Queer historians assign the rise of exclusively gay spaces in the 1940s and 1950s an important role in the creation of cohesive LGBTQ activism. However, the history of the creation of spaces segregated by sexual preference in the 1930s is not a tale of liberation. Instead, such clubs represented the increasing marginalization and isolation of queer urban recreation following the 1920s, formed as they were by their patrons’ exclusion from “straight” venues. Carving out centers of nighttime recreation designated as strictly heterosexual, gender-conforming, and sexually non-deviant required intensive multi-level surveillance in the years surrounding the end of Prohibition—and often paralleled recreational segregation along racial lines.

In the early 1930s, on the Eve of Prohibition’s repeal, regulations targeting sexual deviance in New York City night clubs (including prostitution, homosexual activity, or cross-dressing) expanded from detailing restricted behaviors to categorizing prohibited appearances. Dress censure encoded racism, sexism, and homophobia through claims of public safety, sanitation, and moral rectitude—and increasingly, laws put responsibility for policing the visual and sartorial parameters of respectability onto night club owners, especially after repeal, when strict guidelines were required for receipt of a liquor license.

As George Chauncey shows in his seminal work Gay New York, during the interwar period notions of binary sexual identities strengthened. Previously, homosexual behavior, while still often disapproved of, was seen as an action rather than a characteristic. Its acceptability varied a bit depending on the role of the participant and the frequency of the activity, but over
the course of the early 20th century, homosexual became something one was, not just something one did. Homosexual became a noun. This shift tracks with the increasing regulation of appearances in addition to behaviors. For a variety of technological, demographic, and social reasons, dress, comportment, and style became more readily accepted as something expressive of individual self, also early in the 20th century.

I argue that the concept of ‘straight’ and ‘nonstraight’ as premised on physical attributes, dress, and comportment were categorically systemized in the 1930s. By the time new post-Prohibition liquor licenses were distributed, night club owners themselves were required to judge acceptable patrons and performers based on dress and style and limit their establishments accordingly. Deviations from expected presentation of gender, sex, and race overlapped and contributed to how the appearance of “straightness” became defined—as definitionally broader than just a synonym for heterosexual. Business owners were instructed to learn to “See Straight,” to measure the sexual appearances of employees and clientele.

To briefly contextualize this preliminary research, it is part of a larger book project, “‘In Questionable Taste’: Dressing for Success and Define Deviance, 1885-1940.” I argue that from the Wild West to Wall Street, capitalist ideals were central to creating uniform standards for “dressing for success” and conversely, for “defining deviance,” standards that ultimately reinforced racial, gender, and sexual hierarchies. Much as the cultural notion of whiteness was forged alongside the idea of blackness, many modern sartorial markers of disrepute and criminality were described at the same critical moments as were the staider styles of success and respectability.

In 1926, the New York Department of Consumer Affairs announced that a “cabaret license” was to now be “required for any business that sells food and / or beverages to the public
and allows patron dancing in a room, place, or space.” Versions of such a regulation had been proposed regularly for at least a decade, and critics argued that the resulting legislation, crafted to satisfy the complaints of wealthy business owners and elite revelers, targeted minority groups and was arbitrarily enforced. The licenses, opposition complained, were complicated and extremely expensive for small businesses to even get and disproportionately disadvantaged modest establishments. To this day, historians still debate whether the law was specifically aimed at the brisk business of Harlem dance halls featuring “pansy performers,” (cross-dressing actors/singers, including both queer men and lesbians)—it certainly, over the years, greatly affected black-run and frequented establishments.

Five years after the passage of the cabaret license, after Edward P. Mulrooney assumed the role of Police Commissioner, more pointedly anti-pansy edicts were issued in New York. Between 1931 and 1935, non-gender-normative dress became one major focal point for night club censorship and control in New York City—as it did in Hollywood’s film industry. I argue that the specific regulatory changes in New York City, ostensibly in response to gangster-related violence such as the knifings at Club Abbey in 1931, were part of broad cultural scrutiny of the relationship between audience and performer, between private and public, and between self-identity and dress—all of which generated a diversification of public surveillance used to help enforce civic reform.¹ Economic motivations amidst the Great Depression supported the new restrictions, which reinforced long-standing racial and gender hierarchies in business, benefitting heterosexual white men.

¹ This is Africa (1933) faced criticism on account of interracial sexual suggestivity, but it was comic cross-dressing burlesque that ultimately spurred the film’s censors to create and rigorously enforce stricter guidelines. Mae West would also run afowl of critics for her cross-dressing capers.
In July of 1931, Police Commissioner Edward P. Mulrooney declared a new order that amounted to open war on the “pansies.” Commissioner Mulrooney summoned more than 300 night club owners to a gymnasium at police headquarters to hear the drastic new regulations promising to eliminate “the type of club and dance hall pictured. . .on the screen and in fiction.” Certainly, Mulrooney vowed to end criminal operatives at the helms of night clubs, but much more was articulated about restricting sexual and gender deviance. There would “no more rouged and beskirted male entertainers,” and to slow the sex trade “no more taxi dance halls with men only allowed,” and “no more entertainers mingling with patrons at night clubs.” These rules were more absolute versions of edicts Commissioner Mulrooney passed January of the same year, which demanded that “men are no longer allowed to lift their skirts in ‘pansy clubs,’ and demonstrates the progression of such laws from legislating actions to prescribing appearances. Mulrooney’s 1931 regulations were mostly an extension of or elaboration upon the guiding logic of the 1926 Cabaret Law, targeting fraternalization between patrons and performers, cross-gendered dress, and homosexual activity. The new law passed the power to regulate clubs and dance halls to the commissioner (instead of the Commissioner of Licenses). Commissioner thereby gained authority over the control of dancing in hotels of fewer than 200 rooms and in clubs organized within the past five years—in other words, since the passage of the Cabaret Law.

In many ways, these restrictions were only new in detail, not in kind, and represented ongoing debates over the rights and privileges of urban public spaces, as well as acceptable

---

4 “The Strange Theatre: Female Impersonators Taboo Here, are All the Rage in China,” *Afro-American*, Aug 29, 1931, 9.
boundaries of spectacle and entertainment. In the 1820s, a law banned masquerades in any New York public place (following a masked shooting at a Old Park Theater ball). Private events were unaffected, and historians demonstrate a link between this law and the increasing popularity of privately held but heavily publicized fancy-dress balls (like the Vanderbilt Ball of 1883 and the Bradley-Martin Ball of 1897). The ability to masquerade, to dress in ways perceived to depart from one’s socially determined economic, racial, or gender status, and present that image to others, was a privilege.

A determined populace sought to expand those privileges into designated spaces—specifically night clubs featuring themed costume balls. In the early 20th century, city officials, vice squads, and newspaper reporters became increasingly attentive to these sites, as well as taxidance halls (explain), focusing on reforming public spaces which fomented sexual misbehavior. The Committee of Fourteen was founded in 1905 by members of the NY Anti-Saloon League and was dedicated to the abolition of Raines Law hotels. Raines Law permitted hotels to sell alcoholic beverages on Sundays even though an 1896 blue law restricted saloons from doing so. After WWI, the committee of fourteen reports took on a distinctly descriptive arc, as they intensified their focus on varieties of appearance and dress assumed to indicate immorality.

The 1917 Committee of Fourteen summary reports targeted “cabarets,” (DEFINE) especially those featuring dances inviting costuming. (Quick geographical history of pansy craze via Chad Heap’s Slumming) Vice squads reported an increase in balls that featured “the weirdest costumes which their fertile minds can get up.” Cross-dressing signified a variety of deviances, from the “phenomenal men [who] dress up in the most prepossessing female attire simulating women so much as to defy detection. They wear expensive gowns, employ rouge use wigs and in

---

short make up an appearance which looks for everything like a young lady” to “a girl in a one piece man’s bathing suit with one breast exposed.”

Through the 1920s, categories of spectacle and audience expanded via increased mobility and consumption of recreation. As the movie industry grew (STATS?), clearly more Americans were subject to filmic content. In bohemian Greenwich Village, Harlem, and eventually established high-end clubs, well-to-do ‘slummers’ could participate in previously off-limits entertainment—whether paying for women’s attention through taxi dances or dallying with “lady lovers” while Gladys Bentley performed in a tux. This expansion of exposure bolstered arguments about moral decay, sparking reaction from various levels. Proximity and interaction matters, and as the line between spectacle and participation blurred, moralists fine-tuned reform approaches and sought to redraw parameters of acceptable sexual representation, often relying on dress as a central measure.

The Hamilton Club Lodge’s annual drag ball in the 1920s, an event which Langsten Hughes referred to as a “spectacle in color.” Know as “the Faggot’s Ball” this event was the largest annual gathering of lesbian and gay men in Harlem, the city, maybe the U.S. As part of the New Negro era, the event did benefit from if not elaborate upon the profitable display of spectacle primitivism attracting white tourist to Harlem. As Hughes’ points out, it is only from the privilege of the consuming gaze that Lodge’s queens appear “authentic.” “From the boxes these men look for all the world like very pretty chorus girls parading across the raised platform in the center o the floor. But close up, most them look as if they need a shave, and some of their
evening gowns, cut too low, show hair on the chest." Therefore, the moral positioning of
voyeurism had levels, stages.

Commissioner Mulrooney and others sought to maintain the boundaries of spectacle first by
limiting audience interaction and performers’ actions and behavior to those that maintained
illusion (thus disallowing rouged men to ‘lift their skirts’) and finally, by restricting queer
appearances all together.

Broader cultural reactions to the perceivedly liberalizing 1920s and to the influence of
performance populated the early 1930s also centered on cross-dressing as a measure of
perversion, perversion that suggested homosexual behavior, cross-racial interactions, and
prostitution, and contributed to a broader notion of ‘straight’ appearances.

Between 1931 and 1933, while Commissioner Mulrooney was cracking down on pansies,
Hollywood film censors subjected the film industry to regulatory patterns quite similar to New
York night club owners—first by targeting behaviors and then by restricting non-straight
appearances. amidst concerns about the moral effects of viewing material deemed
inappropriate—in essence, questioning whether the screen itself was enough of a prophylactic
for voyeuristic audiences—was.

Numerous parallels exist between the progression of strictures placed on New York night
club attendees and Hollywood film during the same period. There are clear and direct
connections, for example via actor Mae West, whose plays featuring cross-dress and other
targeted “non-straight” representations, The Drag and Sex were both curtailed by William

6 Vogel, 19.
Randolph Hearst’s statewide stage censorship law in 1927 (West scoured Greenwich dance halls for female impersonators). Also in 1927, internal Hollywood censors issues a pre-Production Code list of “Don’t” and “Be Carefuls,” many of which that Mae West’s screen productions would also fall afoul. By 1928, other pansy acts were reaching peak slumming audiences at swank clubs such as Club Abbey, but the most successful performers, such as Jean Malin, felt unwelcome in New York within a couple of years (in 1930, Malin would leave for Hollywood to become a “professional pansy.”)

But the silver screen would not be a safe haven for cross-dressing. In 1930, the Motion Picture Production Code, better known as the Hays Code, formalizes the code lists. Under “Particular Applications,” several categories of sexual representation were forbidden according to “costume,” including “dancing costumes intended to permit undue exposure or indecent movements.” Other dress-related no-nos were simple lumped under a catch-all category of sexual perversion, but Hollywood censors made it abundantly clear that the sort of sexual comedy recently imported onto the screen from vaudeville and burlesque, especially including gender role reversal, were not acceptable. A much-censored and explosively controversial film *So This is Africa* (1933) underscores the joint importance of cross-gender dress AND suggested interracial sex in the subsequent stricter enforcement of the code beginning in 1934.

At the same time Hollywood obliged with codes that included clear directives about gender-adherent dress and appearance, hundreds of New York night club owners were given even clearer directives on what kinds of dress to allow into clubs hoping to remain legally solvent. The idea that there was a “Hays Code of daily life” warrants consideration in relation to the crafting of more specifically segregated—by appearances of all kinds: racial, sexual, gendered, and broadly unconventional. . . unstraight-- public spaces, such as night clubs. Just as
the enforcement of the Hays Code had economic motives, so also does the shift from integrated public sites to exclusive recreational spaces owe at least as much the maintenance of economic hierarchies as to less moral backlash.

Or, to point to the obvious, moral justifications often have—or heavily correlate with—bottom lines. In fact, *repealing* prohibition was justified both for its business stimuli and dampening of the criminal element. In 1933, Mulrooney left his post as police commissioner for chairman of the State Liquor Authority, and on the first anniversary of the repeal argued that the only thing more salutary “than the economic impetus of repeal has been the profound effect upon the social and moral life of the country.”

Upwards of $10,000,000 in liquor license fees were collected in the New York District in 1934. Profit from liquor sales were the carrot, but the specific restrictions guiding the terms of wetting down night clubs to maintain and improve urban morality, served as the stick and legitimated increased and more specific consumer surveillance.

Much like it was not only the actors and written content, but also producers and studios, the Hays Code sought to control, Mulrooney’s 1933 rules and subsequent restrictions as conditions for liquor licensing required increased surveillance *of as well as by* night club owners. Just as antisemitism informed aspects of the Hollywood Hays Code, hegemonic racial and gender control can be inferred from the depiction of night club owners ordered to follow Mulrooney’s new commandments as “fully one-forth Chinese, Japanese, Filipinos and Negroes. It is among these that the “closed” dance hall is said to be most popular. In addition, there were many women.” Mulrooney’s rules put night clubs wholly under surveillance, ownership not excluded. Owner, operator and manager were required to have verified addresses on file, along

---

with photographs and fingerprints (already required of those clubs wishing to maintain a cabaret license). Correct names and addresses of all employees also required.

Considering simultaneous restrictions in the movie industry gives scope to this development of ideas about straightness and respectable public appearances as they interacted with gendered and racialized notions of morality and with economic gain in the 1930s. I have a few more research goals for this topic that I’ve yet to accommodate. I’d also like to expand this examination of urban nightlife outside of NY. For example, exploring southern cities such as New Orleans, where masquerade fulfills distinctly different public and civic role yet definitely still intersects with concerns about race, sex, and gender, will add in important variables for national consideration. I hope to do that research this summer.

Importantly, I’d like to find ways to more clearly assess HOW and to what extent night club owners did assess deviant dress in the 1930s, and how noncompliant patrons were excluded. Did they adopt the attention to sartorial details apparent in vice reports and outlined in new regulations? Any suggestions as to how I’d get deeper into the perspectives of these marginal businesses is welcome.