West's other offense was her staging of female impersonation and

[13] See Laurence Senelick, *The Changing Room: Sex, Drag and Theatre* (London: Routledge, 2000), for discussion of female impersonation across genres. For discussion of female impersonation within minstrelsy and important figures in this tradition, see Annemarie Bean, "Transgressing the Gender Divide: The Female Impersonator in Nineteenth-Century Blackface Minstrelsy," in *Inside the Minstrel Mask: Readings in Nineteenth-Century Blackface Minstrelsy,* ed. Annemarie Bean, James V. Hatch, and Brooks MacNamara (Hanover, NH: University Press of New England, 1996), 245–56.

[14] Laurence Senelick, "Private Parts in Public Places," in *Inventing Times Square: Commerce and Culture at the Crossroads of the World,* ed. William R. Taylor (New York: Russell Sage Foundation, 1991), 330.

[15] *The God of Vengeance, The Captive*, and *Virgin Man* were three such plays contemporary with *Sex* and *The Drag*; see Curtin, *"We Can Always Call Them Bulgarians,"* esp. chaps. 1–2, for details on these productions and other gay-themed plays.

[16] Andrea Friedman, *Prurient Interests: Gender, Democracy, and Obscenity in New York City, 1909–1945* (New York: Columbia University Press, 2000), 97.

[17] "Sex plays," defined as such in the 1920s, often featured narratives of prostitutes and fallen women and prescribed, along moralistic lines, ruin for their female protagonists. *The Shanghai Gesture,* a play by John Colton about a Chinese madam, was passed alongside *Sex* in 1926 by the play jury, a citizen's review board charged with acting as the moral conscience of the legitimate stage. Despite the proliferation of sex plays, West's continued to be singled out as particularly reprehensible. For further discussion of sex plays and West's work within the genre, see Kirsten Pullen, *Actresses and Whores: On Stage and in Society* (New York: Cambridge University Press, 2005); for discussion of the *Sex* controversy and trial, see Simon Louvish, *Mae West: It Ain't No Sin* (New York: St. Martin's Press/Thomas Dunne Books, 2005), esp. pp. 113–38. Briefly, West was convicted in April 1927 of indecency and spent ten days in the workhouse at Roosevelt Island on account of her role as Margy Lamont in *Sex*. West often quipped that ten days in the pen and a $500 fine was a more than fair exchange for how much money the play had earned.

[18] "The Story of Mae West," 9:1.

other queer identities that went beyond popular vaudeville conventions and alluded to lifestyle habits and performance traditions that were shaping New York's social landscape in ways that dramatically challenged the status quo. The very nature of the gay world was one in which class rules that might have strictly structured social interactions were necessarily reconstituted in order to create queer networks and gay kinship systems. This tendency of queerness to challenge class rules contributed to anxieties about its performance on Broadway and for the middle class; these anxieties were compounded by the performance of "low" cultural entertainments in a "high" cultural venue. David Savran writes of Broadway's attempts to distinguish between highbrow and lowbrow theatre of this period: "the elevation of the stage was the most effective way of distinguishing it from the mass cultural forms that had proliferated so unnervingly."[19] Certainly, West's plays complicated the stage's efforts to "become a forum for 'the intelligent minority.'"[20] In this sense, the challenges faced by these productions' female impersonators were as indicative of class bias as heteronormative prejudice.

The adult, mixed-gender, and middle-class composition of Broadway audiences had long kept state regulations out of the legitimate playhouses,[21] but gay and lesbian content and potentially deviant spectatorship challenged this convention, as Friedman states:

> Since the 1920s, government officials had used the production of plays about lesbians and gay men to expand their regulatory power over the legitimate theater. They found it necessary to do so because Broadway shows, playing to a middle-class and mixed gender audience that believed itself eminently capable of self-governance, had established something of a "right" to regulation in a democratic manner.[22]

One such expansion was the creation of the Wales Act in 1927, an amendment to New York's state obscenity law. West's work was not only one of the first to be tried under the act, but was also partially responsible for its inception. A lesbian melodrama, Edouard Bourdet's *The Captive*, and West's own sex melodrama, *Sex*, were Broadway sensations and controversy lightning rods in early 1927. Rehearsals and the out-of-town tryouts of West's newest play, *The Drag*, began concurrently with her own stardom in *Sex* and that play's scandal. She was on the vice societies' collective radar, and the potential opening of *The Drag* on Broadway gave them a reason to act against her. *Sex* and *The Captive* were both raided and *The Drag* abruptly closed. Not content with closing all three shows and sending West to the workhouse, District Attorney Joab Banton devised the Wales Act in order to prevent shows like West's and Bourdet's from ever finding a home in legitimate playhouses. The act included three significant changes to the obscenity laws that sought to dramatically impact the business of New York theatre. First, a play did not need to be considered as a whole, but could be judged obscene if any element of it whatsoever was found to be obscene. Second,

[19] David Savran, *Highbrow/Lowdown: Theater, Jazz, and the Making of the New Middle Class* (Ann Arbor: University of Michigan Press, 2009), 135.

[20] Ibid., 136.

[21] Friedman argues that, in an era of censorship, Broadway managed to be self-regulating longer than film and other entertainment, specifically because of this audience: there were no children in the playhouse to worry about and no threatening, working-class immigrant masculinities, such as those that frequented burlesque. As Friedman puts it, Broadway was "[w]ithout a vulnerable viewer to protect or a dangerous spectator to control" (*Prurient Interests*, 97).

[22] Ibid., 95.

the act banned all speech pertaining to homosexuality, and defined all discussion or portrayal of homosexuality on the stage as inherently obscene. Actors who portrayed homosexuals could be arrested at any time, including in the middle of any show, although in the case of *The Pleasure Man*, the police waited to bring in the cast until the show finished. Finally, and most significantly for producers who might be willing to take a chance on a West piece because of her newfound notoriety, theatres that put on plays found to be obscene could be padlocked for up to a year after the conviction; thus producers would lose a year's income from the physical space of the theatre if they regarded the Wales Act too lightly.[23] *The Pleasure Man* was a landmark test of the Wales Act, and female impersonation and gay argot were the main bodies of evidence on trial. As much as the trial was about what had transpired onstage, the case, like the show itself, was also about the uneasy relationship between the stage and the rapidly changing social world of New York.

The Drag: Melodrama and Scenes from Nero

The Drag tells the story of Rolly Kingsbury, an "invert" who, despite his nature, has married a young girl, Clair Richmond, whose father is a psychiatrist. Dr. Richmond is treating a young man, David, driven mad by a bad love affair with a man (later revealed to be Rolly). Rolly is often occupied either with work or with his friends—a group of variously deviant men—and Clair is frequently left alone. Rolly's work colleague Grayson often entertains Clair by taking her to the theatre, leading to a growing love interest between the pair and conflict between Rolly and Grayson, despite Rolly's extramarital interests. When Clair is away for the weekend, Rolly throws a party—the drag ball. In the confusion and clamor of the party, David's madness overtakes him and he kills his former lover Rolly, although Grayson is initially suspected of the murder. To save face, Rolly's father, who is a judge, and his father-in-law declare his death a suicide. The play includes several exchanges about the medical diagnosis of homosexuality as an illness, with Dr. Richmond advocating sympathy for homosexuals and espousing the hope for a cure.

The text of *The Drag* uses the psychology of its time to argue for a sympathetic orientation toward homosexuals. West read many of the day's prominent psychologists and used the character of Dr. Richmond to voice some of the more compassionate views of the medical community. Dr. Richmond advocates pity rather than fear and disgust toward the homosexual David, claiming: "Take that poor devil in there—you'd say send him to an asylum—an institution of some sort—even to jail—and yet the man has done no wrong. He's only what he was born to be—a sexual invert" (107). Dr. Richmond makes a crucial distinction between homosexuals who were born as inverts and those who are "deliberately depraved or who have acquired the habit of this nameless vice through bad associations and environment," although how this distinction is to be made is not quite clear (108). Dr. Richmond and the judge continue to dissect this distinction and its moral implications, and their status in the community gives weight to their statements. While Dr. Richmond appears sympathetic, his aim is to make the homosexual legible, to explain and clarify his sexual drives in order to eliminate them. In the preceding scene, the character of David foreshadows this approach when he cries, "Doctor, there is not one of us that would not be like other men" (103). He has

[23] See ibid., 111–15, for an account of the politics behind the development of the Wales Act.

just spoken about the happiness of his life with his lover, describing it in heteronormative terms: "No normally married couple were happier than we were" (102). David describes queer life in language that is easily legible to straight audience members, and this language supports his later claim that normative life is preferable to life on the margins. The psychiatric discourse on homosexuality used by Dr. Richmond and David provides one glossary on deviancy that is legible for audience members, who might otherwise characterize their spectatorship as slumming.

Slumming spectatorship was a dominant mode at *The Drag*'s performances. As Scott Herring argues: "*The Drag* . . . goes slumming when it stages a lurid local population for mainstream consumption and strives to make freakish bodies sexually readable for audiences in the late 1920s."[24] For Herring, providing the opportunity for slumming is negative, participating in "a hermeneutics of sexual suspicion, a mode of analysis that seeks to expose and to explain away the sexual secrets of modern metropolitan U.S. life."[25] His project uses West's play as a text against which he positions authors who engage in what he terms "queer slumming," defined as a refusal to fulfill the knowledge of the Other's sexual deviance that the normative reader seeks. While Herring's argument about queer slumming is compelling, his discussion of *The Drag* treats West's work as a singular text, rather than a multivalent performance wherein heterogeneous actors and audience members might perform and read various kinds of queerness differently. While some audience members may have conceived of their spectatorial experience at *The Drag* as slumming, as getting the truth of deviant sexuality revealed to them, we cannot assume that *all* audience members would read the drag ball in the same way or that the queerness represented in the drag ball is singular. West's plays pushed the boundaries of sexual visibility on the legitimate stage, and while the idea of slumming in Harlem and Greenwich Village was fairly routine, going slumming in a Broadway theatre (as opposed to on the streets of Times Square) was a fairly new concept.[26]

The content of West's plays and the composition of their audiences thrust highbrow and lowbrow into public confrontation at the theatre, with reviewers often acting as moral arbiters, even as they were forced to report that "fans were storming the box office—fans of a very different social stratum from the usual crowd for burlesque."[27] Some fans were likely drawn more to *The Drag*'s sensational and lengthy drag ball than to its melodramatic plot. This distinction is a crucial one, as *The Drag*'s success as slumming literature was accomplished through its scripted narrative, but was countered by the drag ball's camp and gay argot, elements most evident in performance. The play stages many modes of queerness and embodies Chauncey's claim that "[a]lthough the boundaries between the highly visible fairies and the more covert queers were permeable and both distinguished themselves from 'normal' men, the strategies they adopted for negotiating their presence in the city and their relations with 'normal' men often clashed."[28] In other words, not all queer men would desire

[24] Scott Herring, *Queering the Underworld: Slumming, Literature, and the Undoing of Lesbian and Gay History* (Chicago: University of Chicago Press, 2007), 2.

[25] Ibid., 10.

[26] See Senelick, "Private Parts in Public Spaces," for a history of sex as industry and entertainment in Times Square.

[27] Marybeth Hamilton, *"When I'm Bad, I'm Better": Mae West, Sex, and American Entertainment* (New York: HarperCollins, 1995), 69.

[28] Chauncey, *Gay New York*, 24.

to be visible or legible in the same way to one another and to members of the straight community. The text and performances of *The Drag* reveal some of the complicated strategies adopted by queer men to counter their apparent legibility to the straight community that sought to police them.

The narrative of the sympathetic invert, filled with self-loathing by his own perversion, is dramatically interrupted by the third act's drag ball. The ball is spectacular, and the scene is camp from the very beginning: attempts at female impersonation are extreme rather than realistic, and considerable attention is paid to wigs and low-cut black evening gowns. Much is missing from the archive of this section of the show, as it is only four pages long in the text of the play, and nearly all of the scene as recorded is dialogue: quick quips and traded barbs among the female impersonators, with a couple of songs and a fight thrown in. Parsons, Rolly's butler, announces many performers by using their proper names and drag names, establishing multiple identities within a single body: for example, "Mr. Swanson, as the Duchess . . . Mr. Hathaway, as the Doll" (131). Most characters in this scene are drag performers and are referred to in the script as female characters, such as Kate and Winnie. The stage directions direct the actors to "*scream*" multiple times, and the Duchess tries to "*make*" the Taxi-Driver, a piece of "rough trade," several times throughout the scene (leading to a fight).[29]

These moments that are scripted by stage direction, in addition to dialogue, allow for significant camping on the part of the actors through gesture, intonation, exaggeration, and emphasis. Additionally, many of the actors are given one-liners that build on the posing of the stage directions and invite suggestive body language: for example, "I'm the type that men prefer. I can at least go through the navy yard without having the flags drop to half mast" (132). The burlesque humor and camp of the drag ball are in stark contrast to the melodrama of David's confession to Dr. Richmond in the first act, and they function as a counter-legibility strategy. Jack Babuscio claims that "[h]umor constitutes the strategy of camp: a means of dealing with a hostile environment and, in the process, of defining a positive identity."[30] We can read the drag ball as the performers themselves strategically rebelling against Dr. Richmond's diagnosis of them as pitiable, sick degenerates and complicating the straight audience's understanding of queer identity. The performers' ownership of this strategy may have been greater than at first surmised. Lillian Schlissel, who compiled West's plays, claims that "[m]idnight rehearsals were wildly improvisational as performers were invited to 'script' their own dialogue" for *The Drag*.[31]

David's legibility to the straight audience is derived from his understanding of himself as a deviant. How then do Kate and Winnie differ? The answer is in camp's refusal to disavow its deviance, but rather to deploy it. Camping, and its deployment of gay-slang in-jokes and ad-libbing, works against the legibility of David's queerness. As the girls boast about their looks, Kate claims: "Why, when I walk up Tenth Avenue, you can smell the meat sizzling in Hell's Kitchen" (132). The double entendre of this line, as well as its reference to the actual gay enclave of Hell's Kitchen, confuses the

[29] The drag ball scene can be found on pp. 131–34, with stage directions to "*make*" the Taxi-Driver and to "*scream*" throughout.

[30] Jack Babuscio, "Camp and the Gay Sensibility," in *Camp Grounds: Style and Homosexuality*, ed. David Bergman (Amherst: University of Massachusetts Press, 1993), 27.

[31] Schlissel, "Introduction," 12.

mode of queerness that David represents in earlier scenes by providing an example of the potential for public and desirable gay interactions. Reviews of *The Drag* confirm that some audience members could not, in fact, "read" the drag ball, because of the camp and gay argot it used. The *New York Evening Post* reported that "[t]he audience seemed to have been divided into two groups—those who fully understood the subject under discussion and those to whom the whole theme was a puzzle."[32] Marybeth Hamilton claims that "[s]o odd did the jargon appear to contemporaries that reporters covering the out-of-town tryouts felt obliged to act as translators between the gay cast and the public at large."[33] While certain turns of phrase or camp elements might be read singly by spectators, as a whole, the drag ball's performance was likely unintelligible for some spectators. Consider the following exchange between Kate and Winnie, as they discuss one of Kate's "husbands":

> Winnie: By the way, I saw your husband the other day.
> Kate: Which one, dearie, which one?
> Winnie: The bootlegger—and what he told me about you was enough.
> Kate: What did he tell you?
> Winnie: *(Whispers.)*
> Kate: *(Scream.)* I did not. Anyway I only took two puffs off the horrid old thing—and cigarettes make me deathly ill. (132)

While this is the only scripted interaction onstage, others, of course, are taking place, diverting the audience's attention from a verbal exchange that may refer to oral sex.[34] Figuring out what the girls are talking about was a challenge for audience members, not only because the text itself was opaque, but also because the delivery was substantially different from the earlier scenes of melodrama. Shame, disgust, and fear do not characterize the interactions or self-appraisal of the female impersonators at the drag ball, and this shift in tone affected the play's reception.

The show played in both Bridgeport, Connecticut, and Paterson, New Jersey, as trial runs before an attempt to move to Broadway. New York's state penal code against obscenity and West's prosecution on account of her play *Sex* kept *The Drag* out of Times Square, but her fame ensured that the out-of-town productions were heavily covered in the New York papers. Many of these reviews (or previews, as some newspapers and weeklies followed the rehearsal process of the show) focused on the drag ball as the center of the production rather than the narrative of the play. As *Variety* reported: *"The Drag* is a dramatization of a wild party given by a rich pervert and bedizened men friends. This episode is staged with Hippodrome elaborations taking close to 20 minutes of the third act, without dialogue or dramatic action of any kind."[35] The *Variety* reviewer likens the production to a P. T. Barnum spectacle, with little reference whatsoever to the plot of the play, and while he appears to be mistaken that there is no dialogue (although the dialogue that occurs is filled with gay argot and double entendres and thus requires a certain facility), he is correct that there is no dramatic

[32] "Banton Abandons Play Jury System," *New York Evening Post,* 1 February 1927, 1.

[33] Hamilton, *"When I'm Bad, I'm Better,"* 63.

[34] While the girls do not spell out the topic of conversation, their gossipy manner suggests something beyond cigarette smoking. "Puff" and "blow" are not perfect synonyms, but they are often used to define each other (see the multiple definitions for "puff" as a verb in *Oxford English Dictionary*, 2nd ed.). "Blow" as slang for oral sex was in use at the time of *The Drag*'s performance, and West may have used "puff" here to evade the censor.

[35] "Plays Out of Town," *Variety,* 2 February 1927, 49.

action, at least none pertaining to the larger melodrama. It is not until the drag ball is well over that Parsons discovers Rolly's body.

Despite its inconsequence to the plot, the drag ball is the centerpiece of many reviews. The *New York Herald Tribune* reporter writes of the Bridgeport performance: "One of the local critics describes one of the scenes as being 'in some ways as revolting a scene as Nero or one of the more decadent kings of France might have put on a few centuries or more ago."[36] This scene is the only one discussed in the review. Similarly, *Zit Theatrical Magazine* emphasizes the mostly unscripted drag ball: "The sensation of *The Drag* . . . is not the plot itself, but a party of homo-sexuals which takes place on the stage. . . . It is privileged for few to be present at one of these 'drags,' but to those who have attended them it is a never-to-be-forgotten sight, although it does leave a bad taste in the mouth."[37] The *Zit* reviewer references the somewhat exclusive tradition of drag balls in New York City, where both gay and straight spectators gathered to witness female and male impersonators dancing the night away. While perhaps for this reviewer the drag ball leaves a "bad taste in the mouth," Chauncey reminds us that some balls were held in the most respectable halls of the time, including Madison Square Garden and the Astor Hotel, and also, in some cases, were deemed worthy of police protection and enforcement.[38] Drag balls were a liminal space where many classes and races interacted. Just as white patrons frequented jazz nightclubs in Harlem, straight spectators often went slumming to drag balls, although admission was not always easy.[39] It seems that for contemporaries attending *The Drag*, the ball was the notable element of the evening, providing a platform for various queer performances.

Within the drag ball, gay argot and exaggerated impersonation served dual and related functions: welcoming certain spectators to the ball, while leaving others out. While some audience members likely agreed with reviewers who found *The Drag* vulgar and offensive, and while there were many who flocked to it to gawk at "fairies" on parade, some spectators may have identified with the queer community they saw represented. For these spectators, attending *The Drag* could function as an opportunity to partake in the city's vast network of gay-kinship systems in a new public space. Fluency with and comprehension of gay argot and its performance were just one way to feel included within a queer community. The use of gay argot during the drag ball acknowledged the queer presence within the dominant culture on the stage itself, while also carving out a linguistic niche for queer communication, complemented by camp techniques of female impersonation. *The Drag*'s drag ball creates a very specific slice of the gay world, and I am not claiming that all types of queerness were represented in West's drama. In many senses, the drag ball reproduced some of the most visible kinds of queerness in 1920s New York City. Visibility does not, however, imply transparency; an elaborate system of codes relayed meaning among gay men in settings where discretion was important. Chauncey, writing about gay spectatorship, claims that "[w]hether or not the other members of the audience noticed them, *they* were aware of their numbers in the audience and often shared in the collective excitement of

[36] "'Drag' Censored at Bridgeport; Battle on Here," *New York Herald Tribune*, 1 February 1927, 1.

[37] "'The Drag' Mae West's New Play Has 'Poppa Loves Poppa' Theme," *Zit Theatrical Newspaper*, 5 February 1927, qtd. in Curtin, *"We Can Always Call Them Bulgarians,"* 81.

[38] Chauncey, *Gay New York*, 294–95.

[39] For more on class, race, and entertainment in this period and place, see Savran, *Highbrow/Lowdown*.

transforming such a public gathering into a 'gay space,' no matter how covertly."[40] In *The Drag*, performers, many of whom were gay, overtly transformed the public space of the stage into the gay space of a drag party. In addition to the visual signs of drag, the gestural vocabulary of camping and the language of gay slang added elements of exclusivity, inviting queer spectators to the party while leaving out others, "to whom the whole theme was a puzzle."

The Drag further supported the potential formation of gay kinship between spectators and performers in its own dramaturgy through the development of several queer characters. Despite Kaier Curtin's claim that the play "[d]ramatiz[es] the madcap antics of the transvestite minority," the production made visible gay characters like Rolly and David, who appear "normal," in addition to female impersonators.[41] In an early scene with Dr. Richmond, David reveals that "I soon realized that I was not like other men. I sought those of my own kind as companions. I realized that we were outcasts" (102). While David's speech self-identifies him as pathologically deviant, it does imply a community, and one in which, like any community, members are not completely homogenous. David's melodramatic outsider identity is not reflected with the same pathos by other queer men. In a crucial scene in act 2, before we see them as female impersonators, the characters Rosco, Winnie, Clem, and Duchess pay a social visit to Rolly.[42] They shoot the breeze for most of the scene, doing little to advance the action of the play though much to reveal their membership in a queer community. There is no indication in the script that these characters are in drag in this scene; indeed, it seems likely they are not, since they are introduced to Grayson at the end of their stay as "Mr. Hathaway, Mr. Winnie Lewis, Mr. Gillingwater and Mr. Swanson," and Grayson calls them "gentlemen" (122). While in their own company, however, they adopt poses and props (for instance, a powder puff) to signal their membership in the gay world and kinship with one another. More significantly, they imply that the world onstage, the privacy of Rolly's house, is related to the larger landscape of New York City, and that behaviors on display within the confines of a person's home can also be found in public spaces. As Duchess plays with her powder puff, Clem fumes that she does not want to be arrested with her (as much as queer behavior can happen in the public sphere, its presence does not indicate its acceptance by the larger population). The Duchess replies: "Say—the cops, they like me. They all know me from Central Park" (118). A few lines later, the characters talk about parties around town and raids. This scene establishes both the omnipresence of queer life throughout the city and its regulation by policing bodies. The behavior of the queer men throughout the scene counters the isolation that David expresses: they are full of life and intimately familiar with the details of one another's lives, playfully using those details to craft jokes. This scene, when taken with the drag ball, adds to the multivalent queer performances at the heart of *The Drag* and arrests the action of the heavily heteronormative melodrama.

The Pleasure Man and a Queer Spectatorship

In revising *The Drag* to make another run at Broadway with *The Pleasure Man*, West exchanged her conflicted homosexual protagonist Rolly for a heterosexual Lothario named Rodney Terrill, and yet even with this substantial change, the play remains

[40] Chauncey, *Gay New York*, 288 (emphasis in original).
[41] Curtin, *"We Can Always Call Them Bulgarians,"* 101–2.
[42] This scene of *The Drag* is on pp. 117–22, with reference to ad-libbing on p. 119.

centered on a community of female impersonators.[43] With at least forty-five characters, the cast of *The Pleasure Man* is considerably larger than that of *The Drag*, and the play incorporates modes of performance beyond female inpersonation, including acrobatics and vaudeville traditions. The plot is driven by a series of adulterous love affairs enjoyed by the "pleasure man,"[44] Terrill, and finds its unlikely moral center in Terrill's antagonist, the female impersonator Bird of Paradise. *The Pleasure Man* takes place backstage during preparations for a series of acts in a vaudeville production being performed in a small Midwestern town. Acts 1 and 2 show the performers, managers, and crew preparing for the show and becoming entangled in various love plots and comical misunderstandings. The third act, much like act 3 of *The Drag*, takes place at a drag party in a private apartment. The plot centers around two of Terrill's affairs: one with Dolores, a dancer who, along with her husband Randall, travels with a troupe of dancers putting on a dance act, and the second with Mary Ann, a local girl whom Terrill has seduced, gotten pregnant, and abandoned. After the play's long drag ball in the third act, Terrill's murder is revealed—although, as in *The Drag*, there are multiple suspects. The most prominent suspect is Randall, but Ted Arnold, Mary Ann's brother, turns out to be the killer. The most interesting and, to contemporaries, shocking detail of Terrill's death is his premortem castration, which most reviewers omitted from their reviews because of its wholly unseemly nature. *The Pleasure Man* premiered to a sold-out crowd, much to the chagrin of the *New York Times* reviewer, who chastised the spectators for going to see a Mae West play when they could see Molière or Dickens, and attributed the sold-out house to "Broadway being eternally curious."[45] To ensure that objectionable material was removed, the play had a two-week tryout in Queens and the Bronx before it moved to Broadway, although presumably the high level of ad-libbing and improvised "camping" directions in the show prevented this assurance and helped prompt the subsequent raid.[46]

While there are many formal qualities that liken *The Pleasure Man* to *The Drag*, there is a discourse about theatre itself in *The Pleasure Man* that is wholly absent from the earlier play and that relates directly to the presence of queer performers, styles, and content on Broadway. Broadway now had the Wales Act to contend with, thanks to *Sex* and *The Drag*. Tensions were fierce between "low" and "high" entertainment, and *The Pleasure Man* staged these tensions in a very visible, explicit manner. When Paradise and her troupe of female impersonators, the "Manly-kins," arrive, Mrs. Hetherington, a dramatic actress, comments to her husband, "Ugh! Such people. I can't understand them. They're so queer." Hetherington replies, "Yes, my dear—extraordinarily queer. I think queer is the word" (161). The Hetheringtons seek to maintain their status as the arbiters of high culture, yet they are unsure of the terminology they use: is "queer" the word to describe the Manly-kins? Or are they fairies? Perhaps pansies? Within the gay

[43] The female impersonators in the cast were not the only ones whose lives offstage could be said to imitate their art onstage. Alan Brooks, who played the role of Terrill, was accused in the press of philandering on his wife and gambling away their money while on tour. William Selig and Herman Lenzen played the acrobats, whose act, despite having no whiff of female impersonation, was still thought controversial due to its alleged homoerotic overtones. See "Wife Accuses Alan Brooks," *New York Times,* 12 September 1915, 15.

[44] Terrill gets his "pleasure man" moniker from Stanley, the chief stagehand (181). His nickname implies that his investment in his romantic relationships is for pleasure only, in contrast to love.

[45] "Raid Mae West Play," 34.

[46] See West, *The Pleasure Man*, pp. 161, 171, and 193, for examples of these stage directions.

world, these labels would be far clearer and very specific, but for the Hetheringtons, "queer" is an unstable term and slips around the stage of the legitimate drama. Its meaning is further destabilized by Peaches, another impersonator in the show, who replies, "Aren't there peculiar looking people on this bill?" (ibid.). With her line, Peaches reminds the audience of the general understanding of queer as *peculiar*, simply different from the norm. The inability of outside observers to define even a single term, if not the concept of a gay community, negates the sexual knowledge of the Other that slumming implies and grants queer performers a mobility with which they can occupy spaces on the legitimate stage, at least within West's play. This mobility is emphasized in the Hetheringtons' exchange, as Mr. Hetherington continues: "They lack perception, my dear, of the finer qualities which go to make up the true artist of the legitimate drama" (ibid.). As Mr. Hetherington claims that the female impersonators in front of him do not belong on even the vaudeville stage, they are standing on a Broadway stage.

The female impersonators' wordplay continues throughout the show, and although the jokes have changed from *The Drag*, the tone and vocabulary remain indebted to the earlier production. Exchanges like the one that opens *The Pleasure Man*'s drag ball provided rich fodder for its later prosecution:

> First Boy: I hear you're working in a millinery shop.
> Second Boy: Yes, I trim rough sailors.
> Third Boy: My, what a low-cut gown you've got!
> Fourth Boy: Why, Beulah, a woman with a back like mine can be as low as she wants to be.
> First Boy: I hear you're studying to be an opera singer.
> Third Boy: Oh, Yes, and I knows so many songs.
> First Boy: You must have a large repertoire.
> Third Boy: Must I have that, too? (191)

The use of slang and double entendres in this passage ("rough sailors," "as low as she wants to be," "a large repertoire") signals the performance of nonnormative sexualities. As well, this exchange calls attention not only to the feminine roles assumed onstage, but to their bodies—the Fourth Boy's back and the Third Boy's repertoire, for example—and the roles that these bodies might play in romantic encounters.

The sex-centered repartee of the drag ball is not the only discourse related to effeminacy in *The Pleasure Man*, where the maternal and sisterly, or at its core the familial, is also a powerful mode of femininity. Throughout the play, Paradise is connected to camping and burlesquing the feminine; she also sits in moral judgment upon Terrill through both word and deed, rescuing Mary Ann from Terrill's violence. At the climax of act 1, Mary Ann confronts Terrill and he pushes her down the stairs. Paradise enters just as Mary Ann is falling, screams, and runs to her as Terrill flees. Flo, a dancer for Dolores and Randall, opens her door and yells, "Gee, I thought I heard a woman scream. Did you girls hear it?" Jewel, another dancer in Dolores and Randall's act, replies, "No, you heard them queens next door, campin'" (184). Immediately following these lines, Paradise explains: "She had an awful fall.—Like happens to all us poor girls" (ibid.). Paradise identifies with Mary Ann and sees them both as part of the same community, despite the stage direction's "*scornful look*" that Dolores gives her after this declaration (ibid.). Later, defending her actions to the managers, Paradise says, "I rushes down, seeing a sister in distress and almost ruined my gown stopping down and raising the poor dear's head" (185). The use of "sister" enacts a kinship system, building a community outside the normative. Chauncey claims that, "[o]ften disowned

when they revealed their homosexuality to their natal families, gay men also used camp culture to undermine the 'natural' categories of the family and to reconstitute themselves as members of fictive kinship systems."[47] During several interludes in the play, Peaches, Bunny, and the Manly-kins ad-lib and camp during scene transitions, and these interludes, in addition to Paradise's sisterly relationship to Mary Ann, provide demonstrations of alternate familial systems. Whether or not these kinship systems were recognized as legitimate by the normative community in the audience (much like Paradise's act is not recognized as legitimate by the Hetheringtons) is mostly irrelevant; its presence onstage provided an experience of gay kinship for the performers and, significantly, for queer spectators.

Most reviews of the opening-night performance included accounts of the raid on the production. The *New York Evening Post* reported: "Pretty nearly the most nauseating feature of the evening was the laughter of the audience, or at least that part of it which howled and snickered and let out degenerate shrieks from the balcony. . . . The real culprits are on the other side of the footlights."[48] These "degenerate shrieks," perhaps similar to the shrieks and screams called for in the camping stage directions of the play itself, may indicate formations of gay kinship systems between the performers onstage and the queer spectators. What is particularly telling about this review is the reviewer's insinuation that there is something deviant about the kind of spectatorship he witnessed—a "queer spectatorship," the Hetheringtons might say. This particular moment of gay kinship supports Hamilton's claim that "[a]s it turned out, it was the existence of that audience as much as the play itself that inspired controversy over homosexuality and legitimate performance styles on Broadway."[49] The possibility that spectators might identify with queer elements of the performances, or even find value in them as humor, or sympathize with queer characters, gestured to a new world of social relationships that, for those invested in maintaining society's heirarchies, was untenable.

Ultimately, the staging of *The Pleasure Man* offered queer performers and spectators opportunities for gay kinship that countered the dominant culture's desire to ban these "deviant" communities from certain spaces, such as the legitimate stage, and this desire was strongly reflected in the raid itself. The raid was described in detail by the *New York Times* and was later revealed to have happened at the behest of the city's mayor, Jimmy Walker, whose friends had seen a preview performance and reported that certain scenes were rather "raw."[50] Policemen in plainclothes were stationed inside the theatre, while uniformed policemen barred stagehands from leaving through backstage doors. Reading between the lines of this account, we can see attempts by the queer performers to resist normativizing efforts by the police, although no performers actively resisted arrest. The reporter tells us that "the players were ordered to change to their street clothes."[51] A significant portion of the cast would have been in full drag at the close of the show, and the police did not want these female impersonators parading through the streets on their way to the station. The reporter then writes: "The orders were treated

[47] Chauncey, *Gay New York*, 290.

[48] Robert Littell, "The Play," *New York Evening Post*, 2 October 1928, qtd. in Curtin, *"We Can Always Call Them Bulgarians,"* 135.

[49] Hamilton, *"When I'm Bad, I'm Better,"* 69.

[50] "Court Stays Police on Mae West Play," *New York Times*, 3 October 1928, 33.

[51] "Raid Mae West Play," 34.

lightly by most members of the large cast, particularly those who appeared in one scene, a counterpart of which in another play by the same author had been responsible for the abandonment of the production."[52] Reporters writing for a respectable publication like the *New York Times* often had to imply, rather than spell out, unsavory elements of their stories for their readership. In this moment of the review, the reporter refers to the drag balls in both *The Pleasure Man* and *The Drag*, singling out the queer performers as opposing the orders of the police to change clothes, preferring their drag.

The *Times*'s account also recorded spectator responses to and participation in the events of the raid. The reporter continues: "Many of the women performers and some of the men carried bunches and boxes of flowers, opening night tributes from admirers."[53] While the reporter cannot come out and say that "fairies" and female impersonators strutted into the paddy wagons carrying bouquets from their admirers at the nightclubs, this may have been the case. The performers, refusing to change clothes, also refused to make their choices to perform as female impersonators (onstage or, as was the case for some, in life) invisible. The *New York Sun* reported that as the performers were hauled away, some onlookers jeered, yet "here and there was heard a frail falsetto cheer."[54] In seeking to silence the performance of queer life that *The Pleasure Man* enabled, the police raid, in fact, made possible small displays of gay kinship not only within the space of the theatre, but also on the city's streets. The play was granted an injunction by New York State Supreme Court Justice Joseph Valente, and at its second performance the crowds were even larger, fairly crushing the vice societies' hopes that the play would be beyond the public's access.[55] Charles Moran wrote in the tabloid *New York Daily News* that crowds jeered the police as they raided the show for the second time (fig. 2), although he described the show itself as a "revolting drama of sex perversion," in yet another judgment that the appetites of the public could not be trusted.[56]

The Trial of *The Pleasure Man*

The courts rushed to indict West, *The Pleasure Man*'s producer Carl Reed, and fifty-four of its cast members on charges of presenting an indecent play. The police had raided the show for the second and last time on Wednesday, 3 October 1928, and the group was indicted the next day. District Attorney Banton[57] hoped that the efficient indictment would be indicative of the affair as a whole, telling newspapers that "this case will be brought to trial as soon as possible."[58] Banton's wishful thinking saw his case come to trial eighteen months later, in March 1930. The trial lasted slightly over two weeks from start to finish and proceeded as a farce on several levels. It was delayed three times for unsubstantial reasons,[59] and courtroom antics, egged on by the

[52] Ibid.

[53] Ibid.

[54] *New York Sun*, 2 October 1928, qtd. in Curtin, *"We Can Always Call Them Bulgarians,"* 132.

[55] "Court Stays Police on Mae West Play," 33; "Court's Writ Keeps Raided Show Open," *Washington Post*, 3 October 1928, 2.

[56] Charles Moran, "Huge Audience Jeers Police," *New York Daily News*, 4 October 1928, 3.

[57] Banton had a history of involvement with stage censorship: he began the play-jury system that preceeded the Wales Act and was largely considered too liberal, although he also condemned O'Neill's 1925 play *Desire Under the Elms*. See Friedman, *Prurient Interests*, pp. 104–5, for an account of Banton's involvement with the O'Neill production.

[58] "Mae West Indicted with Cast of Play," *New York Times*, 5 October 1928, 13.

[59] "Trial of Mae West Delayed Third Time," *New York Times*, 27 March 1930, 20.

Figure 2. Crowds outside the Biltmore Theatre watching the second raid on *The Pleasure Man*. (Source: *New York Daily News,* 4 October 1928, 3. Copyright © Daily News, L.P. [New York], reprinted with permission.)

constant media and public presence, reached such a pitch that Judge Amadeo Bertini, after banging his gavel with such force that he broke it,[60] threatened night court sessions to expedite the process.[61] Only eleven of the fifty-four actors actually showed up to court on the first day of the trial, 17 March 1930. Their attorneys claimed that some were touring with traveling productions, while others had joined the navy.[62]

The primary issues of the trial were made clear in the jury selection, where jurors were only selected "after they had denied prejudice against police testimony, female impersonators, the stage in general or that they had ever been connected with any vice society or other organization opposed to questionable plays."[63] Female impersonation onstage was made synonymous with male degeneracy in life throughout the trial by the prosecution, led primarily by Assistant District Attorney James Wallace, who further claimed that male degeneracy was made evident "by action and voice," specifically in the character of Bird of Paradise.[64] Wallace's opponent was West's defense lawyer, Nathan Burkan, a well-known entertainment lawyer.[65] The two lawmen had met previously in the *Sex* trial and Burkan was ready for a rematch. The opposing sides clashed primarily over two key bodies of evidence: the gay argot and double entendres that

[60] "Mae West's Trial Suspends Matinee," *Washington Post*, 27 March 1930, 4.
[61] "Mae West Trial Elivened [*sic*] By 'Allez Oop' of Acrobats," *Washington Post*, 1 April 1930, 1.
[62] "Mae West Facing Trial in New York," *Washington Post*, 18 March 1930, 7.
[63] "One Juror Lacking in Mae West Trial," *New York Times*, 19 March 1930, 26.
[64] "Clash Marks Move to Free Mae West," *New York Times*, 20 March 1930, 24.
[65] One of Burkan's favorite tactics was making frequent motions to dismiss charges, testimony, or evidence, and his antics in the *Sex* case were well-known. When he moved to dismiss the charges of indecency on the second day of the trial, Wallace fumed: "This court should be fairly familiar by now with Mr. Burkan's tactics. He has made more motions in this court than any of Miss West's actors have on the stage" (ibid.).

peppered the play, and the techniques of female impersonation (including, but not limited to, intonation, gesture, posture, costume, song, dance, and vocabulary) that the performers employed. The event of the play's trial provided numerous opportunities for performers to show that elements of queer performance that proved so appealing to a wider audience (and that facilitated slumming), including clever double entendres and a rich gestural vocabulary, could also be made as exclusionary and opaque as possible, with comprehension signaling membership in an exclusive and prized gay club—membership that could be easily withheld from outsiders.

Female impersonation itself appeared to be on trial in *The Pleasure Man* case, with Burkan defending it as a common device used in vaudeville and college shows and seen by thousands on the Keith circuit.[66] The prosecution's reply to this defense was that the female impersonation deployed by *The Pleasure Man* departed significantly from that established in popular entertainments previously: "They were not doing any female impersonation. . . . they were acting in an effeminate manner, walking like and talking like women, they were depicting fairies or degenerates."[67] The very existence and increasing visibility of nonnormative sexualities, such as fairies, in New York's various social worlds made possible the prosecution's reading—a reading that was at least partially accurate in its crude distinction between mocking female impersonation and legitimizing it.[68] Word choice was the sticking point of the prosecution's argument, and they argued that the double meaning of much of *The Pleasure Man*'s text was obscene. The prosecution's sources for the text, as no script existed at this point in history, were two police officers, Captain James Coy and Sergeant James Powers, who had attended the opening-night performance and taken notes. Powers was the designated police stenographer. The testimony of these two men could hardly be considered an airtight lock for the prosecution, and Burkan frequently attacked them on the stand. His cross-examinations revealed that first and foremost it was too dark in the theatre to write clearly,[69] that the two men had changed their notes after comparing them, and that the testimony, particularly that of Coy, "was not based entirely upon notes he had taken in the theatre, but also upon his memory."[70] Before the prosecution could advance an argument about the meaning of the double entendres and slang, the officers had to first establish what exactly was heard, a task easier said than done. The *Times* also reported that the two officers disagreed on whether a word overheard at the production was "chronic" or "platonic."[71] It was, in fact, "platonic," in an exchange from act 1 between

[66] "Cites 'Indecency' in Mae West Play," *New York Times,* 21 March 1930, 14. Burkan's reference to the Keith circuit refers to the Keith-Albee circuit of vaudeville theaters, established in the 1880s by Benjamin Franklin Keith and Edward Franklin Albee and located primarily on the east coast. The circuit was promoted as "polite" vaudeville and was enormously popular; Burkan's appeal here to this kind of entertainment was meant to cast female impersonation as ubiquitous and accepted.

[67] Municipal Archives of the City of New York, *People vs. Mae West, et. als* case file, 4.

[68] In *"When I'm Bad, I'm Better ,"* Hamilton argues that the female impersonation in the gay plays is more properly understood as "fairy impersonation." Distinguishing between the female impersonation and lives of Bert Savoy (whom West styled herself after) and Julian Eltinge, Hamilton demonstrates that the effeminacy of the performances identifies them with the historical phenomenon of fairies. While I am in agreement with Hamilton that "fairy impersonation" may be a more accurate term, "female impersonation" was the term more widely used in the newspapers and the courts. Moreover, female impersonation became a springboard for trying other kinds of perceived queer behavior not limited to fairies in *The Pleasure Man*'s trial. See Hamilton, esp. pp. 144–48, for this argument.

[69] "Mae West Counsel Assails Capt. Coy," *New York Times,* 22 March 1930, 12.

[70] "One Count Dropped Against Mae West," *New York Times*, 25 March 1930, 20.

[71] Ibid.

Figure 3. Female impersonators from *The Pleasure Man* embracing the spotlight as they make their way to the paddy wagon. (Source: *New York Daily News*, 4 October 1928, 1. Copyright © Daily News, L.P. [New York], reprinted with permission.)

Peaches and Paradise, wherein Peaches asks, "Paradise, did you ever have a platonic love affair?" Paradise replies glibly, "Oh yes, but his wife found out" (162). Needing a new approach following the unreliability of the officers' memories, the prosecution got creative, setting a precedent when they introduced, and Judge Bertini approved, "the testimony of persons who are supposed to have a 'special knowledge' of words of double and hidden meanings spoken on the stage."[72] The prosecution's linguistic expert was Sergeant Terence Harvey, "an expert on the argot of the street."[73] Harvey was brought in specifically to testify that the words used onstage had unique meanings offstage among certain communities. Burkan found himself once again defending not only the choices made onstage, but the very identities of his actors: "Burkan moved that Harvey's testimony be stricken out on the ground that the actors of the play did

[72] "New Play Weapon in Mae West Ruling," *New York Times*, 29 March 1930, 7.
[73] Ibid.

not belong to 'the set of people among whom the words in question are said to have a special meaning.'"[74] The collapse of the distinction between on- and offstage queer communities, while hinted at in the press and well-established in gossip, was now explicitly alleged in the courtroom, and Burkan found himself defending his actors' offstage, as well as onstage, actions.

The trial of *The Pleasure Man* was not simply a trial over performed indecency onstage, but also of supposed indecency in life. The prosecution's notes read: "these men were not mere female impersonators, but degenerates, who, even offstage, when not performing, adopted the mannerisms of women."[75] The staging of the drag balls in both gay plays as accepted events in a shared lifestyle was seen as an attempt to legitimize this activity rather than mock it. The *New York World* recognized this very distinction when it reported on *The Pleasure Man's* raid that "[t]he background for this action is the sexual abnormality of a large number of female impersonators, who are part of the vaudevill [*sic*] performance"[76] (fig. 3). Various members of the public perceived that the queer identities of the performers themselves, not simply the characters, were being somehow validated by the performance of *The Pleasure Man.* Judging the guilt of the indecency of the production based, in part, on the rumored guilt of sexual degeneracy of its participants proved to be a difficult task, and the trial ended with a split jury—seven for guilty, five for innocent. The Wales Act was seen as a failure, with Judge Bertini explaining that "[t]he main fallacy of the law . . . is the inherent impossibility of producing in court a show as it was seen on the stage, getting in the actions and gestures of the actresses and the precise intonations they used in their lines."[77] The very ontology of performance, alluded to by Bertini and defined by Peggy Phelan as that which disappears and cannot be reproduced,[78] implicitly countered the law enacted to police it. Relocating private apartment parties and closed-door conversations onto the Broadway stage gave "deviant" performers and spectators the opportunity to experience kinship with one another—a kinship that spilled out into the streets and was kept alive in the press as the trial dragged on.

[74] Ibid.
[75] Municipal Archives of the City of New York, *People vs. Mae West, et. als* case file, 4–5.
[76] "Mae West and 61 of 'Pleasure Man' Cast Are Arrested," 1.
[77] "Bertini Sees Need for Stage Censor," *New York Times*, 5 April 1930, 13.
[78] Peggy Phelan, *Unmarked: The Politics of Performance* (New York: Routledge, 1996), 146.