

OVERTURNING MAMMON: THE LIVING THEATRE & SYMBOLIC CAPITAL

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Abstract: *Overturning Mammon: The Living Theatre and Symbolic Capital* focuses on the first thirteen years of the Living Theatre, founded by Judith Malina and Julian Beck. Pierre Bourdieu's theories of cultural production provide the theoretical tools to approach the company as a cultural producer and not only as theatre artists. The Living Theatre has produced largely unpopular avant-garde and political theatre for seventy years. I argue that the company's early years demonstrate a growing reserve of symbolic capital that helps explain the company's longevity. Furthermore, the manner in which certain events in the company's history have been mythologized, by company members, critics, and scholars, has led to some historically inaccurate accounts. In particular, accounts of the closing of the company's production of *The Brig* in 1963 and the subsequent trial of Beck and Malina in 1964 have often been influenced by an acceptance of company member's anecdotal, "tall tales" approach to history rather than historical evidence and archival documents. This project redresses this lack of historical inquiry using a variety of primary and archival sources to argue that the material and historical exigencies of the Living Theatre offer theatre scholars an example of how symbolic capital can overturn economic "reality."

TABLE OF CONTENTS

Preface.....	xii
1.0 Introduction	1
2.0 Cultural Production & Myth as Symbolic Currency	23
3.0 Building a Theatre	54
4.0 The Taxman Cometh	137
5.0 The Trial	186
6.0 Conclusion: Winning the War	217
Appendix: Living Theatre Productions 1951 - 1963.....	224
Bibliography	248

LIST OF FIGURES

Figure 1: Homologous Bone Structures	41
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PREFACE

My academic path has been a long and winding one and I have had the opportunity to work with a number of remarkable and supportive people over the years. From my time at Rhode Island College, I would especially like to thank Claudia Springer, Richard Feldstein, Joan Dagle, and Kay Kalinak for introducing me to the complexities and joys of theory and for allowing me to engage, however clumsily, with the works of Marx, Lacan, Mulvey, Foucault, Derrida, Butler, and Irigaray. My advisor at University of Maryland, Carol Burbank, shared not only her knowledge, but a warmth of spirit and kindness that remains deeply appreciated. My colleague, Jeff Jacoby, was brilliant as both a friend and a sounding board. While at UMD, I also had the fortune of taking the first graduate class taught there by Faedra Chatard Carpenter and her friendship and support over the years is a blessing. Thanks also to Noreen Barnes at Virginia Commonwealth University for encouraging my first research into the Living Theatre and to Pamela Sheingorn at The Graduate Center for taking those beginnings and teaching me the joys of archival work. Given my unsettled history throughout various graduate schools, I am exceedingly thankful for the University of Pittsburgh's Department of Theatre Arts and its willingness to support me over the past six

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I dedicate this dissertation to my grandparents, Don and Betty Williams, and my parents Steve and Judi Wood. Without their love and support I could never have accomplished this work.

1.0 INTRODUCTION

We were only traveling actors
Moving across the geographies
Of countries that now have other names.

—Judith Malina, “The Bridge:
The Living Theatre at Mostar”

On April 10, 2015 Judith Malina passed away. Only two years earlier, at the age of 87, she had stepped down as Artistic Director from the theatre she co-founded, along with Julian Beck, sixty-six years previously. Anyone who had the opportunity to meet her will testify to her humor, intensity, passion, and intelligence. Soon after her death, theatre critic Michael Feingold described her as “a surviving spirit—a pixieish, quick-witted, fervent little bundle of vitalizing energy, directing, writing, and planning new productions until virtually her last moments.”¹ In the days that followed her death, many wrote about her passion for theatre, her political commitments, the long history of the Living Theatre, and of Malina’s particular gifts as a director, actor, poet, and political thinker. This attention was long overdue, especially considering that the Living Theatre’s work has too often been seen as simply amateurish and didactic.

1. Michael Feingold, “Judith Malina and the Award-Season Rush, Part 1,” *TheaterMania.com* (2015).

In her obituary on Malina for *The Nation*, Alisa Solomon noted that in “mainstream coverage, the Living is often recalled with a clichéd reference to naked bodies groping and writhing on the ground (an image from the troupe’s infamously hectoring 1968 piece, *Paradise Now*) as if that sums up the oeuvre, but in fact the Living was constantly evolving.”² But that evolution was often at odds with the aesthetic currents of experimental theatre, especially from the 1980s onward. Solomon continued:

One of my favorite Living Theater productions over the decades was a surprisingly witty 1995 piece called *Utopia*, an exploration of the concept through movement, chanting, and spoken text that was at once fervent and self-consciously goofy. I’d seen it in New York among a jaded, withdrawn audience, and then again in a centro sociale—one of Italy’s squatted community spaces—in an industrial town just outside Venice. There, it was like going to a giant rock concert. Hundreds of people, most of them young, flocked to the show with excitement, and I newly understood something about the Living’s role: it speaks best to audiences looking for alternatives, open to the bald assertion of basic truths, unembarrassed to hope in public.³

Judith Malina, Julian Beck, and the members of the Living Theatre have never been embarrassed to hope in public, to put everything on the line for their understanding of theatre and their political ideologies. Regardless of how one might feel about their performance style or their unabashed advocacy for the anarchist-pacifist revolution, and regardless of how one might criticize a show like *Paradise Now* as “deeply reactionary and... authoritarian,”⁴ the Living Theatre’s commitment to theatre as a vital, philosophical, and political art-form has had a profound, if often unremarked, impact upon experimental and

2. Alisa Solomon, “The ‘Immortal’ Judith Malina, 1926-2015,” *The Nation* (April 13, 2015), <http://www.thenation.com/article/immortal-judith-malina-1926-2015/> (accessed July 17, 2015).

3. Ibid.

4. Kimberly Jannarone, *Artaud and His Doubles* (Ann Arbor MI: University of Michigan Press, 2010), 14.

political theatre, both in the United States and internationally, for over sixty years.

The life span of this company is astonishing enough, but is all the more remarkable when one realizes just how economically poor the Living Theatre was throughout much of its history. Judith Malina and Julian Beck conceived of their theatre as early as 1946, settled on the name “The Living Theatre” on January 9 1947 and incorporated the company on April 26 1948.⁵ Yet despite the clarity of artistic vision and their desire to build a theatre, they were unable to stage a production until the fall of 1951. It was certainly *not* for lack of trying. In June of 1947, Malina wrote: “Continuing our search for a theater,” and that she and Beck had looked “at the former Labor Stage...now showing Spanish motion pictures,” but in the end, there was “[n]o hope” that they could get the space.⁶ Nearly a year later, when she and Julian first incorporated the Living Theatre, she wrote “[a]nd still there is no theater.” On December 1, 1949, Malina wrote:

Again at work on the Living Theatre. Each time with fresh hope...We plan, since no theater seems to exist, to build one. And in order to do this inexpensively, to build it in a quonset hut, one of those metal sheds that the army developed...A representative of the Great Lakes Steel Corporation gives us the figures: about \$5,000 for the shell. He tells us some of the legal requisites for places of public assembly: swinging doors, reinforced steel. But the price of property in New York City is fantastic. The whole thing is fantastic...Paul Goodman will speak about it with his brother, Percy, who has built a quonset synagogue on Long Island.⁷

Eighteen days later, she noted the “preposterousness” of the idea and that she and Beck

5. A few of the other names considered by Malina and Beck included Plastic Stage, The Plastic Verve Theatre, and The New Art Theatre.

6. Judith Malina, *The Diaries of Judith Malina, 1947-1957* (New York NY: Grove Press, 1984), 3.

7. *Ibid.*, 90.

couldn't "get permission to build the quonset unless we first put in a bid on a plot of land," but that they couldn't "buy land until we have money, and we can't get money until we can prove that it's legal."⁸

After several years of struggle, Malina and Beck finally decided to rent a theatre instead of waiting until they could own their own space.⁹ The Living Theatre's first production space was at the Cherry Lane Theatre on Commerce Street in Greenwich Village. The Living Theatre was only in the Cherry Lane for slightly over a year, taking residency on July 27, 1951 and being shut out of the space because of numerous building violations on August 9, 1952. However, during that time Malina and Beck produced six shows: *Doctor Faustus Lights the Lights* by Gertrude Stein, *Beyond the Mountains* by Kenneth Rexroth, a collection of short plays by Stein, Pablo Picasso and TS Eliot entitled *An Evening of Bohemian Theatre*, *Faustina* by Paul Goodman, "The Heroes" by John Ashbery, and *Ubu Roi* by Alfred Jarry. Even on a shoestring budget, the economics of staging this many shows, and these kinds of shows, in a year proved impossible to sustain. Malina's journal entry for May 18, 1952 notes that "[m]oney harries us" and that "[t]hreatening creditors arrive with their own sad stories of deprivation."¹⁰ In the end, after accumulating considerable debt and losing their theatre space, The Living Theatre, Inc. declared bankruptcy. Indeed, the company would go

8. Ibid., 92.

9. Because of the equality that Malina and Beck shared as artists and founders of the Living Theatre, I have chosen to alternate the order of their names on a chapter by chapter basis in an attempt to undo the necessary privilege that would come from consistently placing one's name before the others.

10. Ibid., 226.

on to lose every theatre space it occupied in New York City because of either building code violations or economic debt.

Considering the scope of the Living Theatre's history, it is rather surprising that currently there are only two full-length books in English that cover the company's history. Pierre Biner's *The Living Theatre* was the first book-length history of the Living Theatre to be published. Originally published in France in 1968—the same year that Biner joined the Living Theatre as a company member—it was later revised and updated for a 1970 edition that was then translated into English and published by Horizon Press. Biner presents a history of the Living Theatre from the meeting of Malina and Beck until late 1969, the bulk of the book is made up of extensive descriptions of the plays that the company developed between 1964-1969. In his first sixty pages, Biner traces, briefly, the meeting of Malina and Beck and their instant bond of artistic and romantic partnership, as well as the struggles they faced in creating their theatre company. Interspersed with each short chapter are interviews with Malina and Beck, talking mostly about the struggle to do theatre in a world hostile to both the aesthetic and political revolutions that marked their work. The interviews and detailed descriptions of *Mysteries and Smaller Pieces*, *The Maids*, *Frankenstein*, *Antigone*, and *Paradise Now* are invaluable resources for anyone examining the Living Theatre's works. Biner's approach is closer to journalism than historical analysis, based as it is mostly on interviews with Malina and Beck rather than archival or historical documents, and he does little to situate the company in the context of the New York avant-garde scene of which they

were a significant part. Biner's experiences as a participant in the company most certainly color his writing, so that while his book remains an important source, both its age and its scope limit its usefulness.

Over twenty years passed without another book-length examination of the Living Theatre's history. John Tytell's *The Living Theatre: Art, Exile, and Outrage* was published by Grove Press in 1995 and covers the period from the meeting of Malina and Beck to Beck's death from cancer in 1985. Tytell provides much more background to the development and history of the company in the 1950s than Biner did. There are some very useful aspects to Tytell's book and his prose reveals the heady idealism and excitement that Malina and Beck shared about art and politics. Tytell also captures a sense of how little separation existed between their living and their art, and he elucidates some of the artistic and social context that surrounded the company during the late 40s and throughout the 50s. Furthermore, he presents information on the Living's work throughout the 70s and into the 80s, periods that are not often examined. As an introduction to Beck, Malina, and the Living Theatre, Tytell's book serves as a decent enough starting point, however the book has some very serious flaws that should give any reader—but especially a theatre scholar or historian—pause.¹¹

In addition to the works of Biner and Tytell, there are a number of primary sources that help build a picture of the Living Theatre during their first two decades. Two other books of note are *We, the Living Theatre* by Aldo Rostagno, Julian Beck, Judith Malina, and

11. I will address my primary issues with Tytell in chapters four and five.

Gianfranco Mantegna, and *The Living Theatre: USA* by Renfreu Neff.¹² Neither of these provide historical or critical analyses of the theatre company, however they offer insight to the world and work of the Living Theatre during the 1960s. The former is primarily a collection of pictures taken by Mantegna during the development and tours of *Mysteries and Smaller Pieces*, *Antigone*, *Frankenstein*, and *Paradise Now*. While containing a short introduction and text from a panel discussion between Rostagno, Beck, and Malina, *We, the Living Theatre* primarily serves as photographic evidence of how the company lived and worked during that period of their development. Neff's book, on the other hand, is a first hand account of the Living's 1968 American tour of *Paradise Now*. Published in 1970, it remains an important work as a reference to the events that took place on that tour, however it is clearly limited in scope and point of view.

In addition to these glimpses of the company's work and lives, Malina and Beck both kept extensive journals, a number of which have been published. Julian Beck has two important collections: *The Life of the Theatre*, originally published in 1972, and *Theandric: Julian Beck's Last Notebooks*, published posthumously in 1992. As a way to understand Beck's political, philosophical, and aesthetic positions, these remain highly important texts, even if one must bear in mind that autobiography entails its own particular scholarly traps, blind alleys, and cul-de-sacs. Still, both of these books provide insight to the political beliefs and

12. Aldo Rostagno, *We, the Living Theatre: A Pictorial Documentation by Gianfranco Mantegna of the Life and the Pilgrimage of the Living Theatre in Europe and in the U.S* (New York NY: Ballantine Books, 1970); Renfreu Neff, *The Living Theatre: USA* (Indianapolis IN: Bobbs-Merill, 1970).

aesthetic reflections of a major theatre artist. Similarly, Judith Malina's published diaries, *The Piscator Notebook*, *The Diaries of Judith Malina, 1947-1957*, and *Enormous Despair*, present the scholar with access to many of her thoughts on politics, life, art, and theatre as well as documenting many of the day-to-day exigencies of living for a living theatre. Because so little has been written about the Living's first thirteen years, her journals from 1947 to 1957 are particularly helpful in tracing the who, what, where, when, why, and how of things. Also of note is that a number of her original journal drafts are held in collections at the New York Public Library and Yale University's Beinecke Library.

There are also several important documentary films and interviews with Malina, Beck, and other members of the Living Theatre. Maxine Harris' *Signals Through the Flames* was made before Beck's death in 1985 and shows the company's history as well as the work that Malina and Beck were involved with in the early 1980s.¹³ The 2004 documentary, *Resist!: To Be with the Living*, treads much of the same historical ground while revealing some of the company's work after Julian Beck's death.¹⁴ The company's work can also be seen in the filmed versions of *The Connection* and *The Brig*.¹⁵ The former is a filmed version of the play directed by Shirley Clarke, using many of the actors involved in the stage production. While it does not reflect the theatrical production *per se*, it does give a sense of the acting style that

13. *Signals Through the Flames: The Story of the Living Theatre*, directed by Maxine Harris (New York NY: Mystic Fire Video, 1983).

14. *Resist!: To Be With the Living*, directed by Dirk Szusziess and Karin Kaper (YC Alligator Film, 2004).

15. *The Connection*, directed by Shirley Clark (New York NY: Mystic Fire Video, 1983); *The Brig*, directed by Jonas Mekas (Paris France: Re:Vair, 2008).

the Living Theatre used for that production. The latter, however, is a film version of *The Brig* that was filmed at the Maidman Theatre in February 1964. Captured live by Jonas Mekas, what the film lacks in technical polish, it makes up for in its demonstration of just how precise and exacting the acting was, as well as the brutality of the play, both in terms of physical violence and its aural assault on the audience. In fact, *The Brig* won Mekas “Best Documentary” at the 1964 Venice Film Festival, and it provides a glimpse of a Living Theatre production that bridged naturalism and a violent, Artaudian poetic sensibility.

The company’s later work is also represented on film and video. In 1969, the arts program Camera 3 shared segments of the Living Theatre’s *Mysteries and Smaller Pieces* along with some explanatory comments by Malina and Beck.¹⁶ The company presents excerpts from “The Brig Dollar” and “The Plague” that are then intercut in a way unlike the live performance to create “an experience unique to television.”¹⁷ In the commentary, Beck explains that the company “confront[s] the audience very often with horror” in an effort to “break through the doors of feeling” in order to get audiences to feel positive emotions like empathy and freedom.¹⁸ While the program contains only excerpts from a longer piece, it provides a good look at the style of physical and devised theatre that the company was focused on at the time, as well as the ways in which their use of sound, often emanating

16. *The Living Theatre* (Interview with Judith Malina and Julian Beck; Excerpts from *Mysteries and Smaller Pieces*) (Creative Arts Television, Theatre in Video), <http://search.alexanderstreet.com.pitt.idm.oclc.org/view/work/657978> (accessed August 14, 2015).

17. Ibid.

18. Ibid.

solely from actors voices and bodies, forms a soundscape that is alternately musical and harshly chaotic.

There is also a filmed version of the company's infamous *Paradise Now* that was directed by Sheldon Rochlin and that edits together several performances of the show—including the final performances in Brussels and a performance at the Berlin Sportspalast for 7000 people.¹⁹ While Rochlin includes some gratuitous play with color and the camera zoom, the movie offers a reasonable representation of the production's aggressive ideology and devised sensibilities. Harder to find, yet instructive for those interested in the devised work that the Living Theatre was focused on in the 1970s, is a dvd called *Living Theatre: Turning The Earth*.²⁰ Part of the company's ongoing *Legacy of Cain* series of plays, this performance took place in a vacant lot in Pittsburgh's Northside neighborhood. According to Craig B. Highberger, who recorded the performance/ceremony, people in the neighborhood were unaware of the company's status as a performance troupe, and thought that the group of "screaming" and "whirling" people were "inmates of an insane asylum" who had "been let out into the streets."²¹ The 35-minute black-and-white film reveals the company's techniques that had been honed from nearly a decade of creating physical and devised performances that often bordered on ceremony.

19. *Paradise Now: The Living Theatre's Collective Creation*, directed by Sheldon Rochlin (New York NY: Mystic Fire Video, 1980).

20. *Turning the Earth: A Ceremony for Spring Planting in Five Ritual Acts*, directed by Craig B Highberger (HMI, 2002).

21. *Ibid.*

While theatre scholarship has not offered much in terms of full-length historical or theoretical analysis of the company, there are a number of important book chapters and essays. David Savran's chapter "Revolution is Performance" from his book *Taking it Like a Man*, published in 1998, stands as the only major work on the Living Theatre that examines how gender and sexuality operated within both the aesthetics of the company as well as Beck's own writing. Savran concludes that in "many respects, [Beck's] *A Life in the Theatre* and the Living Theatre's work of the 60s and 70s can be seen as an—unsuccessful—attempt at liberation from the exigencies of masochism."²² Savran's work here is undoubtedly useful in framing elements of the Living in terms of gender and masochistic masculinities and provides a starting place for studying the Living Theatre through the lens of queer theory.

From an entirely different perspective, Bradford Martin writes about the Living Theatre at some length in his book *The Theatre is in the Street*. Martin examines the Living Theatre along with the Freedom Singers, the Diggers, and the Guerrilla Art Action Group as examples of "the pervasiveness of politically oriented public performance in the sixties."²³ Martin looks at the aesthetic transition from the Living Theatre's modernist, avant-garde sensibilities in the 1950s to their shift into more radical and political performances in the mid- to late-1960s. While briefly discussing *The Connection* and *The Brig* as part of the company's process toward public performance, Martin focuses on works such as *Paradise*

22. David Savran, *Taking It Like a Man: White Masculinity, Masochism, and Contemporary American Culture* (Princeton NJ: Princeton University Press, 1998), 157.

23. Bradford D Martin, *The Theater Is in the Street: Politics and Performance in Sixties America* (Amherst MA: University of Massachusetts Press, 2004), 7.

Now, the Living's street performances in Brazil, and the development of public performance works such as *Six Public Acts* and *The Money Tree*. He concludes that while "the Living Theatre pioneered techniques of politically oriented public performance, it also demonstrated the limitations of theater's capacity to transform society."²⁴

Mike Sell provides a deeper and very fruitful examination of *The Connection* that ranges over several chapters in his book *Avant-Garde Performance and the Limits of Criticism*. As part of a larger argument about the so-called "death" of the avant-garde, Sell's primary concern is about how avant-gardism was propagated through the works of the Living Theatre—in addition to various Happenings, the Fluxus movement, and the Black Arts Movement. Sell argues that the Living Theatre "stands as a significant way station for the pre-World War II avant-garde's exodus into American counterculture and the Cold War."²⁵ Sell's account is particularly helpful for understanding the Living Theatre's avant-garde lineage as well as the sociological environment that surrounded the theatre during the late 1950s.

More recently, James H. Harding and Cindy Rosenthal's 2006 edited collection, *Restaging the Sixties*, provides two very useful essays on the Living Theatre: Erika Munk's "Only Connect: The Living Theatre and Its Audiences," and Alisa Solomon's "Four Scenes of Theatrical Anarcho-Pacifism: A Living Legacy." Munk examines how the Living Theatre related to its audiences over time, beginning with the New York avant-garde scene in the

24. Ibid., 84.

25. Mike Sell, *Avant-garde Performance & the Limits of Criticism: Approaching the Living Theatre, Happenings/Fluxus, and the Black Arts Movement* (Ann Arbor MI: University of Michigan Press, 2008), 130.

1950s. Munk herself became a regular audience member starting with *The Connection* and states that her account will be “schematic, condensed, and subjective.”²⁶ Yet, for all that, she contributes an important article that grapples with questions of context and reception over the course of the Living’s history. Additionally, she examines some of the reactions to shows like the agit-prop *Not In My Name*, a still ongoing performance from the 1980s that is performed in Times Square to mark any time there is an execution held in the United States. Solomon’s essay looks at an even later period of the Living’s history, particularly their work from the mid-1990s through the early 2000s, such as the company’s production of *Utopia*, and performances of *Mysteries and Smaller Pieces* and *Not in My Name* done in Lebanon. Furthermore, she remarks upon how the Living has often been pigeonholed by scholars and critics. Addressing how the 1960s are often mis-represented, she points out that:

One of the quickest ways to call up that distorted picture has been to invoke images of the Living Theatre, widely regarded as the quintessential troupe of the period (even though the company was founded by Julian Beck and Judith Malina in 1947 and lived in voluntary exile from the United States during most of the 1960s). Still, for better or worse, the shorthand descriptor for the decade’s theatrical experimentation—as well as for experiments with hallucinogens, communal living, and lefty attachments—is an image of nearly naked, long-haired men and women twined in a sweaty group embrace, groping at the audience, and leading them in Pied Piper procession through the streets.²⁷

To make up for this limited view of the Living Theatre’s work, even in a short essay, she

26. Erika Munk, “Only Connect: The Living Theatre and Its Audiences,” in *Restaging the Sixties: Radical Theaters and Their Legacies*, ed. James Martin Harding and Cindy Rosenthal (Ann Arbor MI: University of Michigan Press, 2007), 34.

27. Alisa Solomon, “Four Scenes of Theatrical Anarcho-Pacifism,” in *Restaging the Sixties: Radical Theaters and Their Legacies*, ed. James Martin Harding and Cindy Rosenthal (Ann Arbor MI: University of Michigan Press, 2007), 56-57.

argues that their work as a politically and socially engaged theatre company is still both important and far from naive.

Numerous journal articles have been published on specific productions and facets of the Living Theatre throughout the years. *TDR*—in all its various titles—has given considerable attention to the company, publishing scripts and scenarios, interviews, reviews, and scholarly articles. Of particular note for this project is the issue of *Tulane Drama Review* published in 1964 after the closing of the Living's 14th Street theatre. This issue contains interviews held during the protests following the IRS seizure of Living Theatre assets, essays by Julian Beck, Richard Schechner, Theodore Hoffman, Charles Mee, and reactions to the company's closing from notable theatre scholars and practitioners including, among others, Herbert Blau, Jules Irving, and Elia Kazan. Beck's essay, "How to Close a Theatre" is often one of the only sources used for information about the company's confrontation with the IRS in 1963. While it is an important record of Beck's point of view, in later chapters I will show some of its limitations as a record of events.

While there is no need to cover every journal article here, there are a handful of essays worth pointing out for their ability to frame the company in useful ways. Writing for *The Journal of Aesthetics and Art Criticism* in 1971, Norman James' "The Living Theatre: Its Use of the Stage," provides a critical examination of how the company's productions of *Mysteries and Smaller Pieces*, *Antigone*, *Frankenstein*, and *Paradise Now* used space, physicality, and audience participation to varying degrees of success. Of *Paradise Now*, James notes that the

first production at Yale was exciting, and in fact did end with the actors and audience taking the theatre to the street, providing “climax and confrontation” but that the second night ended with only a “sluggish anticlimax.”²⁸ Drawing on Peter Brooks’ observation that the “sadness of a bad happening must be seen to be believed,”²⁹ James argues that in *Paradise Now*, the company trapped themselves in repeating a set pattern rather than allowing for a living response to the audience.³⁰ While he criticizes some of *Mysteries and Smaller Pieces* for pointlessly drawing out certain sections, he suggests that this piece worked, on the whole, better than *Paradise Now*. For James, this success came about because the performance was much less structured than *Paradise Now*, but was still intensely physical and theatrical. He notes that it was “much more flexible than the early stages of *Paradise Now*,” and that *Mysteries* “reveals more clearly and forcefully to the spectator an essential factor in his own situation” and that “[s]ilence itself is a role...a role that suggests neutrality between repression and resistance, and recalls those fatefully acquiescent silences that have permitted injustice and violence in the twentieth century.”³¹ But James’ key insight lies in his examination of the Living Theatre’s use of physicality—including non-verbal sound—and the ways in which they use language. He provides a succinct, but important analysis:

Wordless the Living Theatre can evoke tension between different aspects of the same phenomenon, different degrees of involvement in viewing it, even different interpre-

28. Norman James, “The Living Theatre: Its Use of the Stage,” *The Journal of Aesthetics and Art Criticism* 29, no. 4 (1971): 475-483.

29. Peter Brook, *The Empty Space* (New York NY: Atheneum, 1968), 55.

30. James, “The Living Theatre: Its Use of the Stage,” 476.

31. *Ibid.*, 477.

tations of what is silently expressed. There is mystery. And there is conflict involved in the extreme discipline to which the players have subjected their bodies. One senses, for example, a conflict between the live actor and the astonishingly rigid corpse being lifted on the stage. But when these players use language there is no mystery and no conflict, only views easily held because they are not subjected to challenge from within. Here language *is* what Artaud accuses it of being, something in which the complexities of reality are killed by confinement in “the human syllable.”³²

James identifies what I think may be a key element in the dismissal of some of the Living Theatre’s work as “naive” or even, for some, banal. In the company’s work during this period—and especially in *Paradise Now*, there is often a lack of complexity at the level of language, operating at the level of agitprop. This is a far cry from the company’s modernist and poetic productions staged between 1951 and 1963. However, James focuses attention on the fact that even when the language fails to engage dramatically, the company was deeply invested in an exploration of a powerful *physical* theatre to create an experience that was far more complex, on the level of movement and sound, than its didactic language might suggest. The poetry remains, but has become poetry of the body.

More recently, David Callaghan’s article “Ritual Performance and Spirituality in the Work of the Living Theatre, Past and Present,” examines how the company often used—and still uses—performance as “a contemporary act of secular ritual” in order to “provide spiritual sustenance to a decaying culture it believed needed new myths and rites of worship.”³³ Using the stated values of Malina and Beck, as well as observations by other artists and scholars like

32. *Ibid.*, 481.

33. David Callaghan, “Ritual Performance and Spirituality in the Work of the Living Theatre, Past and Present,” *Theatre Symposium* 21, no. 1 (2013): 36.

Richard Schechner and Victor Turner, Callaghan argues that the company's work throughout its history often changes forms and styles but remains an attempt to explore "alternative social models in various communities, with the hopes of achieving a less divisive and spiritually richer life."³⁴ Callaghan covers a good deal of the company's history, from the large-scale physical theatre productions such as *Paradise Now* in the 1960s, to its 1970s work devising theatre *in situ* in places like Brazil and Pittsburgh, as well as the street theatre created to address community and the homeless issue in the Lower East Side of New York during the 1980s. While sympathetic to the Living Theatre's goals, this article clearly points out that the Living Theatre's leadership has always been aware that their work is both experimental and never completely successful, but that while the "ongoing goal of the Living" is to "nourish each individual spectator's spiritual life," the "many challenges over the decades...have also added a level of pragmatism" to the company's outlook.³⁵

Another recent and relevant article is James Penner's "On Aggro Performance: Audience Participation and the Dystopian Response to the Living Theatre's *Paradise Now*." Penner's examination of the Living Theatre's most famous production leads him to theorize the notion of *aggro performance*, which he uses to:

separate the Living Theatre from other theater artists who encourage polite and innocuous forms of audience participation (e.g., singing and clapping to music that is being performed on the stage). During an aggro performance, the notion of pleasing or entertaining the audience is no longer necessary or desirable. Hence, in many cases, the performer assumes a hostile position vis-à-vis the audience. In some situations,

34. Ibid., 42.

35. Ibid., 50.

the performer attempts to antagonize the spectators in order to make them aware of their own political and moral delusions.³⁶

Looking at how Artaud's theories impacted the Living Theatre, along with a close reading of the first three sections of *Paradise Now*, the "The Rite of Guerilla Theatre," "The Right of Universal Intercourse," and "The Rite of I and Thou," Penner argues that some audience responses to the production were beyond the control of the company. Additionally, given the nature of aggro performance, it was impossible to steer the audience in a "benevolent direction" and that the "various hostile and violence responses" from audience members "suggest that the issue of audience participation cannot be reduced to one particular narrative."³⁷

Probably the most important article for this project, however, was published in *TDR* in 1986 by Jack Gelber: "Julian Beck, Businessman." Gelber recasts Beck from the role of radical anarchist and instead regards him as a savvy and highly capable entrepreneur who was able to run his theatre with nearly no money by, if not quite grift, a flexibility of economic conscience that some might find troubling. Rather than the Living Theatre's political and aesthetic considerations, he examined the mundane realities that marked the Living's existence as a theatre *business*. Gelber's regard for Beck's abilities as a leader and businessman is both positive and genuine. John Tytell dismisses Gelber's revelations and seems to read this

36. James Penner, "On Aggro Performance: Audience Participation and the Dystopian Response to the Living Theatre's *Paradise Now*," *Comparative Drama* 48, no. 1-2 (2014): 77.

37. *Ibid.*, 90; Given the rise of participatory theatre as a genre in the last decade or so, revisiting the successes and failures of previous such experiments seems to be particularly relevant.

article as a tarnishing of Beck and the Living Theatre. By framing Beck within such an unapologetically economic light, Gelber has challenged the ways in which Beck's performance of himself has been taken as an ontological truth of his beingness rather than the performance of living a complex life as an artist within a capitalist system. This article remains both central to an historical understanding of Beck and the Living Theatre as well as a tremendously under-cited work compared to those by Biner and Tytell.

In fact, reading "Julian Beck, Businessman" was the genesis of my own set of questions about the company. Given the Living Theatre's constant struggle with money and the fact that the company was almost always producing against the mainstream theatrical current—and sometimes against the experimental theatre current as well³⁸—how has it managed to survive for over six decades? Why has Gelber's article been all-but-ignored by scholars writing about the company? Furthermore, why has scholarship on the Living Theatre nearly always omitted the company's first and formative years, including only *The Connection* and *The Brig* in any examination of that period? Are there forces at play that might explain the company's longevity despite a dedication to avant-garde and radical theatre productions? This project takes as a given that the Living Theatre did not survive *only* because

38. I would argue that the only time the company was truly in sync with the theatre of its time is exactly the work that most scholars tend to examine, i.e. the company's radical and political work of the 1960s, culminating with *Paradise Now*. Yet, even during the American tour of *Paradise Now*, the company was beginning to veer away from the political ideologies that wracked the United States at the time. Their commitment to pacifism would put them at great odds with some of the audiences in the U.S., especially black audiences who found the company's rhetoric of peace and love to be dangerously out of touch with the reality of race relations at the time. See Malina's published journal of that tour, *The Enormous Despair*.

of the passion and persistence of Malina and Beck. In particular, using the sociological theories of Pierre Bourdieu, I argue that the company accrued such a vast deposit of *symbolic* capital that Malina and Beck (and, later, Hanon Reznikov as Malina's second husband and the Living Theatre's Executive Director until his death in 2008) were able to continue making theatre long after a theatre based on purely economic capital would have closed for good.³⁹ An examination of the company's first thirteen years are central to any theory of its longevity and scholars need to treat those years with more consideration than has previously been shown. The Living Theatre's work between 1951 and 1963 stands as a testament to its craft and integrity as a modernist, avant-garde theatre, leading Robert Brustein to write, in 1963, that "the Living Theater, for all its erraticism, is the best—indeed the only—experimental repertory troupe in New York, and one of the very few American companies to receive acclaim abroad."⁴⁰ The work produced during those years was not merely a novice phase within the Living's progress to its "actual" theatre. Additionally, I argue that the events surrounding the closing of the company's production of *The Brig* in 1963 and the subsequent trial of Malina and Beck in 1964 formed a particularly deep reservoir of this symbolic capital. These events remain key plot points in the narrative of the Living Theatre and its relationship, as a radical and anarchist company, to economic and legal systems.

39. Because of the focus of my project, I am not looking deeply at the Living Theatre after 1964. However, it is important to note that Hanon Reznikov was not only Malina's second husband but, from 1988 to his death in 2008, her artistic and business partner when it came to the Living Theatre. This period of the company's existence deserves its own study.

40. Robert Brustein, "Artists and Bureaucrats," *The New Republic* 149, no. 18 (1963): 36-38.

In the next chapter, I offer an overview of Bourdieu's key theories. While some readers may be familiar with his concepts of *habitus*, *field*, and *symbolic capital*, I provide a refresher for some and an introduction to others that will illuminate why his work is particularly useful for understanding the Living Theatre's ability to continue its work despite a lack of economic viability for much of its history and especially throughout its first thirteen years. Additionally, throughout my project I refer to how various stakeholders—Living Theatre company members, friends, theatre critics, and some scholars—have fashioned a kind of “myth” that has helped the company accrue symbolic capital. In this I am directly referencing Roland Barthes' definition of myth as a type of language, and so I address his definition in the second chapter as well.

Chapter three provides an overview of the Living Theatre's first thirteen years. I situate the company's formation within its historical and specifically New York cultural moment as well as provide some pertinent biographical information about Malina and Beck. I then examine the company's work during this period, work that is often ignored in the extant scholarship. As I offer descriptions of a number of their productions, I also frame them within the ways that such productions demonstrate the company's evolution as well as the accrual of symbolic capital. Chapter four begins with some of the documentation regarding the company's finances in order to give the reader a sense of just how economically fragile the company was during this period. I include a detailed examination of the events that occurred when the IRS seized the company's assets on October 17, 1963. Through the use of a variety

of archival sources, I argue that the actual events don't quite match how they are typically described and mythologized. Chapter five continues along similar lines, but focuses on the trial of Malina and Beck in 1964. As with the previous chapter, I present evidence and materials from archival sources in order to "de-mythologize" the trial.

The point of these two chapters is not necessarily to catch Malina, Beck, or other stakeholders in a lie, but rather to show how myth and symbolic capital worked to sustain their company beyond its economic means and its commercial feasibility. In the end, I hope that this project stimulates a reexamination of the Living Theatre's early works as well as a reexamination of the ways that theatre scholars view the company's relationship with economic systems, legal systems, and its artistic status, as well as with its own mythic and historical narratives.

2.0 CULTURAL PRODUCTION & MYTH AS SYMBOLIC CURRENCY

The literary or artistic field is at all times the site of a struggle between the two principles of hierarchization: the heteronomous principle, favourable to those who dominate the field economically and politically (e.g. 'bourgeois art') and the autonomous principle (e.g. 'art for art's sake'), which those of its advocates who are least endowed with specific capital tend to identify with a degree of independence from the economy, seeing temporal failure as a sign of election and success as a sign of compromise.

—Pierre Bourdieu, *The Field of Cultural Production*

All cultural production, no matter how creative its author or unique its sensibilities, is intrinsically embedded within its cultural milieu. However, theatre (as well as other performance genres), is dependent on social structures for its very existence in ways unlike other, non-performance, art forms. A poem certainly needs an audience to be meaningful, but it does not need one to exist *per se*. Drama can exist on the page, to be sure, but theatre requires the coordination of groups such as audiences, artists, and producers for its very existence as a form. Even stripped to its essentials of an empty space, one performer, and one observer as Peter Brook famously formulated, the act of theatre is a relational one and requires the coordination of those bodies in time and the ownership, at least temporarily so,

of said space. Because I am particularly interested in this relational quality as it applies to the Living Theatre as a producing entity and to Beck and Malina as agents of cultural production within the larger field of theatre production, the works of Pierre Bourdieu are uniquely suited to facilitating an examination of theatre as a product of various cultural structures. Bourdieu's approach, in a general sense, provides just such an examination of the ever-present relational aspects of cultural production. Bourdieu's project takes into consideration, "not only direct producers of the work in its materiality (artist, writer, etc.) but also the producers of the meaning and value of the work—critics, publishers, gallery directors and the whole set of agents whose combined efforts produce consumers capable of knowing and recognizing the work of art as such," as well as the "conditions of production of the field of social agents (e.g. museums, galleries, academies, etc.*)" which help to define and produce the value of works of art."⁴¹ Even when not directly referencing or citing his work, my fundamental approach to the Living Theatre is structured by his key concepts of habitus, the field, and symbolic capital, as well as his observations on the formation of the literary avant-garde in Paris during the 1800s. Given his commitment to a relational analysis that takes into account the "multi-dimensional space of positions and the position taking of agents,"⁴² Bourdieu offers a rich set of tools to approach theatre scholarship when setting out to engage less with aesthetic works

41. Pierre Bourdieu, *The Field of Cultural Production: Essays on Art and Literature*, trans. Randal Johnson (New York NY: Columbia University Press, 1993), 37.

42. Moishe Postone, Edward LiPuma and Craig Calhoun, "Introduction: Bourdieu and Social Theory," in *Bourdieu: Critical Perspectives*, ed. Moishe Postone, Edward LiPuma and Craig Calhoun (Chicago IL: University of Chicago Press, 1993), 5.

and more with how various works or theatrical companies operate and both produce value and are produced *as* valuable by the various stakeholders within the field of theatre production.

It should be noted that Bourdieu did not place much focus on theatre or other performance based works. This might account for the fact that, as David Savran observed in 2001, “Bourdieu’s name is virtually absent from either theatre studies or performance studies.”⁴³ Maria Shevtsova notes that she was the first theatre scholar to systematically employ Bourdieu’s work for theatre scholarship in the late 1990s. Furthermore, at the time it was “easier to get Bourdieu passed by citing him without flagging up ‘sociology,’ or not doing it too visibly...”⁴⁴ Shevtsova does mention that “Bourdieu pays little attention to the theatre,” but that this “neglect should not be assumed to suggest that his framework, while apt for the visual and verbal arts, is somehow not open to the performing arts.”⁴⁵ Indeed, this neglect of theatre means that there is the opportunity for theatre scholars not only to use Bourdieu’s theories but expand upon them given the uniquely social structures that pervade the form. Both Savran and Shevtsova have used Bourdieu over the ensuing years. Savran credits Bourdieu as a foundation for his 2009 book *Highbrow/Lowdown* and a number of Shevtsova’s essays have been collected in her 2009 book *Sociology of Theatre and Performance*. Still, Bourdieu’s work is not nearly as prevalent as one might expect given his focus on how

43. David Savran, “Choices Made and Unmade,” *Theater* 31, no. 2 (2001): 89-95.

44. Maria Shevtsova, *Sociology of Theatre and Performance* (Verona Italy: Qui Edit, 2009), 14.

45. *Ibid.*

artistic fields operate and his understanding of how embodied practice structures a range of individual actions. Shevtsova's work is a valuable primer that, in addition to presenting a number of essays outlining Bourdieu's theoretical genealogy and primary theories, also demonstrates the sociological implications of immigrant theatre and spectatorship, as well as providing an analysis of cross-cultural productions by Robert Wilson and Peter Brook.

Bourdieu focuses far more on the emergence of literary and artistic fields than those in the performing arts. I would argue that this is partly because the separations between the literary field and the economic field leaves the literary field with more autonomy than something like theatre that, for its execution, depends upon space, materials, and bodies—nearly all of which require a larger economic investment. A writer's necessary (but perhaps not sufficient) resources are fewer than those of a theatre artist, leaving writers a bit more "pure" as artists.⁴⁶ Indeed, Bourdieu often compares poets and novelists to playwrights, stating that playwrights are able to, in the short term, cash in because their medium is a popular one. We may see this assessment as amusing in light of how marginal theatre is compared to the popularity of television and film. However, the dependence on an audience for theatre to have meaning means that the field of theatre does operate differently in some ways compared to other art forms. Bourdieu points this out himself, noting that "because it is more directly subject to the constraints of the demand from a principally bourgeois (at least in origin) clientèle, theatre is the last to experience an autonomous avant-garde, and it is

46. The notion of purity here is not a value judgement but a position taken within a field of cultural production. An artist is more "pure" given their (apparent) distance from the economic field.

one which, for the same reasons, will always remain fragile and threatened.”⁴⁷ Indeed, one of the major conversations between artists and producers of theatre is that for many companies their audience base consists primarily of the upper and the upper-middle classes. Furthermore, the performing arts deal in more direct and *material* ways with the economic field. Space for rehearsal, space for performance, lumber, canvas, paint, hammers and nails, nuts and bolts, cloth, thread, sewing needles, make-up, are nearly always needed in some quantity for theatre productions, not to mention actor salaries. Granted, the material values of productions can vary wildly, from the most extravagant opera and Broadway productions and Robert Wilson pieces, to the simplest of “poor” theatres operating on a shoe-string budget and substituting considerable amounts of economic means with sweat equity. Also granted, writers need paper and pens, sculptors need access to their material of choice, and painters need canvas, paint, and other materials. Still, it is safe to say that the majority of the performing arts operate through the economic field in more significant and necessary ways than do writing, painting, and the plastic arts. Thus, even the most rarified and avant-garde of performing arts sits uneasily within Bourdieu’s notion of pure art (even if that purity is always a kind of misdirection away from some form of economic capital).

What follows is an overview of Bourdieu’s major theoretical concepts—habitus, field, and symbolic capital—and the ways in which these concepts are central to this project. I follow this with a brief section on Roland Barthes’ theory of myth as a type of language. In

47. Bourdieu, Pierre, *The Rules of Art: Genesis and Structure of the Literary Field*, trans. Susan Emanuel (Stanford CA: Stanford University Press, 1996), 119.

the end, Bourdieu's theories of how capital and power operate within a field are inextricable from my own arguments about the ways in which the Living Theatre's mythology has displaced, in certain circumstances, its history.

2.1 KEY CONCEPTS

Bourdieu's work began in the early 1960s and was based initially on his ethnography as an anthropologist in the Kabylia area of Algeria. As Bridget Fowler suggests, this work "shaped his analysis of the transition from pre-capitalist to capitalist forms and of the distinctive patterns of domination associated with modernity," as well as how Bourdieu came to "understand the formation of specialised and autonomous cultural fields."⁴⁸ I will not attempt to replicate Fowler's excellent work on situating Bourdieu's theory and sociological perspectives, but before examining his key concepts, it is important to note that his models emerged from his time as an observer and ethnographer and thus did not begin in the fields of art or literature or theatre. This is important not because such an observation gives, automatically, more authority to his work, but, rather, that his work is informed from the beginning with observations about how people act and behave in complex and networked ways that can sometimes be missed by theorizing from a distance. For theatre scholars in

48. Bridget Fowler, *Pierre Bourdieu and Cultural Theory: Critical Investigations* (Thousand Oaks CA: Sage, 1997), 13.

particular, this approach brings with it a complexity that resonates with what we experience as artists and audience members. Furthermore, by basing his methods and theories in the practice of actual people, Bourdieu never forgets that the sociological in general—and cultural production in particular—is not a product of “subjects” but of “agents.” Given that Bourdieu studied with Louis Althusser, it is not surprising that the two share some “striking parallels” in their understanding of how ideology is not simply theory but also a “material practice.”⁴⁹ Bourdieu’s habitus shares similarities to Althusser’s concepts of Ideology. For Althusser, Ideology manages the relationship between an individual and their “real conditions of existence,”⁵⁰ and it has a “material existence” insofar as “an ideology always exists in an apparatus, and its practice, or practices.”⁵¹ Similarly, habitus is also centrally concerned with the material existence of individuals and their environment. However there are key differences: the most important of which is that Bourdieu’s “agent” is never *only* determined—or in Althusser’s vocabulary, *interpellated*—by Ideology. As Folwer notes, Bourdieu “proposes a theory of practice which...is based on both collective and individual strategic activity.”⁵² The shift from subject to agent brings with it a number of concepts that are significantly more complex than those within a typical structuralist-Marxist model and allows for a nuanced understanding of how agents are shaped by the structures around them,

49. Ibid., 22.

50. Louis Althusser, *Lenin and Philosophy, and Other Essays* (New York NY: Monthly Review Press, 2001), 109.

51. Ibid., 112.

52. Fowler, *Pierre Bourdieu and Cultural Theory: Critical Investigations*, 22.

including that agents also, and always, maintain some range of action and practice that is never reducible to simply being constructed by those structures. Agents are neither blank slates, nor are they necessarily free from strictures imposed by their sociological contexts. The agent does not create themselves in an endless play of post-structuralist signification but is also not reducible to some inner essence that escapes the material conditions of existence.

Indeed, Bourdieu is consistently concerned with avoiding the binary of objectivism versus subjectivism. As Randal Johnson explains, for Bourdieu:

Subjectivism represents a form of knowledge about the social world based on the primary experience and perceptions of individuals and includes such intellectual currents as phenomenology, rational action theory and certain forms of interpretive sociology, anthropology, and linguistic analysis...In the literary field this would include all idealistic and essentialist theories based on the charismatic ideology of the writer as 'creator.' Objectivism, on the other hand, attempts to explain the social world by bracketing individual experience and subjectivity and focusing instead on the objective conditions which structure practice independent of human consciousness. It is found in many social theories, including Saussurean semiology, structural anthropology, and Althusserian Marxism.⁵³

Bourdieu is adamant that the study of cultural and sociological practices must “abandon all theories which explicitly or implicitly treat practice as a mechanical reaction, directly determined by the antecedent conditions and entirely reducible to the mechanical functioning of pre-established assemblies, ‘models’ or ‘rôles’...”⁵⁴ Performance scholars are particularly suited to understand and apply these theories precisely because we are used to dealing with embodied performances that demonstrate—in a condensed and artificial

53. Randal Johnson, “Introduction,” in *The Field of Cultural Production: Essays on Art and Literature* (New York NY: Columbia University Press, 1993), 3-4.

54. Bourdieu, Pierre, *Outline of a Theory of Practice* (New York NY: Cambridge University Press, 1977), 73.

manner perhaps—Bourdieu’s theory of practice, i.e. the tension of endless creativity within bounded circumstances. However, even if some of Bourdieu makes intuitive sense for theatre scholars, it will be useful to examine his key terms in a bit more detail.

2.2 HABITUS

At its most basic, habitus can be understood as the “structures constitutive of a particular type of environment...e.g. the material conditions of existence.”⁵⁵ Bourdieu doesn’t frame the concept in explicitly biological terms, however it is possible to think of habitus as a kind of cultural eco-system that is both open, as eco-systems are, but also *stable*, as eco-systems also are. Importantly, neither habitus nor an eco-system—whether desert, wetlands, or coral reef—are to be seen as static systems. An agent, in habitus or ecosystem, is structured by its material conditions and the various boundaries afforded by those conditions.

In a more complex statement, Bourdieu writes that the systems of habitus are “systems of durable, transposable *dispositions*, structured structures predisposed to function as structuring structures, that is, as principles of the generation and structuring of practices and representations which can be objectively regulated and regular without in any way being the product of obedience to rules, objectively adapting to their goals without presupposing a conscious aiming at ends or an express mastery of the operations necessary to attain them,

55. Ibid., 72.

being all this, collectively orchestrated without being the product of the orchestrating action of a conductor.”⁵⁶ There is a lot to unpack in this statement and I will divide it into three shorter sections in order to more fully understand Bourdieu’s meanings.

“systems of durable, transposable dispositions, structured structures predisposed to function as structuring structures”

In his book, *Outline of a Theory of Practice*, Bourdieu is primarily concerned with creating a theory of how agents act and strategize, and how they practice themselves and their lives and their culture. It is important to note that this work, forming the basis of much of his later work on cultural production, emerges from Bourdieu’s training as an anthropologist and ethnographer. Drawing on his field work in the Kabylia region of Algeria, Bourdieu argues that behavior is never simply a matter of “free will” by an agent and that the world around them, the *structures* around them, structure the agent’s available opportunities and choices for action. These *dispositions* can also be understood as the objective possibilities that the agent’s environment provides. They are *durable* in part because of a continual feedback loop between agents and environment, but also because an agent’s early experiences “become in turn the basis of perception and appreciation of all subsequent experience.”⁵⁷ However, durable is *not* the same as socially determinant in that agents will always only have the dispositions of their habitus while growing up or the class from which they emerge.

56. Ibid., 72; emphasis in original.

57. Ibid., 78.

Different environments can offer difference dispositions. Agents can change environments and adapt to a new habitus. Bourdieu notes that “practices are always liable to incur negative sanctions when the environment with which they are actually confronted is too distant from that to which they are objectively fitted.”⁵⁸ Those negative sanctions might then produce new practices that begin to structure the agent’s body in relation to new material conditions.

The structures that are in operation are both external and internal. They both enable and constrain an agent’s actions. “Structured structures” can be understood as those internalized set of available practices based upon an agent’s interactions with his/her environment—as well as other agents. Cultural existence doesn’t come with a definitive set of rules (although of course some cultures do have certain rules explicitly stated), and so what is internalized are structures that allow for a range of actions and strategies of practice. These strategies-made-concrete-as-practices then structure the structures of the material existence. Think here of Escher’s famous image of the two hands each drawing—and being drawn by—the other.

It is important to note that dispositions are not simply ideas, thoughts, or ideologies, but that they are *embodied*. This is no metaphor. The body is structured, in important ways, by the conditions of existence. Bourdieu, drawing on his fieldwork in Algeria, writes about how the “sense of honour” among one particular group, is “a disposition inculcated in the

58. Ibid., 78; Greenwich Village is a long, long way from Kansas, but also, in some ways, just as far from the Hamptons. What Bourdieu doesn’t really address in his work is the ways in which a single agent’s dispositions and practice can function *across* multiple habitus.

earliest years of life and constantly reinforced by calls to order from the group, that is to say, from the aggregate of the individuals endowed with the same dispositions, to whom each is linked by his dispositions and interests.”⁵⁹ Additionally, Bourdieu demonstrates that “the point of honour is a permanent disposition, embedded in the agents’ very bodies in the form of mental dispositions, schemes of perception and thought...in the form of bodily postures and stances, ways of sitting, looking, speaking, or walking,” and that a “*sense of honour* is nothing other than the cultured disposition inscribed in the body schema and in the schemes of thought...”⁶⁰ Habitus is not only a structure that surrounds the subject but one that is also *practiced* by the subject, mentally and physically. So far, this definition aligns habitus quite strongly with Althusser’s notion of a subject’s relationship to the various Ideological State Apparatuses that work to interpellate them. However, the next clause begins Bourdieu’s move away from the very notion of a subject and toward that of the agent.

“principles of the generation and structuring of practices and representations which can be objectively “regulated” and “regular” without in any way being the product of obedience to rules”

First, let me clarify that when Bourdieu suggests a lack of rules he is specifically addressing the structuralist trap of seeing social interactions as bound by rules in a completely predictable and non-creative way and is in conversation with, specifically, Claude Lévi-Strauss. In particular, he resists Lévi-Strauss’ desire to make a “complete break with

59. Ibid., 15; emphasis in original.

60. Ibid., 15.

native experience and that native theory of that experience” and to apply a set of mechanical laws to social practices.⁶¹ Bourdieu, from his earliest work on, sees social interactions as more complex and creative than structuralist arguments often suppose. He is not indicating that social structures are completely chaotic but that rules of behavior are a *post hoc* creation within any kind of sociological or anthropological study. Even when “the agents’ habitus are perfectly harmonized and the interlocking of actions and reactions is totally predictable *from outside* uncertainty remains...”⁶² Bourdieu suggests that a better term for analyzing the interactions between agents and their environment is that of *strategy*, not only because an agent will always be faced with uncertainty on some level in a social exchange but also because this notion will “reintroduce time, with its rhythm, its orientation, its irreversibility.”⁶³ As performers know, timing is everything. One can adhere to all “proper” and regularized social conventions while still generating a creative response to a situation by adjusting one’s timing.

Bourdieu consistently invokes the idea of improvisation when theorizing how an agent navigates his or her world. This is a regulated improvisation, however, and one that “produces practices which tend to reproduce the regularities immanent in the objective conditions of the production of their generative principle, while adjusting to the demands inscribed as objective potentialities in the situation, as defined by the cognitive and

61. Ibid., 4.

62. Ibid., 9.

63. Ibid., 9.

motivating structures making up the habitus.”⁶⁴ This is another way in which Bourdieu’s theories provide a deeper insight into an agent’s practice than, say Althusser or Marx (both of whom are still valuable on some levels of social behavior, to be sure). An individual agent’s habitus includes the constant flow between cultural dispositions as well as the agent’s bodily dispositions—neurochemistry, physical abilities, etc. The agent remains an agent, regardless of how restrictive social structures might be.

However, Bourdieu also recognizes the power, indeed, the *political* power, of collapsing the social world into that of the natural world. The closer the “correspondence between the objective order and the subjective principles of organization” then the more self-evident, the more “natural,” the social world appears.⁶⁵ If orthodoxy and heterodoxy imply that there is some awareness of alternative or opposing ideas on the part of the agent, *doxa* is Bourdieu’s experience of the experience of near-perfect collapse of the social into the natural so as to eliminate even the possibility of alternatives.⁶⁶ Indeed, the “political function of classifications is never more likely to pass unnoticed than in the case of relatively undifferentiated social formations, in which the prevailing classificatory system encounters no rival or antagonistic principle.”⁶⁷ While specifically addressing these thoughts to a pre-capitalist society and regarding the political field, this recognition of the doxic mode can be

64. Ibid., 78.

65. Ibid., 164.

66. Ibid., 164.

67. Ibid., 164.

mapped, through its homologous functions, onto other fields, including that of theatre. As we will see, part of the antagonism between the members of the Living Theatre and the IRS agents lay in the conflict between the heterodox theatre practitioners and the far more doxic representatives of the law and government power.⁶⁸ For most of us, the very notion of death and taxes is the most natural of structures, with no real room for alternatives or the awareness that these categories might be social categories.⁶⁹ The Living Theatre challenged the latter notion explicitly.

“objectively adapting to their goals without presupposing a conscious aiming at ends or an express mastery of the operations necessary to attain them, being all this, collectively orchestrated without being the product of the orchestrating action of a conductor.”

In the first clause of this statement, Bourdieu makes clear that the agent, even while maintaining agency, does not *necessarily* experience this practice on a conscious level. Just as, for example, human brains use heuristics to catch a baseball instead of formal math or physics to calculate the trajectory of the ball or by sending out a deliberate and isolated series

68. I would argue that the turmoil of the 1960s worldwide was in part due to the breakdown of the doxic mode in the political as the post-war generation’s habitus was markedly different from that of their parents and thus more conducive to an exploration of heterodox ideas on a much larger scale than previously experienced.

69. I am well aware that we all die. However, there are those with heterodox points of view on this seemingly unalterable and natural category who are working to extend human life indefinitely. Additionally there are other organisms, such as the *Turritopsis dohrnii*, a small jellyfish in the Mediterranean that is biologically immortal: in this case cycling from its adult stage back into its immature polyp stage and then growing back into an adult with no known limits on the number of times it can do so. Obviously, my concern here is the “taxes” portion of the phrase and I am not mounting a social critique on the category of death *per se*.

of commands to individual muscles in pursuit of the goal of catching the ball, our practice happens on a pre-conscious, heuristic level. Indeed, in daily practice we may not even be aware of what it is we are trying to “catch” through our actions, or that our actions are anything but self-directed. However, we do not need to imagine a central locus of control either. The structures of habitus do not require a “conductor.” In other words, the systems that structure practice are not to be understood as a necessarily top-down structure with some form of ideological dictatorship establishing every aspect of practice. One way to think through the final clause of Bourdieu’s description of habitus is to understand the idea of emergence. An emergent system is one in which “agents residing on one scale start producing behavior that lies one scale above them.”⁷⁰ For example, “ants create colonies; urbanites create neighborhoods,”⁷¹ and neurons and other structures in the human brain create self-consciousness. Another aspect of emergence is that one cannot predict the “higher scale” behavior necessarily from the lower scale behaviors. There is nothing inherent in neuronal activity that means self-consciousness is going to happen. There is nothing an individual ant can do that will predict the pattern of a colony structure. Another congruence between emergence and habitus is that behaviors are structured by *local* behaviors and circumstances. As Steve Johnson points out, “[w]e see emergent behavior in systems like ant colonies when the individual agents in a system pay attention to their immediate neighbors rather than wait

70. Steven Johnson, *Emergence: The Connected Lives of Ants, Brains, Cities, and Software* (New York NY: Scribner, 2001), 18.

71. *Ibid.*, 18.

for orders from above...[t]hey think locally and act locally, but their collective action produces global behavior.”⁷² Humans are far from exempt from emergent behaviors and there have been a number of studies showing how stable patterns emerge within automobile or pedestrian traffic.⁷³

In sum, while habitus bears some resemblances to, and even overlaps in some ways with Althusser’s Ideology or even Judith Butler’s ideas of gender as performative, we should not mistake one for the other. Habitus, as a “system of durable dispositions” provides us with the language to speak to an agent’s actions as uniquely creative and individual while at the same time bound by structures that, with changes in material conditions, can change as well.

2.3 FIELDS & CULTURAL PRODUCTION

Habitus can be a particularly useful concept when struggling to understand the cultural practices of a homogeneous group as it undergirds daily practice as well as the range of possibilities and strategies an agent may enact within that group. However, as a sociologist, Bourdieu is also aware of the other structures that exist within cultures, especially in more diverse, heterogeneous cultures. Just as one can make the invisible visible by changing

72. Ibid., 74.

73. A few examples of emergent patterns in human behavior can be seen in the following sources: Paul R. Krugman, *The Self-Organizing Economy* (Cambridge MA: Blackwell Publishers, 1996), M. Moussaïd, D. Helbing and G. Theraulaz, “How Simple Rules Determine Pedestrian Behavior and Crowd Disasters,” *Proceedings of the National Academy of Sciences of the United States of America* 108, no. 17 (2011): 6884-8.

lenses—this is a material claim not a metaphorical one, the microscope will not help you see the rings of Saturn and a telescope is useless in examining local microbial life—Bourdieu develops the idea of the Field as a particular lens with which to understand specific social formations. Randall Johnson, one of Bourdieu’s editors and translators offers a clear and succinct definition of this concept:

Agents do not act in a vacuum, but rather in concrete social structures governed by a set of objective social relations...According to Bourdieu’s theoretical model, a social formation is structured by way of a hierarchically organized series of fields (the economic field, the educational field, the political field, the cultural field, etc.), each defined as a structural space with its own laws of functioning and its own relations of force...Each field is relatively autonomous but structurally homologous with the others.⁷⁴

What does Bourdieu mean when he refers to structures as “homologous?” In biology, one standard example can be seen in the following image showing that while the human hand, a horse’s leg, a cat’s paw, a bat’s wing, and a whale flipper all have very different practical applications, they are *all* based on the same structural principles.

74. Johnson, “Introduction,” 6.

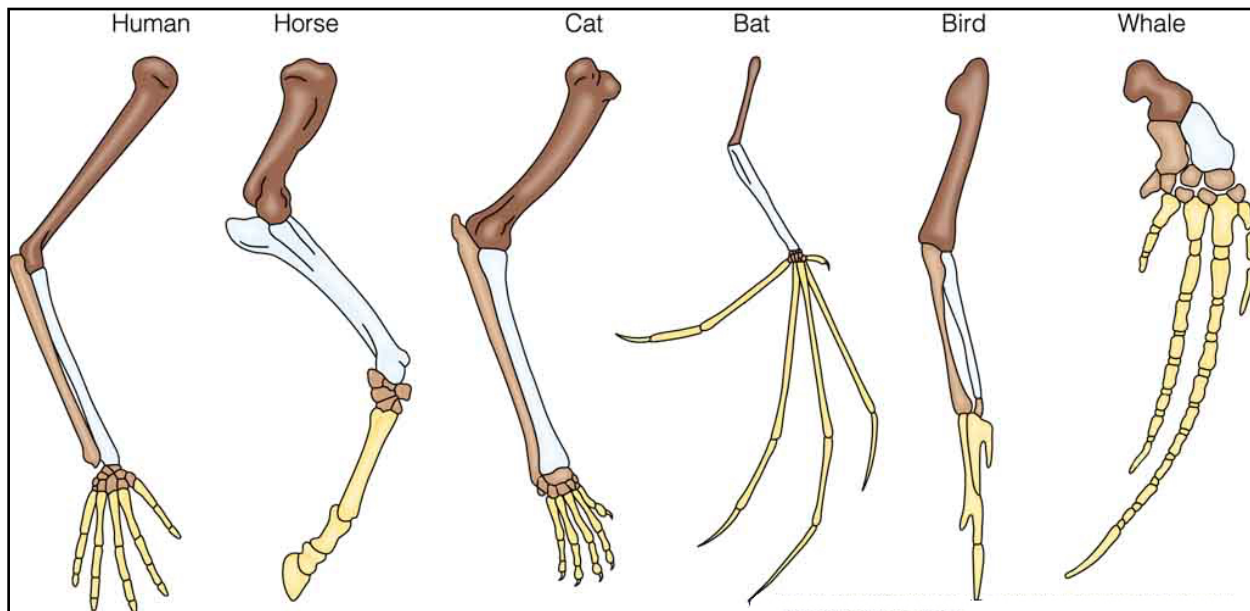


Figure 1: Homologous Bone Structures⁷⁵

The economic field is *not* the literary field *yet* all fields—economic, political, educational, cultural, religious—share a similar bone structure that is composed of power differentials and the continual negotiation between material and symbolic wealth. These “bones” operate within every field, albeit in different ways and through different rules and markers of wealth. Hierarchy exists in every field and is always a matter of keeping a kind of balance between competing forces within each field. Agents are always jockeying for power: to get more, to keep what they have, or to avoid losing whatever they have accrued.

Although Bourdieu’s *The Field of Cultural Production* is perhaps his most well-known book on this subject, *The Rules of Art*, written in 1992, offers a comprehensive examination

75. James S Monroe and Reed Wicander, *The Changing Earth: Exploring Geology and Evolution* (Belmont CA: Wadsworth, 2001), 531.

of how the literary field emerged and is structured. While not examining theatre *per se*, the creation and structure of the literary field offers key insights into the field of theatre production, and specifically avant-garde theatre. To begin with, Bourdieu argues that the literary field *qua* field emerged from the particular material conditions of Paris in the second half of the 19th century. To be clear, this is not an argument that literature began in the second half of the 19th century, but rather literature as its own field, set apart from other fields and with its own set of rules as to who succeeds and who fails that are homologous to, but different from, the economic or political fields. That this period also marked the beginning of the avant-garde is not coincidental, and is one reason why taking the time to examine such beginnings and structures will help ground our understanding of the Living Theatre.

Paris experienced astounding growth during the second half of the 19th century. Of European cities, it was second only to London with the population increasing 57% between 1850 and 1870 alone, while the fifty years between 1850 and 1900 saw over a 100% increase.⁷⁶ Because of the “systemic demolition of the old quarters in Paris and the building of some 85 miles of avenues and boulevards” between 1850 and 1870, Paris was “viewed by many contemporaries as a true sign of “Modernism” and became the model of similar projects in other European cities.⁷⁷ In addition to urban renewal, Paris also saw the rise of

76. Berghaus, Günter, *Theatre, Performance, and the Historical Avant-Garde* (New York NY: Palgrave Macmillan, 2005), 3.

77. *Ibid.*, 5.

modern consumer culture with the creation of massive arcades that contained “the most amazing assembly of commodities ever seen under one roof” as well as housing “salons, restaurants, galleries [and], even reading rooms.”⁷⁸ Along with the development of mass media and advertising, and the strength of the new bourgeois class that emerged after the revolutions in France, Paris served as a hotbed for the new ways in which artists engaged with and against each other and the social structures around them.

Because of the emergence of the *nouveau riche*, industrialists and businessmen amassed fortunes of the kind once reserved for nobility. During this period—and, arguably ever since—the “reign of money [has been] asserted everywhere.”⁷⁹ For artists, this changed some of the basic relationships that had been in place throughout previous eras:

The relationship between cultural producers and the dominant class no longer retains what might have characterized it in previous centuries, whether that means direct dependence on a financial backer (more common among painters, but also occurring in the case of writers), or even allegiance to a patron or an official protector of the arts. Henceforward it will be a matter of a veritable structural subordination which acts very unequally on different authors according to their position in the field.⁸⁰

In other words, as the literary field became more and more autonomous, the responsibility of cultural production shifted away from the elite and into the hands of the literary field itself, which would then appoint its own elite artists, critics, publishing houses, galleries, etc. This

78. Ibid., 11.

79. Bourdieu, Pierre, *The Rules of Art: Genesis and Structure of the Literary Field*, 48.

80. Ibid., 49; While this is not the place to explore some of the key differences between theatre and other fields of cultural production, it is important to note here that the theatre, even by the 1830s, had a slightly different relationship to capital and patronage than, say, artists did in the 18th century and into the first decades of the 19th. I will address some of the ways in which the theatre production differs from art and literary fields in the conclusion of this dissertation.

was possible because of the creation of *markets* as networks of economic influence that created a space for cultural products as commodity.⁸¹ These new markets enabled the idea that one can make a living by making art. However this commodification also created the split within the field between those who made a living by making popular art and the avant-garde, i.e. those who often deferred their economic gains in order to pursue art as a lifestyle. When the latter artists congregated in urban areas, whether in Paris during the latter decades of the 19th century or New York City in the 1950s and 1960s, the field's autonomy was complete, and a genuine "society within society makes an appearance."⁸² As Bourdieu points out, "a society of writers and artists in which scribblers and daubers predominate, at least numerically, has something extraordinary about it, something without precedent, and it gives rise to much investigation, first of all among its own members."⁸³ However, autonomy does *not* mean that the field is completely untouched by other fields (e.g. economics, politics), but that it operates with its own set of rules for how power is distributed among its members. Bourdieu's comments on how autonomy functions are important. One of the autonomous field's major functions that is "always overlooked" is:

...to be its own market. This society offers the most favourable and comprehensive welcome to the audacities and transgressions that writers and artists introduce, not only into their works but also into their existence (itself conceived as a work of art);

81. As well as markets as literal, brick and mortar creations in the rise of the Parisian arcades.

82. *Ibid.*, 55.

83. *Ibid.*, 55; This is another area in which Bourdieu's lack of attention to theatre shows. Given the material conditions of making theatre as well as the social ostracism of theatre practitioners in many cultures and over many eras, theatre folk have regularly created such societies within society. This does not, however, change the fact that different economic fields will produce very different relationships between theatre and other fields, as well who and what kinds of theatre are given greater cultural capital.

the rewards of this privileged market, if they do not manifest themselves in cold cash, have at least the virtue of assuring a form of social recognition for those who otherwise appear (that is, to other groups) as a challenge to common sense. The cultural revolution that gave rise to this inverse world (the literary and artistic field) could only succeed because the great heresiarchs, in their will to subvert all the principles of vision and division, could count if not on the support, at least on the attention of all those who, in entering the universe of art in the process of formation, had tacitly accepted the possibility that everything there was possible.⁸⁴

In a later chapter, we will see that the Living Theatre was quite often dependent upon members of its own field as its primary audience. The more an artist speaks primarily to other artists, the less likely their work is to gain—at least in the short run—widespread acceptance and the more likely they will accrue the respect of their peers and be seen as a pure artist. In other words, such artists will be paid for their work in symbolic capital, a specie that grows in value and produces—over time—dividends that can then be turned into economic capital.

2.4 SYMBOLIC CAPITAL

To paraphrase the Pat Benatar song, art is a battlefield.⁸⁵ It is replete with skirmishes, vitriolic rhetoric, enemies, and alliances. While there are many factions, the two main opposing forces are those mentioned in the epigraph to this chapter: “those who dominate the field economically and politically” and those who see “temporal failure as a sign of election and

84. Ibid., 58.

85. Holly Knight and Mike Chapman, “Love Is a Battlefield,” *Love is a Battlefield* (Single) (Chrysalis Records, September 12, 1983).

success as a sign of compromise.”⁸⁶ In short, it is a war between those with popular success and those who often make up the avant-garde. If ever there was a theatre that saw “failure as a sign of election,” the Living Theatre is that theatre. After all, Julian Beck once wrote that when faced with the choice of paying taxes or making theatre, it “was a matter of insisting on art before money, before risk, before any other obligation.”⁸⁷ Such an attitude would quickly close down a business operating within the economic field of production. Luckily for the Living Theatre, the field of cultural production can actually operate contrary to the economic field. Thus, economic failure can ensure a certain kind of success that will help an artistic organization survive and even prosper. This kind of success occurs through an accumulation of what Bourdieu calls symbolic capital.

Symbolic capital is a kind of sleight-of-hand, a magic trick that, like a funhouse mirror, can turn economic capital on its head. No matter how much an artist or a theatre company wishes to disassociate itself from the economic field, doing so remains impossible: bills always come due, in one form or another. For certain artists who eschew financial success and who place art above commerce, the creation of symbolic capital becomes a necessary trick to master. Symbolic capital is “economic or political capital that is disavowed, misrecognized and thereby recognized....”⁸⁸ Such a disavowal creates a legitimizing discourse that can then become “a ‘credit’ that, under certain conditions, and always in the long run,

86. Bourdieu, *The Field of Cultural Production: Essays on Art and Literature*, 40.

87. Julian Beck, “How to Close A Theatre,” *The Tulane Drama Review* 8, no. 3 (1964): 180-190.

88. Bourdieu, *The Field of Cultural Production: Essays on Art and Literature*, 75.

guarantees ‘economic’ profits.”⁸⁹ Something being “misrecognized and thereby recognized” may seem paradoxical, but consider how a magic trick works. For a magic trick to be recognizable as a magic trick rather than as an interesting exercise in manual dexterity, attention is diverted (disavowed) from the palming of a coin—“nothing up my sleeve”—and drawn to a site that an audience will misrecognize as the place where the magic occurs—“what’s that behind your ear?” Symbolic capital is the field of cultural production’s version of producing coins from behind a child’s ear. Pulling off this particular kind of magic requires a certain kind of discipline and capacity for disavowal that many artists do not possess.

The Living Theatre, on the other hand, was incredibly good at coining its own symbolic capital. Certainly, the company survived for so long because of the dedication and commitment of its founders and company members. However, the company’s ability to generate symbolic capital has played an equally significant part in keeping the Living Theatre alive while other theatre companies—companies with a much larger store of economic capital—have lowered their curtains forever. I will argue that the Living Theatre’s need to build up their mythology is a predictable outcome of their status as an economically disenfranchised theatre. Indeed, as the company’s economic status become more and more unstable, the more Beck and Malina used the symbolic capital that their company had accrued—through their theatre work to be sure, but also through their personal and

89. *Ibid.*, 75.

professional connections and their encounters with the law and the ways in which they framed those encounters.

It is also important to note that symbolic capital is as real as economic capital. Or, to put it another way, is as equally unreal. Both kinds of capital are *markers* of social power. Economic capital materializes as money and other kinds of wealth such as property or stocks, and is easily transferrable and quantifiable. Because of this, economic capital has become the organizing principle for much of the world as other forms of capital don't seem able to scale to global conditions. However the meaning of even economic markers remains arbitrary. In other words, the relation between the physical manifestations of economic capital—bits of paper or parcels of land—and its value is decided upon by agents within the economic field. When addressing the ways that the Living Theatre operates in the economic field, remembering this arbitrary nature becomes key to understanding the approaches that Beck and Malina took toward issues of debt and repayment. As anarchists and anti-capitalists, they did not accept money as anything *but* arbitrary. For them, their work and their art was always infinitely more valuable to the world than any money made or owed. However, one does not have to be an anarchist to understand the arbitrary nature of things that appear natural, perhaps even ontological, to many: the value of money or the respect due a judge, for example.

The ways in which an artist's habitus, the structural elements of their particular cultural field, and the manner in which they accrue and spend capital will all combine to a

unique artistic output that is never strictly reducible to its component parts but that is, nonetheless, an emergent function of those parts. Historians have always realized that to understand the actions of the past one must attempt to enter into the mindset of their subjects, to place them within the particular constraints and opportunities of the time. What Bourdieu offers to both historians and theatre scholars is a set of tools that identify various social and embodied realities. These help us to understand cultural works as not merely a product of individual genius—or as a product of Ideology writ large—but as a complex navigation between and within both individual and social strategies, tactics, and improvisations. Furthermore, the value of these works is never inherent in the works themselves but is attributed to them by all of those working in the fields of cultural production. Even when the creator values the work highly, it takes other agents to legitimize that value.

2.5 MYTH

Economic value is bestowed through a number of mechanisms ranging from stock markets to banking practices, the conversion of labor into production of goods, and the creation of supplies and demands. Symbolic capital relies on other mechanisms, one of which I will name throughout this project as “myth.” I am using this term in a very specific manner that is deeply indebted to Roland Barthes’ conception while not necessarily deploying it as a

strictly semiotic term. Because I am interested in understanding how the Living Theatre trades its symbolic capital against its lack of economic capital, and because symbolic capital is a product of the field itself, the various “truths” about the Living Theatre that have accrued symbolic value operate as the company’s very own myth—a myth that is constituted and reconstituted not only by the members of the company but also by all those who make up the field of theatre production, artists, academics, critics, etc. Perhaps the closest traditional definition of myth that is appropriate here is one of a “popular conception of a person or thing which exaggerates or idealizes the truth.”⁹⁰ I will indeed demonstrate that there are several myths about the Living Theatre that exaggerate or idealize certain moments of its history. However, Barthes moves beyond this dictionary definition to suggest that myth “is a system of communication...a message...a mode of signification.”⁹¹ If myth is a specific kind of discourse, then an inevitable corollary is that myth is “always, in part motivated...” and that this motivation is both “necessary” and “unavoidable.”⁹² In other words, myth does not magically emerge from some invisible aether. It is the product of a motivated discourse that must involve agents. Within the various fields of cultural production, and especially for the avant-garde artists within those fields, myth becomes a tool, a way of speaking about themselves or their works. This way of speaking can help forge symbolic capital.

90. *Oxford English Dictionary*, s.v. “myth,” accessed July 17, 2015.

91. Roland Barthes, “Myth Today,” in *A Barthes Reader*, ed. Susan Sontag (New York NY: Hill and Wang, 1982), 93.

92. *Ibid.*, 112-113.

Using this framework, I am less interested in finding a “gotcha” moment wherein an agent of the Living Theatre is caught in a lie. Rather, I see myth as a structural component to the building of symbolic capital. However, I am also keenly aware that often the function of myth is to naturalize things away from their constructed nature, smoothing over the rough patches of reality and offering up an easier way to contain the world. As Barthes argues:

Myth does not deny things, on the contrary, its function is to talk about them; simply, it purifies them, it makes them innocent, it gives them a natural and eternal justification, it gives them a clarity which is not that of an explanation but that of a statement of fact. In passing from history to Nature, myth acts economically: it abolishes the complexity of human acts, it gives them the simplicity of essences, it does away with all dialectics, with any going back beyond what is immediately visible, it organizes a world which is without contradiction because it is without depth, a world wide open and wallowing in the evident, it establishes a blissful clarity: things appear to mean something by themselves.⁹³

When Bourdieu discusses how symbolic capital can materialize in something like the artist’s signature—I am thinking here of Marcel Duchamp’s readymades—he argues the necessity of a kind collective mis-recognition. The power is not in the artist’s signature but rather in a collective mandate allowing that artist to “perform a magic act which would be nothing without the whole tradition leading up to her gesture” and that would be impossible “without the universe of celebrants and believers who give it meaning and value in terms of that tradition.”⁹⁴ While the passage above tends to personify myth and attribute a kind of agency to the concept itself, it is important to remember that Barthes sees myth as a discourse. Thus, myth is a function of language and is only created through signs that are

93. Ibid., 132.

94. Bourdieu, *The Field of Cultural Production: Essays on Art and Literature*, 81.

transmitted between agents. In the case of the Living Theatre, those agents include Beck and Malina, as well as other stakeholders within the field of theatre production. Myth, in both the traditional dictionary sense and Barthes more nuanced version, seems a useful concept in helping spur on those “celebrants and believers” to inflate the value of certain actions that, in their historical facticity, might not be nearly as valuable to either the field or the artist.

Chapters four and five examine how such an inflation occurs in any number of discourses about the Living Theatre, from Robert Brustein’s claim that the company was shut down by a government conspiracy, to the not-very-subtle suggestions by Beck and Malina that they were targeted by the government specifically because of their company’s politics, to John Tytell dismissing any evidence of Julian Beck’s involvement in the IRS decision to seize Living Theatre property, and to Michael Feingold’s assertion in 2015 that it was the politics of *The Brig* that caused the IRS to “suddenly discover...that the Living Theatre owed back taxes,” and to “padlock...its 14th Street theater.”⁹⁵ The events of the Living Theatre’s closing in 1963 have, for the most part, passed “from history to Nature.” After all, what is more natural than the theatre dedicated to the anarchist-pacifist revolution to be closed by closed-minded government officials? When an avant-garde, anti-capitalist theatre group dares to put the U.S. military on trial and suddenly the IRS closes them down, understanding the two actions as causal just *feels* right. And those stories that feel right, that erase “the complexity of

95. Michael Feingold, “Judith Malina and the Award-Season Rush, Part 1.” TheaterMania.com, May 29, 2015.

human acts” and give “them the simplicity of essences,” are *valuable* currency in the exchequer of symbolic capital.

3.0 BUILDING A THEATRE

Wanting a different theatre worthy of what we really are, expecting that the theatre will change, but what we really want is that we change, that in conjunction with one another we all change, and in changing, change the world.

—Julian Beck, *The Life of the Theatre*

Theatre has always been a relatively costly enterprise. The mobilization of performers, technicians, and audiences into shared spaces for a duration of time involves a variety of costs for both theatre makers and audiences alike. Even the poorest of theatres is never free from the economic structures of the surrounding culture. Most theatres, even experimental ones, recognize the necessity of building a theatre as a business, of balancing books, of playing by the economic rules that privilege financial success as the standard for a continued existence and recognition as a good and responsible institution.

The Living Theatre is *not* one of those theatres.

Malina and Beck were not communists and, as self-proclaimed anarchists, did not have a particular economic plan for their utopian world, but they were defiantly anti-capitalist. They were also pragmatists and understood that they needed money to run their theatre. Still, they continually pushed against capitalist constraints and “proper” business

etiquette, and attempted to turn the tools of capitalism to their own benefit. Beck, throughout his life, referred to the capitalist demands for obedience to profit above all else in a personified term: Mammon. Beck's fondness for the word came, perhaps, from Milton's description of Mammon as one of the fallen angels in his *Paradise Lost*: "Mammon, the least erected Spirit that fell / From Heaven; for even in Heaven his looks and thoughts / Were always downward bent, admiring more / The riches of heaven's pavement, trodden gold, / Than aught divine or holy else enjoyed / In vision beatific."⁹⁶ Throughout its history, the Living Theatre placed formal experimentation, political sincerity, and artistic honesty above all else. This does not mean that the company was or is somehow magically exempt from the realities of capitalism, realities that are inherently antagonistic toward making a living as an artist. No field is completely unaffected by the economic field, even if operating in such a way that the "artist cannot triumph on the symbolic terrain except by losing on the economic terrain (at least in the short run), and vice versa (at least in the long run)."⁹⁷ For the avant-garde artist, Bourdieu notes that it "is this paradoxical economy that gives inherited economic properties all their weight...and in particular a private income, the condition of survival in the absence of a market."⁹⁸ The Living Theatre began in 1947. It staged its first full-length production in 1951. Between those two events Julian Beck inherited \$6000. As

96. John Milton, *Paradise Lost* (Project Gutenberg, 1992), <http://www.gutenberg.org/cache/epub/26/pg26-images.html>; Milton further writes that "By him first / Men also, and by his suggestion taught, / Ransacked the centre, and with impious hands / Rifled the bowels of their mother Earth / For treasures better hid." This seems even more apt now than in 1667 as we face the consequences of a dependence on fossil fuels.

97. Bourdieu, Pierre, *The Rules of Art: Genesis and Structure of the Literary Field*, 83.

98. *Ibid.*, 83.

he wrote in “How to Close a Theatre,” “I had some money, six thousand dollars which an aunt had left me, and with that we finally formally launched The Living Theatre...”⁹⁹

Just what did that \$6000 mean at the time? When planning their theatre in 1947, the U.S. average weekly pay was \$50 and you could buy a pound of bacon for between 55-79 cents, a dozen Grade A large eggs for between 59-75 cents, and a full pound of butter for between 79-89 cents.¹⁰⁰ In 1947 you could buy a home in Queens for \$11,990. This was no mere hovel, but a “dream house” with living room, dining room, 1.5 bathrooms, a master bedroom, massive closets, and a garage.¹⁰¹ Or, if you’d rather buy a five-story walkup in Greenwich village with 30 small apartments and become a landlord, you could do so for only \$20,000 down and a total of \$105,000.¹⁰² If you didn’t want to buy, you could rent a penthouse in mid-town Manhattan for \$600 per month.

Beck’s \$6000 would equal, in 2014 dollars, \$65,036. That is not a huge amount to start and run a theatre, but it gave Malina and Beck the ability to rent theatre space and produce an ambitious first season, even if, by the end of that season they were in significant debt. That initial \$6000 would be a drop in the bucket compared to the costs incurred while running a theatre company for nearly 70 years, but to understand the Living Theatre’s longevity and symbolic capital it is necessary to understand that the company’s survival

99. Beck, “How to Close A Theatre,” 181.

100. Jane Nickerson, “News of Food,” *New York Times* (1947): 18.

101. “Ad,” *New York Times* (1947): 2R.

102. *Ibid.*

strategies were not, in the end, mysterious. Perhaps the Living Theatre could have started without that fortunate appearance of an inheritance, but it is a simple fact that without access to money, the company could not have staged productions.

In this chapter, I argue that the Living Theatre's early years demonstrate the company's ability to transmute that \$6000 into a reserve of symbolic capital; that, while Malina and Beck were certainly *necessary* for the specific configuration of avant-garde theatre that was the Living Theatre, they are not, in the end, *sufficient* in and of themselves for either its creation or its longevity.¹⁰³ These years also reveal a company that was operating on a level of aesthetic accomplishment that scholars rarely value because, for the most part, the work done between 1951 and 1963 has been overshadowed by the radical, political, and devised work for which the Living Theatre would become a synecdoche. Because few people are aware of the company's repertoire during that time, or know much about how the Living Theatre was regarded by its critics and audiences, I use its productions to foreground my discussion of its growing stature as an avant-garde theatre company. I will not necessarily attend to every production, but will discuss many of them, and attempt to give a sense of the play, some relevant production elements, and reception. However, before moving on to the plays I first

103. However, given the scope of this project, I will focus mostly on the practices, actions, rhetoric, performances, and representations of Judith Malina and Julian Beck. I do this for several reasons. First, as the founders of the company as well as the officers of the corporate entity Malina and Beck exercised tremendous control over the business and artistry of the Living Theatre. Second, while the company survived the loss of Julian Beck in 1986, and while it appears to be continuing after Judith Malina's death as well, within my focus on the first thirteen years of the company's existence, there is no question that the Living Theatre was Malina's and Beck's company and their leadership was undeniable and unquestioned. Finally, as a practical matter, Malina and Beck have left a great many documents regarding their work and their lives which will help to establish certain aspects of their habitus and experiences within the theatrical field during this time.

want to give a bit more contextual background to New York City in the 1950s, as well as providing some brief biographical information about Malina and Beck.

3.1 NEW YORK CITY

When Malina and Beck met as young adults and began to plan the Living Theatre, New York City was going through a variety of changes. Europe's need to rebuild and recover from the material, political, and emotional devastation of World War II meant that, for the first time, an American city was seen, by many, as *the* artistic and cultural capital of the world. Leonard Wallock notes that, "[a]s early as the turn of the century the Statue of Liberty and Manhattan's rising skyline had proclaimed the city's greatness, but not until the decades after 1949 did New York achieve the cultural influence to match its political and economic stature."¹⁰⁴ During this time "New York witnessed a period of intellectual ferment and artistic creation unsurpassed in the history of the modern city."¹⁰⁵ This period and this place produced a stunning array of cultural works, including *Invisible Man* by Ralph Ellison, Lorraine Hansberry's *A Raisin in the Sun*, Allen Ginsberg's *Howl* and Kerouac's *On the Road*; John Coltrane's *Blue Train* was released in 1957 while Mile Davis' *Kind of Blue* was recorded in 1959, which was the same year that the Guggenheim moved into its newly built, iconic

104. Leonard Wallock, "Introduction," in *New York: Culture Capital of the World, 1940-1965*, ed. Leonard Wallock (New York NY: Rizzoli, 1988), 9.

105. *Ibid.*, 9.

building designed by Frank Lloyd Wright. During this time, John Cage and Merce Cunningham both came to prominence, as did the works of Jackson Pollack, Mark Rothko, and Willem de Kooning. The fecund nature of New York's artistic scene was in large part because the city "became the site of numerous cultural enclaves in which intellectuals and artists of diverse schools and persuasions intermingled."¹⁰⁶ Bradford Martin notes that a "striking aspect of New York's cultural scene in the fifties was the extent to which artistically inclined individual's reached out to one another across media."¹⁰⁷

This intermingling became a prime factor in the strength of New York's artistic culture. Not only were artists in conversation with each other through their art, but they were also in conversation with each other in bars like the White Horse Tavern, the San Remo, and the Cedar Tavern. Ronald Sukenick writes of seeing Paul Goodman, Miles Davis, John Cage, Merce Cunningham, Jackson Pollack, Dorothy Day, James Agee, Allen Ginsberg, Jack Kerouac, Judith Malina, and Julian Beck, among many others, at the San Remo.¹⁰⁸ If mainstream America was buttoning itself up within cold war constraints,¹⁰⁹ the artists of New York were gathering in Greenwich Village to explore new artistic ideas, new forms, and to make works that were informed by the vibrant Bohemian scene.

106. *Ibid.*, 11.

107. Martin, *The Theater Is in the Street: Politics and Performance in Sixties America*, 55.

108. Ronald Sukenick, *Down and In: Life in the Underground* (New York NY: Beech Tree Books, 1987), 36-37.

109. See McConachie, Bruce A., *American Theater in the Culture of the Cold War : Producing and Contesting Containment, 1947-1962* (Iowa City IA: University of Iowa press, 2003).

There were, of course, other groups of people making their mark on the city. The 1940s and 1950s saw shifting demographics in the city's population. While "there were 61,000 native Puerto Ricans in New York City in 1940, their number had increased a remarkable sevenfold to 430,000 by 1960."¹¹⁰ Additionally, the U.S. experienced an influx of Cuban immigrants, with close to 90,000 entering the country and splitting the bulk of their populations between Miami and New York City.¹¹¹ During this same period, the city also saw a dramatic rise in its African-American population, from 485,000 to 1,088,000, as well as the creation of the modern suburbs, to which many of the white middle-class fled.¹¹² The intermingling of arts and cultures during this time was also happening as the city itself was changing. Money from the post-war boom meant that:

Beginning in 1954, Manhattan witnessed a construction boom that "dwarfed the building spree of the 1920s" and the immediate postwar years. This time both midtown and downtown were on the rise. Most of the 33.6 million square feet of office space completed between 1947 and 1960 were finished during the final four years of the 1950s. Another 11 million square feet were added in 1960 and 1961.¹¹³

The spending was vast but often targeted toward a rising corporate class. The Seagram Building, for example, was completed in 1958 and cost \$36 million. As Benjamin Flowers points out, it "is worth noting...that the building was not mortgaged, but paid for in cash

110. Lenoard Wallock, "New York City: Capital of the Twentieth Century," in *New York: Culture Capital of the World, 1940-1965*, ed. Leonard Wallock (New York NY: Rizzoli, 1988), 30.

111. Christina D Abreu, *Rhythms of Race: Cuban Musicians and the Making of Latino New York City and Miami, 1940-1960* (Chapel Hill NC: University of North Carolina Press, 2015), 3.

112. Wallock, "New York City: Capital of the Twentieth Century," 30.

113. Lenoard Wallock, "New York City: Capital of the Twentieth Century," in *New York: Culture Capital of the World, 1940-1965*, ed. Leonard Wallock (New York NY: Rizzoli, 1988), 43.

from the company coffers.”¹¹⁴ However, this money was not distributed equally. As the city moved into the 1960s, it entered a severe economic crisis that would last over a decade. By 1964, the year that the Living Theatre chose to go abroad and explore greener, European pastures, “one New Yorker in five was living in poverty: whites made up more than 50 percent of the poor, blacks (who amounted to 14.7 percent of the population) composed 29.2 percent, and Puerto Ricans (who represented 7.9 percent of the population) constituted 18.8 percent.”¹¹⁵ But throughout the 1950s, the city was surging with capital and culture.

If the Seagram Building was, in part, “an index of the rising prosperity of the nation and the strength of American capitalist democracy,”¹¹⁶ that sense of optimism and feel-good spirit was also finding a fertile seed bed on the stages of New York’s Broadway theatre, at least in the form of musical theatre. In a slightly sour take on the state of Broadway as a whole, Richard Gilman’s overview of theatre in the 1950s notes that:

...the decade began with two big hits: *Call Me Madam*, and *Guys and Dolls*. The next year brought *The King and I*, after which Broadway was relatively quiet for a couple of seasons, until *The Pajama Game* (1954) and *Damn Yankees* (1955). Then the decade hit its full stride with (in 1956 alone) *Bells Are Ringing*, *The Most Happy Fella*, and *My Fair Lady*. The success continued to the end of the decade with *West Side Story*, *The Music Man*, and (in 1959 alone) *The Sound of Music*, *Gypsy*, and *Fiorello!*¹¹⁷

114. Benjamin Sitton Flowers, *Skyscraper: The Politics and Power of Building New York City in the Twentieth Century* (Philadelphia PA: University of Pennsylvania Press, 2009), 99; If there is any doubt that the 1950s began the shift, at least in the United States, into modes of postmodernism and late capitalism, Flower’s goes on to demonstrate that “the Seagram Building was engaged in the construction of both a business entity and a particular way of life” (100).

115. Wallock, “New York City: Capital of the Twentieth Century,” 46.

116. Flowers, *Skyscraper: The Politics and Power of Building New York City in the Twentieth Century*, 99.

117. Richard Gilman, “The City and the Theater,” in *New York: Culture Capital of the World, 1940-1965*, ed. Leonard Wallock (New York NY: Rizzoli, 1988), 196-197.

While Gilman may be ignoring the ways that some of these musicals contain fault-lines of dis-ease with the dominant political and media discourses, he is also ignoring that the 1950s also saw productions of *An Enemy of the People* as adapted by Arthur Miller and a run of over 300 performances of Tennessee Williams' *The Rose Tattoo*; that 1956 season saw nearly 400 performances of *Long Day's Journey into Night*, and a short run (24 performances) of *The Good Woman of Setzuan* directed by Eric Bentley. In 1959 alone, Broadway produced the Elia Kazan directed *J.B.* and the Harold Clurman production of *Heartbreak House*. Certainly many of these non-musicals ran for considerably fewer performances than the popular shows, but the decade was not, as Gilman suggests, a total loss.

However, and more importantly for the Living Theatre, this period witnessed the creation of off-Broadway as a structural force within the field of theatre production in New York City—a force that became a legitimate enclave of theatre that would go on to shape the narrative of theatre history in the United States. Thus, the Living Theatre's early years took place within a field that was in flux, building new structures for the production of theatre, and providing new affordances for its agents. While it would be easy to see the formation of the Living Theatre as a simple act of will by Malina and Beck, Bourdieu sensitizes us to the fact that the field itself structures the available positions. The Living Theatre was possible, in large part, because the off-Broadway theatre movement was just then coming into existence.

The beginnings of off-Broadway as an artistic and conceptual force within New York theatre are often traced to the Circle in the Square's production of Tennessee Williams'

Summer and Smoke with Geraldine Page in 1952. However, as early as 1948, a few small theatre companies began to form in the downtown area. These included companies such as New Stages, Interplayers, Off-Broadway, Inc, and Studio 7. Picking up a legacy left fallow with the demise of the small theater movement from the 1910s and 1920s, by the summer of 1949, five of these new organizations came together to form the Off-Broadway League of Theatres with the position that there was an “obvious inability of the existing commercial theater to provide a place for serious young theater people.”¹¹⁸ Thomas Gale Moore reinforces this idea in his economic history of theatre in the U.S., noting that the movement was created, in part due to the frustration of artists who “found their way blocked on Broadway by fierce competition”¹¹⁹ Proposing a more utopian vision of its development, Stuart Little writes that off-Broadway was “a state of mind, a set of production conditions, a way of looking at theater at every point at odds with Broadway's patterns.”¹²⁰ José Quintero, founder and artistic director of Circle in the Square Theatre, spoke of off-Broadway’s beginnings as an attempt to create a “sense of belonging” in contrast to the work created by that “migrant pack...[of] Broadway producers.”¹²¹ The subtext of both Little’s and Quintero’s claims is that off-Broadway was a “purer” set of practices, more concerned with the actual *art* of theatre

118. Stuart W Little, *Off-Broadway: The Prophetic Theater* (New York NY: Coward, McCann & Geoghegan, 1972), 41-42.; There is no evidence in the collections I have examined that the Living Theatre was part of this organization or that this particular league made contact with Beck and Malina.

119. Thomas Gale Moore, *The Economics of the American Theater* (Durham NC: Duke University Press, 1968), 16.

120. Little, *Off-Broadway: The Prophetic Theater*, 14.

121. Jose Quintero, quoted in Little, *Off-Broadway: The Prophetic Theater*, 43-44.

than with the pursuit of economic gain. This battle to establish a new set of practices is identified by Bourdieu as central to the history of various fields of cultural production, marking the struggle between “the dominant figures, who want continuity, identity, reproduction” and “the newcomers, who seek discontinuity, rupture, difference, revolution.”¹²²

If Little’s definition elides the commercial necessities of even off-Broadway theatre, the new scene did offer material differences in production and different affordances to small theatre organizations and younger theatre practitioners than those available to artists working on Broadway. Smaller houses, fewer costs in general, and even a new Equity rate of pay made producing off-Broadway shows a possibility for those who could never afford to mount a Broadway production. Even the label “off-Broadway” helped to create an identity for these smaller theatres. While not necessarily an artistic school, the concept of off-Broadway was analogous in some ways to the labeling of an artistic school, serving as what Bourdieu identified as a set of classifying tools that are “produced in the *struggle for recognition* by the artists themselves or their accredited critics” and that “function as *emblems* which distinguish galleries, groups and artists and therefore the products they make or sell.”¹²³ By the mid-1950s, the downtown theatre scene was heavily covered by the newly created *Village Voice*, which also created the Obie Award in 1955 to honor off-Broadway theatre. The Living

122. Bourdieu, *The Field of Cultural Production: Essays on Art and Literature*, 106; This struggle would be recapitulated with the development of off-off-Broadway and, later, the development of fringe festivals.

123. *Ibid.*, 106; emphasis in original.

Theatre was, especially during its time at the 14th Street location, viewed as an important player in the off-Broadway scene, winning a number of awards including Obies for Best Actor (Warren Finnerty, *The Connection*), Best New Play and Best Overall Production (*The Connection*) in 1960, Best Actor (Khig Dhiagh, *In the Jungle of Cities*) and Best Music (Teijo Ito, *In the Jungle of Cities*) in 1961, Best Actor (James Earl Jones, *The Apple*) in 1962, Distinguished Performance (Joseph Chaikin, *Man is Man*) in 1963, and Best Direction (Judith Malina, *The Brig*), Best Design (Julian Beck, *The Brig*), and Best Production (*The Brig*) in 1964.

However, even as the Living Theatre was consistently seen as producing some of the best off-Broadway works by the early 1960s, off-Broadway itself had developed from a new-born *enfant terrible* that was almost entirely ignored by the uptown theatre critics and that allowed for relatively low economic seed capital, to a rapidly growing cultural and economic force by the end of the decade. In 1953, the season after *Summer and Smoke* brought off-Broadway to the attention of the dominant institutions of theatre production in New York City, 17 shows opened in off-Broadway spaces. By the 1961-1962 season that number had risen by nearly 800% to 134 productions.¹²⁴ Off-Broadway was growing and growing rapidly, attracting not only artists, but investors and money:

In the season of 1958-59 Variety estimated the total amount of investor money that had gone into the making of the period's seventy-six productions and came up for the first time with a total that exceeded \$1,000,000. There were now some thirty off-Broadway theaters where only a handful existed a few years before, and off-Broadway

124. Moore, *The Economics of the American Theater*, 17-18.

was beginning regularly to send out its hardest and most news-worthy productions on tours, usually limited to a few key cities or college towns having aware theater audiences. By this time *The New Yorker* had designated a special critic for off-Broadway.¹²⁵

One-off producers began looking to cash-in rather than build a life in the theatre. These behaviors led to an increased emulation of Broadway models (to the frustration of many of the original off-Broadway artists), and by the mid-1960s, many of the companies began to struggle financially due to the “inexorable rise of production costs.”¹²⁶ In the course of a decade, off-Broadway had become its own institution, with its own dominant figures seeking “continuity, identity, [and] reproduction.”¹²⁷

Because of these increasing production costs, the continued increase in property costs throughout the decade, and the rising costs of living, the Living Theatre, operating in debt at the best of times, struggled more and more to make ends meet. Even before they reached the end of their economic tether in 1963, the company had cut back on its productions significantly, returning from their 1962 European tour to the realization that they could no longer afford to produce multiple shows in repertory. As I will discuss in the next chapter, the Living Theatre’s ability to manage its debts was formidable and Julian Beck’s ability to rearrange the deck furniture on an economically sinking ship was masterful. However, the pace of economic growth and economic *costs* of producing overtook the Living Theatre’s capability to produce theatre under the aegis of off-Broadway. Added to the lack of popular

125. Little, *Off-Broadway: The Prophetic Theater*, 105.

126. *Ibid.*, 229.

127. Bourdieu, *The Field of Cultural Production: Essays on Art and Literature*, 106.

support that theatre enjoyed in New York City and the acclaim and support it had gained on its European tours, it is not surprising that by 1963 the company was considering a radical shift in its production practices. Off-Broadway may have created the conditions of the Living Theatre's early success, but it also created the conditions of the company's departure from the city.

3.2 JUDITH MALINA AND JULIAN BECK

If John Tytell's book *The Living Theatre: Art, Exile, Outrage* succeeds at anything, it is in painting a detailed portrait of Julian Beck's and Judith Malina's artistic, political, and sexual passions. I will not rehearse such biographical details here, but there are some important elements of their lives prior to starting the Living Theatre that have direct bearing on how the two were situated to both start their theatre company and to keep it going throughout the years.

Judith Malina's trajectory in life, one of theatre and politics, began even before she was born. Her mother, Rosel Malina (née Zamojre) loved the theatre, trained as an actress, and desperately longed to work with Erwin Piscator.¹²⁸ Her life was changed, as Judith Malina shared in one interview, while working in her parent's dry goods store in Kiel: "this young rabbinical student got caught in the doorway in the rain and my mother let him in

128. Judith Malina, "Interview with Judith Malina," *Goodie Magazine*, no. 36 (2008).

and they fell in love.”¹²⁹ Max Malina, in the words of his daughter, was “an...idealistic young rabbi,” and because it “was in those days unthinkable that a woman could be both a rabbi’s wife and an actress,” Max and Rosel, “agreed that Rosel would give up her dream of the theatre, but that they would have a daughter who would become an actress...”¹³⁰

From a young age, Malina’s life blended politics and performance. When the family moved to New York City in 1928, her father began a congregation of German Jews as well as a small newspaper called the *Jewish Zeitgeist*. As the Nazis rose to power, he began to work tirelessly toward raising awareness of what was happening in both Germany and Poland. He formed a number of committees of well-known Jewish men and women to put pressure on the U.S. government to allow more immigration of Jewish refugees. As a young girl, Malina “was taught to recite very touching German poems about the plight of the German Jews, which was [her] father’s dedication: to try to make American Jews understand what was happening over there.”¹³¹ In a diary entry from 1948, Malina remembered her father, who died when he was forty-two and Malina was twelve, as a man who “gathered with the famous, conferred with the rich and the great, formed committees with congressmen, with Einstein, campaigning to convince Roosevelt to raise or suspend the immigration quotas,” but who also “lived in discreet poverty, veiled by a refinement that forbade even a moment of

129. Ibid., 8.

130. Judith Malina, *The Piscator Notebook* (New York NY: Routledge, 2012), Kindle, 3.

131. Malina, “Interview with Judith Malina,” 8.

coarseness.”¹³² Malina further noted that “the brevity of his life and the suddenness of its end have set before me the specter of death, making me aware of how little time there is.”¹³³ His death also meant that Malina and her mother became even poorer, living in increasingly smaller apartments and rooms, and continually struggling to make ends meet.

In addition to her poetry recitals, the young Malina would also spend time living at the Broadway Central Hotel on Broadway and Third Street, a place that, as a child, she would play in with her friend Rachel Falk, exploring the “maze of marvelous spaces” replete with “chandeliers and couches and mantelpieces and sculptures and everything that one could imagine to put into a child’s head as a romantic setting.”¹³⁴ The two girls would play at “pirates” or “kings and queens and princesses or we would be kidnappers—one of us the kidnapped and one of us the kidnapping gang—and we had wonderful, very theatrical experiences there.”¹³⁵ Malina also recalled watching her mother recite poetry, at the time the only performance available to her mother after giving up her acting dreams and that her

132. Malina, *The Diaries of Judith Malina, 1947-1957*, 30-31.; In an interview with *Goodie*, a small self-published magazine put out by Foxy Kidd and Romy Ashby, Malina also notes that her father “did another kind of work, which was peculiar. He would go around the country visiting elderly Jewish ladies and gentlemen, and marry them to young kids who were about to be in concentration camps. Because if they had an American marriage plus money—and I think the money was more the motive than the marriage—they could be liberated. He would arrange these marriages, explaining to people that this was really a sacred act, that they weren’t doing something terrible in marrying a boy of 18 or 28: ‘You, Mrs. Schpitz of 84 years old, you don’t intend to get married again, and it is no dishonor to your deceased husband if you rescue this boy, and then you will divorce him, of course, and he will be liberated.’ it was not marriage that we would think of as marriage, but something to save somebody’s life by signing some papers:” Malina, “Interview with Judith Malina,” 10.

133. Malina, *The Diaries of Judith Malina, 1947-1957*, 31.

134. Malina, “Interview with Judith Malina,” 6.

135. *Ibid.*, 6.

mother was “magnificent.” These recitals made a deep impression on Malina and she drew inspiration from her mother’s performances throughout her life.¹³⁶ Looking at her early life, it is no wonder that by the time Malina was 17, she had fallen in love with theatre as well as being deeply political. If there was any place for this combination to be nurtured in New York City—if not all of the U.S.— it was at Erwin Piscator’s Dramatic Workshop. The two years that Malina spent there as a student were formative for her development as a theatre artist and understanding even a little of that experience goes a long way to understanding the Living Theatre.

The workshop provided an intensive training across theatre studies as well as practical experiences, and was the initial training grounds for a number of major performers including Marlon Brando, Harry Belafonte, Rod Steiger, Walter Matthau, Jerry Stiller, Ben Gazzara, Bea Arthur, Elaine Stritch, and Tony Curtis.¹³⁷ Malina joined the Workshop in 1945, at the age of 18. She auditioned for, and was granted, a \$500 scholarship to cover half of the \$1000 tuition fee. She worked two jobs to save up the other half of the school’s tuition: during the day she worked at a laundromat and at night she was a waitress and hatcheck girl at Valeshka Gert’s Begger Bar.¹³⁸ While she began in the acting track, she convinced Piscator, despite some of his sexist reservations about women in theatre, to let her into the director’s course. She noted in her diary that his reluctance “means that I must work all the harder, catch up

136. *Ibid.*, 14.

137. Malina, *The Piscator Notebook*, 30.

138. *Ibid.*, 31.

on the reading, and at the same time keep a high standard in my acting work.”¹³⁹ But the opportunity was worth it as she was able to “study not only acting, but stage design, theatre management, lighting, and, above all, take invaluable directing classes with Piscator.”¹⁴⁰

Her classes in that semester included dance, make-up, acting, costume design, directing, voice, stage design, artistic styles throughout the ages, and the history and sociology of theatre, as well as courses in criticism and on the current Broadway season. Students were also always involved in productions for their “March of Drama” class, which consisted of both scene-work and full productions of plays. Classes started at 10 am and would go until 10 pm—longer if students were in rehearsals for a “March of Drama” play. Malina only kept her diary of that first semester for three months, February 5 to April 27, as she then became too busy with classes and production to keep a regular journal.¹⁴¹ However, in just that short period of time, the plays that she saw, read, or work on included *Candida* (George Bernard Shaw), *Lazarus Laughed* (Eugene O’Neill), the opera *Jacobowsky and the Colonel* (Giselher Klebe), *A New Way to Pay Old Debts* (Philip Massinger), *Bury the Dead* (Irwin Shaw), “The Happy Journey from Trenton to Camden,” (Thornton Wilder), *Twelfth Night* (Shakespeare), *Waiting for Lefty* (Clifford Odets), “He Ain’t Done Right by Nell” (Wilbur Braun), *Electra* (Sophocles), *Medea* (Euripides), *Fuente Ovejuna* (Lope de Vega), *The Great God Brown* (Eugene O’Neill), *The Second Shepherd’s Play*, *The Caucasian Chalk Circle*

139. Ibid., 42.

140. Ibid., 42.

141. Ibid., 123.

(Bertolt Brecht), *Lysistrata* (Aristophanes), *The Imaginary Invalid* (Molière), *Mourning Becomes Electra* (Eugene O'Neill), *Electra* (Euripides), *Peer Gynt* (Henrik Ibsen), *R.U.R.* (Karl Čapek), and *The Importance of Being Earnest* (Oscar Wilde).

Malina's *The Piscator Notebook* clearly establishes that she was remarkably well trained as a theatre practitioner with a breadth and depth of knowledge about theatrical practice, dramatic structure, and theatre history. It is sometimes easy to forget the caliber of her training from within the hue and cry of her political and radical work, but make no mistake about it: Judith Malina's career in the theatre began after attaining levels of knowledge in theory, history, and experience that would match, or exceed, many current MFA students.

Julian Beck came from a much different background. Born in 1925, he grew up with far more privilege and protection from the world and would go on to attend the Horace Mann prep school and then Yale for a short time. His father owned a successful motorcycle parts business and Julian was raised in a life of relative privilege and culture. At six, he attended his first opera at the Met (*Hansel and Gretel*) and by eleven, he started logging all of the theatre, opera, and dance performances he attended. By his teens, Beck acted regularly in school plays and began writing his own plays and poetry that were done "in the manner of his favorite poets, the sensuous Keats and the idealistic Shelley."¹⁴² Starting Yale in 1942, Beck continued pursuing theatre and writing during his brief time there, writing a drama column for the Yale *Daily News* during the spring of 1943. Yet, while Beck was certainly involved

142. Tytell, *The Living Theatre: Art, Exile, and Outrage* (New York NY: Grove Press, 1995), 13.

with and interested in theatre, his primarily artistic focus was on painting. Upon his withdrawal from Yale, he moved back to New York City to live with his friend Bill Simmons, spend time with his new girlfriend, Judith Malina, and to concentrate on his work as a painter. After a summer in Provincetown and spending time within a circle of writers and artists that included Tennessee Williams, Paul Goodman, Charles Henri Ford, Hans Hofman, and Jackson Pollack, Beck was invited to show some of his work in Peggy Guggenheim's gallery Art of the Century—the same gallery that had shown artists such as Robert Motherwell and Jackson Pollack.

The relationships Beck built through his connections in the art world would be hugely important for the longevity of the Living Theatre over the years. Not only were the de Koonings on the Living Theatre's advisory board for many years, but they, along with a number of other artists would be instrumental in helping raise money for the company's 1961 European tour by donating their works to a benefit auction. Beck's relationship to art and painting would also mark his work as a scenic designer throughout the first thirteen years of the Living Theatre. One only has to look at the images from shows such as *Doctor Faustus*, *Age of Anxiety*, or *In the Jungle of Cities* to see Beck's abstract painterly influence.

One final note of a biographical nature: while I have no interest in psychoanalyzing Beck or Malina, it is impossible to abstract their lives and their work away from their sexuality. This is especially true for Beck as he had been, from a very young age, aware that his sexuality was not “normal.” Beck's sexuality not only had a bearing on his habitus, but

also on the very fact that he was never called up for service in WWII since “an immediate consequence of his leaving Yale was that he was called for a physical by his Manhattan draft board”¹⁴³ and in the interview Beck admitted that he was attracted to men and was thus classified as 4F.¹⁴⁴ To deny that these experiences, and the fact that his parents talked him into seeing a psychiatrist in an attempt to turn him “straight,” would be to ignore a central element of his lived experience. I do not highlight Beck’s (or Malina’s) sexuality within this project although a queer reading of the Living Theatre and its work is certainly worth considering. However, Beck’s bisexuality is not negligible and should be kept in mind as part of his habitus and his aesthetics. So, too, should the fact that Malina and Beck shared what would now be called a polyamorous relationship. There is no doubt that the two were partners in every single sense of the word, physically, creatively, and emotionally. There is also no doubt that they had other lovers and were open with each other about it. Toward the end of Beck’s life, they were both seriously committed partners with Hanon Reznikov and Beck knew that Reznikov would be Malina’s artistic and life partner after his death. More than merely providing sexual anecdotes, these relationships demonstrate deeply held and passionately performed behaviors that connect how Malina and Beck lived with their philosophical and aesthetic beliefs.

143. Ibid., 14.

144. Ibid., 14.

3.3 THE SHOWS

The following discussion of the Living Theatre's work presents a picture of the Living Theatre during a period of its history that has been too often ignored. I focus on the artistic works in this chapter for two reasons. The first is because the majority of these plays have received no attention by theatre scholars and so I can provide an aesthetic context to the Living Theatre's early years that is missing in most accounts. The second reason is that the productions offer an organizing principle to engage with the emerging discourses that surrounded the Living Theatre work. As Bourdieu succinctly reminds us, the "discourse on the work is not a simple side-effect, designed to encourage its apprehension and appreciation, but a moment which is part of the production of the work, of its meaning and its value."¹⁴⁵ Underlying this material is the idea that, throughout this period, the discourses conducted by and through members of the Living Theatre, other influential artists, fans of the company, and New York City theatre critics all contribute to the company's growing reserve of symbolic capital.

The chapter is organized chronologically and by focusing on the company's work in three different theatre spaces: the Cherry Lane Theatre, a small, uptown loft, and their 14th Street theatre space. However, before Beck and Malina staged their first full length production at the Cherry Lane, they presented a few short plays in their apartment for

145. Bourdieu, Pierre, *The Rules of Art: Genesis and Structure of the Literary Field*, 170.

friends. This preamble is worth some attention because of the lines of continuity it reveals in the work of the Living Theatre throughout its history.

In June 1951, Malina and Beck decided that the need to produce some theatre outpaced their ability to secure a theatre space and they began looking for short plays to present in their loft at 789 West End Avenue. By July, they decided to rent the Cherry Lane Theatre, but still kept their plans for what Malina referred to in her diaries as “The Theater in the Room.” These plays were presented between August 15-17, 1951 for an audience of friends and colleagues that included, among others, dancer and choreographer Shirley Broughton, poet and librettist Arnold Weinstein, writer, photographer, Gertrude Stein literary executor Carl Van Vechten, dancer Fumi Akimoto, poets Gene Derwood and Oscar Williams, photographer Karl Bissinger, and the couple’s close friends John Cage and Merce Cunningham. The evening was composed for four short plays: “Crying Backstage” by Paul Goodman, “Ladies Voices” by Gertrude Stein, an excerpt from Federico García Lorca’s *If Five Years Pass*, titled “The Dialogue of the Mannequin and the Young Man,” and Brecht’s “He Who Says Yes/He Who Says No.” None of these are major works, either by the playwrights or as Living Theatre productions. In fact, it is precisely because they are minor works that I am interested in how they reveal a thematic through-line of aesthetic and philosophical concerns.¹⁴⁶

146. The exception to this status as minor works is Lorca’s *If Five Years Pass*, however the excerpt Malina and Beck presented was such a small portion of the play, it doesn’t represent Lorca’s work and I will not be addressing the scene in this section.

The event began with Paul Goodman's short, five page script, "Childish Jokes," which opens upon a chorus of angels, organized in two groups, that tell two rather insipid jokes followed by a dialogue between the Poet, played by Goodman himself, and the Director, played by Beck. When the Director complains about the oddity of the opening set up, the Poet responds:

Can't you see that those angels are nothing but a dream, desire of childhood, a childish joke,—childish jokes under the lighted lamp at 10 P.M. What a sad case when the free comic poet is under such compulsion! I can't keep from crying,—crying backstage while the play is on.¹⁴⁷

The play ends with the Director realizing that instead of hiring "a whole symphony band" and "training a chorus to sing impossible intervals to stage the compulsive fancies of poets," that he could have "just as easily have picked up the kids that play in the alley...."¹⁴⁸ To which the Poet responds with positive enthusiasm. While "Childish Jokes" is an inconsequential piece at best, it starkly reflects several of what will become lasting concerns for Malina, Beck, and the Living Theatre: the relationship between theatre and "real" life (*The Connection*), the use of theatre to stage aesthetic debates over the nature of theatre itself (*Many Loves*), and the use of crude forms of humor juxtaposed with poetic insights (*Desire Trapped by the Tail, Man is Man*).

Gertrude Stein's "Ladies Voices," is a short two-hander that, as with much of Stein's dramatic work, was written without any direct indications of how to stage it. Elliptical and

147. Paul Goodman, "Childish Jokes: Director's Script" (Box 26 Folder 9, 1951), 4.

148. *Ibid.*, 4.

opaque, full of repetitive phrases, and presenting a number of short “scenes” in rapid succession, the play presents two women sharing gossip and talking about a third woman. There seems to me a connection between what Stein may well have been attempting with her drama and the Living Theatre’s abiding interest in making a physical, indeed, one could say *sensual*, connection with an audience. Johanna Frank notes that Stein “foregrounds voice as sound rather than allowing it to disappear into the signification of words.”¹⁴⁹ Frank continues, arguing that Stein:

proposes creating exciting scenes that include audience members as participants who become witnesses to an event (which is a mode of encounter that can occur regardless of whether one reads or attends a play). This notion of witnessing an event as a participant further illuminates Stein’s desire to move beyond the static quality of the text-based portrait and to reconsider the relationship between stage and audience. The idea that sounds might link the performance text to an audience suggests an awareness of the tension generated by such sensory or perceptual engagement. Underlying this idea that theatre is an event to witness is a conviction that theatre is a transaction between an artist and a viewer/reader/listener.¹⁵⁰

While the Living Theatre’s debt to Piscator, Brecht, and, later, Artaud, is obvious, the influence of Stein’s experimental theatre has been overlooked and deserves greater attention. It is no coincidence that a Stein play would, in a few short months, be the inaugural production for the company.¹⁵¹

149. Johanna Frank, “Resonating Bodies and the Poetics of Aurality; Or, Gertrude Stein’s Theatre,” *Modern Drama* 51, no. 4 (2008): 518.

150. *Ibid.*, 518.

151. This is not the appropriate time to fully discuss the through-line that can be seen from Stein’s work to shows such as *Paradise Now*, however, I will point out that the poetry of the Living Theatre’s early years was never lost, even in their more radical, political, and didactic plays. Instead, the poetry transmuted from simply using verse structures (Rexroth’s *Beyond the Mountains* and Goodman’s *Fautina* are examples of this), to utilizing poetic structures of sound and alienation and sensuality as the very basis of their productions. While the goals of a Stein play are not inherently political, the means that she often uses—short explosive scenes, repetition of language, language as sound shapes meant to impress themselves upon the bodies of the audience

After the brief scene from Lorca's play, *The Theatre of the Room* concluded with Brecht's "He Who Says Yes"—an adaptation of the Noh play, *Tanikō*—and its companion piece "He Who Says No." *Tanikō* had been translated by Arthur Waley in his collection of Noh plays published in English in 1921 and then, according to Frank Jones, Waley's text was translated into German by Elisabeth Hauptmann in 1929. It was from this text that Brecht and Weill developed their production that was designed specifically to be performed in Berlin schools.¹⁵² The play, an example of Brecht's *lehrstücke* (learning plays), tells the story of a township facing an epidemic, a group going to fetch medicines from a town on the other side of a dangerous mountain pass, and a young boy who argues to go with the group, but in the end falls sick and must be left behind for the greater good. In "He Who Says Yes," the character of the teacher asks the boy if he will agree to be left behind for the sake of the community and, upon reflection, the boy agrees. He then asks that he be thrown off the cliff rather than simply perish alone in the mountain pass. The teacher and other boys agree and throw the boy to his death. However, when sharing this play with students, Brecht and Weill were faced with incredulity by their intended participants. Jones notes that:

a number of Berlin school pupils, ranging in age from 10 to 20, were asked what they thought of the story. Most were unconvinced. One said that the teacher was cold-blooded, which made the play unsuitable for schools. Another suggested that the boy should have been kept going with a tonic. Still another said that the story was an object-lesson in the harmfulness of superstition. The general view was that human

members—are means that can be found in Living Theatre productions throughout their 70 year history.

152. Frank Jones, "The Yes and Noh of Sacrifice," *Pacific Coast Philology* 1 (1966): 56-58.

sacrifice makes no sense to the modern mind. The twenty-year-old asked: “Is the advantage of what is gained enough to make the boy's sacrificial death necessary?”¹⁵³

In response, Brecht wrote a companion piece, “He Who Says No,” which has the boy refusing to die and instead questioning the need for his sacrifice. The Teacher relents and the group returns to the village, ostensibly losing precious time in the search for a cure to the epidemic. With a focus on the ethics of sacrifice and questions of personal and community responsibility, it is easy to see why Malina and Beck chose this for their Theatre in the Room. Additionally, the idea of forcing an audience to make their own moral evaluation rather than having such an evaluation decided by the play would remain a central element of the Living Theatre’s aesthetic concerns throughout its history, no matter the changes in play development or performance styles.

I do not want to suggest that the Living Theatre was born, as it were, fully formed from the brow of some theatrical Zeus. Nor do I believe that Malina and Beck did not grow, explore, or learn new techniques as the years went by and they worked in new theatrical vernaculars and across a range of theatrical spaces. But the pieces that they chose to produce in their preview to the Living Theatre do reveal that a number of elements and aesthetic questions were fully in place from the very beginning, even if the answers may have changed over time.

153. Ibid., 56.

3.3.1 The Cherry Lane

On October 16, 1923, the *New York Times* ran a story on the property dealings of the Gorham Company. Spalding Hall and Cyrus Brown, after previously buying the houses at 39 and 41 Commerce Street, were also purchasing the buildings from 34 to 44 Commerce Streets. One of the buildings, a previous box factory, was going to be converted to “an amusement house,” run by William Rainey and Reginald Travers.¹⁵⁴ This was the birth of the Cherry Lane Theatre, a small space with 250 seats and a 30 x 40 stage. From 1924 to the present, the Cherry Lane has presented a wide variety of plays and performances and has been host to a number of theatre companies including the Lenox Hill Players, the Players Cooperative, the New Negro Art Theatre, and the New Playwrights’ Theatre—and that was just during the 1920s.¹⁵⁵ Beck and Malina were both familiar with the building. Malina in particular had a special connection to the space as she had performed there during her Dramatic Workshop days. When, at the behest of playwright Richard Gerson, Malina and Beck produced, directed, and designed his play *The Thirteenth God* at the Cherry Lane Malina wrote:

The Cherry Lane. The smell of it. The musty, stale odor of it. The historicity of it. Dreams that flood back in cascades of scenet. The dressing rooms still imprinted with our names: Bea Arthur, Gene Saks, Irving Stiber, Walter Mullen...The stairway on

154. “Latest Dealings in Realty Field,” *New York Times* (1923): 37.

155. A detailed history of the Cherry Lane is certainly far, *far* beyond the scope of this particular project, but is one that might shed interesting light on non-Broadway theatre activities throughout most of the 20th century.

which I wrote my first journal. The shelf on which I framed Harald's picture, tacked Julian's telegrams.¹⁵⁶

The experience of working on *The Thirteenth God*—not quite a Living Theatre production, but very much a practice run—is very possibly why, only four months after this production, Malina and Beck decided to stop putting off the Living Theatre until they could own a space and decided instead to rent the Cherry Lane. The Living Theatre had finally found a home. Granted it was not entirely their own, and the space was rented to other performances and companies between Living Theatre performances, and it was also not cheap, costing them \$900 a month in rent.¹⁵⁷ Still, this was the first actual theatre space from which the company would work. Even if those productions have been overshadowed by other times and styles, the formative works of the Living Theatre would happen here: in a small theatre in Greenwich Village.

It may be difficult to imagine, but when the Living Theatre produced their first full production in a theatre space in 1951, Gertrude Stein was much more of a popular culture figure than she is now. While this was the first professional production of *Doctor Faustus Lights the Lights*, Stein—along with other major modernist writers—had a significant presence in the popular imagination. Stein's opera, *Four Saints in Three Acts* (with a score by Virgil Thompson), played 48 performances on Broadway in 1934, no mean feat for an experimental theatre piece with an all Black cast.

156. Malina, *The Diaries of Judith Malina, 1947-1957*, 150.

157. *Ibid.*, 176.

Malina noted a troubled relationship with Stein's work. On July 15, 1948 she wrote that she "always begin[s] by liking Stein" but that she would get "irritated after fifty or sixty pages."¹⁵⁸ While Stein was "splendid," it took "a stoic's patience to withstand her impudence."¹⁵⁹ In discussing Stein's *What Are Masterpieces?*, Malina found the work "soulless" and was "put off by her aggressive style."¹⁶⁰ However, when she first read *Doctor Faustus Lights The Lights* in December of 1949, Malina immediately wanted to stage the show, writing that Stein's "words are symbols, a quality that is becoming to the theme" and that she wanted "to do this marvelous play."¹⁶¹ More recently, in *The Piscator Notebook*, she made the direct connection between the Living Theatre's first play and her training with Piscator, noting that the two were both concerned with the "theme of the search for enlightenment, and its political consequences."¹⁶² Of course, as a play by Gertrude Stein, *Doctor Faustus Lights the Lights* does not present this theme simply or with much concern to plot. Playing with the Faust story as laid out in both Goethe's *Faust* and Christopher Marlowe's *Doctor Faustus*, Stein's play shifts focus from the supernatural *per se* to explore themes of self-determination and modernity through the use of variations on a theme, both in her use of language—what is often read as mere repetition is better seen as variation—and the ways in which she structures the temporality of her play and the layering in of elements from Goethe and Faust.

158. *Ibid.*, 47.

159. *Ibid.*, 47.

160. *Ibid.*, 86.

161. *Ibid.*, 93.

162. Malina, *The Piscator Notebook*, 171.

Stein's stylized use of repetition is rife throughout the play. As previously mentioned in relation to "Ladies Voices" Stein's words are not used simply to communicate meaning but they also function as a soundscape. Johanna Frank suggests that this use of aural performance can establish "a relationship between a speaker and a listener" and that "theatre offers Stein a medium in which aural performance can transform the textual to the spatial."¹⁶³ In fact, I would argue that this first full production of the Living Theatre uses a number of structural and production elements that will become foundational for the company, even as they are explored in various ways. Beck admits to this—despite his and Malina's occasional tendency to downplay their earlier work—stating that "it was like a manifesto and would always stand at the head of our work saying—take the clue from this."¹⁶⁴ Choral structures, music, poetic language, and questions of power, ethics, and self-determination are not only embedded in Stein's play but throughout the Living Theatre's oeuvre as well.¹⁶⁵ Furthermore, in the Living Theatre's production, the company all played multiple roles, switching characters with every performance and sometimes even within the same performance, providing evidence of the company's interest in disrupting traditional stage practices and troubling the conflation

163. Frank, "Resonating Bodies and the Poetics of Aural Performance; Or, Gertrude Stein's Theatre," 518.

164. Julian Beck, "Storming the Barricades," in *The Brig: A Concept for Theatre or Film* (New York NY: Hill and Wang, 1969), 8.

165. The poetic language in something like *Doctor Faustus* is significantly different than the kinds of verse drama's that the company would produce by poets like Kenneth Rexroth, WH Auden, or Paul Goodman. However, as previously mentioned, Stein's language as sound-shapes brings a musicality and poetry to the stage that is, in some ways, more deeply poetic than the heightened languages of certain other Living Theatre plays.

between actor and character.¹⁶⁶ While the wordless cries of something like the “Plague” section of *Mysteries and Smaller Pieces* seem a far cry from Stein’s more modernist play, and while switching characters during a performance is not the same as playing oneself onstage, the company’s first play demonstrated an interest in, and willingness to experiment with, the ways sound can be used to evoke a world, to “paint” the theatre with sound; an interest that remained central to the Living Theatre’s work through the following decades.

While Malina and Beck would certainly grow as artists, to convincingly stage a Stein play bespeaks a level of artistic maturity that should not be dismissed. Theatrical producer Addison M. Metcalf, who would later record a number of Gertrude Stein pieces for the spoken word album *Mother Goose of Montparnasse*, wrote to Malina about *Doctor Faustus*, stating that she couldn’t “remember when [she] enjoyed [her]self so much” as she did at their performance.¹⁶⁷ The production also prompted a letter from the German poet, playwright, and novelist, Hans Sahl, congratulating the Living Theatre for “having tried out this experiment in a manner both simple and imaginative” and that “[m]uch of the true spirit of the theatre, which one scarcely finds on Broadway these days, came to life again in this inspiring performance of a unique literary work.”¹⁶⁸ Many years later, the poet John Ashbery would state that the production was “one of the most beautiful things [he’d] ever seen on

166. Jack B Wright, “The Living Theatre: Alive and Committed” (Dissertation, 1970), 31.

167. Addison M Metcalf, “Letter to Living Theatre” (Box 1, Folder 8, December 4, 1951).

168. Hans Sahl, “Letter to Living Theatre” (Box 1, Folder 7, November 5, 1951).

stage.”¹⁶⁹ *Doctor Faustus Lights the Lights* was not exactly well received by *The New York Times* but even with reservations, the reviewer couldn't help but admit that the show was powerful, noting that while it was “difficult to describe the sensations that follow exposure” to the production, the experience was not unlike a “straight dive from the high board into a dry swimming pool...”¹⁷⁰ As these responses indicate, despite only running for a couple of weeks and not making much money,¹⁷¹ the Living Theatre opened with a powerful work that was executed with professionalism and insight, gaining substantial symbolic capital for the company from other artists.

The company's second production came from the pen of Kenneth Rexroth, a name rarely invoked these days, at least in theatre circles. However, as poet, painter, Dadaist, conscientious objector to WWII, anarchist, playwright, essayist, teacher, Fulbright scholar, and recipient of a National Institute of Arts and Letters award, Rexroth was a major American poet and thinker from the 1940s through the 1970s. Rexroth's “distinctive poetic voice emphasized sexuality, ecology, and mysticism,” all of which are attributes that would crop up in Living Theatre works throughout its history, in one form or another.¹⁷² *Beyond the Mountains* was staged by the Living Theatre at the Cherry Lane theatre between December

169. Roger Oliver and John Ashbery, “Interview: Poet in the Theatre,” *Performing Arts Journal* 3, no. 3 (1979): 15-27.

170. J.P.S., “From the High Board,” *New York Times* (1951): 23.

171. Gelber, Jack, “Julian Beck, Businessman,” *The Drama Review: TDR* 30, no. 2 (1986): 6-29.

172. Caren Irr, “Rexroth, Kenneth,” *American National Biography Online*, <http://www.anb.org.pitt.idm.oclc.org/articles/16/16-02193.html> (accessed August 14, 2015).

30, 1951 and January 12, 1952 and was not actually a single play, but the title for a series of four interlocking plays. The first two, *Phaedra* and *Iphigenia*, recount versions of the well-known titular myths. The second two, *Hermios* and *Berenike*, explore the ends of the Greek civilization and the beginnings of the Christian era in the eastern outpost of Hellenistic Greek culture. Malina and Beck's decision to stage all four plays together was ambitious to say the least, perhaps even foolhardy. In fact, Rexroth himself wrote to Malina and Beck about the plan:

I think you are very mistaken in attempting the four plays at once. Such an idea never occurred to me. I think the audience would be worn out halfway through—as well as the actors. The more I think about it the less inclined I am to consent to such a program. There is no use in throwing away the effectiveness of the plays....¹⁷³

To which Malina responded in her diary: "He has no idea of how ambitious we are."¹⁷⁴ In the end, Rexroth relented and allowed the company to move forward with their plans.

Rexroth's use of language is considerably different from Stein's, his verse is far more formal and he uses the chorus in a more classical Greek manner. He opens his *Phaedra* with the Chorus lamenting:

What hour is this, what day?
We have seen the eclipsed sun
Cut by the sea horizon
The light rush from the gray sand,
The still sea turn black, the sky
Turn black, and the stars come out,
And the wind rise with the dark
With an uncanny rustling

173. Kenneth Rexroth, "Letter to Julian Beck and Judith Malina," quoted in Malina, *The Diaries of Judith Malina, 1947-1957*, 191.

174. *Ibid.*, 192.

Noise like stiff pleated tissues
Moving with the shadow's edge.¹⁷⁵

While using what feels like a more classical approach, Rexroth is not simply providing a more modern version of the eponymous Greek plays for the first two sections of *Beyond the Mountains*. In both plays, he inverts key elements such as having Hippolytus tell Theseus that the “queen has been violated,” and that it was he who “raped your wife.”¹⁷⁶ To which Theseus replies:

Nonsense.
What are you talking about? You mean
You gave her comfort in my absence?
Look, my boy, I am a man of the world.
What do you think I thought would happen?¹⁷⁷

A similar inversion occurs in his *Iphigenia* as it is Iphigenia herself who is orchestrating her own sacrifice at the hands of Agamemnon in order to “unlock the vast / Waterwheel of blind history, / And let it turn in my heart's blood.”¹⁷⁸ Rather than being playthings of the gods, the characters in Rexroth's drama are responsible for their own desires and consequences, giving over their lives to deeper passions than mere existence.

The second two plays reveal the last days of the Greek empire and the fall of the Greek city Alexandria-in-the-Paropamisadae. *Hermios* and *Berenike* form one continuous story that actually parallels some of the events of the Greek tragedies *Agamemnon* and *Elektra*.

175. Kenneth Rexroth, *Beyond the Mountains* (San Francisco CA: City Lights Books, 1951), 15-16.

176. *Ibid.*, 51.

177. *Ibid.*, 51-52.

178. *Ibid.*, 76.

Hermaios Soter, the king of Alexandria-in-the-Paropamisadae, has refused an offer of alliance with the Huns who have been attacking this last Greek outpost. His sister and wife, Kalliope, blames Hermaios for the loss of her first child who was “captured and sacrificed” in one of Hermaios’ previous campaigns in India.¹⁷⁹ She is also broken by the fact that Hermaios has taken a mistress from India, Tarakaia. Demetrios, Hermaios’ brother, is in love with Kalliope and is hoping for the fall of Alexandria-in-the-Paropamisadae and the death of Hermaios so that he and Kalliope can return “to the Greek sea and Greek faces / And humane ways” and so that they can “love / One another without intrigue.” Kalliope knows that such a vision will never come to pass:

We three need each other. We are
Hungry ghosts that haunt each other.
Idle wishes won’t call to life
A happy ending for three souls
Desire has locked in tragedy.¹⁸⁰

Hermaios ends with Demetrios and Kalliope killing Hermaios and Tarakaia in a manner nearly identical to Agamemnon’s murder in Aeschylus’s play and *Berenike* parallels *Electra* with Berenike standing in for Electra and Menander for Orestes. Berenike seduces Demetrios in order for him to drop his guard and then kills him while Menander’s inability to kill Kalliope causes Kalliope to throw herself onto his sword. In the end, Berenike and Menander trade places with the First Chorus as the Huns enter and “dance a wild, acrobatic military

179. Ibid., 104.

180. Ibid., 113-114.

dance while the impassive figures of the new First Chorus watch them.”¹⁸¹

The four plays of *Beyond the Mountains* share similar themes of sexual desire, passion, and sacrifice. They are also deeply concerned with the ways in which history can break individuals and the ways individuals attempt to break history. The Chorus notes at the beginning of the play cycle that “Hermaios is not a free man” and that “All the acts of all the Greeks / Hold him in place with the soft clench / Of all their busy centuries.”¹⁸² In the end, Kalliope tells Menander that his “sword moves through a thousand years / And drags your hand and your immobile / Heart with it. It will cut this hinge / Between light and dark, and nothing / You can do will stop its course....”¹⁸³ There is no doubt that the four plays are structured to be in conversation with each other and that they do form a coherent whole in terms of theme and structure.

The first two productions of the Living Theatre’s Cherry Lane tenure seem, on the surface, significantly different. Certainly the way language is used by Stein and Rexroth is very different. However, there are some important similarities to note. First, both plays use a chorus to comment on the action of the play. Such a device certainly doesn’t demolish the fourth wall like the Living Theatre’s later experiments will, but it *does* create a certain awareness of artifice in the production, reminding the audience that they are witnessing a story. Second, neither production is anything close to realism and both require complex

181. *Ibid.*, 190.

182. *Ibid.*, 102-103.

183. *Ibid.*, 187.

interactions among text, music and, especially in Rexroth's plays, dance.¹⁸⁴ From the very beginning of the Living Theatre, Malina and Beck were experimenting with a musicality and physicality that would remain a constant throughout their history. Third, both plays are meditations on passion and consequence. The focus of that passion is different, to be sure, with Faustus' passion being far more intellectual and philosophical while Rexroth's series of plays are far more visceral and sexual. Still, the two productions are less dissimilar than they might appear on first glance. Both clearly set some precedents for what will become a Living Theatre style, even as that style changes in certain ways over the years.

The show, however, did not appeal to either critics or audiences. Whereas the *New York Times* admitted the power of the Living Theatre's performance of Stein, the only review of *Beyond the Mountains*—Vernon Rice's *New York Post* review—condemned the production stating that if the play were “meant to be closet drama” that it should be sent “back where it belongs” and indeed, not just any closet but “a dark one.”¹⁸⁵ One audience member, John Boyt, felt so disappointed in the production that he wrote a letter to Beck. For Boyt, the production was “devoutly misdome” and the company failed to live up to “the full emotional intensity and implications” of its production, and had “badly bungled the ritual.”¹⁸⁶ The opening night went well, selling 153 of the available 191 seats, but ticket sales dropped

184. Rexroth was very clear in his introduction to the plays that the “dances in all these plays should be restrained and formal and very slow” and that they “should under no circumstances resemble the expressionist dance fashionable in America in the Thirties;” *Ibid.*, 15.

185. Vernon Rice, “Back to the Closet for Rexroth,” *New York Post*, 12/31/1951, 23, quoted in Wright, “The Living Theatre: Alive and Committed,” 37.

186. John Boyt, “Letter to Julian Beck” (Box 1, Folder 3, January 29, 1952), 1-4.

precipitously very quickly, with several performances being attended by less than five audience members and at least one performance being cancelled.¹⁸⁷ If *Doctor Faustus* was “a box office failure, the second...was an unmitigated financial disaster.”¹⁸⁸ Julian Beck reportedly saw the production as one of the two “most notable failures in the history of the troupe.”¹⁸⁹

The Living Theatre’s third production was a triple-bill of short plays that included Pablo Picasso’s play *Desire Trapped by the Tail*,¹⁹⁰ TS Eliot’s “Sweeney Agonistes,” and a remount of Gertrude Stein’s “Ladies Voices,” grouped under the title *An Evening of Bohemian Theatre*. This was the company’s first real success, running for 81 performances, which was a box office record at that time for off-Broadway, and gave Picasso and Stein their longest runs of continual production as playwrights to that point in time.¹⁹¹ Because Picasso’s play was the central event of the evening, I will omit discussion of the other two short plays.

Picasso’s *Desire Trapped by the Tail* was written during the occupation of France in 1941.¹⁹² The play is dark and surreal, with only the barest of narratives and no linear connections between the six short acts. Charles Marowitz described it as a play “charged with

187. “Beyond the Mountains Ticket Charts“ (Box 19, Folder 01, 1952).

188. Gelber, Jack, “Julian Beck, Businessman,” 10.

189. Pierre Biner, *The Living Theatre*, trans. Robert Meister (New York NY: Horizon Press, 1972), 31.

190. The Picasso title is most often translated as *Desire Caught by the Tail*, however I will use the title that the Living Theatre attributed to the play in their programs and press.

191. Wright, “The Living Theatre: Alive and Committed,” 40, 46.; This record was soon broken by Circle in the Square’s production of *Summer and Smoke* which ran from April - November of 1952.

192. I will be referencing the script prepared for the Living Theatre by the translator Herma Briffault.

gloom, deprivation, austerity, and foreboding.”¹⁹³ It tracks the main character, Big Foot, through a series of encounters that all carry hints and undercurrents of life under the occupation, violence, and desire. The play was originally presented as a reading for friends, with Picasso in the lead role as Big Foot, Albert Camus directing, and with Simone de Beauvoir, Jean-Paul Sartre, and Valentine Hugo all participating as actors. *Desire* is rarely produced, although there was a relatively recent staged reading of the show at the Guggenheim, directed by Anne Bogart. The script is certainly one that would be difficult to stage as written and it is, in many ways, an “impossible” play. Some of the stage directions include five monkeys eating carrots, a ten minute scene of a woman peeing in front of the audience, and at one point in the play, “on a hot fire and in a big basin can be seen and heard and smelt the frying of potatoes in boiling fat” that fills the theatre with smoke “until breathing becomes impossible.”¹⁹⁴

There is humor to be found in the play, often associated with food and desire. For example, in Big Foot’s rhapsody about The Tart, he exclaims: “Your buttocks are a dish of well-cooked beans, and your arms as a soup of shark’s fins.”¹⁹⁵ Later, he will muse about the “stews she gets into” and the “farces of hatred she serves up, hot and cold, smack in the middle of a meal.”¹⁹⁶ Big Foot himself is a bundle of food metaphors as described by Lean

193. Charles Marowitz, “Picasso’s “Four Little Girls“,” *The Drama Review: TDR* 16, no. 2 (1972): 32-47.

194. Pablo Picasso, “Desire Trapped by the Tail“ (Box 27, Folder 18, 1948), 10.

195. *Ibid.*, 4.

196. *Ibid.*, 5.

Anguish, with his hands like “translucent ices made of peaches and pistachios” and the “oysters of his eyeballs,” Big Foot is surrounded by a glow the “color of garlic soup.”¹⁹⁷ The continual food references, as well as the play’s focus on desire and sexuality gives a fleshy, rough quality to the play, almost Rabelaisian, that is also laced with images of containment and violence. Bodies are forced into coffins and tightly packed into a bathtub. In one scene Big Foot’s hair is shorn and his admirers are covered in blood. In Picasso’s *Desire*, there is no space for true hope or sentimentality. The world is dark and physical. One of eating and pissing and farting. Yet, the play ends with a dance, with each of the characters taking turns to partner with all of the others. Big Foot then announces, if not a solution to the hunger of desire and the ubiquity of violence, an action that would certainly appeal to Beck and Malina’s pacifist philosophies, when he cries out to “light all the lanterns” and, with all their strength, to “launch forth flights of doves against the bullets....”¹⁹⁸

Indeed, in an interview in *Theatre Arts*, Beck and Malina explained that the play was “a mask in which both audience and actors must commit themselves to the labor of looking behind the spectacle to the meaning, behind the bawdiness to the love, behind the slapstick to the poem and behind the vulgarity to a sweeter speech than our daily prose.”¹⁹⁹ This implies both bawdiness and slapstick as part of the production values, styles that we tend not to associate with the Living Theatre. Yet, as Jack Wright describes it, the Living Theatre’s

197. *Ibid.*, 7.

198. *Ibid.*, 18.

199. Aimee Scheff, “Picasso's Desire What Is It?,” *Theatre Arts* 36 (1952).

production was one of “complete buffoonery,” with the actress playing The Tart “romp[ing] playfully through the audience, urging the people to join in on the thrill of discovering the true ‘meaning’ of life.”²⁰⁰ Furthermore, under Malina’s direction and Beck’s costume and stage design, there was a sense of burlesque surrealism, with actors writing notes with a pen between their toes and the character of Lean Anguish “wearing long wires, strings, and shredded rope providing other actors the opportunity of treating him as a puppet figure.”²⁰¹ Additionally, all the actors wore extreme make-up done to suggest Picasso’s cubist painting style.

Obviously, with a run of 81 performances, the Living Theatre was doing something right with the staging of these three plays. The box office reports and seating plans for *An Evening of Bohemian Theatre* reveal steady attendance and regular sell-outs. Joseph Shipley noted that in *Desire*, Malina’s direction had “moments of vaulting imagination, as though surrealist paintings had come to life on the stage.”²⁰² Malina herself was especially pleased with the Picasso production, writing “I have it...I have what I wanted...[t]he play is not only funny; it is sad.”²⁰³ William Hawkins wrote that *Desire* was “impertinent and irreverent” but that it was also “continually startling and frequently very funny.”²⁰⁴ As with a number of other shows during this period, *Desire* reveals a Living Theatre that was no stranger to the use

200. Wright, “The Living Theatre: Alive and Committed,” 45.

201. *Ibid.*, 43.

202. Joseph Shipley, “The Role of the Little Theatre,” *The New Leader* (1952).

203. Malina, *The Diaries of Judith Malina, 1947-1957*, 214.

204. William Hawkins, “Review” (Box 1, Folder 13, March, 1952), 1.

of comedy. But if the play revealed a side of the company we are not terribly familiar with, it also shared attributes that would emerge in many of subsequent productions. Malina noted that the production was staged in a collage-like manner, and that it had a particularly “jagged quality.”²⁰⁵ Anyone familiar with the Living Theatre’s later work would recognize such a “jagged quality” to their devised work, as well as the collage nature of plays like *Frankenstein* and *Paradise Now*. And if Picasso’s surreal use of language operates differently from later Living Theatre productions, the company’s desire to “make strange” the words and concepts that audiences take for granted was firmly in place from the very beginning.

Paul Goodman was also present from the very beginning of the Living Theatre. Friend, therapist, and anarchist mentor to Beck and Malina, Goodman’s name has faded from many memories, despite his literary and intellectual celebrity status in the 1950s and 1960s, and his dramatic works have been all but forgotten.²⁰⁶ Goodman’s *Faustina* was the fourth production of the Living Theatre. Through a mix of prose and verse, the play tells the story of Faustina, the wife of Roman Emperor Marcus Aurelius, and her growing desire for the young gladiator and slave Galba. The play’s thematic threads are concerned with power and desire, freedom and responsibility, and violence. It ends with the sacrificial death of Galba while Marcus “chokes, and coughs, and withdraws rapidly off, in nausea....”²⁰⁷ This is

205. Malina, *The Piscator Notebook*, 172.

206. To be honest, there is a reason for this forgetting—at least insofar as his plays are concerned. It’s not that they are badly written, they are not. Rather that they have simply not aged well.

207. Paul Goodman, *Faustina*, in *Three Plays* (New York NY: Random House, Inc., 1965), 125.

followed by the meta-theatrical moment of Faustina dancing and encountering an “absent fourth wall.”²⁰⁸ The ending of the play is central to the development of the Living Theatre because of the way it broke into the audience’s space. While *Desire* had indeed broken the fourth wall, particularly with The Tart’s audience interactions, that production was, by design, within burlesque and surreal structures. *Faustina*, however, takes a tragic form and attempts to implicate the audience:

Isis: ...That is the way out! Go through
Faustina: Here? you yourself said that they were enemies.
Isis: They are enemies because there is a boundary. When you disregard
the boundary, they will cease to be enemies.
Faustina: But there is a boundary. How can I disregard it? Where does it extend?
it goes here—here—here. (She explores it with her flaming hands) Is there no
exit?
Isis: There is an obvious exit. Through! Go through! You must no longer
act somebody else’s play.
Faustina: Mother help me! Push me to be born.
Isis: Impossible! It is too late for that. (She vanishes)
Faustina: (In anguish) Do not leave me altogether alone! ... Well! As it turns
out, I am not horrified. So. I can go through easily, with my hands. And reaching
out—all my arms. There are other persons here, somebody to talk to, a present
company. Turn on the lights. (The houselights go on) Dear audience—you are the
audience—allow me. (At this point the woman, no longer “FAUSTINA” will
speak or behave however she happens to on the occasion. At one performance
the actress fell into a panic of stage-fright and fled. That too was very well.
But it will be just as is, however it is.)²⁰⁹

While Goodman’s published version of the play allows flexibility to the actress on what she might say to the audience, the Living Theatre’s production ended with lines specifically written for her: “We have enacted a brutal scene, the ritual murder of a young and handsome

208. *Ibid.*, 126.

209. *Ibid.*, 126-127.

man...I have bathed in his blood, and if you were a worthy audience, you'd have leaped on the stage and stopped the action.”

This meta-theatrical device was never successful. Indeed, the company kept losing actresses over the dramaturgical necessity of the ending. Malina wrote in her diary that Julia Bovasso, the woman playing Faustina, “feels she cannot speak the last speech of *Faustina*,”²¹⁰ that even after hours of discussion, on opening night Bovasso refused to read the speech and so they decided to have the actor playing Isis, Walter Mullen, speak the lines. However, Malina felt that the moment lost some of its power because of the substitution.²¹¹ Bovasso left the play three days after opening, to be replaced by Mary Mantague, who also refused to read the final speech and, five days later, Malina rehearsed yet another replacement for Faustina, this time Lee Alexander, who managed to stay for the remaining run of two more weeks.

Beck has pointed out that the play’s central importance to the Living Theatre’s development was as the first tentative, if failed, experiment with breaking from dramatic theatre to a “real” that would become the hallmark of the company in the mid- to late-1960s and beyond.²¹² I suggest that the failure doesn’t come from breaking the boundary between dramatic and real, but that the Living Theatre’s production of *Faustina* attempted, as I stated above, to *implicate* the audience in dramatic events. Placing responsibility for dramatic or performative events on the shoulders of the audience would become a hallmark of the Living

210. Malina, *The Diaries of Judith Malina, 1947-1957*, 228.

211. *Ibid.*, 228.

212. Beck, “Storming the Barricades,” 13.

Theatre's work. *Faustina* was the first attempt at placing such a responsibility upon the audience, but it was clumsy and neither numerous actors nor the audiences would respond positively. In fact, the reviewer of the *New York Times* didn't even make it to the meta-theatrical portion of the play and still turned in a particularly harsh review of the first half of the play—he left, so he claims, because “of a late curtain and an inflexible press schedule.”²¹³ The review begins with the observation that the “Living Theatre is an organization dedicated to the presentation of what it considers ‘new and exciting’ stage works,” continues with a critique of the company's production of *Doctor Faustus Lights the Lights* as a “play that ranks among the most unintelligible and unnecessary theatre offerings of all time,” and ends with the notion that *Faustina* was not only out of control dramaturgically, but also, and more damning, a numbing experience that compared, unfavorable, to the affects of hashish.²¹⁴ Audiences, even the downtown, bohemian ones, seemed to have agreed: the show regularly played to less than 20 people and several times there were fewer than five tickets sold for a performance.

The Living Theatre's final production at the Cherry Lane theatre included John Ashbery's short play, “The Heroes,” as a curtain opener. Ashbery, like Rexroth, is not a name that has remained on the tips of most theatre scholar's tongues. Primarily a poet, Ashbery had won a Pulitzer Prize, the National Book Award, the Yale Younger Poets Prize, the Bollingen

213. J.P.S., “The Theatre: Make Mine Hashish,” *New York Times* (1952): 19.

214. *Ibid.*

Prize, the Ruth Lilly Poetry Prize, the Griffin International Award, and a MacArthur “Genius” Grant, in addition to serving as the poet laureate of New York State from 2001 - 2003. His plays include two one-acts, “The Heroes,” and “The Philosopher” and one full-length play called *The Compromise*. If Ashbery’s “poems move, often without continuity, from one image to the next, prompting some critics to praise his expressionist technique and others to accuse him of producing art that is unintelligible, even meaningless,”²¹⁵ his play “The Heroes” serves as a far more straightforward and amusing work. It is a wonderfully wry take on the characters of Greek myth that relocates them to a “country house near the sea” in a “living room of an undeterminable period.”²¹⁶ From the very beginning, the play sets a lively and fun tone as Theseus and Patroclus converse:

Patroclus: ...But do go on with your story. I can’t tell you how interesting it sounds to one who has spent the best years of his life pent up in this great old stupid house.

Theseus: It must be rather dull for you here, Patroclus.

Patroclus: Dull! I have to get up early every day because the brute won’t allow breakfast to be served at any other time. Then I’m left to myself all day, poking around the stables or going for walks—or a walk, rather, because there’s only one.

Theseus: But I should think Achilles would be an agreeable companion.

Patroclus: Oh, I hardly ever see him except at cocktails, and sometimes we go for a swim after dinner. He’s pleasant enough. But I’m starved for intellectual conversation. We don’t get the books or magazines till they’ve been out a month.²¹⁷

Over the course of Ashbery’s play, Circe and Ulysses flirt and reminisce, Astyanax serves tea on the lawn, and the Chorus, “a stout middle-aged woman in navy-blue robes,”²¹⁸ explains at

215. “John Ashbery,” *Poetry Foundation*, <http://www.poetryfoundation.org/bio/john-ashbery> (accessed August 24, 2015).

216. John Ashbery, “The Heroes,” in *3 Plays* (Calais VT: Z Press, 1978), 3.

217. *Ibid.*, 3-4.

218. *Ibid.*, 8.

one point that “[s]o far this play has been easy,” but that from “now on it’s going to be more difficult to follow,” because that is “the way of life sometimes.”²¹⁹

The Living Theatre is not known for its relationship to comedy, but plays like *Desire Trapped by the Tail*, “The Heroes” and *Ubu the King*, demonstrate that the company was capable of levity and humor from the very beginning. While Ashbery’s play isn’t a major work by any means, it is a quick-witted and humorous debunking of a certain kind of mythic stature. The tone is similar to works by Christopher Durang—though with less swearing—and it would play quite well to a contemporary audience.

Alfred Jarry’s *Ubu Roi* needs no synopsis here. However, I would point out that the play’s interrogation of power is the kind of interrogation that the Living Theatre would stage many times over the coming years—neither *Ubu* nor the Living Theatre being particularly subtle. Additionally, both this play, and the Living Theatre as a company, share a kind of rough primitivism, one that was on display with Beck’s set-design using discarded lumber and wrapping paper and his costumes made from rags and bits from previous shows. For less than \$35, the company put together Beck’s designs for 150 different costumes and 17 different sets.²²⁰ This was fortuitous as the show would only run for five performances before the theatre was closed due to a number of building inspection violations.

219. *Ibid.*, 13.

220. Beck, “Storming the Barricades,” 18.

This was a huge blow to Malina and Beck who, even though they were already struggling with debt, had produced nearly one full year of exciting and innovative theatre and were, even after the failure of *Faustina*, beginning to make a name for themselves and their theatre. Malina recorded that, on opening night of *Ubu*, the “enthusiasm of the audience swept us away...”²²¹ Malina’s diary entries around that time place the blame on the new landlord of the Cherry Lane, a Kenneth Carroad. Technically, he was president of a group of Greenwich village residents who had formed Cherry Lane Properties, Inc. in order, according to a *New York Times* article, to save the building from the possibility of being demolished for apartment housing. Supposedly, the new owners were going to work with the current tenants to update and improve the building’s interior.²²² When the deal went through, Carroad and his partners were hailed as saviors of the theatre as the alternative had been its destruction. However, Malina was adamant that Carroad was out to destroy them. She and Beck spent several days wrangling with various municipal departments to address a number of violations, but in the end, they were unable to appease the Fire Department and on August 10, 1952, a fire inspector arrived at the theatre to give a final notice that the company could not continue without major improvements. The heartbreak is palpable in Malina’s description of this event:

We were all at work trying to repair the violations when the fire inspector came, in uniform, to give us final notice. We pleaded and, in the end, screamed, our fervor rising as his “no” grew more insistent. At last Julian grew vehement and with his bare

221. Malina, *The Diaries of Judith Malina, 1947-1957*, 240.

222. JP Shanley, “Play on Alger Hiss Near Final Stages,” *New York Times* (1952): 21.

hands tore the paper backdrop from the walls—ripping through his Ubu painting as though it were [sic] nothing...Julian took up one of the bamboo spears that holds the canopy of “The Heroes” and I seized it, menacing the unfortunate inspector; with shouts and cries I drove him from the theater like a furious Walkyrie, pursuing him down the length of Commerce Street to Sixth Avenue...The neighbors laughed to see me with the ten-foot bamboo spear chasing the fireman—but I was crying when I returned. For a world ends....²²³

While it may be easy to see the intensity of passion that Malina and Beck displayed on that day as immature or juvenile, such passion is not negligible when it comes to understanding the Living Theatre’s longevity—even when other structural elements are necessary for its continued existence. Whether Carroad was out to destroy the Living Theatre as Malina suggested is a matter of conjecture, but it is interesting to note that only about a month after the Living Theatre lost their tenancy, Cherry Lane Properties, Inc. sold the building to a Malvin Gambord for \$120,000.²²⁴

3.3.2 The Loft

While it may be easy to blame the landlord or various municipal authorities for ending the Living Theatre’s stint at the Cherry Lane, the truth is that the company was out of money and it is hard to imagine that they would have been able to meet their current financial obligations based on their ticket sales. For a year, Beck and Malina would try to find a new theatrical home. In the end they settled on a small loft space on 100th Street and Broadway. The first floor of the building was a fruit and vegetable stand and, when Malina and Beck put

223. Malina, *The Diaries of Judith Malina, 1947-1957*, 241.

224. “Manhattan Transfers,” *New York Times* (1952): 52.

their first rent money down on October 2, 1953, a beauty parlor had recently moved out of the second floor.²²⁵ Malina noted in her diary that a “social club formerly occupied our story and we spend this evening trying to discover inexpensive ways of undoing their floral wallpaper and silver woodwork.”²²⁶ Beck, Malina, and their friends put in what money they could and considerably more hours of actual labor refashioning the space for their small theatre, fitting in “[t]iny camp chairs...tightly squeezed together so that the entire loft area could ‘uncomfortably’ seat as many as sixty people.”²²⁷ The stage was equally tiny. Based on production photos from *The Age of Anxiety* and *Orpheus*, it was approximately 15’ x 15’. Yet, the space had its charms as well. In her diary entry on the company’s opening night of their first production in the loft space, Malina wrote that the “theatre is itself a wonder,” with its “black-lacquered chairs, its brown-papered walls, its minute size, its proportions.”²²⁸

Rent for the loft was low, especially compared to the Cherry Lane, at only \$90 per month. This enabled the Living Theatre to operate as a donation based company, at least as far as production costs went—actors were not being paid and rehearsals were held at night or weekends in order for everyone to have a day job. However, that the company managed to mount productions without ticket sales was an affordance of this particular space that had a deep impact on the work. Jack Wright argues that:

225. Malina, *The Diaries of Judith Malina, 1947-1957*, 296.

226. *Ibid.*, 296.

227. Wright, “The Living Theatre: Alive and Committed,” 59.

228. Malina, *The Diaries of Judith Malina, 1947-1957*, 316.

The voluntary contribution idea added a new perspective to the work of the Living Theatre. Never before or since have the Becks operated with such independence and honesty. With the Living Theatre Studio solely dependent upon the contributions of its audience, the real emphasis had to be placed upon artistic achievement. The Becks had always loathed the money system, and working for contributions seemed to be the ideal way of expressing that contempt.²²⁹

If the company had not moved to this particular space, it is unlikely they would have been able to stage seven shows in under two years and a certainty they would not have had the opportunity to experiment with a donation-based system.²³⁰ Indeed, because the financial burden of the loft was so low, this was the first chance that Beck and Malina had to begin exploring additional programming ideas. In October 1955, they planned a series of Monday night readings of dramatic works throughout the ages. The program, “The Background of the Modern Drama” included twelve planned readings: *Queen after Death* (Henry de Montherlant), *Venice Preserved* (Thomas Otway), *Many Loves* (William Carlos Williams), *The Bridal Crown* (August Stindberg), *The Theory of Comedy and Tragedy* (Paul Goodman), *Puss in Boots* (Ludwig Tieck), *Prometheus Unbound* (Percy Shelley), *Waiting for Godot* (Samuel Beckett), *Deirdre* (William Butler Yeats), *Man and the Masses* (Ernst Toller), *Troilus and Cressida* (Shakespeare), and *The Compromise* (John Ashbery). In that same month Malina and

229. Wright, “The Living Theatre: Alive and Committed,” 58.; However, both Beck, Malina, and other company members were forced to hold day jobs as the theatre could only support its own existence, not the people making the work. This meant rehearsing at night after working all day and would wear on both Beck and Malina.

230. In many ways, the time at the loft was a precursor to the use of crowdfunding for creative projects. Of course at the time the company’s crowdfunding was limited to friends and supporters who were actually present in NYC and at the shows, but the company would return to the idea in 2014 when the Living Theatre planned a production at that years Burning Man festival and created an Indiegogo campaign to raise funds.

Beck began to give two hour acting and directing lessons at the loft for \$1.00 each lesson. These classes also came with the opportunity for the more advanced students to be cast in Living Theatre plays. Both the readings and the classes were seen as potential long term and steady—if not exactly exorbitant—incomes. Subscriptions for all twelve of the readings was set at \$8.50 and individual performances were set at \$1.00 each. Seating was, as mentioned earlier, limited to 60. A “program was mailed to past supporters and the first response was better than expected,” netting the company about thirty subscribers, or roughly \$255.00—nearly three months rent at one go!²³¹

I have grouped the plays into three groups: Poetry, Breaking the Life/Theatre Barrier, and Using the Body in order to understand what the company was experimenting with during these years. As an overview, the seven shows in chronological order are: *The Age of Anxiety* (March 18-May 2, 1954), *The Spook Sonata* (June 3-28, 1954), *Orpheus* (September 30-November 14, 1954), *The Idiot King* (December 2, 1954 - January 10, 1955), *Tonight We Improvise* (February 17-April 17, 1955), *Phèdre* (May 29-June 12, 1955), and *The Young Disciple* (October 12-November 4, 1955).

Poetry

The Living Theatre’s first production in their new space was a staged adaptation of *The Age of Anxiety*, a major work of verse by W.H. Auden. While the title of Auden’s poem would

231. Ibid., 71.

go on to have a rather popular life as a description of modern life in the U.S., the poem is, according to Alan Jacobs, “almost certainly the least-read of [Auden’s] major works.”²³² Auden himself is quoted as saying that that it was “frightfully long.”²³³ In very, *very* broad terms, the poem is about four people who meet in a bar and who are then able to build, temporarily, some kind of community. Auden saw these kinds of connections as helping to overcome anxieties, “not by the altering of geopolitical conditions but by the cultivation of mutual sympathy—perhaps mutual love, even among those who hours before had been strangers.”²³⁴ One can easily see why Malina and Beck would be drawn to such a work. Not only is Auden struggling with the place of love and community in the face of war and modernity—struggles which are completely in *simpatico* with the Living Theatre’s politics and philosophical concerns—but the language is at once complex and beautiful; modern but heightened.

The poem concerns four characters who meet at a bar during wartime. Quant is a clerk in a shipping office who realizes that his life is going nowhere and who “when unemployed during a depression...had spent many hours one winter in the Public Library reading for the most part—he could not have told you why—books on Mythology.”²³⁵

232. Alan Jacobs, “Introduction,” in *The Age of Anxiety: A Baroque Eclogue* (Princeton NJ: Princeton University Press, 2001), xi.

233. *Ibid.*, xi.

234. *Ibid.*, xi.; It is impossible *not* to hear echoes of Beck’s and Malina’s own dreams and desires for community and the power of love in a statement like this.

235. W.H. Auden, *The Age of Anxiety: A Baroque Eclogue* (Princeton NJ: Princeton University Press, 2001), 4.

Malin, the second character introduced, is a medical officer in the Canadian Air Force, trying to use his few days of leave to forget his military life that was at “once disjointed and mechanical, alternately exhausting and idle.”²³⁶ Rossetta is “a buyer for a big department store” with plenty of money but who fantasizes about the English countryside from quaint detective novels as a retreat from the “big and empty and noisy and messy” state of the U.S.²³⁷ Rounding out the quartet, Emble is a young sailor in the U.S. Navy who “suffered from that anxiety about himself and his future which haunts, like a bad smell, the minds of most young men, though most of them are under the illusion that their lack of confidence is a unique and shameful fear which, if confessed, would make them an object of derision to their normal contemporaries.”²³⁸ Additionally, the poem includes a narrative voice that provides descriptions and a third-person omniscient point of view as well as the occasional voice of a radio announcer.²³⁹

Part one, “Prologue” shows the four meeting in a bar, the poem sharing both the character’s thoughts and their speech to each other. Part two, “Seven Ages,” sees them move to a booth to pursue a more private conversation which then becomes an exegesis on Shakespeare’s seven stages of man. This section is “thoroughly polyphonic and is the

236. *Ibid.*, 4.

237. *Ibid.*, 5.

238. *Ibid.*, 5.

239. In the Living Theatre’s production, famed writer James Agee provided the voice of the radio announcer.

means by which these characters first begin to emerge as distinct types,”²⁴⁰ with each character giving brief glimpses of their own lives. For example, in response to the first stage of man, Emble shares:

My cousins were both
Strong and stupid: they stole my candy,
They tied me to a tree, they twisted my arms,
Called me crybaby. “Take care,” I sobbed,
“I could hold up my hand and hot water
Would come down on your drought and drown you all
In your big boots.” In our back garden
One dark afternoon I dug quite a hole
Planning to vanish.²⁴¹

Auden’s descriptions of the seven stages are far more visceral and evocative than Shakespeares.

Thus, Malin introduces the sixth stage of man with the lines:

Our subject has changed.
He looks far from well; he has fattened on
His public perch; takes pills for vigor
And sound sleep, and sees in his mirror
The jawing genius of a jackass age,
A rich bore.²⁴²

Following these biographical explorations, the characters then move into the third section, titled “The Seven Stages” which sets the four on a kind of shared dream-quest. However, as Alan Jacob’s points out, “this dream constantly verges on nightmare” with “unsettling and ambiguous” landscapes.²⁴³ Faced with various self-admissions of sin and guilt, the four are brought back to the reality of the bar and decide to journey in a more prosaic fashion—by

240. Jacobs, “Introduction,” xxvii.

241. Auden, *The Age of Anxiety: A Baroque Eclogue* 24-25.

242. *Ibid.*, 37.

243. Jacobs, “Introduction,” xxx.

taxi—to continue drinking at Rosetta’s apartment. This journey, titled “The Dirge” is then followed by “The Masque” which has the four play-acting a wedding ceremony between Rosetta and Emble, with the narrator stating that in “times of war even the crudest kind of positive affection between persons seems extraordinarily beautiful, a noble symbol of the peace and forgiveness of which the whole world stands so desperately in need.”²⁴⁴ Yet, there is something sad and desperate at the end of this particular masque, as Emble passes out in Rosetta’s bed as Quant and Malin leave and Rosetta is left alone to reflect on the fact that the chance at real connection with Emble is unlikely:

Blind on the bride-bed, the bridegroom snores,
Too aloof to love. Did you lose your nerve
And cloud your conscience because I wasn’t
Your dish really? You danced so bravely
Till I wished I were. Will you remain
Such a pleasant prince? Probably not.²⁴⁵

Furthermore, the final section, “Epilogue” reveals that Quant and Malin “after expressing their mutual pleasure at having met, after exchanging addresses and promising to look each other up some time, had parted and immediately forgotten each other’s existence.”²⁴⁶

As the examples I have offered demonstrate, the language is poetic but colloquial and flows quite well as spoken language. While the poem can indeed be opaque at times and the connections more difficult to follow than a traditionally narrative play, reading Auden’s work reveals a text that is both theatrical and philosophical, at times somber but also with flashes

244. Auden, *The Age of Anxiety: A Baroque Eclogue*, 88.

245. *Ibid.*, 98.

246. *Ibid.*, 103.

of humor, and one that, while certainly presenting some directing challenges, would indeed work well on the stage. Malina described Beck's scenic design for the show as "a world in itself, of symbol, sign, and actuality" that was a "collage of somber *objet trouvés*: left over bits of life, like history washed up on the stage."²⁴⁷ As the first production in their new loft space, *The Age of Anxiety*, demonstrated the Living Theatre's artistic determination to find works that spoke about moral and ethical choices in a world full of violence and anxiety.

Even those Strindberg's *Spook Sonata* and Cocteau's *Orpheus* aren't written in verse, they are both poetic in their structure and overall approach and certainly take up the mantle of using language and dramatic forms to "make strange" the world. Beck, reflecting on both of these productions, saw them as attempts to direct as honestly as possible, hewing closely to the text. Furthermore that these two shows especially, "held us all in thrall," and "made something disquieting happen to the spectator's body as he watched."²⁴⁸ Malina noted in her diary entry on the Strindberg opening night that even "John Cage and Merce Cunningham, usually so restrained, praise it extravagantly."²⁴⁹

In Cocteau's play, the poetic affects emerge through a series of stage illusions, in particular the apparent levitation of a character, the emergence of Death and her aides from what appears to be a solid mirror, and the appearance of a decapitated but still talking head. In addition to these poetic stage effects, the play also contains a great deal of humor—a

247. Malina, *The Diaries of Judith Malina, 1947-1957*, 316.

248. Beck, "Storming the Barricades," 20-21.

249. Malina, *The Diaries of Judith Malina, 1947-1957*, 328.

recurring element in the Living Theatre's early work. Near slapstick humor infuses several of the scenes, particularly when Orpheus returns with Eurydice from Hades on the condition that he *never* look at her. The physical comedy between the actors playing Orpheus, Eurydice, and Heurtebise as they attempt to have lunch with Orpheus never once looking at his wife is underplayed in the script (Cocteau merely has Eurydice and Heurtebise repeatedly say "watch out" or "careful" as Orpheus drinks wine and moves about the space), but in production the physical comedy would necessarily emerge, especially as the couple begins to bicker again almost immediately upon their return from death. In its tiny theatre space, it seems that the Living Theatre had found a way to engage with both poetic sensibilities and humorous ones. Malina recorded that they played "to full houses" on the last scheduled week of the production and "extended its run through next weekend."²⁵⁰ Her description of opening night provides a picture of the production:

Nina's Eurydice is formal and unearthly. Tobi's Orpheus is erratic, idiotic, magnificent. George plays without effort the unblemished sweetness of the angel Heurtebise. Frank and Henry circle like comic moons...Saville's music sparkles like little waves and moves under the play like the tide...For my scene, I prevail. When I enter, thrusting my hand through the mirror, a vacuum cleaner is plugged backstage and roars throughout the scene like the persistent sea. Julian and Philip give me assurance and we move in concord, timed exactly to Saville's exacting score.²⁵¹

What is clear from both Beck's and Malina's reflections on these productions is that plays like *The Spook Sonata* and *Orpheus* were important artistic experiments for the theatre. Verse dramas like Claude Frederick's *The Idiot King* and Racine's *Phèdre* (which was translated

250. Ibid., 346.

251. Ibid., 342.

by Malina and Beck themselves), were far less effectively poetic in their execution and certainly did not leave quite the same impact on Beck and Malina. *The Idiot King*, a show full of chants, movement, and long sections of verse, closed three performances early due to lack of interest by audiences. *Phèdre*, however, was a more successful production, at least as far as audiences were concerned, and was extended by an additional week. However neither of these productions left much of a positive impact on Beck and Malina. Perhaps because these were the only shows during the first 13 years of the company that were directed by someone other than Beck or Malina. In both cases, Richard Edelman, the actor who had played Orpheus, took the helm. In the end, the more important poetic successes were the company's non-verse plays. At the same time, however, the Living Theatre was also experimenting with other theatrical techniques, including a Pirandello play that would move the drama from the stage into the lobby.

Breaking the Life/Theatre Barrier

When The Phoenix staged *Six Characters in Search of an Author* at the end of 1955, Brooks Atkinson, writing for the *New York Times*, noted that Pirandello used the theatre as a “point of departure” for several of his plays, including *Tonight We Improvise*.²⁵² However, as opposed to *Six Characters*, Atkinson saw *Tonight We Improvise* as “verbose, repetitious, and meandering” and that it required “the audience as well as the theatre to do impossible

252. Brooks Atkinson, “Admirable Phoenix,” *New York Times* (1955): X3.

things.”²⁵³ Given the Living Theatre’s interest in both the mechanisms of theatre and the theatre/audience relationship that were already developed, and its interest in staging impossible things, *Tonight* seems tailor made for the company and would, in fact, be revived a few years after this production for their 1959-1960 season.²⁵⁴

Despite translator Samuel Putnam’s claim that *Tonight We Improvise* “may be said to be, in a manner at least, Luigi Pirandello’s most important play” as well as being, “in the same manner, one of the important, one of the great plays of modern times and of the world,” it is rarely performed or even read these days.²⁵⁵ Pirandello’s play plays at improvisation. The frame device is that a Doctor Hinkfuss²⁵⁶ has gathered together a group of actors to improvise a play based on a scenario of his own devising that is, in turn, based on a Pirandello short story. The play opens with various plants in the audience starting a fuss and then Hinkfuss comes to the stage, delivers a long speech about the evening’s proceedings—with a number of lines making fun of Pirandello and his reputation as a playwright—, introducing the cast by their real names, and then the play begins. The play within the play is mostly a trifle, a slight and relatively uninteresting piece about a family, jealousy, and an ill-fated marriage between the eldest daughter, Mommina and a belligerent

253. Ibid.

254. Beck and Malina also had a history with this play, as Piscator had produced it at the Workshop with Malina playing a cabaret customer as well as writing lyrics for a song to be sung by the character of The Chanteuse (played by Elaine Stritch in the Workshop production).

255. Samuel Putnam, “Characters That Flee the Author,” in *Tonight We Improvise* (New York NY: EP Dutton & Co., Inc., 1932), 5.

256. In the Living Theatre’s production, they changed the name to “Beckfuss” and the role was played by Beck.

and cruel soldier named Rico Verri. I say mostly because the penultimate scene, a long one between Mommina and Verri about their life together, is deeply sad and ends with Mommina dying in front of her two young daughters after delivering a long monologue about the nature of life and art. Pirandello's stage directions after her death indicate the scene should be given considerable weight, with the "silence and the immobility of the scene becom[ing] a mortal thing."²⁵⁷

While on the whole the conceit of the play feels dated, and the play within the play is, as Atkinson suggest, rather "meandering," one particular element of the play was a remarkable experiment in 1955. Pirandello has the actors go out, in their characters, to the lobby during the intermission and perform in four small groups simultaneously so that no one audience member will hear every conversation. Meanwhile Doctor Hinkfuss remains in the theatre space changing the scenery and performing throughout—at least as long as some of the audience stay seated. If the entire audience leaves for the lobby, Pirandello advises an alternative plan: "If Doctor Hinkfuss, upon the parting of the curtain, should perceive that his brief exhortation has not had the effect of holding the least fraction of the audience, he will retire to the wings a little put out about the matter; he will then save his brilliant remarks until the performance in the lobby is over..."²⁵⁸ Remember, the play was written in 1930 and the Living Theatre's performance was in 1955, two years before Allan Kaprow's use of

257. Luigi Pirandello, *Tonight We Improvise*, trans. Samuel Putnam (New York NY: EP Dutton & Co., Inc., 1932), 228.

258. *Ibid.*, 112.

multiple spaces and necessarily partially experienced performances. While Atkinson was not specific about what elements of *Tonight* were impossible, it's likely that this element was one of them, and while he did not review this production, Atkinson did have some thoughts on the Living Theatre's revival of this show in a few years time.

Using the Body

Malina saw the production of Paul Goodman's *The Young Disciple*, as a "radical re-evaluation of the Christ story, a story of the unwillingness of the people to accept change, transcendence and enlightenment."²⁵⁹ While the play is definitely a riff on the Christ story, it is as much a parable about following leaders instead of thinking for yourself, which is unsurprising given Goodman's anarchist and libertarian philosophies. In fact, the characters of Our Master and the Young Disciple are distrustful of both the Crowd's violence toward what they don't understand *and* its gullibility.²⁶⁰ While the Young Disciple is cynical about the attribution of miracles to simple and mundane acts, and while he does, like Peter in the Bible, refuse knowledge of his previous master, his refusal is undercut by his statement that "I'd rather know him and be his friend than a thousand heroes like you torturing one harmless fool."²⁶¹ But when the Young Discipline becomes absorbed by the Crowd, he speaks

259. Malina, *The Piscator Notebook*, 175.

260. Goodman refers to the group of people playing the Crowd as a single character, splitting it into groups like Other Part of Crowd or Another Part or Three of the Crowd, etc. for dialogue purposes.

261. Paul Goodman, *The Young Disciple*, in *Three Plays* (New York NY: Random House, Inc., 1965), 58.

“[a]s if under a spell,” loses his previous cynicism, and echoes the crowd’s proclamations of the dead master’s miracles such as walking across the water and raising the dead. In the end, he tells his servant boy that he is “almost at home here with these superstitious people,” that he does “not love them, yet, but that will come in time.”²⁶²

More important for the Living Theatre than the plot of Goodman’s play, however, was that Goodman attempted to create scenes that utilized many non-verbal elements, asking for actors to develop a non-linguistic vocabulary. Jack White noted that in rehearsals, “the actors responded to these scenes with new energy and vitality” and that Beck, Malina, and Goodman spent considerable rehearsal time “develop[ing] a new vocal flexibility that would enable each actor to better communicate with the audience.”²⁶³ Before Beck and Malina had the opportunity to read Artaud (which they wouldn’t do until being given an early copy of Mary C. Richard’s translation of *Theatre of Cruelty* before it was published in 1958), they had already found their way toward exploring the poetics of non-linguistic verbalizations. Beck described the experience as exciting, noting that the audience was, variously, “disgusted, affronted, annoyed, terrified, awed, and excited,” because of the experiments in acting and staging that included “a scene in which a character vomits, and one in which someone creeps about on all fours in total darkness making night noises, strange husky grating and chirping sounds....”²⁶⁴ Malina noted in her diary that the audiences were “small and astonished,

262. Ibid., 59.

263. Wright, “The Living Theatre: Alive and Committed,” 68.

264. Beck, “Storming the Barricades,” 24.

sometimes surly, sometimes cautious, sometimes enthusiastic, and sometimes repulsed.”²⁶⁵

While the apotheosis of these kinds of experiments would occur ten years later, and while Goodman’s work as a dramatist is not particularly germane or experimental to us currently, his work was clearly vital to the Living Theatre’s development.²⁶⁶

Unfortunately, the experiments at the Loft were to end abruptly in November of 1955 when the New York City Department of Buildings informed the company they could have no more than 18 people in the space at any one time. A small theatre was one thing, but this ruling meant that the Living Theatre could not operate in what had become a cherished and joy filled space, one that, “for Judith and Julian...represented the ideal theatre,” and one that would be “sorrowfully missed” for years to come. Indeed, while the company had previously lost a theatre space, losing this small-but-affordable space marked a profound loss of opportunity for Beck and Malina to create an *economically sustainable* life in the theatre. Of course, such a path would have led to an entirely different life in the theatre and if there is one thing that the Living Theatre has proven again and again, it is that you don’t need to be economically sustainable to make a life in the theatre, and a successful one at that.

265. Malina, *The Diaries of Judith Malina, 1947-1957*, 385; This set of reactions seems appropriate for much of the Living Theatre’s successful and well-known works.

266. Some of the ease with which we often dismiss this early works of the Living Theatre is because even mainstream theatre has embraced so much of what was once seen as radical or experimental. Even those theatre practices that remain on the margins are accepted, at this point, as at least *valid* theatre practices rather than being dismissed as somehow “not theatre.” Just as we forget that seeing the lighting grid was once a *verfrumdungseffekt*, so to is it easy to see certain bold experiments as simply, even clumsily, naive.

3.3.3 14th Street²⁶⁷

On June 21, 1957, Malina noted in her diary that she and Julian were going to “see a building about which Paul Williams is positive, an abandoned department store on 14th Street.”²⁶⁸ By December, the *New York Times* ran a brief notice that “[h]enceforth the headquarters of the Living Theatre will be located at 530 Avenue of the Americas,” and that the company would present William Carlos Williams’ *Many Loves* in February, 1958.²⁶⁹ However, converting the three story building into a lobby and theatre on the second floor, office spaces, dressing rooms, and rehearsal rooms on the third, and storage and dance studio on the fourth took over six months and hundreds of volunteers. Additionally, there would be further delays with personnel and casting issues and, in the end, the 14th Street theatre didn’t open until January, 1959. This space was to be the final permanent theatre space for the Living Theatre in New York City until the company took over a small space at Third Street and Avenue C in 1989. The 14th Street theatre, like subsequent spaces, would become a hub for more than presenting plays. Readings, concerts, classes, and political meetings would all take place at the Living Theatre’s space. Having their own building also meant that the Living Theatre was able to become the repertory company that Beck had, for many years, longed

267. In the interest of space, I am not dealing with the brief run of Paul Goodman’s *The Cave at Machpelah* or the company’s productions of Jackson MacLow’s *The Marrying Maiden* and Ezra Pound’s translation of *Women of Trachis*, none of which were particularly successful for audiences or Beck and Malina.

268. *Ibid.*, 438.

269. Sam Zolotow, “New Bill Named at Gate Theatre,” *New York Times* (1957): 32.

for. He later wrote that without a repertory company, there “can be no creative, that is, growing, company of actors” and that “the one-shot stuff is merely obeisance to Mammon's dynasty.”²⁷⁰ This space was not a cheap proposition however, and the rent would cost them considerably, reaching over \$1000/month by the end of the company's tenure in the space. Moreover, the desire to run a rep company was going to be impossible based on ticket sales:

The theater's capacity was 162. The payroll which included the casts, the writers, the technicians, and the administration reached between 30 and 40. If one includes all those who were dependent on some form of remuneration or another from the Living Theatre, that figure of 40 was often much higher. Impossible? Given the fact that for most of the time on 14th Street the admission price was \$3 top and only near the end did they raise the weekend price to \$5, the answer is yes, impossible.²⁷¹

The move from a tiny theatre space to a much larger building allowed the company to grow into some of its dreams, but it came at a financial cost that the Living Theatre—primarily because of Beck's managerial skills—deferred for over four years.

Although *The Connection* and *The Brig* steal focus from most of the plays produced while the Living Theatre was at their 14th Street location, William Carlos Williams' play *Many Loves* was an important and popular play for the company. Not only did it open the Living Theatre's first season in over three years, it played, in repertory, for several years. Prompted by his love of the play, an audience member, Alvin Aronson, wrote to the *New York Times*, calling the production “one of the most beautiful plays ever written.”²⁷² Brooks Atkinson was more reserved about the production, suggesting that the play was not a

270. Beck, “Storming the Barricades,” 26.

271. Gelber, Jack, “Julian Beck, Businessman,” 13.

272. Alvin Aronson, “Drama Mailbag,” *New York Times* (1959): X3.

“finished drama” but that Williams’ play presents “a point of view about life and a concise, practical literary style...which is a tonic experience in the theatre.”²⁷³

As with a number of the plays the Living Theatre produced during this time, *Many Loves* took, as one of its themes, the nature of theatricality itself. The play is a loose assemblage of three unconnected sketches, held together by the frame story of Hubert, a playwright/director, Alise, Hubert’s fiancé and his lead actress in all three short plays, and Peter, his financial backer and a jealous lover. Williams requests a scene of controlled chaos as the audience enters the house, with various stage-hands and actors preparing for a run-through of the three scenes:

The curtain is already raised and the stage lighted when the audience enters the theater. The scene is the stageset for a play which is being prepared for production. Actors and actresses, stagehands and electricians are going about their preparations as they would at any early rehearsal in an empty theater... [Hubert] calls appropriate technical directions to the man on the lights, but this does not interrupt the monologue of the woman at the ironing board who is running lines—out of context, but belonging to the ironing board episode of Act III...²⁷⁴

Other actors run their lines, or practice monologues while stagehands finish putting the set for the first scene together and lighting technicians focus their instruments. Peter shows up unexpectedly to see what his money is being spent on and Hubert explains that what they are working on is *not* his major new work, but three experiments that are meant as preparation for said work. Each of the scenes within the play are self-contained and suggest something about love and relationships. The first reveals a younger man in love with an older married

273. Brooks Atkinson, “Theatre: Avant-Garde ‘Many Loves,’” *New York Times* (1959): 28.

274. William Carlos Williams, *Many Loves, and Other Plays; The Collected Plays of William Carlos Williams* (Norfolk CT: New Directions, 1961), 4-5.

woman. The second focuses on family dynamics but those serve as the background for a brief interlude between two teenagers and the subsequent suggestion of a lesbian relationship between an older and a younger woman. The third reveals an older man and a younger, again married, woman as they drink wine and she irons laundry and attempts, in a half-hearted manner, to seduce him. None of these scenes are more than character sketches and the play itself comments on this lack of dramatic depth when, after the third scene, Peter complains to Hubert that it was “unresolved, floating,” and “too silly,” and that:

What is there here?
No heat, no lifting of the scene,
no tension—no romance! Here, in
the third act, when the business should be
primed and waiting, you leave both
these miserable characters
flapping their wings like wounded birds.²⁷⁵

Even before this particular interjection, the frame characters have become more and more intrusive, with Peter and Hubert carrying on a dispute that raises issues of aesthetics and desire that weaves in and out of the dialogue of the plays being rehearsed. Finally, when Peter finds out that Hubert and Alise are engaged he insists—in an act of revenge and anger for what he sees as Hubert’s betrayal—on paying for the ceremony to occur immediately, calling up a minister friend to officiate and forcing Hubert to face the life that Hubert both did and did not want.

275. *Ibid.*, 87-88.

While Williams' 1941 script is not a play that would work well in a contemporary staging, it is important to understand that it was one of the Living Theatre's longest running productions, being kept in the repertory for several years after its opening in January 1959. It was also one of the three plays presented during the company's 1961 European summer tour.²⁷⁶ On its opening, Jerry Tallmer was effusive, writing that the play was nearly perfect and that "nothing about *Many Loves* is dull, all of it stimulates your finest attention," that the "frenzied few of the Living Theatre, for all their long-haired intramuralism, have chartered out new worlds to conquer," and that the "evening is alive and provocative from its beginning to its hilarious end."²⁷⁷ These kinds of responses help us understand the growing cache of symbolic capital that the company was accruing during this period of time in relation to their artistic work and avant-gardist credibilities. Furthermore, as a play about both love *and* theatre, *Many Loves* reflects two of the Living Theatre's ongoing thematic concerns and needs to be seen as an important production for the company's development.

Because *The Connection* has been has received far more scholarly attention over the years than other productions during this time, I won't review the plot or structure here. However, one thing that is worth reminding ourselves about this production is that, while it took some time for the show to be accepted as anything but sordid and grotesque—these early reviews coming mostly, as Jerry Tallmer points out, from "second-string...daily

276. The other two plays that the Living Theatre toured were *The Connection* and *In the Jungle of Cities*.

277. Jerry Tallmer, "Theatre: Many Loves," *The Village Voice* (1959): 9.

reviewers²⁷⁸—in the end the production was seen as a compelling success and not merely for its script and use of live music. Tallmer offers high praise for the production’s “beautifully disciplined slow-motion pacing,” that was “extremely theatrical—all the more theatrical for the electric ripples of tension and latent violence that lie just under the whole muffling fabric of the performance and just under the crackling skin of anyone who watches, and cares, from the seats out front.”²⁷⁹ It is perhaps easy to dismiss Beck’s oft-repeated claim that dozens of men fainted during the production, a claim that is almost as equally associated with this play as the IRS shut-down was with *The Brig*. To a contemporary reader or audience, *The Connection* would seem hopelessly dated—the movie certainly does—and in a post-Martin McDonagh and post-Sarah Kane world, the play’s junkies and their use of needles would barely register as any kind of violence. Furthermore, in the wake of the Living Theatre’s devised work, it is sometimes hard to remember that the acting achieved by the company was not always as rough-hewn as it was to become and that the aesthetic choices of later years were just those, *choices*. Brooks Atkinson saw the play as an “engrossing piece of theatre,” calling out the performances by Warren Finnerty, Jerome Raphael, Carl Lee, and John McCurry as helping give the performance an “inescapable immediacy.”²⁸⁰ Later, when the Living Theatre would tour Europe in 1961 with *Many Loves*, and *The Connection*, the *New*

278. Jerry Tallmer, “Theatre: The Connection,” *The Village Voice* (1959): 9.

279. *Ibid.*

280. Brooks Atkinson, “The Connection: Jack Gelber’s Harrowing Drama About Social Life Among the Junkies,” *New York Times* (1960): X1.

York Times reported praise for the company's productions, and especially *The Connection*, coming from papers such as *Messaggero*, *Giornale d'Italia*, *Il Popolo*, *Momento Sera*, and the socialist *Avanti*.²⁸¹ It was during this tour—in which the Living Theatre performed in Rome, Turin, Milan, Paris, and Frankfurt—that the company was awarded the Grand Prize for Experiment by the Théâtre des Nations as well as the Drama Critics Medal. This was not a company of amateurs, no matter how little pay the actors might have been getting or how deeply in debt that company was already becoming.

The company's revival of *Tonight We Improvise* had at least one startling effect: convincing Brooks Atkinson that the play was a worthwhile experiment. Granted, he still saw the script as “valueless and largely incomprehensible,” but found that “the inquiry [was] interesting.”²⁸² Atkinson's review also gives a glimpse at how the Living Theatre was seen at the time, even by an establishment critic at an establishment paper. Not only does he begin his review by referring to the “indomitable people of the Living Theatre,” but he offers them “many thanks” for staging this particular play.²⁸³ He continues, stating that:

...they act avant-garde drama with extraordinary assurance. Being basically good actors committed to a point of view, they make the bizarre seem like a valid theatre experience. They do not pose. The staging by Julian Beck is sensible: that is, he accepts what he is doing as worth doing of its own sake. Some of his actors have first rate talent...Not many people are interested in this sort of inquiry, and it takes a lot of work and skill for a company of actors to conduct the experiment.²⁸⁴

281. “Rome Is Receptive to Living Theatre,” *New York Times* (1961): 29.

282. Brooks Atkinson, “The Theatre: 'Tonight We Improvise',” *New York Times* (1959): 27.

283. *Ibid.*

284. *Ibid.*; A few notable actors in this production, other than Beck and Malina, included Warren Finnerty, Joseph Chaikin, and Martin Sheen.

Reading these words from one of the most powerful theatre critics at the time reminds us that the Living Theatre was indeed seen as a highly professional and polished theatre company. Yes, Beck and Malina were running an avant-garde theatre company, doing shows that no commercial Broadway (or even another off-Broadway) producer would touch. The company was also operating with very little money and was unable to stage productions with the *élan* that others with more solid financial footing could manage. However, by this point the Living Theatre had been producing theatre for nearly eight years and had gained a level of what Bourdieu calls “institutional consecration.” The possible degrees of consecration mark artistic generations that are “defined by the interval (often very short, sometimes barely a few years) between styles and lifestyles that are opposed to each other—as ‘new’ and ‘old,’ original and ‘outmoded.’”²⁸⁵ In fact, the year that the Living Theatre re-staged *Tonight We Improvise* also saw the opening of Caffè Cino, one of the first off-off-Broadway establishments.

The company gained further praise for their production of Brecht’s *In the Jungle of Cities*, despite what some saw as a weak script. Jerry Tallmer saw the text as one full of “juvenile yearnings, romantic attitudinizings, borrowings from Rimbaud and Verlaine, and an unexpected and charming overall wetness behind the ears.”²⁸⁶ However, the Living Theatre’s production was both “valuable and engrossing;” and he praised both Malina’s

285. Bourdieu, *The Rules of Art*, 122; The Living Theatre’s break with its previous modes of production during its time in Europe had the benefit of bringing about a renewal of the company’s artistic youth, but this would come, for a time, at the cost of the company’s institutional consecration. Also of note is that such consecration does not necessarily move an artist or company from the symbolically-rich-but-economically-poor axis of the field of cultural production.

286. Jerry Tallmer, “Theatre: In the Jungle of Cities,” *The Village Voice* (1960): 7-8.

direction and Beck's "vivid jungle of a set—a sort of hanging gardens of lath-work and rags," as well as the "driving" and "uncompromising" musical score by Teiji Ito.²⁸⁷ Howard Taubman recognized that the play was hardly one of Brecht's most accomplished but even then saw "examples of pungent observation and harsh poetry" within the play itself. Similar to Tallman, his praise of the Living Theatre's production should cause scholars to pay more attention to their work during this period, noting that, while far from perfect, Khigh Dheigh gave an "impressive performance" as Shlink and that Malina's direction provided a "ferocity of movement" even if it failed to "achieve subtlety."²⁸⁸ As with nearly all the plays that the Living Theatre produced during this period of time, *In the Jungle of Cities* is not an easy play to stage effectively. Yet reviewers consistently note the caliber of production that the company managed, even when the plays themselves are faulty or parts of the production aren't fully successful.

If Jack Gelber's name was made with *The Connection*, his follow-up play, *The Apple*, has had far less impact over the years. Gelber wrote the play specifically for the Living Theatre, and wanted them to be the first to produce it, going so far as to have his agent ignore other offers to produce the play in the attempt to lock down a contract with the

287. Ibid.; Ito was an influential composer for theatre, dance, and experimental film, getting his start by composing scores for Maya Deren. He was awarded an Obie for his off-Broadway compositions during the 1960 - 1961 season, including the work he did for *In the Jungle of Cities*. He would also go on to compose music for dancers Jean Erdman and Jerome Robbins as well as writing the score for the Broadway staging of *One Flew Over the Cuckoo's Nest*.

288. Howard Taubman, "The Theatre: Brecht Wrestling Match," *New York Times* (1960): 38.

Living Theatre.²⁸⁹ The production was notable in part for bringing a young James Earl Jones to the attention of New York theatre-goers, seven years before he would take Broadway by storm in the production of *A Great White Hope*. The play itself has languished, mostly forgotten and rarely performed.²⁹⁰ Beck saw *The Apple* as a “nightmare play, laden with symbols, the kind that baffle you in dreams” and that Gelber had attempted to “produce horror and cold terror” in an attempt to truly affect the audience.²⁹¹ If *The Connection* attempted a hyper-real improvisational structure and style, *The Apple* operates through the surreal logic of a dream. Not since *Desire Trapped by the Tail* had the Living Theatre produced something as surreal and darkly humorous. The play does contain an element of “realism” in that the actors address the audience directly, serving them drinks before the show. Additionally, one of the characters spent the pre-show time harassing audience members, and the play opens with the character of Ace saying:

Okay! Okay! Let's everyone take a seat and do something right for a change. You, you over there, be a good fellow and sit down. Let's all take a deep breath. (Takes a deep breath) And let's start off alive. It's getting near opening time and a few words are necessary as we are not all here. Up here or down there, in here or out there we are not all here. Apparently we are all seated.²⁹²

What follows are obscure exchanges, dentistry roleplaying, the death of one character who

289. Seymour Litvinoff, “Letter Re: “The Apple“ by Jack Gelber“ (Box 1 Folder 9, June 17, 1960).

290. Indeed, despite the fact that Gelber was awarded a Guggenheim fellowship in 1963 and a Rockefeller Fellowship in 1972; or that he created Brooklyn College’s MFA in playwriting program and would write plays over the course of four decades, with his final play seeing a workshop production at The Last Frontier Theatre Festival in 2002, most of his plays have fallen into obscurity. Yet, at the time, Tennessee Williams would evoke Gelber in the same breath as Albee and Pinter: Seymour Peck, “Williams and ‘The Iguana’,” *New York Times* (1961): X5.

291. Beck, “Storming the Barricades,” 31.

292. Jack Gelber, *The Apple* (New York NY: Grove Press, Inc., 1961), 11.

returns to explore an afterlife in the second act, sexual innuendo, repeated violence committed against a mannequin, and the surreal appearance of bugs and animals through mask-work. During the intermission, the actors served actual food and drink to the audience members. Throughout the play, the scenes interact through associative logic rather than narrative. Howard Taubman, writing for the *New York Times*, found it “difficult, if not impossible, to make sense out of all that happens on the stage and in the aisle.”²⁹³ But, like Atkinson had done in several of his reviews, Taubman notes that the production is, for all its flaws, not to be dismissed, writing that Malina and Beck “filled the evening with vivid theatrical images—startling, sardonic, touching and repellent.”²⁹⁴ A doctor of psychiatry, Harvey Greenberg, was prompted to write a letter about his experience of the show, stating that he thought the drama critics of New York were “a singularly torpid group” and that *The Apple* “seemed to be a series of hectic explosive and singularly successful attempts to indicate and induce odd, peripheral, queasy, anxious, subtle, way-out, bizarre states of feeling in us work-a-day-audience-non-participants.”²⁹⁵ While *The Apple* is a scripted drama, and it lacks certain overt political elements that would become Living Theatre staples in years to come, the *experience* of the play seems to be a harbinger of what is to come, and the manner in which it blends realism and ritual and a dream-like logic will certainly be aspects of the company’s dramaturgy that were developed in their later devised work. As much as *The*

293. Howard Taubman, “Theatre: Jack Gelber’s ‘The Apple,’” (1961): 44.

294. Ibid.

295. Harvey Greenberg, “Letter to Julian Beck” (Box 4 Folder 9, 1961).

Connection and *The Brig* seem obvious connections to the company's work in the mid- to late-1960s and beyond, *The Apple* is equally important in understanding the Living Theatre's trajectory.

If the hallucinatory structure of *The Apple* foreshadowed some of the techniques that would emerge in the Living Theatre's devised work, *Man is Man* demonstrates a concern with how institutional structures can—and do—shape the lives of individuals. Brecht's tale of Galy Gay's (Joseph Chaikin) transformation from gentle simpleton to ferocious killing machine reflects a thematic concern that would occupy the company for all of its future history. From a theatrical point of view, this play is a difficult sell: it is didactic, repetitive, and about as far from realism as a Tom and Jerry cartoon. Writing for *The Village Voice*, Michael Smith saw the script as “a failure,” in part because “it is on one track” and because it is “too simple.” However, Smith recognized just how accomplished the Living Theatre was in its production, even in comparison to the concurrent production that was being staged by the Masque Theatre.²⁹⁶ Smith noted that the “high points in Julian Beck's staging are very very high,” and pointed out that the “march to the execution is beautiful theatre, and the

296. The Masque Theatre's production of Eric Bentley's translation was certainly cause for some concern at the Living Theatre, though it may also have spurred Malina and Beck. In a letter to close friend and supporter H.B. “Whitey” Lutz, Beck wrote, regarding the Bentley production that “we find ourselves suddenly plunged into what Brecht might call a capitalist-competitive situation,” that it was “a strange feeling,” but that it gave them “an impetus to exert ourselves and go at it tooth and nail” (Julian Beck, “Letter to Whitey Lutz” (Box 1 Folder 13, August 19, 1962), 2.). Beck also noted that the company didn't really have the money to stage the show, despite the fact that they had decided to suspend their repertory structure and work solely on this production—the first time the Living Theatre was rehearsing a new play without “being drained by running other plays at the same time, without the actors being haunted by playing eight times a week and trying to rehearse the next day until showtime” (Ibid.).

direct, onstage brutality of Bloody Five's self-castration is shattering."²⁹⁷ He concluded his review by stating that he "was impressed by what [he] saw at the Masque Theatre, and certainly [he] was better entertained, but those tricks, those adventures, are the obvious and easy ones: it took no imagination or daring to put that mirror on the stage, it only took money," and that in the end, the "Masque Theatre's production is a vivid illustration of a style, but it doesn't stick in the brain and itch like the Living Theatre's."²⁹⁸ Howard Taubman was more sympathetic to the script and, while he had some issues with the production, notes that the script is "anything but an easy play to encompass," but that the Living Theatre's "performance grows in power and impact as it goes along."²⁹⁹

The production attempted to consciously wed the social critique of Piscator and Brecht with the sensual assault demanded by Beck's and Malina's other, newly discovered hero, Antonin Artaud. Beck saw the broad physicality of scenes like the elephant auction and the violence of Bloody Five's castration in specifically Artaudian terms. He wrote that the play was "wild, a piece of Artaudian theatre really, but with the style and devastation that few other playwrights of our time are really capable."³⁰⁰ If there was a common thread throughout much of the Living Theatre's work after 1963, it was the attempt, sometimes successful and sometimes not, to meld the brutal embodiment of Artaud with social and political critique.

297. Michael Smith, "Theatre: Mann Ist Mann," *The Village Voice* (1962): 11-12.

298. *Ibid.*, 12.

299. Howard Taubman, "Theater: 'Man Is Man,'" *New York Times* (1962): 31.

300. Beck, "Letter to Whitey Lutz," 2.

Man is Man was, by all accounts, a successful attempt and one that, in laying the groundwork for future experiments, is too often overlooked.³⁰¹

There is little need to discuss *The Brig* anew as it, along with *The Connection*, is the most discussed play by the Living Theatre during their first thirteen years, both because of its extreme staging and its relationship to the closing of the company's 14th Street theatre. I will note that the company restaged *The Brig* in 2006 as the first production in its return to New York City as a permanent home base after signing a ten year lease on a theatre complex in the lower East Side (the company would eventually lose the space before those ten years because of financial difficulties). I suggest that the play operates within the Living Theatre mythos as more than just a particularly Artaudian play or one that speaks to the company's deep and long-abiding interest in issues of justice and incarceration that took deep root during the time Beck and Malina spent in prison for demonstrating against nuclear weapons. This specific play has become so imbricated with the idea that the company was shut down for political reasons that it operates as a synecdoche for the company's stance against authority in general. While the play would certainly have been seen as one of the most experimental of the Living Theatre's work during their first period, and likely would have generated significant attention over time for its place in the company's development, it is the conjunction of the play and the events surrounding its closing that have helped make *The*

301. For those who might find the play's formulation to be overly didactic and simplistic, I would offer up the fact that it was written in 1924 and revised as the deadly nature of Fascism became apparent and that Brecht's conclusions will be mirrored by such things as the Stanford Prison experiment (1971) and what we saw happen with soldiers and prisoners at Abu Ghraib (2003).

Brig such a specifically iconic and mythic play for the company, one that even in 2012 remains as a badge of honor for Malina who wrote that it was the theatre's "first attempt at the form of political theatre that Piscator called *Zeittheater*, and sure enough we got busted for it, did jail time and had our theatre closed."³⁰²

3.4 CONCLUSION

In relating the origins of the literary field, Bourdieu notes that the "horror of the *bourgeois* is nourished in the very heart of the artistic microcosm...."³⁰³ Such a horror also marked the aesthetics and philosophies of the Living Theatre from its inception. Malina, in 1948, criticized Broadway as burying itself "under a sugary realism."³⁰⁴ Yet to move beyond bourgeois tastes and to avow the primacy of art over commerce inevitably leads, as the Living Theatre discovered, to the elimination of a considerably large number of potential customers. As previously mentioned, opening nights were almost always sold out to a supportive crowd of friends and fellow artists. Even in a city the size of New York and with such a strong culture of theatre-going, attendance would quickly diminish, sometimes to near empty houses. Successes such as *Many Loves*, *The Connection*, or *The Brig* often played to houses of only half capacity. While I have focused mostly on a number of positive reviews and reactions

302. Malina, *The Piscator Notebook*, 178.

303. Bourdieu, *The Rules of Art*, 80.

304. Malina, *The Diaries of Judith Malina, 1947-1957*, 50.

to the company between 1951 and 1963 as evidence of the company's growing symbolic capital, it is important to remember that the company was never positioned to appeal to the largely "homogenous group of upper-middle-class Americans," that constituted the Broadway market in the late 1950s and early 1960s.³⁰⁵ And if off-Broadway had provided the initial welcoming environment to the company in the early 1950s, by the end of that decade it had moved to a far more commercial footing and thus needed to generate more marketable works.

The Living Theatre saw exploration and experimentation as central to its existence and never gave much thought to making marketable work. During those early years, Malina and Beck developed their aesthetics and dramaturgy in a number of directions: some paths would be fruitful and lead to discoveries that would become part of the company's aesthetic toolbox. Others were dead-ends. Verse drama, in particular, would not lead the company to the artistic heights that, perhaps, they once hoped. However, *poetic structures* would appear and reappear throughout the Living Theatre's history. From Gertrude Stein to *Paradise Now* and beyond, language, sound, music, dance, movement, and structure have been used by the company in an attempt to make strange the world, to bring about a new perspective on life, on love, on hope, on peace, and on justice. A significant number of their early plays not only incorporated music but also used live music. *Doctor Faustus*, *Beyond the Mountains*, *The Age of Anxiety*, *Orpheus*, *The Idiot King*, *Phèdre*, *Women of Trachis*, *In the Jungle of Cities*, *The*

305. Moore, 88.

Connection, and *Man is Man* all used live musicians during the performances. Between the company's explorations of poetic structures, music, collage-like productions, dance, and movement, it is impossible not to see productions like *Mysteries and Smaller Pieces* or *Paradise Now* as, if not teleologically inevitable, at least likely given the larger changes in the field of theatre and the various affordances available to Malina and Beck and the members of their company as they toured Europe and lived a communal and itinerant lifestyle.

Finally, I would like to suggest that an examination the company's first thirteen years demonstrates just how much humor and comedy were part of the Living Theatre's working palette in those days. By focusing on plays like *The Connection* and *The Brig*, theatre scholars have elided an essential part of the company's work. The surreal humor of *Desire Trapped by the Tail*, the satirical take on Greek myths in Ashbery's "The Heroes," the Chaplin-esque slapstick of Brecht's *Man is Man*, or the dark and violent humor of Gelber's *The Apple*—humor that was pointed, at times, directly at the Living Theatre and its members—all reveal a more complex understanding of drama and theatre than is often attributed to the company or to Malina and Beck as artists. Some of these shows were *funny* and "funny" is definitely not a word that is often associated with the Living Theatre.

This lack of attention to the company's comedic skills is not merely unfortunate, it also limits how the Living Theatre is understood, described, and written about. This humor gap also reflects a lacunae in Bourdieu's work in that he never really examined how the practice of humor operates through and within cultural production. The artists and works he

identified as symbolically rich but economically poor tended to be those of a “serious” demeanor. In *The Field of Cultural Production*, he focused on Flaubert and Manet, while in *The Rules of Art*, he placed artists like Mallarmé and Zola, along with institutions like Théâtre de l’oeuvre, against genres such as a vaudeville and cabaret. This is not to say that there is *no* tradition of humor in the avant-garde, but “funny” is often so dependent on a specific context—both in place and in time—that it has what Bourdieu saw as a “short-cycle” of production. Furthermore, short-cycle production is often associated with works of high economic value such as bestselling novels or works of popular plays. Bourdieu used the term “asceticism” when describing the avant-garde’s relationship to economic success and I would argue that this asceticism also manifests in how theatre scholars have often chosen which artists and works to consecrate. Every anthology of plays used for teaching theatre history or dramatic literature skew *very* heavily toward tragic or serious dramatic forms; what comedies are included are nearly always hundreds, if not thousands, of years old. Between humor’s tendency toward short-cycle production, the field’s consecration of “serious” work over the long term, and the Living Theatre’s propensity, especially in later years, to conflate serious political and philosophical beliefs and dramatic form, it is perhaps not surprising that the company’s comedic output has received little attention. While far beyond the scope of this project, the eruptions of humor from within the company’s corpus deserve far greater consideration than they have received.³⁰⁶

306. As does the more general role that humor plays within various fields of cultural production.

4.0 THE TAXMAN COMETH

The advantages of doing plays with little or no money far surpass the disadvantages. First of all, second of all, and last of all, you are outside of the money system. Because money is a brig. Better the slave of poverty than the minion of money. At least you're not being screwed all the time, distastefully, against your will, without love. The chief disadvantage is that, having to do everything yourself, it takes more time.

—Julian Beck, “Storming the Barricades”

Beck's suggestion that the Living Theatre was somehow outside of, or beyond, economic concerns is somewhat disingenuous. In a private letter to friend and Living Theatre supporter H.B. (Whitey) Lutz, Beck admits that he and Malina “still haven't been able to solve the problem of running the theatre in a way that it does not tax all of our time and ingenuity” and that if they were able to have a certain level of economic security they could then create works much more vigorously and without the burnout they were already feeling in 1962.³⁰⁷ Furthermore, Beck recognized that this level of security would be, “in the long run, the only answer for a pair of lives lived in turmoil.”³⁰⁸ Regardless of Beck's and Malina's feelings about

307. Beck, “Letter to Whitey Lutz,” 2.

308. *Ibid.*, 2.

capitalism and the economic system within which they were caught, they were dealing, day after day after day, with bills and debts and payroll and taxes and material costs and rights payments.

At the same time, however, Beck's quote clearly signals that his theatre company was built on the premise that the artistic work would always be privileged over the company's financial concerns. Laying claim to the primacy of art over commerce has a long history in avant-garde traditions and is a strategy that allows for an agent to defer some of the immediate economic costs of operation *if* the agent has sufficient symbolic capital. When Jack Gelber examined the economic foundations of the Living Theatre, in "Julian Beck, Businessman," he pulls back the curtain on a kind of economic saintliness often attributed to the Living Theatre and Julian Beck. Gelber revealed the mundane truth and some of the squalid details of what it took to run a theatre in a capitalist context. In doing so, he presented a dialectical vision of Beck, the Living Theatre, and the continual hustle required to keep the theatre company living and producing. From the very beginning, Beck understood the symbolic value of creating a "fighting underdog image" with the knowledge that the "artist as victim went over well with writers, painters, and musicians who...were the eyes and ears the Living Theatre wanted to reach."³⁰⁹ Gelber shares an anecdote that reveals the complexity of Beck's relationship to economic capital:

By the time *The Brig* opened in 1963, the number and frequency of crises had all but overwhelmed Julian. For example, creditors had gotten various city marshals to come

309. Gelber, Jack, "Julian Beck, Businessman," 11.

into the theater to try to seize property to satisfy debts. The single most expensive item in the theater was the air conditioning unit which Julian usually pointed to and explained was worth \$4,000. He would ask for an hour or two to borrow against it or sell the unit outright to settle the debt. In a panic, sufficient funds were found to send the marshals away. Sometimes he would pledge the air conditioner twice in one day. Later, much later, I met the man who actually installed the air conditioning unit. He told me with a smile that he never did get paid for the unit, only a trace of hostility left in his voice. He remembered Julian's passionately held idealism much more sharply than his own anger.³¹⁰

Gelber reiterates his respect and admiration for Beck, Malina, the Living Theatre several times throughout his article. Yet, when John Tytell came to write his biography of Beck and Malina, he dismissed Gelber's account out of hand. Interestingly, Tytell seems comfortable throughout his book to present details of both Beck's and Malina's love lives as well as their interest in masochism, yet the notion that Beck was a canny entrepreneur is, somehow, beyond the pale. However, to understand the events of the Living Theatre's closing in 1963, it is necessary to have some sense of how the company managed to survive for as long as it did with as many debts as it had. Thus, before examining the specific events of the IRS seizure and the closing of the company in October 1963, it will be useful to provide some additional background on the company's strategies of dealing with their continual debt.

310. *Ibid.*, 19.

4.1 DEBTS

Beck and Malina have admitted, publicly as well as in their journals and letters, that the Living Theatre struggled to keep their theatre one step ahead of their creditors. An exhaustive examination of the company's financial records and of the debts accrued could easily take up an entire book, although such a project would probably be, in the end, rather tedious. The collections held at the New York Public Library and Yale University have thousands of letters both to and from the Living Theatre about money they owed to landlords, utility companies, other businesses, and individuals—including people Beck and Malina counted as friends. There are dozens of court documents, affidavits, judgements, and notices of court-ordered public sales of Living Theatre property if the company did not pay off this, that, or the other debt. Going through these documents can be tiresome and tedious and I can only imagine the daily toll that dealing with these matters, daily and for years, took on Beck and Malina. Anyone who has worked in a non-profit theatre—or really any small non-profit organization—will know from experience that the struggle with “Mammon's” demands is continual and, at times, utterly draining. The ferocity of this struggle waged during the company's early years is astonishing, especially considering just how much theatre it produced.

The debts began to pile up quickly, despite the original \$6000 that Beck and Malina had to start their theatre. In fact, less than a month after the opening of *Doctor Faustus Lights the Lights*, the Living Theatre was forced to cancel its answering service, provided by

Telanserphone, Inc. By February of 1952, Beck was notified that they still owed \$40.56 to Telanserphone. This was not a priority for the Living Theatre, and after several letters requesting the money and receiving neither money nor a reply, Telanserphone took the Living Theatre to court. Or, at least they tried. A summons was drawn up by the Manhattan First Municipal Court of the City of New York on May 7, 1952 and served to Julian Beck. It appears that Beck made no response to this summons and on May 26, 1952 the lawyer for Telanserphone, Abraham Goldstein, wrote to Beck, informing him that if he didn't respond immediately, Goldstein would be forced to "enter judgement against [The Living Theatre, Inc.] without further notice and execute against you on said judgment."³¹¹ Even that did not shake Beck into action on this debt, and in another letter from Goldstein, it appears that Beck was subpoenaed to appear in court on June 25 to deal with the matter. He didn't appear and Goldstein threatened to apply for a contempt of court charge. This must have galvanized Beck to begin addressing the issue because he appears to have made some form of promise to Goldstein to pay back the debt—which, with interest was \$50.37. He did not meet this promise and Goldstein was still trying to get the money as of August 4.

Even as this particular drama was playing out, the Living Theatre was struggling to pay back a number of other debts, including royalty payments for a number of their plays. A series of letters from a representative of the Elena Fels Noth agency, Jean-Marie d'Amat, we see that the Living Theatre was significantly behind on paying royalties for *Desire Trapped by*

311. Abraham Goldstein, "Letter to The Living Theatre Inc" (Box 7, Folder 2, May 26, 1952).

the Tail as well as the 1% of the weekly gross that they had promised to the translator, Helen Briffault. As early as June 1, 1952, d'Amat wrote to Beck about the fact that two of the Living Theatre's checks had bounced and it appears that the debt situation grew worse after that. In a stern, but friendly letter on June 18, d'Amat wrote:

I think that I have cooperated 100% with you either during the Picasso run and also in all what is pertaining our relations [sic] as agents and producers of plays. I did it with pleasure and I will go on doing the best I can. I have nevertheless to stretch out that my agency is as important to me as your theatre is to you. I do know that you are working on very hard conditions and it is hard for you to meet operations costs...Therefore to avoid any discussions which may become disagreeable and I want to avoid that but I still have to see that everything is handled right, this is what should be done...Every Monday you must manage to give us without any delay \$80 the first two weeks for *Ubu* and \$25 for what you own on the Picasso. After the first two weeks, 10% of the gross as usual and still \$25 for the Picasso until that is paid up...For obvious reasons I shall not accept any check....³¹²

Despite the financial issues between them, d'Amat still ends the letter with a P.S. to send “[a]ll my love to your wife.”³¹³

In addition to *Desire*, the Living Theatre was also not paying royalties to the Richard J. Madden Play Company, Inc. for “Sweeney Agonistes.” Six weeks into the run, Julian wrote to Jane Rubin apologizing for the delay in royalty payments, acknowledging that the company owed \$300—with two more weeks in the run to go—and promising that they would, the following week, “be able to pay for the current week and be able to catch up with one, if not two, of the past weeks.”³¹⁴ His letter to Rubin, written in May 1952, is an example of a template that would become fairly standard over the next twelve years in replying to the

312. Jean-Marie d'Amat, “Letter to Julian Beck” (Box 1, Folder 15, July 18, 1952), 1-2.

313. *Ibid.*, 2.

314. Julian Beck, “Letter to Jane Rubin” (Box 1, Folder 15, May 6, 1952), 1.

Living Theatre's creditors. He would often invoke the Living Theatre's smallness as a theatre company and share something of their financial struggles. Sometimes those struggles would be due to poor ticket sales or the necessity of paying out sums for other purposes, especially those that were necessary for keeping the theatre going so that they could someday, hopefully soon, pay back what they owed. He would also often note that he and Malina were putting their own money into supporting the theatre. In this case, Beck wrote (in his idiosyncratic style and spelling):

We are not a large theatre and tho the present production is a success, it still is not easy for us to meet all of our obligations. We have renewed our lease on the theatre and this to the extent of paying more than \$2000 in rent in advance. Tho this was largely paid from our own income, it still necessitated borrowing, receiving money on the part of the corporation on loan.³¹⁵

Beck would also regularly point out how much the company's debt pained him, personally:

"[o]f course we would like to be up to date and as much as you dislike not receiving your due monies and pressing us, so do we dislike not being in a position to pay and being pressed."³¹⁶

Following these strategically motivated emotional appeals, Beck would nearly always promise to send some money in the future, even if it was a small amount, as evidence of the company's desire to pay off the debt. Sometimes these small payments and various payment plans would work out, and sometimes they wouldn't. Beck would then apologize once more and offer more assurances.

315. Ibid., 1.

316. Ibid., 1.

In addition to the royalties owed for *An Evening of Bohemian Theatre*, the company also fell behind on what they owed for *Beyond the Mountains*. These, and other debts accrued during the 1951-1952 season, would hound the Becks throughout 1953. When the company moved to the uptown loft it generated far fewer debts. This was due to the fact that the company was not paying actors, rent was significantly less, and, because performances were offered on a donation basis, the company paid considerably fewer royalties. Despite significantly less overhead, however, the company owed rent on the loft space for over a year after leaving in October 1955.

Beck and Malina spent the next several years trying to regroup both artistically and financially. Unfortunately, this financial regrouping was only partially successful. While Beck and Malina were able to put down money for the 14th Street space, the company had unpaid debts long before the first production in the new space. One of the earliest creditors during this period was the law office of Duncobe, Oltarsh, & Schott which had performed a number of services for the Living Theatre and was, in March 1958, working on getting a tax exempt application for the company. Howard Schott contacted Beck and Malina about a debt from October and November of 1957 that remained unpaid. Seven months later, at the end of October 1958, he was still trying to recover \$175 of the money owed to his firm. At the risk of repetition, quoting Beck's letter responding to this second letter demonstrates the previously identified structure that he would use in letter after letter:

We are in a very difficult position. We want very much to pay you but we have no money. We have been struggling here from day to day ever since we moved in in June, indeed even before that we were worried about the state of our finances. It is a

miracle that we have gotten this far, and only our determination and the faith of our friends has seen us through to this point. It has been a terrible struggle. You say that “funds are apparently available for other purposes.” This is not true. We must get the building finished and the play open. Nobody has been receiving any money. Judith and I have not gotten a cent out of this enterprise yet. All that we are paying for is the bare bricks and mortar. The essentials.³¹⁷

He ends this letter an apology about letting Schott down but that “the future, I’m certain, will be very very different.”³¹⁸

But it really wouldn’t be.

I could go on for dozens of pages about the various debts and lawsuits brought against the company, or about how often they would not pay royalties in anything close to a timely fashion (as much as Beck and Malina loved Jack Gelber’s work and counted him as a friend, Gelber’s lawyer would have to send numerous letters in order to get his client’s royalties for *The Connection*). I could go into detail about how, between January 1961 and July 1963, the Living Theatre was faced with at least ten Marshal Levies and Sheriff Sales: court-ordered public sales of Living Theatre’s corporate assets in which the money would then be used to pay off a legal judgement against the theatre. While most of these sales were avoided at the last minute by scrapping up the money owed instead of selling items, the regularity of such proceedings would increase. In 1961 these court mandated sales were ordered for January, March, and December.³¹⁹ In 1962, one ordered in January and there was

317. Julian Beck, “Letter to Howard Schott” (Box 7, Folder 9, November 4, 1958), 1.

318. *Ibid.*, 2.

319. I am basing these numbers and dates on copies of the judgements and/or Levy/Sale documents I have found. There could well have been others.

a lengthy pause in such sales until August. However, this was then followed by a levy on behalf of Continental Casualty Company in October and a Sheriff Sale in November to address unpaid rent to the Wyckoff-Bent Corporation. The following year, the theatre was hit with two Marshal Levies in June and one in July.

To be clear, the Living Theatre *did* bring in money from a variety of sources. Ticket sales were not always bleak and the fourth quarter of 1959, during which the company staged *The Connection* and *Tonight We Improvise*, saw decent attendance figures. The week ending November 29 was particularly good, comparatively, and the company made \$2657 in ticket sales. However, part of the ongoing problem was that the 14th Street theatre, at capacity, could bring in \$4700 in ticket sales. The company had other sources of money, especially when emergencies—such as upcoming Marshal Sales—arose. In a letter to his parents on June 19, 1959, Beck thanked them for sending a check and for responding so quickly to his request for help.³²⁰ He also mentioned a recent donation of \$2500 from a friend and support, Paul Williams, that arrived at an especially propitious time, as well as a previous gift of \$1700 from his parents.³²¹ Beck and Malina also regularly counted on support from their friends Whitey and Evie Lutz. Evie was an heiress to the corporation of Eli Lilly and Company, a global pharmaceuticals company founded in 1876 and that became the first company to mass-produce penicillin, the Salk polio vaccine, and insulin. The Lutz's were quite well off

320. Julian Beck, "Letter to Parents" (Box 2, Folder 16, June 18, 1959).; He does not specify exactly which crisis they were responding to.

321. Ibid.

and the Beck's depended on their support as regular contributors to the Living Theatre.³²² In a private letter, Beck referred to them as "angels, godfather, godmother, sponsors, mentors, heroes...."³²³ There is also evidence that the Lutz's gave considerable amounts of money over the years. On March 7 1961, Beck wrote to Whitey and Evie, asking for \$2412 to help pay some of their taxes and assuring the couple that he and Malina would be able to pay them back at a rate of \$200 per week and that he knew "that this is not a simple request" and that he was asking "in the face of the generous contributions you have already made our theatre" but that he didn't "know where else to turn."³²⁴

Finally, while the Living Theatre's performances and politics were not, perhaps, palatable to some of the larger foundations, the company, Beck, and Malina, did receive a number of prizes and grants, including a Brandeis Creative Arts Award worth \$1500 in 1961, as well as a \$2500 donation by The Aaron E. Norman Fund in support of the company's 1962 European tour, and \$500 each from The Scherman Foundation, the D.S. and R.H. Gottesman Foundation, and the Fairfield Foundation. The company was also awarded \$10,000 from the J.M. Kaplan Fund. While not an exhaustive list, these grants and donations indicate that the company was not entirely wandering the foundation wilderness seeking support and finding none. Beck himself estimated that during those first thirteen years, the company "received Foundation gifts amounting to \$50,000, funds from three

322. Some of the more recent drugs from the company include Prozac, Cialis, Darvocet, and Cymbalta.

323. Julian Beck, "Letter to Mr. and Mrs. HB Lutz" (Box 4, Folder 12, March 23, 1962).

324. Ibid.

individual donors amounting to \$75,000, \$25,000 from fund raising parties and an auction, loans of about \$35,000, and miscellaneous small gifts amounting to \$10,000.”³²⁵ While that might seem to be a considerable amount of money, running a theatre company has always been an expensive proposition and in the end, the debts simply grew too large and accrued too quickly. In October 1963, the years of operating in the red, of putting creditors off with small payment plans, and of depending more and more on the reputation of the company as well as Beck and Malina’s personal contacts to garner donations caught up with the company. The Living Theatre faced eviction and a growing tax debt. This time, not even Beck’s talents and ability to help the theatre duck and weave through the continual barrage of debt could suffice to keep the company operating as it had been.

4.2 LOSING THE BATTLE

On Wednesday, October 16, 1963, Beck and Malina were informed that the Living Theatre was being evicted from its 14th Street theatre complex because of its continued delinquency in paying rent. The eviction was originally scheduled for the following day. Beck had a long conversation with the landlord’s attorney, James E. Kilsheimer, in an attempt to forestall the eviction. After an afternoon of deliberation, Beck’s persuasive skills won the day and the company was granted the remaining week and weekend to run their production of *The Brig*

325. Beck, “How to Close A Theatre,” 183.

and try to raise money. If the Living Theatre could pay the rent in full (\$4350) and also provide a deposit of \$3500, the landlord would let the company keep their space. The Living Theatre was in a particularly precarious financial place going into the final quarter of 1963, having needed some considerably large donations for their European tours of 1961 and 1962. The company was also dealing with the effects of a large newspaper strike that lasted from December through March and had a negative impact on ticket sales. The situation was bleak enough for Beck and Malina to call a press conference for the following day, Thursday the 17th, and make an announcement about the “end” of the Living Theatre, hoping that people would be galvanized to donate sufficient money to forestall eviction and produce another season. At noon on Thursday, Beck and Malina delivered their statement and answered questions for the press.

Their statement outlines the pessimism of Beck and Malina at the time, noting at the very beginning that after giving “almost 2,000 performances for over 160,000 people, the Living Theatre is about to close,” or, the statement continues, “rather, to be closed.”³²⁶ After outlining the company’s success, Beck and Malina admitted that they “always knew that the Living Theatre had only the dimmest of chances of being really a money making business” and that despite their hope that “foundations and individuals might make up for whatever deficit the theatre acquired,” any such support had been exhausted.³²⁷

326. Julian Beck and Judith Malina, “Press Statement” (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D, October 17, 1963).

327. *Ibid.*

For the company to produce another season at their 14th Street location, it needed money: \$4349.41 for five and a half months unpaid rent with the additional \$3500 deposit to keep their space, \$12,500 to pay off some of their back taxes, \$5000 to pay other debts, and \$20,000 to mount the following year's season that was meant to include the plays *Futz* by Rochelle Owens, *Potsy* by Lee Baxandall, *The Other* by Miguel de Umamuno, *The Audience* by Federico García Lorca, and *The Young Disciple* by Paul Goodman.

When reporters asked Beck and Malina about raising more money from their supporters, they responded that the “people who have given us about 100,000 are pretty much well-drained” and that it wasn’t “fair to keep dunning the same people.”³²⁸ While the press release and Beck’s and Malina’s statements indicated resignation to the idea that they might soon be homeless, the release concluded with the statement that the Living Theatre would continue their work through touring and it would find ways to make theatre and share it with as many as they could. There was a decided sense that the company would most likely have to vacate the 14th Street theatre complex by the following Tuesday. However, this resignation and the seemingly inevitable loss of the company’s home was quickly overshadowed by the sudden arrival of three IRS agents with orders to seize all Living Theatre corporate assets as payment for taxes owed—and by overshadowed I don’t mean simply on the day of the event. While many accounts recognize or mention the press conference, the pessimism and sense that the theatre’s closing was a nearly foregone conclusion have been

328. Sam Zolotow, “Tax Office Shuts Living Theater,” *New York Times* (1963): 35.

mostly forgotten. The following day, a *New York Times* story on the seizure ran with the headline “Tax Office Shuts Living Theater,” while a day later, the *LA Times* stated that “T-Men Close Avant-Garde NY Theater.”³²⁹ This event drastically changed the tenor of the day from one of resignation to one of defiance and struggle. In writing about that day, Beck states that he did:

...not know precisely what happened, whether someone in the [IRS] office panicked on learning of the landlord's eviction, whether something more sinister was happening. Thursday afternoon, an astrological congestion of the major creditors [sic]. Three IRS men walked into the building with a seizure kit and announced that the building was now Federal Property and that we were trespassing. I argued for time, particularly for the weekend. A theatre that is closed cannot raise money, a theatre that is struggling can.³³⁰

The unexpected nature of the IRS's action is echoed in most retellings of these events. In an interview she gave at 1:30 am on Friday, October 19th—delivered via megaphone to Richard Schechner, who was in the street below while the company occupied the 14th Street building in protest of the IRS actions—Malina stated that the IRS “came in without any notice...and locked everything up.”³³¹ Jack B. Wright noted that leading into the events of the “Brig Bust,” there “had as yet been no indication from the Internal Revenue Service concerning what specific action would be taken to collect the delinquent taxes” and that the appearance of the agents brought about the end of their work at 14th Street “much sooner than the company

329. Ibid.; Associated Press, “T-Men Close Avant-Garde N.Y. Theater,” *Los Angeles Times* (1963): B7.

330. Beck, “How to Close A Theatre,” 187-188.

331. Judith Malina, Kenneth Brown and Richard Schechner, “Interviews with Judith Malina and Kenneth Brown,” *The Tulane Drama Review* 8, no. 3 (1964): 207-219.

had anticipated.”³³² Beck reiterated this view in the 1980s documentary *Signal Through the Flames*, when he stated that “...we did this play which harshly criticized the Marine Corps system...” and that “Howard Taubman who was then the critic for the New York Times called for a presidential investigation of the United States Marine Corps prison system and BANG the Treasury Department, which had been playing, as it were, ball with us, in our problem about paying taxes even though we were a tax exempt institution, suddenly marched in and closed the place up.”³³³ John Tytell, in 1995, would merely quote Beck’s own essay, writing that Beck, “was not sure precisely whether someone in the IRS panicked on learning of the landlord’s eviction notice” or if there might be something “sinister” going on.³³⁴

The seizure did not go off quite as smoothly the IRS agents might have expected, however. The actors staged a sit-in and refused to leave the building in protest of the IRS action. Renfau Neff described the protests in her 1970 book documenting the *Paradise Now* tour: the “actors staged a sit-in inside of the locked premises, friends and patrons picketed on the sidewalk outside, journalists, critics, artists, and intellectuals gave fervent support, and petitions were circulated to keep the Living Theatre alive.”³³⁵ Protestors in the streets outside the theatre marched with signs that read “To Close the Living Theater is to Kill The Truth,” “Save the Theatre,” “Unjust Gov’t Seizure,” and “Love or Money? Art before Taxes,” among

332. Wright, “The Living Theatre: Alive and Committed,” 165.

333. *Signals Through the Flames: The Story of the Living Theatre*.

334. Tytell, *The Living Theatre: Art, Exile, and Outrage*, 189.

335. Neff, *The Living Theatre: USA*, 8.

others. The New York police were called to help secure the building and control the crowd outside. Soon, people “began sending messages and food up to the second and third floor windows via ropes and baskets.”³³⁶ After several days of continued stand-offs between the IRS agents, and Living Theatre supporters, “the actors sneaked into the theatre, erected the set which the agents had dismantled before leaving...and gave a ‘secret’ performance before an audience that had managed to enter the building by an unlocked fire exit, through windows, and through an opening on the roof.”³³⁷ After this performance, in the early hours of Sunday, October 20, a number of the actors and a few supporters of the company were arrested—twenty-five people in all. Most were released without charges or bail. However, Beck and Malina, along with Miriam Smith, Carl Einhorn, and William Shari, were held on \$500 bail each, which they all paid. Of those arrested, only Beck and Malina would go to trial the following year.

This is the interpretation that Beck, Malina, and most other reports give of the events, and it is often delivered with a sense of shocked outrage. The shape of this narrative over the years has also become one of political resistance and a growing intimation that the Living Theatre was shut down for possibly nefarious reasons. In his 1995 history of the Living Theatre, John Tytell described these events as the “Brig Bust,” using this handy, alliterative title to conflate the play and the IRS actions and to suggest a causal connection: the bust

336. Tytell, *The Living Theatre: Art, Exile, and Outrage*, 190.

337. Neff, *The Living Theatre: USA*, 8.

happened because of *The Brig*. As previously noted, the implication that the IRS's surprising actions were politically motivated was propagated by Beck in his essay "How to Close a Theatre," published in 1964. In the same journal, Malina's interview with Schechner conducted during the sit-in also makes a similar intimation. Schechner asks if she thinks the IRS actions were "related to the kind of plays" that the company presented and her reply is that she "would say that the kind of plays we do has a lot to do with it."³³⁸ Robert Brustein, writing for *The New Republic* in 1964, flatly asserts that the IRS seizure was about something other than taxes, writing that he "suspect[s]...that the Living Theater might be functioning today if it had not followed its program of experimental dramas with a documentary on brutality in the Marine Corps" and that he was "suggesting, in short, the possibility of bureaucratic conspiracy."³³⁹ This connection is picked up time and time again when critics and historians talk about these events. Neff, writing a few years after the events noted that from "amidst protest and support came speculations that the theatre had been ordered closed because of the anti-Marine content of *The Brig*, and many viewed the government's move as a retaliatory action against Beck's and Malina's outspoken pacifist and anarchist positions, their activism in peace and disarmament movements, and their participation and leadership in numerous nonviolent demonstrations that had led to their arrests for civil disobedience on countless occasions."³⁴⁰

338. Malina, Brown and Schechner, "Interviews with Judith Malina and Kenneth Brown," 208.

339. Brustein, "Artists and Bureaucrats," 36.

340. Neff, *The Living Theatre: USA*, 9.; There is also considerable hyperbole here. Beck and Malina had both previously served one jail sentence for refusing to take shelter during an air-raid simulation. On another

Decades later, Judith Malina spoke about the events in an interview conducted for the documentary *Resist!: To Be with the Living*, stating that by staging *The Brig*, the Living Theatre “was highly critical of the United States Marines and the United States Marines are a sacrosanct institution it is taboo to attack.”³⁴¹ During subsequent footage of the production, an actor from the piece describes how realistic the production seemed to the performers and audience members, and then the narrator explains that the production was so “real and powerful indeed that because of their radical, pacifist position, the group was forced to leave America and come to work in Europe.”³⁴² Cindy Rosenthal’s overview of the company in the 2007 book, *Restaging the Sixties*, continues this particular narrative, suggesting that “there is some speculation that [*The Brig*’s] subversive views of the military provoked government action.”³⁴³ Even as late as 2012, with the publication of her book *The Piscator Notebook*, Judith Malina suggested that the Living Theatre was deliberately shut down because of the politics of *The Brig*. This particular narrative has lasted so long because it makes a kind of common sense. Indeed, as discussed in chapter two, this is how myth functions, by making “natural” the thing it mythologizes, making the recipient of the myth think to themselves

occasion Malina was committed to Bellevue for psychiatric observation by Judge Louis Kaplan after she and Beck had been caught up in another anti-nuclear demonstration. Furthermore, Beck ended up in the hospital with serious injuries after an altercation with police at a similar demonstration. I am not minimizing these experiences, as both had profound affects on the couple, but these to not make up “countless occasions.”

341. *Resist!: To Be with the Living*.

342. *Ibid.*

343. Cindy Rosenthal, “The Living Theatre: Historical Overview,” in *Restaging the Sixties: Radical Theaters and Their Legacies*, ed. James Martin Harding and Cindy Rosenthal (Ann Arbor MI: University of Michigan Press, 2007), 29.

that of *course* that is the way it is. Certainly, symbolic capital is not accrued only through mythic discourse, but the Living Theatre's resistance to, and victimization by, a "bureaucratic conspiracy" has become so entrenched within the fabric of the Living Theatre's story that to dispute this conspiracy seems to dispute the very nature of the company itself. In upcoming sections, however, I do dispute some of these myths, arguing that the events of the "Brig Bust" were far more within the control of Beck and Malina than often portrayed. Indeed, from this point on I will no longer refer to these events as the "Brig Bust" for the simple fact that I am unconvinced that the actions taken by the IRS had anything to do with the fact that the company was presenting *The Brig*. I will argue that conflating the production and the IRS seizure helps pass these events "from history to Nature..." and thus ignores "the complexity of human acts" while giving "them the simplicity of essences."³⁴⁴

4.3 THE TAXES

There does seem to be considerable confusion about what taxes were owed and whether the Living Theatre was being unfairly taxed given that the company' gained non-profit status at the end of 1960. According to the IRS, and never disputed by the Living Theatre, the company stopped regularly paying a number of federal taxes in 1960. These were excise taxes, unemployment taxes, and withholding taxes. The excise taxes were to be part of the ticket

344. Barthes, "Myth Today," 132.

cost. According to the 1954 Tax Code that was in place at the time, the excise tax on tickets for a performance was set at “1 cent for each 10 cents or major fraction thereof of the amount paid for admission to any place, including admission by season ticket or subscription.”³⁴⁵ These particular taxes are the likely cause of confusion about the Living Theatre being unfairly taxed because this is a tax that can be waived with a non-profit, 501(c)(3) status. However, even Julian Beck did not dispute that fact that the company technically owed these taxes, stating that, as “a tax exempt educational institution” the Living Theatre “had a right to apply annually for exemption from admissions taxes” but that they never found the money to put in for this exemption.³⁴⁶ Legally, it is clear that the company did owe these taxes. Also, this was a tax at the point of sale. The ticket purchaser was the one actually paying the tax and it was supposed to be built into the ticket price. According to IRS documents, the Living Theatre first began to miss excise tax payments in 1961. Between 1961 and 1963, the Living Theatre skipped paying these taxes in the second and fourth quarters of 1961, the first, second, and fourth quarters of 1962, and the second quarter of 1963. These unpaid excise taxes came to a total of \$5720.36 along with an additional \$338.60 in statutory fees.

While significant, the excise taxes were not the majority of taxes owed by the Living Theatre. Similarly, the unemployment tax owed by the company was a relatively small

345. *Internal Revenue Code of 1954* (1954).

346. Beck, “How to Close A Theatre,” 187.

amount. At the time of the seizure these taxes amounted to only \$528.71. The unpaid withholding taxes for this period are, however, another story. This is where the tax debt became truly unmanageable for the company. Unpaid withholding taxes for the second and third quarters of 1960, as well as the second quarter of 1962 equaled \$10,193.96. Additionally, the fourth quarter of 1961 saw further unpaid withholding taxes of \$2867.42. Then, in the third and fourth quarters of 1962, the Living Theatre failed to pay another \$4256.92 worth of withholding. In 1963, this pattern repeated again, as the first and third quarters of that year saw a further withholding tax debt of \$3746.79. Thus, at the time of the IRS seizure, the company owed a total withholding tax debt of \$21,832.23.³⁴⁷ Note that the withholding and unemployment taxes are still due to the IRS regardless of non-profit status. Even if there was some confusion regarding the excise (admission) taxes, Beck himself admits in grand jury testimony that the taxes were unpaid “because we didn't have the money” and the Living Theatre did in fact “recognize the obligation” to pay.³⁴⁸

Furthermore, the subsequent trial of Beck and Malina had nothing to do with these taxes. As far as the IRS was concerned, the seizure of the company's corporate assets was in lieu of the taxes owed by the company. The IRS did not bring any charges against Beck and Malina as officers for The Living Theatre Productions, Inc. in regard to the failure to pay taxes. What follows is a more detailed description of the events precipitated by the IRS

347. “Levy” (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D, October 17, 1963).

348. Julian Beck, “Grand Jury Transcript” (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D, January 8, 1964), EJC-3.

seizure as well as an analysis of how Beck, Malina, and other Living Theatre stakeholders within the field created a very specific mythology surrounding the closing of the Living Theatre's 14th Street theatre and how the company used the seizure, sit-in, and arrest as a means of accruing more symbolic capital than if *The Brig* had simply closed as scheduled and the company lost its space due to an eviction.

4.4 OCTOBER 17, 1963

On October 17, 1963, having gained a few days reprieve from their eviction, Beck and Malina planned for their press conference. Beck also placed a call to the IRS, telling Agent Bernard Keenan about the company's upcoming eviction. Jack Gelber noted that Beck "decided on a dangerous dance with the authorities" when he chose to notify the IRS that the company had been evicted and that moving forward with a seizure of Living Theatre assets might be the only possible way forward given the circumstances of their debt.³⁴⁹ John Tytell dismissed this notion out of hand, relegating Gelber's information to a footnote in Tytell's own account of the events:

Robert Brustein...in a piece in *The New Republic* suggested the seizure of the theatre was ordered by a conspiracy of high-echelon government officials. Jack Gelber, in his article "Julian Beck, Businessman" offers a very different set of circumstances. He argues that the role of embattled revolutionaries and martyred, misunderstood artists was deliberately cultivated to mask box-office failure. At the point of ultimate crisis, when Julian knew he could no longer forestall the various creditors, Gelber alleges

349. Gelber, Jack, "Julian Beck, Businessman," 18.

“he decided to call the Internal Revenue Service and rouse the beast of government into action.” Unfortunately, Gelber provided no substantiation for these charges.³⁵⁰

Perhaps it is understandable for Tytell to dismiss this claim given that there is no hint of Beck’s culpability in bringing the IRS down on the company in any of the accounts presented in print or video other than Gelber’s account and one small mention in the *New York Times* coverage of Beck’s and Malina’s trial. This *New York Times* story noted that IRS Agent Bernard Keenan testified that the decision to execute the seizure was made “after Mr. Beck had called him on the telephone and suggested that the agent ‘take such steps as would be in the best interests of the Government.’”³⁵¹ However, the veracity of Gelber’s assertion and the fact of Beck’s call to the IRS is clearly demonstrated by Beck himself in his own grand jury testimony:

Yes; I called;- my immediate reason for telling...Mr. Keenan – was that the landlord was going to take over the premises if we did not raise the money by Monday, and that he had an indebtedness, or we had an indebtedness to him, however you want to put it. That was, I thought, our number one indebtedness. I don’t know; it’s not a matter of discrimination, but the debt to the government – this was not money we simply owed, for instance, to a landlord; this was money essentially that had been entrusted to me which lay very heavily on my conscience,- and I called him to inform him that he could best protect his interests.³⁵²

This call was placed at approximately 9:40 am on October 17, only a matter of hours before the Living Theatre’s scheduled press conference. Importantly, Bernard Keenan was not a

350. Tytell, *The Living Theatre: Art, Exile, and Outrage*, 388-389.; Gelber’s article was based on his personal memories and conversations with Beck and Malina. This project was begun, in part, in order to see if the archival evidence could indeed substantiate his assertions.

351. John P. Shanley, “U.S. Agent Heard at Becks' Trial,” *New York Times* (1964): 42.

352. Beck, “Grand Jury Transcript,” MTC-2.; I have retained the odd punctuation that is contained in the court transcripts throughout this project.

random agent, but had been assigned to the Living Theatre case in January of 1962 and had been working with Beck and Malina for almost two years to manage the company's tax debt. Keenan had visited Beck at the Living Theatre's space nineteen times and spoken with Beck fifty-five times on the phone regarding the taxes owed. Despite the company's numerous failures to live up to payment agreements, as well as three attempted payments that failed due to insufficient funds, there is simply no evidence that Keenan would have sought to seize the Living Theatre's property on this particular weekend if Beck had not placed this call.³⁵³

Keenan's record of the phone call matches Beck's. In his written statement describing the events, Keenan writes that Beck "stated that he would not make the substantial payment" on the taxes owed and that Keenan "should take the action [Keenan] had previously outlined" if the Living Theatre did not meet its tax obligations.³⁵⁴ What action? Keenan goes on to state:

I had previously spoken to Julian Beck and Judith Malina Beck with regard to the unpaid tax liabilities of the Living Theatre on June 13, 1963, June 26, 1963, October 4, 1963. On each of these dates I had advised Julian Beck and Judith Malina Beck that the government would have no alternative but to seize the assets of the corporation if the corporate tax liabilities continued to remain unpaid and to pyramid.³⁵⁵

Both men testified that Beck had explained to Keenan that the company was going to try to raise the money to pay back all of their debts by releasing a press statement about the situation. Because Beck had negotiated with the landlord's attorney to hold off from the

353. "IRS Case File" (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D), 7-8.

354. Bernard Keenan, "Memorandum on Activities and Observations" (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D), 1.

355. *Ibid.*, 1.

eviction until the following Tuesday, his expectation that the IRS might hold off until Monday to execute the seizure seems somewhat warranted as he did explain to Keenan that he was going to try and leverage the dire situation for the benefit of everyone: the Living Theatre, the IRS, and the landlord. Keenan admits this in his memorandum, stating that Beck informed him of the eviction extension and that Beck was planning to use the rest of the week and the weekend to raise money.³⁵⁶

Indeed, while it is impossible to know exactly how Beck saw the situation playing out, an Associated Press story, published on October 18 but dated October 17, provides a tantalizing clue. *The Washington Post, Times Herald* printed an *Associated Press* story with the headline “‘Living Theater’ in N.Y. Dies of Debts and Taxes,” and it is clearly based upon information coming from the press conference, noting that “Off-Broadway’s best-known stage troupe” had “put up its closing notice today after a turbulent 12-year career.”³⁵⁷ However, the story was obviously filed *before* the IRS arrived to execute the seizure because there is no mention of the actual IRS seizure. It goes on to say that the company’s closing was prompted by the landlord’s eviction action as well the IRS becoming impatient for the company to pay its debt. The article (again, dated October 17, the same day of the press conference and arrival of the IRS), states that the “IRS notified the company that all assets would be seized Monday but said a 30-day period of grace would be allowed before a tax

356. *Ibid.*, 2.

357. “‘Living Theater’ in N.Y. Dies of Debt and Taxes,” *Washington Post, Times Herald* (1963).

sale.”³⁵⁸ There is no evidence in any of the statements from Bernard Keenan that the IRS promised to wait until Monday to execute the seizure. So where did this idea come from? Based upon just how deeply ingrained the theatrical lifestyle and practice was for Beck, it seems likely that he merely assumed the IRS would, logically (for a theatre practitioner), wait until the final five performances of *The Brig* were given before taking action. In grand jury testimony, Beck stated that he had suggested to Keenan that “the government seize the property then after the weekend, on Monday.”³⁵⁹ However, Beck then reframed this statement, indicating that he couldn’t, for a fact, state that either he or Keenan had clarified the seizure date for the following Monday and that it “just seemed to be the advisable action considering the situation—or to me—I don’t know what he said or how but I gathered that the government would seize the property on Monday,” and that it “never crossed my mind that they would come in before then.”³⁶⁰

But come they did. Keenan spoke to his supervisor, Max Troy, and because of the potential loss of corporate assets with the pending eviction, as well as the fact that the IRS had relatively little success in collecting monies owed by the Living Theatre, Troy decided to have Keenan execute a levy in order to seize Living Theatre corporate assets as recompense for unpaid taxes. At approximately 3:00 pm, Bernard Keenan, along with fellow Revenue Officers William Lafko and Charles Margolis arrived at the 14th Street theatre and read out

358. Ibid.

359. Beck, “Grand Jury Transcript,” MTC-4.

360. Ibid., MTC-4.

the levy.³⁶¹ Beck had overplayed his hand, and his miscalculation meant there would be no performances over the weekend. Beck tried to talk Keenan into more time, arguing that the company should have the weekend to put on the show and try to raise money. Keenan didn't budge. Beck called Max Troy and tried to explain why the weekend was so important, but by this time it was too late. After the energy of staging a press conference and making the case for their theatre, with an inherent distrust of authority and belief that theatre trumped nearly all concerns, and with a building full of young and passionate actors who had been performing, for months, a play about the injustice of a blind justice system that stripped individuals of their right to be fully human, what came next was not, perhaps, very surprising to anyone but the IRS.

Ordered to leave the building, the actors refused. In an interview with Richard Schechner, Judith Malina stated that the actors refused to leave because the seizure was done “without warning, unjustly,” and under unacceptable circumstances.³⁶² Beck described the decision similarly in his essay about the closing, stating that “[w]hile Judith and I were busy with the IRS and reporters, the actors got wind of what was happening,” and that their “reaction was pure and very beautiful.”³⁶³ The actors, according to Beck and Malina, merely wanted the chance to work and to make their living. Beck saw this protest as one of placing:

...human demand above the demand of Mammon's Law. [The] IRS asked us to ask them to leave. How could we? We had been telling them to do just that for years.

361. Keenan, “Memorandum on Activities and Observations,” 2.

362. Malina, Brown and Schechner, “Interviews with Judith Malina and Kenneth Brown,” 208.

363. Beck, “How to Close A Theatre,” 188.

There were more than a dozen and if we had asked them to leave I am not sure they would have. Proud of this.³⁶⁴

According to Keenan's statement, Beck and Malina held a conversation with actors away from the IRS agents. Afterwards, "several persons entered the office and proceeded to sit down on the floor," and "Mr. Beck stated that these individuals had a personal interest in the Living Theatre and its production; that their acts were of their own volition; and that neither he nor his wife could or would ask them to do anything contrary to their wishes."³⁶⁵ It is a moot point as to whether Beck or Malina had any direct influence over the decision to conduct a sit-in. Pierre Biner suggested that the actor Steve Thompson was the first who "decided not to leave the premises" and that it was he who started the sit-in.³⁶⁶ However, as Beck made clear in his "How to Close a Theatre" essay, both he and Malina had been inculcating political action and consciousness within their theatre company for a number of years.³⁶⁷ What is clear throughout, and even in Keenan's report of the events, is that it was important to both Beck and Malina that they did not "order" or "organize," or did not *appear* to be the sole instigators of, the sit-in, and that the actors were making their own decisions; that what the Living Theatre stood for as a political and artistic organization was being taken

364. *Ibid.*, 188.

365. Keenan, "Memorandum on Activities and Observations," 3.

366. Biner, *The Living Theatre*, 75.

367. Indeed, there is evidence that the increasing amount of political activity centering around Beck, Malina, and the theatre was proving someone problematic to some of their supporters. The company's public relations were being handled by Sylvia Spencer for a time in the early 1960s and she sent Julian Beck several letters of concern about the theatre space being used for political purposes and as an organizing center for the General Strikes for Peace that Beck and Malina helped organize. She would, in the end, sever ties with the company because of this issue.

up by its supporters and members independently of Beck and Malina. This may seem to be in contradiction to Beck's statement quoted above that he and Malina had been telling their company members "for years" to place "human demand above" that of the economic and legal realms. However, there is a practical difference between creating the conditions for an action through previous actions (political and artistic) and *ordering* actions.³⁶⁸

For Beck and Malina, this was a key distinction and one that spoke to the notion of how habitus operates within group actions. Remember that Bourdieu's concept of habitus is one of learned practice. Thus, we can understand that a sit-in does not arise spontaneously as an improvised reaction to a current situation. One of the "fundamental effects of the orchestration of habitus is the production of a commonsense world endowed with the *objectivity* secured by consensus on the meaning...of practices and the world."³⁶⁹ The actions of Beck, Malina, and the other company members demonstrate a "harmonization of agents' experiences and the continuous reinforcement that each of them receives from the expression, individual or collective (in festivals, for example), improvised or programmed (commonplaces, sayings), of similar or identical experiences."³⁷⁰ As previously discussed, Beck and Malina had both been active in demonstrations against nuclear proliferation and had been arrested and done jail time for refusing to take shelter during a city-wide air raid drill.

368. That there may be no *ethical* difference is open for debate. Additionally, Beck and Malina, as President and Secretary of Living Theatre Productions, Inc. could also have been trying to create a distance between the organization and the actions of the individual company members for legal reasons.

369. Bourdieu, *Outline of a Theory of Practice*, 80.

370. *Ibid.*, 80.

Additionally, two other members that the IRS cited as being principle agitators during the three-day sit-in, Miriam R. Levine and William Shari, were also associated with demonstration movements and had previous arrest records.³⁷¹ The varying descriptions given by Beck and Malina alongside the reports offered by the IRS agents demonstrate that while the protests were certainly political and used by the Living Theatre company as a performance to gain sympathy and raise money for the survival of the theatre, there is also a collision of two very different *practices* toward authority and institutional power. In a very material and embodied sense, the Living Theatre and the IRS were in different worlds with different sets of rules.

These different sets of rules came into further conflict when, after leaving to place seizure warning notices and tags in the box office, Keenan returned to the Living Theatre's office. Once again he and Margolis tried to talk the actors into leaving but were informed that they "preferred to remain until carried out" and that a "state of 'passive resistance' was now in effect."³⁷² Not wanting to deal with or create a major incident, Keenan called his supervisor and asked if they could limit their "seizure-action to taking the contents of the cash-boxes situated in the box-office" so that "they could leave the premises as quickly as possible, without incident."³⁷³ This action seems considerably at odds with any notion of an organized shut-down of the Living Theatre because of their previous political acts or their

371. "IRS Case File," 5.

372. Keenan, "Memorandum on Activities and Observations," 3.

373. *Ibid.*, 3.

staging of *The Brig*, even if Kennan's request was denied by Troy. As with Beck's decision to place the phone call to the IRS in the first place, Troy's decision marks another possible alternative history: one in which Beck and Malina were not arrested; in which *The Brig* played all that weekend and the Living Theatre was able to raise at least some money toward their debts. This, alternative history, however, would have likely *not* been nearly so effective in increasing the Living Theatre's symbolic capital as a radical and anti-authoritarian theatre company. The inflexibility of the IRS was beneficial, in the long run, to the Living Theatre's mythology. And so, facing the reality of the situation—protesting actors, a recalcitrant Beck and Malina, members of the press roaming throughout and around the building—the IRS officers called the police.

By 6:00 pm that evening, the IRS personnel on site had increased dramatically. Included were Revenue Officers Alexander Babula, James Moran, James Sullivan, and Joel Eidelsberg, as well as Collection Manager Harold Offenthaler, and Group Supervisors Max Troy, Charles Burton, and Milton Clark. Captain Robert Jupiter of the New York City Police Department was on the premises, as well as Sergeant Eugene Murphy and Patrolmen Thomas Milana and Thomas Kenney. The situation was becoming far more complex than Bernard Keenan or Max Troy could have imagined, with the police trying to secure the building, the IRS agents trying to secure Living Theatre property and talk the actors into leaving, and the Living Theatre staff and actors, along with Beck and Malina, agitating for the chance to do their show, to make their living, and to practice their art. Outside, picketers chanted, "Save

the Living Theatre.”³⁷⁴ Throughout the night, company members inside the building lowered placards while supporters in the street brought food to be hoisted to the third floor in a bucket on a rope. Both groups sang protest songs. Police blocked the entrance and tried to keep a semblance of order.

At a few minutes after 6:00 pm that evening, a conflict arose between the protestors and IRS agents that would be one of the criminal charges against Beck and Malina. Beck recounted similar stories in both his grand jury testimony and in his essay “How to Close a Theatre,” about how Malina was trying to retrieve a tampon from her personal effects in one of the dressing rooms that the IRS agents had already tagged. He recounted that outside the dressing room were “as many as a dozen agents...and [Malina] asked them if they would be so kind as to open the dressing room door as she wanted a personal item.”³⁷⁵ When the agents refused, Beck became involved, asking them to open the door in order for Malina to retrieve a Tampax:

I asked them, twelve men, more than a minion, to do this. It seemed to me that there was something unmanly about not opening the door. I tore the door off its hinges. It was easy. They photographed the door. This confrontation was typical of repeated incidents throughout the next three days.³⁷⁶

This is not quite how one of the IRS agents, Mario Ramirez, remembered the event:

...while I was near one of the dressing rooms a woman who I later learned to be Mrs. Judith Malina Beck came to me accompanied by another woman who I later learned

374. *Ibid.*, 4.

375. Beck, “Grand Jury Transcript,” MTC-5.

376. Beck, “How to Close A Theatre,” 188; While Beck here uses the word “minion” it is likely that he is referring to, or punning with, the Jewish term “minyan” which is a group of ten Jewish men that forms a quorum for certain religious practices.

to be Miss Miriam Levine Smith and requested permission to go inside. I asked her what was the purpose and she replied by using abusive and obscene language and gestures. I replied that there is a bath room [sic] at the other end of the floor and still another bath room downstairs, but she insisted in going inside of the locked room. Then they left and a moment later Mr. Beck came and opened the door by putting his feet against the wall and pulling the door, resulting in the removal of the door from its track and the part that holds the padlock to the wall.³⁷⁷

I am not interested in making a claim that the Ramirez account is necessarily more “true” than Beck’s and Malina’s accounts, nor am I interested in making moral judgments on Beck taking actions against a door. What both accounts demonstrate is that Beck and Malina reflexively placed art and individual freedom before institutional power or legal authority. Informed by their understanding of anarchist principles, for Beck and Malina it simply made no rational or moral sense to place rules above the needs of a person. Yes, ideology is at play here, but what Bourdieu offers us is an understanding of how bodies enact themselves in practice. Here, on this date, Beck and Malina engaged in protest not merely for ideological sake, not merely to give themselves a more dynamic end to their 14th Street theatre (though both of these are certainly part of the impetus behind their actions) but also because they had developed an embodied practice of resistance to authority that was informed by years of existing and living in a certain manner and culture.

The second of the principle charges brought against Beck and Malina occurred later that night at around 9:30 pm when Beck ran off some mimeographs on the already tagged mimeograph machine. This was photographed by Mario Ramirez as well. Beck testified that

377. Mario Ramirez, “Memorandum on Activities and Observations“ (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D), 1.

he knew he was technically breaking the law by doing this. Peter Leisure, during grand jury questioning, asked if Beck had “been informed...that everything was government property that had been so identified and that if you interfered in any way you would be breaking the law,” Beck responded: “I think a formal statement had been read to us which I didn’t thoroughly understand the language of, but I would say, yes, I understood.”³⁷⁸

By midnight, even more IRS agents arrived. The Chief of the Collection Division, Eugene McConnell, Assistant Chief Frank Hoffmeister, the Chief of the Delinquent Accounts and Returns Brant Vaile Ward, and the Chief of Special Procedures Section Nathan Sprintzin, brought the total of IRS personnel to fifteen on site during those first twelve hours of their attempt to execute the seizure. There were no more incidents that night that are included in the charges brought against Beck and Malina; however they, along with a number of other company members spent the night in the building, fearing that they might not be let in again if they left.

4.5 OCTOBER 18, 1963

In the early morning hours of Friday, October 18, the building still buzzed with company members, police, and IRS agents. Food was delivered up to the protestors inside the building using rope and baskets. Even after midnight, picketers marched, calling for the freedom of

378. Beck, “Grand Jury Transcript,” MTC-7.

the Living Theatre to stage its production. The theatre was indeed “in the streets.” Richard Schechner was out in the streets as well, using an improvised megaphone to conduct an interview with Judith Malina and Kenneth Brown, author of *The Brig*. While this interview was not published until the spring of 1964, it is possibly the first evidence of how Beck’s phone call to the IRS was disavowed throughout the subsequent decades. When Schechner asked why the company was sitting in, Malina responded that they “are here because the Internal Revenue Bureau, hearing that the landlord was going to close the theatre on Tuesday, came in without any notice at three o’clock in this afternoon and locked everything up.”³⁷⁹ While this is technically true, it elides Beck’s responsibility for bringing the IRS to the theatre. Malina was also heartened by the number of picketing people out in the streets, hoping that they would stay throughout the night and for as long as the protestors inside were “not arrested or carted off or dissuaded....”³⁸⁰ When asked about the tenor of their interactions with the IRS agents, she admitted that “[g]enerally they have been friendly, though there have been incidents of unfriendliness and discourtesy.”³⁸¹ Certainly this went both ways, and the restraint shown by the IRS—regardless of where one stands on the ethical issues—was somewhat surprising.

Despite all of the protest and antagonism between the agents and the company members, and despite the crowd of picketers outside, the IRS did not want to arrest anyone.

379. Malina, Brown and Schechner, “Interviews with Judith Malina and Kenneth Brown,” 207.

380. *Ibid.*, 209.

381. *Ibid.*, 207.

Nathan Sprintzin, the chief of Special Procedures Section, noted in his memorandum that it was “determined that there was no feasible way to close the premises without ousting the sit-ins and this method was not considered appropriate” at the time.³⁸² By 2:15 am, the IRS decided to leave several agents, regular officers as well as supervisors, to protect the seized property. The New York Police Department kept a number of officers on the street to help keep order as well.

Later that morning, the protest against the IRS seizure continued, as Beck struggled to raise money toward the Living Theatre’s debts. According to Bernard Keenan, who spoke to Beck on the phone during the day, \$4500 had been promised to the company, but of course this was far too little and far too late. As company members and supporters roamed the building, the IRS decided to centrally place some of the seized property on the stage in order to minimize the possibility of theft or damage. Beck attempted to intervene, claiming that “some of the items were the personal property of Mrs. Beck and himself.”³⁸³ Specifically, he was trying to stop the agents from seizing several file cabinets:

I was concerned with the contents of the filing cabinets. I said that they had the right to the filing cabinet; that they, so far as I knew, had a right to go through everything in the filing cabinet, and, I think I said, to see whether or not we have any hidden dollar bills or fifty-dollar bills or emeralds. I think I was sarcastic. I regret that. But in there, I felt in general everything in those file which consisted of much of my own personal file, my letters, letters from whom we had had dealings, that I understood letters were the property of the person who wrote them; that there were photographs, clippings, plans, and directors’ notes, and so forth. All of these things represented my artistic work and my wife’s artistic work, which was my life work, and that these

382. Nathan Sprintzin, “Memorandum on Activities and Observations” (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D), 1.

383. Keenan, “Memorandum on Activities and Observations,” 6.

records had been pledged to the New York Public library...I didn't want to see any harm come to them. I was afraid that these things might get out of my hands, that possibly this was a gesture or action I would go through which would dissuade them from taking them, and I had no way of knowing that once they were removed that I might ever see them again for a year or two years or three years or, perhaps, never.³⁸⁴

A scuffle ensued, with Beck blocking the agents by lying across the stairs that they were using to move the filing cabinets. He was eventually restrained and forcibly moved to the lobby of the theatre. This encounter formed the basis for another of the charges brought against Beck in the trial and the two versions of what happened differ wildly. In his charge to the jury, Judge Edmund Palmieri recapped the IRS testimony delivered by IRS Agents Keenan, Burton, Sprintzin, Borak, and Schutzman indicating that Beck “forcibly resisted removal” and that one of the agents was slammed against a wall and another was slammed against a door frame due to Beck’s “writhing.”³⁸⁵ Beck testified that his resistance to the agents’ actions was due to his own shoulder “striking his cheek and causing him great pain from his sore tooth.”³⁸⁶ Interestingly, Special Agent Bruce Murray’s “Memorandum on Activities and Observations” actually supports Beck’s side of the story, or at least throws some doubt on the violence of the encounter. Murray wrote that after several attempts to convince Beck to move from the stairs, he “summoned Special Agents Robert Schulman and Joseph Buckley to assist me in moving Mr. Beck,” and that they “moved him to a corner on the second floor where he was restrained.” There is no mention of “writhing” or of any agents being slammed against

384. Beck, “Grand Jury Transcript,” MTC-9-MTC-10.

385. Edmund Palmieri, “Charge of the Court” (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D), 41.

386. *Ibid.*, 41; Beck was suffering from an impacted tooth throughout these events.

anything in this memorandum on the events. Assistant Chief Leonard Schutzman also wrote about the incident in his “Memorandum,” stating that after several minutes of trying to talk Beck into moving, he “instructed several agents to remove him bodily and he was forcibly restrained...from further interference during the remainder of the evening.”³⁸⁷ The fact that neither of these agents mentioned any kind of violence in their written records while testimony painted Beck in a more violent light is suspicious, if not entirely surprising.

By Friday evening, a kind of detente was reached between the IRS and the Living Theatre. There was a sense that both sides were tired of the standoff but neither was in a position to fully back down at this point. Group Supervisor Charles Burton’s “Memorandum” recounts that a few minutes after 8:00 pm, Chief Sprintzer called together an “open conference with Mr. Beck, within hearing of members of the cast of *The Brig* and a group of representatives of the Internal Revenue Service.”³⁸⁸ Sprintzer reiterated the government’s position regarding all tagged property and reassured the cast that all personal property would indeed be returned. After Beck agreed to respect all seals and locks and pledged that no “property would be tampered with or removed from the premises” all of the IRS agents were dismissed for the night.³⁸⁹ Beck called this respite “The Cherry Orchard” time. As the company felt they would be allowed back into the building the next day, they

387. Leonard Schutzman, “Memorandum on Activities and Observations” (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D), 1.

388. Charles Burton, “Memorandum on Activities and Observations” (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D), 3.

389. *Ibid.*, 3.

left the premises as well. That night, Beck and Malina “discussed the possibility of putting on a last performance of the play in the lobby of the theatre for contributions” and decided to call a rehearsal for 2 pm on Saturday.³⁹⁰

4.6 OCTOBER 19-20, 1963

Saturday afternoon, members of the company, including the actors of *The Brig*, determined that they would attempt to stage the show for anyone who could get into the theatre. Originally, the company planned to adhere to the IRS seizure tags and stage the performance in the lobby space. Beck later wrote that he was unsatisfied with this arrangement: “I dreaded the idea that the last performance, indeed any performance, of the Living Theatre would be half-assed.”³⁹¹ And so, throughout the afternoon and into the early evening, the company made preparations for the evening’s performance. According to Beck, they were “scrupulous” about not breaking any seals placed the IRS.³⁹² However, Beck's own grand jury testimony suggests otherwise. He admits requesting that company members remove nails securing a fire door to the performance space in order to ensure a safer exit for audience members if necessary.³⁹³ Furthermore, Beck admits that at least four of the seven dressing

390. Beck, “How to Close A Theatre,” 189.

391. *Ibid.*, 189.

392. *Ibid.*, 189.

393. Beck, “Grand Jury Transcript,” EJC-2.

room doors had been forced open by the actors in order to access costumes and props for the play. Bernard Keenan later noted that when the agents returned to the theatre they “observed that doors to a number of dressing-rooms had been removed, all of which had had the Warning Notices affixed thereto” and that a “sewing-machine...and articles of clothing...which had been stored in a wooden-cabinet had been removed from an enclosed area on the third floor....”³⁹⁴ Additionally, the company also worked to reconstruct the set, which had previously been taken apart by the IRS.

As afternoon turned to evening, company members were spreading the word to supporters outside that there would be a free performance of *The Brig* for any who could get into the theatre. Beck suggested that people bring their own ladder and climb in through the window, and a number of people did. Additionally, some were able to gain access through the roof by crossing over from the adjacent building. Tytell describes the scene as “reminiscent of the Paris Commune of 1871.”³⁹⁵ While this may be more than a bit hyperbolic, what is certain is that a considerable number of people managed to get into the building and that this made the police anxious. By around 7:00 pm, the IRS returned to the building “in order to check on the security of the seized property” and “were confronted with an agitated picket line kept under control by New York City Police Officers.”³⁹⁶ Captain James McGowan of the NYC Police told Agent Keenan that the IRS “had better gain control

394. Keenan, “Memorandum on Activities and Observations,” 7.

395. Tytell, *The Living Theatre: Art, Exile, and Outrage*, 189.

396. “IRS Case File,” 15.

of the situation or a riot would soon ensue.”³⁹⁷ However, according to the IRS Case File on the events, by 8:30 pm there were only about 15 active protestors outside the building. Though their activities were drawing a crowd, with ten police officers on site it is hard to see how much of a “riot” could happen.

Over the next several hours, protests occurred outside the theatre and company continued preparations for the performance. Special Agent Wallace Musoff arrived at approximately 8:30 pm and had been given specific orders *not* to make any arrests and to “control the situation in a peaceable manner by verbal persuasion.”³⁹⁸ Once in the building, Musoff realized that the “unauthorized individuals already inside the theater had locked the stage door and refused to allow us in.”³⁹⁹ He then “authorized Patrolman Schoenhans to use his nightstick to force the other entrance open.”⁴⁰⁰ There, he and the other officers saw William Shari urging the outside crowd to “storm the barricades” and come into the theatre to see the show. In an attempt to regain control of the situation, Musoff ordered Keenan to “put out the stage-lights, and to close the switches on the main panel-board,” which he did, plunging much of the “theater area into darkness.”⁴⁰¹ However, as the backstage lights were on a different circuit, William Shari was able to turn those on and provide at least some light

397. Keenan, “Memorandum on Activities and Observations,” 9.

398. *Ibid.*, 9.

399. Walter Musoff, “Memorandum on Activities and Observations” (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D), 2.

400. *Ibid.*, 2.

401. Keenan, “Memorandum on Activities and Observations,” 9.

for the performance. Faced with the continued resolve of the company, the IRS agents backed down once more. Keenan noted that “there was no point in...remaining there in view of the attitude of the members of the cast.”⁴⁰²

At approximately 9:45 pm, on Saturday, October 19, 1963, the Living Theatre put on the final production of *The Brig* at their 14th Street theatre for an audience of around thirty people, not counting police and IRS agents who, remarkably, made no attempt to disrupt the play while it was in progress. The show ended around 12:00 am on Sunday morning, October 20. Flushed with success and the adrenaline that every intense show releases, the actors, led by Beck and Malina, declined the IRS request to vacate the building. According to Special Agent Harvey Borak, Beck asked to see the highest ranked IRS agent at the theatre, which was Assistant Chief Schutzman and then asked for permission to “put on two more performances the following day.”⁴⁰³ The company was not given such permission. Beck described what happened after the performance:

After the show we were asked to leave. We insisted that we would remain until we could give two shows on Sunday for a freely admitted audience, contributions, etc. No, and many added, we are only following orders which Judith says is an argument people shouldn't use after Eichmann. They arrested 21 members of the company and friends, one author, one member of the audience, and two people who did not want to get arrested.⁴⁰⁴

Of note is the fact that they weren't *immediately* arrested after the performance. The

402. Ibid., 10.

403. Harvey Borak, “Memorandum on Activities and Observations” (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D), 2.

404. Beck, “How to Close A Theatre,” 190.

audience members were allowed to leave without interference and Assistant Chief Schutzman was clear that although the company members were breaking the law, and that they had been for several days, if everyone would leave the building, there would be no arrests. However, “Beck stated that both himself and others wanted to be arrested and that they would not leave the premises until they were.”⁴⁰⁵ For nearly another hour, the IRS took no action and allowed the company to hold a meeting on the stage. Harvey Borak, from his vantage point at the stage door entrance, observed that the company members and few remaining “sit-ins” were attempting to decide who was going to be arrested. After this conversation, he noted that Miriam Smith, “left the rest of group and approached the reporters assembled in the theatre lobby” and that she then “proceeded to give the reporters a list of individuals whom she said were going to defy the Federal Authorities and submit to arrest.”⁴⁰⁶

It was only at 1:05 am that Assistant Chief Schutzman accompanied IRS Chief A.E. Walters onto the stage. Walters and Schutzman announced, once more, that the IRS would not arrest or prosecute anyone if they left the building, that they were liable for felony charges in obstructing federal officers, but that the IRS “had no desire to arrest or make criminals of them.”⁴⁰⁷ Walters gave a final five minute ultimatum after sixty hours of a continued stand-off between the IRS and the Living Theatre: leave now or be arrested. Five minutes or five hours, would make no difference: the company was united in their refusal to

405. Borak, “Memorandum on Activities and Observations,” 2-3.

406. *Ibid.*, 3.

407. Schutzman, “Memorandum on Activities and Observations,” 3.

leave. According to Schutzman, at “the conclusion of the allotted time (in excess of five minutes actually), Chief Walters and I again requested Beck and the group to vacate the premises,” however they “adamantly rejected our plea and were placed under arrest.”⁴⁰⁸ He goes on to note that “Julian Beck and his wife and several others insisted on being bodily carried from the premises and down a long steep flight of stairs and into a police van.”⁴⁰⁹ The following people were arrested in the early morning hours of October 20, 1963: Julian Beck, Judith Malina, Carl Einhorn, Dale E. Whitt, Thomas A. Harriman, Leroy A. House, Tedi Farber, Steven Ben Israel, Jenny Hecht, Tommy Lee Lillard, Macia Herscovitz, Paul Prenskey, Ann Louise Oehlschlaeger, William L. Howes, Haydee Pru, Dorothy Shari, Kenneth Brown, Miriam R. Levine Smith, Hugh E.L. Burlenton, Jr., Dana White, Robert James Chase, Robert W. Bates, Ernest “Chic” Ciccarella, George Bartenieff, and Michael H. Elias. A bail hearing was held at approximately 4:00 pm later that Sunday, presided over by District Court Judge Edward J. Weinfeld who ordered nearly everyone to be released without bail, except for Julian Beck, Carl Einhorn, William Shari, and Miriam Levine Smith, each held on \$500 bail. While all were scheduled for an initial hearing the next day, only Julian Beck and Judith Malina would be charged and tried for the events of that weekend.

It is important to remember that the closing of *The Brig* in October of 1963 was not unexpected. On October 17, an ad ran in the *New York Times* declaring the close of the play

408. *Ibid.*, 3.

409. *Ibid.*, 3.

on October 20. That idea that the IRS “shut down” the production is technically true but also misleading. Indeed, by Friday October 18, the Living Theatre had already been offered a new theatre space for the duration of the 1963-64 theatre season. Irving Maidman owned five theatres and offered the use of his Masque Theater on 442 W 42nd Street “without any financial obligations whatsoever.”⁴¹⁰ Maidman specifically references the symbolic capital that the Becks and their company had accrued throughout the previous twelve years of work, stating that they “have done so much for Off Broadway theater, I feel they should be helped.”⁴¹¹ Given that *The Brig* was already slated to close, that the Living Theatre would have been evicted from their 14th Street theatre space by the following Monday, and that, even before the arrests on Sunday morning, the company had been offered a theatre space *rent free in New York City*, the notion that *The Brig* was closed because of a “bureaucratic conspiracy” à la Robert Brustein’s suggestion seems specious to say the least.⁴¹² Specious, but also pernicious. The disavowal of Beck’s phone call to the IRS serves a similar purpose. As does their choice to defend themselves at trial and to create a narrative of their conflict with the

410. “Living Theater Is Offered Help,” *New York Times* (1963): 15.

411. *Ibid.*

412. If there was such a conspiracy, one might expect that the FBI would be involved considering that Julian Beck had come to their attention as early as 1962 because of Beck’s involvement with the General Strike for Peace and because another organization that involved with the Strike was planning a trip to Cuba. After “closing the file” on Beck in February of 1963 because there was no evidence that he was a communist, there seems to be no subsequent interest in him until 1965. Absence of evidence is not evidence of absence, to be sure, but given that the IRS had no plans to execute a lien on the Living Theatre before Beck’s phone call, the efforts of Keenan to simply take all of the company’s cash and leave them to perform over the weekend, and the repeated attempts on the part of the IRS to avoid arresting any of the protestors, all evidence points away from any kind of government conspiracy.

U.S. Government that casts the Living Theatre in the role of a David versus a cruel Goliath. The motivation of Beck, Malina, and other members of the Living Theatre to create a mythic representation of historical facts is understandable as a *necessary* strategy for continued existence.

Those involved directly with the company had a very good reason to commit such disavowals and misdirections as a way to build a certain reputation and gain symbolic capital in the eyes of their supporters, but why has this mythic narrative been so difficult to dislodge by historians and scholars? Why, as I have demonstrated throughout, do even excellent scholars accept certain stories about the Living Theatre that conflict, at least on some level, with easily identifiable facts? I suggest that this historical gap in the theatrical field operates similarly to other examples of how myth has superseded facts. For instance, Kimberly Jannarone's recent book *Artaud and His Doubles* de-mythologizes and de-naturalizes Antonin Artaud's position in theatre scholarship by historicizing his life, work, and aesthetic theory. For Jannarone, despite Artaud's "anti-rational, anti-individual, anti-democratic thinking," he has been "canonized—sanctified even—by artists and intellectuals who strive toward a more progressive, liberal, and democratic society in which informed, empowered, and tolerant individuals play a key role."⁴¹³ Noting that there is no singular or easy answer to this disparity, she suggests that part of this canonization occurred because of the cultural environment of the early 1960s, which was the period of rapid dissemination of Artaud's

413. Jannarone, *Artaud and His Doubles*, 189.

theories in the US and UK. This was, she argues, a “time when all limits were considered bad limits, and the urge to lose oneself in something bigger paradoxically accompanied a dedication to self-discovery.”⁴¹⁴

There is also a similar parallel in Tom Postlewait’s examination of how the opening night of Alfred Jarry’s *Ubu Roi* has been mythologized. He argues that the standard narrative of the opening night riots is misleading and does not match historical documentation, yet remains remarkably persistent:

In consequence, even the publication of corrective scholarship has failed to stop or even slow the spread of the false history. Although the primary documents on the production of the play are available, few scholars have bothered to check and verify the sources. The legendary version of *Ubu Roi*, set in place by the 1920s and 1930s, perfectly serves our preferred narrative of the avant-garde theatre and culture.⁴¹⁵

Just as Postlewait argues that we “can do justice to Jarry’s inventive accomplishments without need of a riot and scandalized audience,”⁴¹⁶ so too can we approach the Living Theatre with the full complexity that comes from theatre artists trying to create avant-garde theatre in an economic system that is inherently antagonistic to such pursuits. While Postlewait does not invoke Bourdieu directly in his attempt to understand *why* such narratives can become

414. Ibid., 190.; There is a strong connection to the work of Artaud and that of the Living Theatre starting in the late 1950s when Beck and Malina were given an advance copy of the first English translation of Artaud’s book, *Theatre and Its Double*. Later productions, especially *Paradise Now* would further explore the company’s fascination with Artaud and there has been some attention paid to how the Living Theatre did seem to have trouble fitting some of their aggressive performance techniques with the ideals that they stood for. See Jannarone’s own brief critique of *Paradise Now* in her introduction as well as James Penner’s article “On Aggro Performance: Audience Participation and the Dystopian Response to the Living Theatre’s *Paradise Now*.”

415. Thomas Postlewait, *The Cambridge Introduction to Theatre Historiography* (New York NY: Cambridge University Press, 2009), 77.

416. Ibid., 77.

deeply entrenched, his observations, influenced by sociologist Richard Hamilton will certainly sound familiar. Constructing explanations, he writes, is “often reinforced by a social process of participating in (and helping to distribute) a familiar narrative or a sanctioned understanding.”⁴¹⁷ Further, in joining “an intellectual community” we have a tendency to “uphold...its received ideas” in order to “gain access to and approval from” that community.⁴¹⁸ In other words, the field both structures such narratives and thus, in turn, becomes structured by them. Symbolic capital is not only useful to the artists themselves, but also the the scholars and historians who have specific stories to tell *about* those artists. Conflating the closing of the Living Theatre with murky issues of unsubstantiated government conspiracy is not only a more engaging story than the reality of a series of miscalculations on the part of Beck and Malina and the almost stubborn effort to get themselves arrested, but such a conflation serves to gild the myth of the Living Theatre with the gold of symbolic value.

417. Ibid., 80.

418. Ibid., 80.

5.0 THE TRIAL

I do not choose to work in the theatre but in the world.
The Living Theatre has become my life the living theatre.
We devour each other. I can't tell one from the other.
Judith and I merge in it.

—Julian Beck, *The Life of the Theatre*

After what must have been a very long night in the jail cells of the Federal House of Detention and the Women's House of Detention, those arrested were assembled for their bail hearing at 4 pm on that Sunday, October 20. The Judge, Edward J. Weinfeld, ordered \$500 bail for Julian Beck, Carl Einhorn, William Shari, and Miriam R. Levine. Everyone else was released on their own recognizance. The long weekend of resistance and demonstration was over. Two weeks later, a grand jury indicted only Julian Beck, Judith Malina, and Living Theatre Productions, Inc. on charges, despite the IRS urging prosecution of all twenty-five arrestees. By December, taking advantage of Irving Maidman's generous offer of his Midway Theatre on 42nd Street, the Living Theatre (under the banner of Exile Productions) ran *The Brig* for 11 shows a week for the next two months. Plans were also made for another European tour, only this time there would be no homecoming to New York City as a permanent base of operations for twenty years. Beck and Malina's trial can be seen as the final

performance of the Living Theatre during this first period of their history. However, the symbolic capital that Beck, Malina, and their theatre company had accrued in the field of theatre production had a poor exchange rate with the in a court of law. It mattered little that Edward Albee and Tennessee Williams wrote letters in support of the couple's artistic endeavors, or that Beck read into evidence glowing reports of the company's work in Europe.

What *did* matter is that the trial could, and would, be mined for the capital it provided within the field of theatre production. As the Living Theatre moved into the mid-1960s, it took on a more extreme sense of being anti-establishment than it had built as an off-Broadway theatre. The trial, as a synecdoche for the company's anti-government, anti-capitalist stance, was simply worth more to the company if accounts of it highlighted the injustice of the battle between a scrappy band of theatre artists versus the behemoth of the U.S government. Thus, in her introduction to the Living Theatre's 1968-1969 U.S. tour of *Paradise Now*, Renfrau Neff emphasized that the Beck and Malina were tried on "*charges having nothing to do with failure to pay the tax bill.*"⁴¹⁹ She then noted that the "real issue," that of "nonpayment of the taxes" was "never dealt with."⁴²⁰ Arnold Aronson wrote that "Julian Beck spent some time in prison for tax evasion"⁴²¹ and David Savran echoed this, writing that Beck and Malina were "[t]ried for income tax evasion and inciting a riot."⁴²²

419. Neff, *The Living Theatre: USA*, 9.; emphasis in original.

420. *Ibid.*, 10.

421. Arnold Aronson, *American Avant-garde Theatre : A History* (New York NY: Routledge, 2000), 70.

422. Savran, *Taking It Like a Man: White Masculinity, Masochism, and Contemporary American Culture*, 144.

Bradford Martin mistakenly referred to the “charges of failure to pay back taxes,” when no such charges were leveled.⁴²³ Even John Tytell’s account of the trial claims that Beck and Malina faced “a thirty-five-year sentence for inciting a riot and income tax evasion.”⁴²⁴ Furthermore, in his “Producer’s Note” to the remount of *The Brig* in 2006, Hanon Reznikov suggested that it was through the trial that the “tax charges were eventually dismissed.”⁴²⁵

Perhaps it is understandable why some more recent writers referred to the charges of the Becks’ trial as stemming from the company’s tax issues. Even though *none* of the charges were about the company’s tax issues, as early as 1964 *The Village Voice* reported that it was a “tax (non-payment) case.”⁴²⁶ This despite the fact that an earlier article by Gordon Rogoff in the same paper noted that the indictment was “not for their tax problems—a detail that seems to elude those who consider themselves fit to print—but for 11 counts of ‘impeding a Federal Officer in the pursuit of his duties....’”⁴²⁷ Why this slippage? What is it about this particular trial that has led to a fundamental misunderstanding of the charges that Beck and Malina faced? To be sure, there is the fact that the trial was precipitated by tax issues and the IRS seizure, but that doesn’t seem a strong enough reason for such a regular mis-attribution of facts. Before drawing some conclusions about how the narrative of this trial fits into a mythic sensibility created by and about the Living Theatre, it is important to outline the trial

423. Martin, *The Theater Is in the Street: Politics and Performance in Sixties America*, 63.

424. Tytell, *The Living Theatre: Art, Exile, and Outrage*, 193-194.

425. “The Brig, Program” (2006), unpaginated.

426. John Wilcock, “Lives & Loves of the Living Theatre,” *The Village Voice* (1964): 2.

427. Gordon Rogoff, “The Living Theatre and the Dead Unkind,” *The Village Voice* (1964): 19, 25.

in somewhat more detail than has been offered previously. I begin with a more comprehensive look at the charges against Beck and Malina. I then show that their judge was remarkably supportive of the Becks and would, time and again, demonstrate a patience and generosity that is as surprising. In fact, a number of his remarks lead to the conclusion that the trial was significantly less of a circus event than might be expected, especially with Beck and Malina representing themselves. However, there is no doubt that the Becks approached the trial as a kind of Living Theatre performance and I will also address several ways in which they turned the trial into a show.

5.1 CORRUPTLY & BY FORCE

On January 22, 1964 the federal grand jury indictment of Julian Beck, Judith Malina, and the corporation of Living Theatre Productions, Inc., was officially filed with the courts. Beck and the corporation were charged with all eleven counts while Malina was indicted on eight of the charges. On January 30, Beck and Malina both entered official not-guilty pleas on all counts. The specific charges were as follows: Count one was that “Julian Beck, Judith Malina, and Living Theatre Productions, Inc., the defendants, unlawfully, willfully and knowingly did corruptly and by force endeavor to impede an officer and employee of the United States, to wit, Bernard A. Keenan...in that the said defendants did tear down the door leading to a dressing room containing some of the said seized property, which door was

padlocked and to which door was affixed a United States Government seizure warning tag.”⁴²⁸ Counts two through nine were all the same charge, that “the defendants unlawfully, willfully and knowingly, in ways hereinafter set forth, did corruptly and by force obstruct and impede, and endeavor to obstruct and impede, the due administration of the Internal Revenue Code of 1954.”⁴²⁹ Counts two, three, four, and seven were related to the general act of not leaving the building when asked by the authorities. Count five addressed the accusation that Beck and Malina encouraged people to come into the building by shouting “storm the barricades,” while count six was concerned with the Living Theatre members lowering a ladder from one of the windows of the building. Counts eight and nine pertained only to Beck and the corporation. The former concerned his attempt to stop agents from moving the file cabinets while the latter addressed his forcing open an auditorium door. The final two counts related to the use of items that the IRS had tagged as government property, specifically the mimeograph machine, a sewing machine, and a number of costumes. The statute addresses anyone “who forcibly rescues or causes to be rescued any property after it shall have been seized under this title or shall attempt or endeavor so to do...”⁴³⁰

There are several terms that were key to both the prosecution and the defense cases that are important to understand in a legal sense before moving on. As noted, terms such as “corrupt,” “corruption,” “forcibly,” and “by force” are used throughout a number of charges.

428. Palmieri, “Charge of the Court,” 26-27.

429. *Ibid.*, 29-30.

430. *Ibid.*, 43.

These words must have been particularly galling to Beck and Malina given their political sensibility and dedication to non-violence. More importantly, however, the case against the Becks hinged, in part, on how the jury understood the definitions of these terms. The prosecution based much of its case on the idea that an “endeavor is corrupt if it was a fraud” and that if the jury found that the “defendants invited a seizure of the property of the Living Theatre, Inc. and this invitation was a fraud,” then the jury “may find that they committed the act charged in the indictment corruptly.”⁴³¹ This is also why the prosecution made the Living Theatre’s history of tax problems a central part of the case as it went to the character of the defendants as well as the idea that Beck and Malina were knowingly attempting to defraud the government. However, Beck argued, in his closing statement, that the jury needed to ask themselves if the defendants were actually committing such fraud:

Were they trying to say to the government we are going to cheat you out of what belongs to you? Did the defendants, and specifically myself and Judith, who were involved—did we say—and you have to answer this question—did we say let’s take this Mr. Keenan and let’s string him along as far as we can? Let’s give him all kinds of stories and see how far we can go? Or were these people in anguish, trying to figure out how can we fulfill our promises to Mr. Keenan.”⁴³²

Actually, this was a valid question and one that went to the heart of the charge of corruptly impeding the officers, in the very terms that the prosecution offered. Throughout the previous grand jury testimony, Beck had been clear that they were trying to raise money to pay their debts. In his cross-examination notes for Bernard Keenan, Beck focused on the fact

431. Peter K Leisure, “Government’s Requests to Charge” (Box 49, Folder “Probation Investigation”), Request No. 5.

432. Julian Beck and Judith Malina, “Defense Closing Argument” (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D), 14.

that he had made good-faith efforts to pay their debt over the past several years and that he never specifically asked for the IRS to execute a seizure on that day, merely that he had wanted to keep them in the loop. Without seeing the full trial transcript it is hard to know exactly how compelling this argument was, and it was certainly not compelling enough for the jury to acquit the defendants. However, in Palmieri's jury instructions, he paraphrases the differences in testimony between Keenan and Beck about the phone call made on Thursday, October 17. Keenan testified that Beck had specifically stated that the Living Theatre had "not been able to raise any money, that the situation was hopeless, that [the Living Theatre] was to issue a press statement to that effect at noon on the same day, and that the government was free to take whatever action was in its best interests, including seizure and liquidation of the Living Theatre's assets, a step that had previously been discussed by them but always postponed...."⁴³³ Meanwhile, Beck had testified that "he advised Mr. Keenan of the dispossession but never said that the situation was hopeless or that he would have to close down."⁴³⁴ Indeed, at the press conference Beck and Malina were clear that even if they lost their theatre space, as they expected to, they were planning on continuing with the Living Theatre in one way or another. Beck further testified that "Mr. Keenan agreed to wait until Monday before taking any action...."⁴³⁵

433. Palmieri, "Charge of the Court," 20.

434. *Ibid.*, 20-21.

435. *Ibid.*, 211; Beck's uncertainty about this point during grand jury testimony seems to have vanished by the time they got to trial.

As to the idea that they interfered “by force,” the prosecution argued that “[f]orcible obstruction or hindrance does not necessarily mean actual violence to the person of an officer” and that anything “which interferes with the physical ability of an officer of law is within the scope of the statute.”⁴³⁶ Additionally, the prosecution instructed the jury that “language which manifests a present purpose of personal violence and injury may be considered a forcible obstruction or hindrance of legal authority” and that if the jury determined that “the defendant’s actions, by refusing to leave the building upon request, endangered the seized properties and government personnel guarding it,” they could find that those “actions constituted an obstruction and interference by the use of force.”⁴³⁷ Like the fact that a casino bank always, in the long run, wins, the wide latitude of such definitions means that the player, in this case criminal defendants, will always be at a singular disadvantage. However, in their defense, Beck and Malina pointed out that according to the Revenue code itself, the “term ‘threats of force’...means threats of bodily harm to the officer or employee of the U.S. or to a member of his family.”⁴³⁸

Another set of terms relevant to the jury’s decision is the repeated notion that Beck and Malina acted “unlawfully, willfully and knowingly.” These terms imply intent and, as Judge Palmieri instructed the jury, “[e]rrors of law, mistakes of fact, the exercise of bad

436. Leisure, “Government’s Requests to Charge,” Request No. 5.

437. *Ibid.*, Request No. 9.

438. “Motions” (Box 49, Folder “Motions”), 1.; The actual language from the Internal Revenue Code comes from Section 7212, (a): “The term ‘threats of force’, as used in this subsection, means threats of bodily harm to the officer or employee of the United States or to a member of his family.”

judgment do not show a willful state of mind, nor do stupidity, recklessness or negligence.”⁴³⁹ Willfulness, he continued, “is the state of mind involving a purpose, a willingness, a conscious object [*sic*] to effect a criminal result.”⁴⁴⁰ Beck directly addressed the notion of willfulness in his closing argument when he stated that he and Malina had “given a picture of people who may be full of many errors, who make many mistakes, who bumble and fumble.”⁴⁴¹ Such a picture was not merely presented because of a sense of humility but as an important legal point regarding intent. Indeed, Beck returned again and again to the notion of intent throughout his closing argument as both he and Malina did not dispute most of the specific charges.⁴⁴² “What was the intent,” he would ask, “[w]hat was the purpose?”⁴⁴³ If Beck and Malina failed to live up to their responsibilities, “was it because they wanted to do something destructive or because they wanted to do something useful, helpful....”⁴⁴⁴ While both Beck’s and Malina’s closing arguments were rife with appeals to the greater laws of art and spirituality, and while it might be easy to dismiss their defense as stubbornly idealistic and disconnected from the questions at hand, in fact the case that they presented was consistently structured. The charges were not dealing solely with the actions taken but with the intent behind those actions. When Malina invoked the Living Theatre’s work in her

439. Palmieri, “Charge of the Court,” 49.

440. *Ibid.*, 49.

441. Beck and Malina, “Defense Closing Argument,” 2.

442. They did dispute several of the charges, stating that they had not been informed they were required to leave the building on several counts and that neither of them had said “storm the barricades.”

443. *Ibid.*, 10.

444. *Ibid.*, 12.

closing argument, when she raised issues of spirituality and beauty, she was making a complex argument that she, Beck, and the other members who demonstrated in October were genuinely trying to do what was right and good. She concluded the defense's closing argument with the admonishment that "they say the pillars of the temple are made up of the two pillars, justice and mercy and the merciful side of the law is that side which gives the leeway to interpret a good act as not a crime when it is not a crime," and that "we do not believe that we committed a crime, that we never *intended* to commit a crime..."⁴⁴⁵ While the jury would not agree with Malina, she and Beck were not using the trial as simply a space to grandstand and perform; both took the proceedings seriously.

5.2 SINCERE ARTISTS...MISGUIDED PEOPLE

The trial of Julian Beck and Judith Malina began on May 13, 1964 and concluded on May 25. Only eight days before it began, the Becks filed a motion to represent themselves in court and this was granted by Judge Feinberg on the condition that their lawyer, Morris Ploscowe, stayed on in an advisory capacity throughout the proceedings. In the end, it was Ploscowe's associate, Harvey I. Sladkus, who advised the couple, occasionally to the Becks' annoyance. One *New York Times* article noted that his help was "not entirely welcomed" and that Malina

445. *Ibid.*, 28; emphasis added.

wished he would “stop interrupting us.”⁴⁴⁶ Of course, by the very fact that the couple defended themselves, the trial was already coopted, to some extent, into the theatrical world. Indeed, the notion of representing oneself in court was—and is—far more the stuff of dramatic works than real life and rarely works in the best interest of the defendant. Joshua Dressler, a professor of Law at Ohio State University notes that self-representation “almost always results in an inefficient trial that will take much longer than required,” and that such a defence can often appear, “even to an outside observer...like a train wreck.”⁴⁴⁷ He also suggests that those who represent themselves “are either defendants with some mild form of mental illness or those with substantial egos who believe they can do a better job than their lawyers.”⁴⁴⁸ While noting that Beck and Malina both had substantial egos is not a radical claim, I would argue that their choice to defend themselves also emerged from a desire to humanize their case as well as to cast themselves as the protagonists in the courtroom drama rather than passive victims. This move also gave the Becks an opportunity to, in effect, put the trial itself on trial: to fight back as anarchists against a system toward which they were genuinely antagonistic. Trials are what Bourdieu would call a “rite of institution.” Such rites are designed to “consecrate or legitimate an *arbitrary boundary*, by fostering a misrecognition of the arbitrary nature of the limit and encouraging a recognition of it as legitimate.”⁴⁴⁹ Beck

446. Louis Calta, “Jury Is Selected for Becks' Trial,” *New York Times* (1964): 42.

447. John Fuddy, “Defending Oneself in Court Often Backfires,” *The Columbus Dispatch* (2010).

448. *Ibid.*

449. Pierre Bourdieu, *Language and Symbolic Power*, ed. John B Thompson, trans. John B Thompson (Cambridge UK: Polity Press, 1991), 118.

and Malina, through the course of their defense, were attempting to reveal the arbitrary nature of the legal system.

Choosing to defend themselves also meant that the trial became an even more heightened performance than what was usually inherent to a courtroom setting. John Tytell suggested that Beck and Malina “remain[ed] outrageously impossible even though they had been warned that they could face a thirty-five-year sentence....”⁴⁵⁰ His account paints a vivid picture of a circus-like atmosphere:

Members of the company and their friends were in the courtroom causing numerous disturbances: Steven Ben Israel led a chant in court while the judge screamed for silence; and Jenny Hecht was dragged from the court by her feet. At various times during the trial, Judith and Julian were arrested by municipal police for chanting in the courtroom, and throughout the procedure, they played with the prosecutor’s attempt to restrict them to legal procedures.⁴⁵¹

I do think this performative atmosphere is important to acknowledge as a way to understand how the trial has functioned mythically throughout the subsequent years of the Living Theatre. However, an examination of the judge’s assessment of the trial, as well as the serious commitment by Beck and Malina in approaching the legal aspects of their defense, demonstrates that proceedings ran more smoothly and with a level of decorum and respect than one might expect from Tytell’s description.

450. Tytell, *The Living Theatre: Art, Exile, and Outrage*, 193.

451. *Ibid.*, 193; Tytell would go on to quote several of Malina’s poems about the proceedings as evidence of the “absurdity of the trial,” a move that seems problematic at best. I want to stress here that while I may seem to highlight the failings of his book about the Living Theatre than I do its worth, I do so primarily because Tytell’s book remains the most comprehensive history of the company to date. Thus, it is tremendously influential on all subsequent writings about the Living Theatre.

The judge assigned to the case was Federal District Court Judge Edmund Palmieri. Simply because he represented a the legal system that both Beck and Malina distrusted greatly, one might expect there was an antagonistic relationship between them. But Palmieri's appointment was a relative stroke of luck for the two, as he seemed both fair and generous in his allowances toward the couple. Judge Palmieri had been appointed to the Southern District of New York by Dwight D. Eisenhower in 1954. Previous to this position, he had, as a young man, served as law secretary to a member of the Permanent Court of International Justice at the Hague, as well as Mayor Fiorello LaGuardia's legal secretary. During World War II, he served as a Major and, after its end, Palmieri was part of the Allied Commission for Italy and was given a Legion of Merit award for "re-establishing the Italian civil court system and in restoring the political and property rights of Jews in Italy."⁴⁵² Even John Tytell noted that the judge was normally "soft-spoken and known for his fairness."⁴⁵³ Despite this, Tytell suggested that Palimieri was "furious" and repeatedly took "Judith and Julian into his chambers to admonish them."⁴⁵⁴

However, while the Palmieri's jury instructions in this one particular case cannot fully stand in for his entire career, they do give a sense of his personality and what he thought about the case. He comes across as someone who genuinely liked Beck and Malina but was also genuinely dedicated to serving the letter of the law. Before providing instruction on the

452. Glenn Fowler, "E.L. Palmieri, Federal Judge, Is Dead at 82," *New York Times* (1989): A28.

453. Tytell, *The Living Theatre: Art, Exile, and Outrage*, 193.

454. *Ibid.*, 193.

individual charges, Palmieri stated that while Beck and Malina conducting their own defense gave him “cause to be quite apprehensive from the beginning of the case,” he was, in the end, “more than pleased by the attempts of the defendants to defend themselves because they acquitted themselves quite well.”⁴⁵⁵ After also referencing the prosecution’s generosity toward Beck and Malina, he noted that he had “nothing but thanks and admiration for everybody concerned in the trial of the case,” because he thought that the trial “was carried out with more skill and more courtesy and more effectiveness than one might have been led to expect at the very beginning.”⁴⁵⁶

During the sentencing, Palmieri admitted that the Beck and Malina were “both very intelligent persons”⁴⁵⁷ and that he respected them as artists.⁴⁵⁸ Yet, in the end he was also very clear on the jury’s responsibility to the law, informing them that “we must confine ourselves to the proof in the case...[w]e must confine ourselves to the rules of the law that control that proof, and on the basis of that consideration you must come to a conclusion with respect to the guilt or the innocence of each of these three defendants....”⁴⁵⁹ Palmieri’s subsequent

455. Palmieri, “Charge of the Court,” 3-4.

456. *Ibid.*, 5; Indeed, during Palmieri’s instructions to the jury, there was an instance of courtesy and fairness on the part of the prosecution when Palmieri mis-remembered a defense witness testifying to the fact that Beck or Malina had indeed shouted “storm the barricades.” Peter K. Leisure, the prosecuting attorney spoke up and corrected the judge, noting that the witness, William Shari, testified that he may well have been the one to shout those words.

457. Edmund Palmieri, “Sentencing Minutes” (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D, June 5, 1964), 1.

458. *Ibid.*, 4.

459. Palmieri, “Charge of the Court,” 5.

sentencing of Beck and Malina would further demonstrate his dedication to the law in ways that were antithetical to the anarchist propositions that Beck and Malina proclaimed:

Much as I respect you as artists, I cannot in good conscience, as a judge of this court, condone the offenses for which you stand convicted. As I said to the jury, in the course of my charge, our society is necessarily based upon civil obedience, not civil disobedience. It is based upon a recognition of legally-constituted authority. The law-abiding community is entitled to know that offenses such as those which you have committed cannot be committed with impunity, and those who may be inclined to follow your example must take heed because the government cannot accept repudiations of its authority.”⁴⁶⁰

Still, even within such a remit, Palmieri had significant latitude with regard to sentencing. Here again, he demonstrated a continued desire to aid Beck and Malina to the best of his ability. When pressed by Malina to deliver his sentencing immediately upon the verdict, he declined but was very specific in his response to her that he had “no intention of sending you to jail,” and that he had reiterated this point throughout the trial in order to assuage their fears.⁴⁶¹

The efforts of Beck and Malina in pursuit of their defense may have veered into the theatrical at times, but they also took the legal aspects of their defense very seriously. They made copious notes on the questions they used to cross-examine the prosecution witnesses, creating a specific line of questioning for each witness that was meant to demonstrate that their actions were taken without force, and that they made no real effort to impede the IRS agents in the pursuit of their duties and only intervened when personal property was at stake.

460. Palmieri, “Sentencing Minutes,” 4.

461. “Contempt of Court Charge” (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D, May 25, 1964), 5.

In regards to the use of previously tagged items, such as costumes and sets, they asked the jury to consider if they could meaningfully be charged with “rescuing” said items when they made no effort to remove them from the building. Furthermore, their use of character witnesses—such as letters sent by Tennessee Williams and Edward Albee, along with testimony by Malina’s mother, the critic Richard C. Watts from the *New York Post*, playwright Kenneth Brown, and even their own son, Garrick—was entirely appropriate. The United States legal system has long recognized that “the accused, in substantially all criminal prosecutions, may give evidence of his good character in proof of his innocence” and that “such evidence is admissible and is a fact to be considered in all cases in favor of the accused.”⁴⁶² So while it may be tempting to see Beck’s “50-minute monologue” on May 21 about the company’s “nightmarish debts” and the “constant struggle to keep ahead of tax collectors,” as, perhaps, grandstanding and theatrical, the construction of himself and Malina as sincerely attempting to both create relevant art *and* struggle to pay their debts was an important point to establish for their case. This is also why they requested that the judge remind the jury that “[g]ood character is to be weighed as a factor in the defendants’ favor” and that the jury should “consider it together with all the facts and circumstances.”⁴⁶³

Putting their character up as evidence was one of several strategies that Beck and Malina had for their defense. One of the more important legal points that they argued came

462. David Torrance, “Evidence of Character in Civil and Criminal Proceedings,” *Faculty Scholarship Series* Paper 3923 (1903). http://digitalcommons.law.yale.edu/fss_papers/3923 .

463. Palmieri, “Charge of the Court,” 60; “Request No. 23,” Julian Beck and Judith Malina, “Trial Notes“ (Box 49, Folder “Trial Notes,” 1964).

from a close examination of the Internal Revenue Code of 1954 under which they had been charged and, more importantly, under which the IRS had executed their levy. According to the code, “[a]ny person in possession of (or obligated with respect to) property or rights to property subject to levy upon which a levy has been made shall, upon demand of the Secretary or his delegate, surrender such property or rights (or discharge such obligation) to the Secretary or his delegate, except such part of the property or rights as is, at the time of such demand, subject to an attachment or execution under any judicial process.”⁴⁶⁴ However, during the trial, Beck and Malina discovered that under Section 6334 of the code there are several items that are *exempt* from any levy placed on a corporation. One of these exemptions is made for “Books and Tools of a Trade, Business, or Profession” up to a value of \$250.⁴⁶⁵ Furthermore, if “the taxpayer objects at the time of the seizure to the valuation fixed by the officer making the seizure, the Secretary or his delegate shall summon three disinterested individuals who shall make the valuation.”⁴⁶⁶ According to the defense charge to the jury, Agent Bernard Keenan testified that that no provision was made for this exemption. The Becks argued that because they were not informed of this provision, and because the agents made no efforts to satisfy this part of the law, that the IRS agents were acting “in a capacity

464. *Internal Revenue Code of 1954* Sec. 6332(a).

465. *Ibid.*, 784.

466. *Ibid.*, Sec. 6334(a)(3)-6334(b).

not sanctioned under law” and, thus, any attempt to protect the rightful property of the Living Theatre was not a violation of agents who were “acting in an official capacity.”⁴⁶⁷

Beck and Malina continued, in the same charge to the jury, to argue several points that, while they may seem tenuous on one level, clearly mark their intent to mount a consistent and clear defense:

Further: A. If it was the agents’ duty to collect taxes, this seizure was in violation of common sense as the Living Theatre was making regular tax-payments at the time it was closed and would still be making such payments had it not been closed.

Further: B. The agents were informed repeatedly that the amount realizable from the seized property would not cover the cost of the cartage which it did not. Thus the taxpayer’s warnings were in the interest of the government whereas the action of the agents of IRS [*sic*] was not.

Further C. The agents were instructed that if they wished to realize monies for the payment of taxes they could place a levy on the box office and realize a considerable sum. This they refused to do.

Therefore as outlined in A, B and C, the defendants claim that it is they and not the federal agents who were acting and advising in the government’s interest while the agents were acting contrary to the interests of the IRS.⁴⁶⁸

This gambit did not, in the end, work for the Becks. However, what this document, along with a number of other such notes and legal documents in the Living Theatre collection, demonstrates is that Beck and Malina were seriously attempting to bring the legal battle to the prosecution and were not merely stage-managing a theatrical event structured around ideological differences. They may have over-reached and an actual lawyer may have been able to turn the IRS failure to deal with the legally exempt properties into a stronger case on their

467. Julian Beck and Judith Malina, “Request to Charge the Jury” (Box 49, Folder “Trial Notes,” 1964), 2.

468. *Ibid.*, 2.

behalf. Still, the Becks were interested in winning their case. They believed, throughout, that they were in the right morally, but they also found ways to argue that they were in the right legally as well.

Between Palmieri's general tone of kindness and the seriousness with which the Becks approached their own defense—taking in points of law and giving close study to the statutes under which they were charged—the trial went far more smoothly and cordially than one might have supposed based on some of the descriptions I have previously cited. However, there is no doubt that the defendants used their theatrical skills to stage themselves, their art, and their political philosophies in the public arena.

5.3 YOU WILL HAVE TO CUT OUT MY TONGUE

As previously mentioned, a complete transcript is not with the trial documents held at the National Archives and there is also some question as to whether a full transcript was ever created based on stenographer's notes. As much as I would like to provide a full dramaturgical account of the trial as performance, this is not currently possible. However, there are a number of specific moments that occurred throughout the trial that reveal how Beck and Malina worked to stage a performance as much as conduct a defense—not that these two things are inherently opposed. I also want to be clear that these performances, and that using the trial as a way to stage themselves and their ideals, does not indicate that their

concerns were somehow insincere or manipulative. Rather, their performance in this context is entirely consistent with their understanding of how one lives an artistic life and the importance of breaking down the arbitrarily imposed barriers between theatre and lived experiences.

There is something seemingly irresistible about leaning into the theatrical metaphor of a trial when it involves theatre people. Writing for *The Village Voice*, Stephanie Gervis Harrington began one piece on the case by noting that the “phrase ‘courtroom drama’ began to take on a more literal meaning in the Federal Courthouse at Foley Square on Tuesday as Julian Beck and Judith Malina (Mrs. Beck) warmed up for roles as their own defenders in the forthcoming trial...”⁴⁶⁹ Of course when your subjects explicitly identify the trial as a “happening” as Malina did, such metaphors come even more easily.⁴⁷⁰ Harrington’s coverage of the altercation between the Becks and police on the steps of the Foley Square Federal Court on May 18 began with the observation that the “inevitable happening finally happened in the case of the United States vs. Julian and Judith Malina Beck, and the scene that unfolded was as much Pirandello as it was Living Theatre.”⁴⁷¹

Metaphor aside, this altercation clearly made for compelling optics. On trial for what was ostensibly a refusal to submit to authority, Beck and Malina were given an opportunity

469. Stephanie Gervis Harrington, “Becks in Legal Happening, Face Federal Court Trial,” *The Village Voice* (1964): 3.

470. Ibid.

471. Stephanie Gervis Harrington, “Feds & Local Cops Battle Over Becks,” *The Village Voice* (1964): 1-.

to recapitulate that refusal when Patrolman Arthur Adelson began to hassle them with what seems to have been a somewhat obstreperous attitude. According to a number of reports, as Beck and Malina were returning to the courthouse after a lunch break, they were asked to pose for a picture by *The Village Voice* photographer Fred McDarrah. As they were doing this, Adelson asked them to move as they were “blocking the sidewalk.”⁴⁷² When they moved to the steps, Adelson then informed them they were blocking the steps. As anyone familiar with the steps leading up to nearly any courthouse, especially Federal courts, could observe, these steps are not usually very narrow. The steps at the Foley Street Federal Court stretch nearly an entire city block. Whatever Adelson’s reasons for his display of authority, Beck and Malina were not ones to accept such a display, especially a seemingly arbitrary one. According to Harrington’s account, the Becks patiently explained that they were on trial inside the courthouse and as the steps were “practically empty at the time,” they saw no reason to move. Adelson insisted. The Becks sat down, refusing to move. Adelson placed them under arrest and when they tried to go back inside the building, he refused to let them go, corralling them between two cars parked on the street in front of the steps. As the situation grew heated, one of the Becks’ friends and an actor in *The Brig*, Henry Howard, declared that he was going to place Adelson under citizen’s arrest. This was about as effective as one might expect. Adelson had already radioed in for a patrol-car to come to the location. As he attempted to arrest Howard and put him into the police car, Howard fell to the pavement. It

472. Ibid.

was unclear if he tripped accidentally or was tripped intentionally but this instance of perceived violence immediately set the Becks into full protest mode and they, along with about eight other individuals, sat down in front of the police car and began to sing “We Shall Overcome.”

Even after Adelson’s Captain, Philip S. Licht, arrived on the scene and asked the protesters to leave, Adelson argued that since he had already arrested Howard and the Becks, “if he were simply countermanded, the Becks could bring a civil suit against him.”⁴⁷³ In the end, it took Prosecutor Peter K. Leisure to sort out the situation and get everyone on their way, or, as Harrington put it, “rescue his fellow protagonists in time for the matinee.”⁴⁷⁴ Pulling his weight as a U.S. District attorney, Leisure convinced Licht to dismiss all the charges against the Becks and Howard. Tytell claims that Leisure “was terrified by this incident” and was “screaming that if any member of the jury saw what had happened out of the window, the entire trial...would have to start again.”⁴⁷⁵ While the concern may well have been about a mistrial, this characterization of Leisure seems more suited to a melodramatic interpretation of the event than what necessarily happened.

In fact, while this side-show certainly provided some additional spectacle for the press, it was less a product of Beck’s and Malina’s staging of events than it was a clear example of their tendency to respond to baseless authority by opposing it with peaceful means. While

473. Ibid.

474. Ibid.

475. Tytell, *The Living Theatre: Art, Exile, and Outrage*, 193.

this incident helps give a fuller picture of the Becks' attitudes and the willingness with which they would defy authority, there is nothing in the event itself to suggest that they were staging this with any eye toward making their trial more of a performance. Throughout the trial, the Becks' use of first names, their costuming (Beck would wear a "Freedom Now" pin during a number of his court appearances and Malina was noted to wear a "black flowing dress" which she called her "Portia gown"⁴⁷⁶), and their invocations of a greater morality than the legal system could bring to bear, were all regular and successful attempts at bringing avant-garde values into the legal field.

However there is one specific incident that reveals just how dramatic the couple were willing to go in order to make the trial a crowning performance for themselves and their ideals. This was the noted outburst after the guilty verdict was read that would end with jail-time and a rousing story about the Becks willingness to stand against a legal system they felt was bankrupt. I suggest that this was *not* an unplanned outburst. I have no direct evidence that it was a staged and scripted scene, yet given the strategic nature and the clarity of the couple's rhetoric during the outburst, I believe that Beck and Malina likely planned their actions for a guilty verdict.

To clarify, while many of the accounts, including Tytell's, suggest that Malina's cries of "innocent" in the courtroom took place during the reading of the verdict by the jury, in fact neither Beck nor Malina interrupted the jury's deliverance. It was only after the verdict, when

476. Shanley, "U.S. Agent Heard at Becks' Trial."

the prosecutor suggested to the judge that the prosecution deliver a pre-sentencing report— basically a summation of the verdict and key parts of the prosecution—that Beck and Malina proceeded to dramatically challenge the court and the proceedings. As the transcript of this exchange is available, it is worth quoting at length to give a sense of the scene:

The Court: Mr. Leisure, do you have any motions?

Mr. Leisure: Your Honor, the government believes that a pre-sentence report would be of assistance to the court in this case.

The Court: Yes, I think so, and I would be disposed to ask for one.

Mr. Leisure: Further, your Honor, the defendants now stand before you, Julian Beck, convicted of --

Mrs. Beck: Innocent.

Mr. Leisure: -- seven counts and can receive a maximum of nineteen years in jail on the counts he was convicted of. Judith --

Mrs. Beck: Innocent.

The Court: Please, Mrs. Beck, please. You must stop this.

Mrs. Beck: I may assert my innocence at any time in my life. There is no time in which I can't assert my innocence. I am an innocent person. I am innocent. No one can stop me. You will have to cut out my tongue if you wish to stop me . If you want to cut out my tongue, you can stop me. I do not give you that privilege, sir.

The Court: Mrs. Beck, you must respect the proceedings of the court.⁴⁷⁷

At this juncture, Beck speaks up and both he and Malina deliver two short, succinct statements that seem to me as at least somewhat prepared if not entirely scripted.

Mr. Beck: I can't. I have taken it for ten days and I have respected a terrible travesty of justice. I have watched the majesty of the United States degraded and demeaned by trivia that is beyond belief. I have seen the law of this country lose all of its dignity and it is shocking to any thinking person, and, I presume, your Honor, to say that there has not been real thinking in this court.

Mrs. Beck: The horror that has been handed down here is such a disgrace to this country that the moves I will have to take in order to vindicate this country's

477. "Contempt of Court Charge," 1-2.

honor are such that I fear I cannot possibly grant this country any more privileges on my behalf.⁴⁷⁸

I suggest that these statements were prepared for two specific reasons. The first is that both make appeals to the greatness of the U.S. in a way that does not seem to fit much of the Becks' previous rhetoric. For anarchists, the laws of a country are *always* suspect. Paul Goodman, whose influence on Beck and Malina was profound, wrote that anarchism "is grounded in a rather definite proposition: that valuable behavior occurs only by the free and direct response of individuals or voluntary groups to the conditions presented by the historical environment," and that "in most human affairs, whether political, economic, military, religious, moral, pedagogic, or cultural, more harm than good results from coercion, top-down direction, central authority, bureaucracy, jails, conscription, States, preordained standardization, excessive planning, etc."⁴⁷⁹ For the Becks, coercive laws are, by definition, harmful. So to challenge the trial proceedings on the basis that the law has lost its dignity seems rather more strategic than it does sincere. Beck and Malina were very smart people and even when turning a trial into a dramatic performance they knew that they could only push so far. Evoking a natural dignity in the law while in a court of law seems a rather prudent measure to take, especially when one is disrupting the proceedings.

Additionally, Beck's natural speech patterns tend to be far more halting and repetitive, with ideas half-started and then re-framed. This was seen in some of the previously quoted

478. *Ibid.*, 2.

479. Paul Goodman, *The Paul Goodman Reader*, ed. Taylor Stoehr (Oakland CA: PM Press, 2011), 29.

sections from his grand jury testimony. Even moments later, when arguing with the judge about sentencing dates, Beck's language takes on its natural cadences as he informs Palmieri about a possible job:

Your Honor, I request the earliest possible sentence because we have been—we have lived our lives unable to use whatever energies we have creatively. During this period of time we are also required—we have at least been asked to take a job. This job is, indeed, abroad, and by rights we must be—we must report in London in order to take this job on the 21st of June.⁴⁸⁰

In each of these sentences, Beck halts in the middle of it and reframes his word choice. None of these hesitations or false starts happen during his first outburst against the verdict. In that instance, each statement is strongly presented, with the ideas outlined clearly and forcefully. While I have no doubt that Beck was capable of forceful and clear speech, given the emotional charge of the moment and the fact that there is a noticeable shift in his speech pattern only moments later, I think it is likely that this statement of outrage was, at least to some extent, prepared.

Of course a verdict of innocent would have been the best outcome in many ways, and I have no evidence that either Beck or Malina attempted to lose the trial. As I have previously mentioned, they approached their defense with considerable care and intelligence. However, given the possibility of a guilty verdict on at least some of the counts, I suggest that Beck and Malina planned their protest as a way to make the best of a bad situation, i.e., capitalize on the dramatic nature of the moment by protesting their innocence loudly and without

480. "Presentence Report" (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D), 6.

concern of the consequences. In his coverage of the Living Theatre's closing in 1963, Michael Smith, writing for *The Village Voice*, noted that "[n]obody ever expected the Living Theatre to die quietly."⁴⁸¹ Yet, the company had been about to do just that if the IRS had not arrived. Similarly, the expectation for theatrics on the part of Beck and Malina seems to fit in with their dramatic personae. Yet, while there were some mistakes and certainly some agitation from their friends in the courtroom throughout the trial, there is little evidence to suggest that the two—despite the inherent drama of defending themselves—were particularly flamboyant or theatrical in their demeanor. Indeed, as previously mentioned, Palmieri thanked both the defense and prosecution for a trial that went surprisingly well. So why this risky confrontation at the end of the trial? I suggest that it was planned to elicit a dramatic conclusion to the trial and that such a drama served the Living Theatre's reputation and mythology over time not only through the Becks's refusal to accept the legal temperament of the court—and thereby show their anarchist credentials—but also because Beck and Malina could forever after argue that they had served jail time for their commitment to art.

It makes no difference whether the Becks *planned* on jail time. Given Beck's and Malina's previous experiences with the legal system, they would have been aware that disrupting the court was a risky game. Indeed, the prosecuting attorney urged the judge to jail Beck and Malina immediately after Palmieri cited them for contempt of court. Palmieri, on the other hand, seemed aware of Beck's and Malina's propensity toward the dramatic, and

481. Michael Smith, "Living Theatre Goes Broke: Becks Brigged by Feds," *Village Voice* (1963): 1.

was even, perhaps, suspicious that the two *wanted* to go to jail as martyrs to their artistic cause. He stated: “I am afraid that is precisely what they want me to do and I am not going to accommodate them.”⁴⁸² He continued: “I feel these two defendants are sincere and dedicated artists and terribly misguided people, and I am not going to put them in jail at this time because I don’t think that jail would do them any good nor do I think they would do the jail any good, and I therefore prefer to release them on their own recognizance if they will make the solemn promise they will return on the day for sentence.”⁴⁸³

However, it is also likely that Beck and Malina were betting on Palmieri’s stated sympathy for them and previous promises that they would not serve jail time. This allowed them to make their bold and theatrical display with relative assurance that the judge was not going to be very harsh at all. Certainly, they both played at ignorance of this sympathy. Malina did so when she requested an immediate sentencing because it was “unbearable to stand another ten minutes without knowing what is in your hard heart.”⁴⁸⁴ To which Palmieri, with a justifiable sense of exasperation, replied:

I can tell you this, Mrs. Beck: I have no intention of sending you to jail and so I have told you that throughout this trial in order to calm you. You have known it and I am sorry I now have to repeat it. I have told you repeatedly that I have no intention of sending you to jail if you were convicted but you apparently insist on playing some sort of dramatic role and making me or other people think that you are threatened with a long period of jail, and you know that that threat has not been hanging over your head.⁴⁸⁵

482. “Presentence Report,” 3.

483. *Ibid.*, 3-4.

484. *Ibid.*, 4.

485. *Ibid.*, 5.

I find it hard to believe that a federal judge would state, in open court, that he had repeatedly assured the defendants that he had no intention of sentencing them with jail time if he had not, in fact, done so. Nor can I imagine that Beck and Malina did not understand just how sympathetic Palmieri was toward them. After all, Beck succeeded in running the Living Theatre in part due to his ability to read people, to gain their trust, their money, and their forbearance when the company was late with payments. He knew when he could put off a creditor with mere mention of good will and effort and when he needed to include even a small amount to verify that good will. If there is any doubt that Palmieri was sincere about helping the Becks, one only has to note that moments after citing them with contempt charges, he was extremely accommodating when Beck informed him of their European tour plans, at first promising to set a sentencing date a full week before June 21, the date given by Beck as the date they needed to be in London. Beck then changed his request, saying that they had made temporary plans to travel on June 9th and Palmieri again promised to arrange a sentencing date to accommodate the Becks's schedule.

Given that this relative kindness, patience, and sympathy was shown immediately after a contempt charge, it seems unlikely that the judge's demeanor was markedly different throughout the trial. Indeed, the Becks themselves referred to Palmieri's generosity in a letter of apology sent only a few days before their sentencing date. In it they thanked him for his "kind guidance" and "frequent indulgence" for their legal "ignorance and/or clumsiness."⁴⁸⁶

486. Julian Beck and Judith Malina, "Letter to Edmund Palmieri" (Case Number 64-CR-75, Accession #2170A318, Location 35409, Box #73D, June 9, 1964).

In fact, they admitted their guilt on the contempt charge and hoped that their “show of indignation does not dissuade you from continuing to make your courtroom as tempered and patient with others in the future as it was with us.”⁴⁸⁷ Certainly this letter could be seen as simply a strategic move meant to get on the judge’s good side before the sentencing date. Just as Beck’s letters regarding the debt that the company faced were often used to gain more time and stave off legal action. There is no need to see this letter to Palmieri as either strategic *or* sincere. I would argue that any exchange like this was a matter of both/and.

If the outburst after the reading of the verdict was the climax of this particular drama, its denouement occurred on June 5 1964 during the sentencing of Beck and Malina. Malina had injured her foot and so Beck carried her, dressed as she was in her flowing “Portia gown,” up the court steps and into the courtroom.⁴⁸⁸ Nothing had really changed in the month after the verdict: the Becks saw themselves as innocent of all but the contempt charges, the judge was trying to be as lenient as he could be while still seeing Beck and Malina as deeply misguided in their approach to the law, and the prosecution was trying to get the two in jail as soon as possible. While I cannot know Palmieri’s mind, based on his statements I think it entirely possible that neither Beck nor Malina would have seen any jail time had they not been cited with a contempt of court charge. Beck was given 60 days on that charge and

487. Ibid.

488. For some reason, John Tytell ascribes this scene of Beck carrying Malina to the trial proper, stating that he carried her everywhere, including “to the bathroom and to the witness chair,” despite there being no evidence in the newspaper accounts of the trial to suggest that this was the case. Indeed this would seem to contradict his own account of the incident with Henry Howard and the police outside of the courtroom. Tytell, *The Living Theatre: Art, Exile, and Outrage*, 192.

Malina was given 30. Technically, Palmieri *did* sentence them to jail time on the indictment charges sentencing Beck for 60 days of jail time for five of the seven guilty counts and Malina for 30 days for two of her three guilty counts. However, all sentences were to be served concurrently along with the sentence for contempt charges. The company was fined \$2500 which, *The Village Voice* pointed out was “regarded as a token sentence since the corporation [was] without assets.”⁴⁸⁹ Beck and Malina were put on five years probation, but Palmieri specified that while on probation both were allowed to freely leave the country in order to continue touring their theatre company throughout Europe. This decision is another key moment in the development of the Living Theatre. Had Palmieri been less sympathetic toward Beck and Malina, or as inflexible as some accounts seem to suggest, he could very well have kept Beck and Malina from traveling to Europe both for that summer’s tour and throughout their five year probationary period. Such an action would have drastically altered the future of the Living Theatre.

489. Michael Smith, “Becks Get Jail Terms, Europe Tour Allowed,” *The Village Voice* (1964): 14-15.

6.0 CONCLUSION: WINNING THE WAR

Troubled that I don't remember dreams,
I had a dream
About remembering dreams.

Waking, I thought,
I will remember this,
How in the dream I thought,

Remember this. This is the dream.
Remember how it is, how it
looks, and
what it signifies

Remember this, I thought.
Or else I dreamt I thought.
I thought I dreamt
I would remember.

— Judith Malina, “Remembering Dreams”

The line between memory and dream is less a firmly walled border and more a porous boundary. Malina's poem plays with the confusion between the two states in ways that seem particularly appropriate when considering the place of the Living Theatre within our theatre histories and dreams. Malina and Beck cut a decidedly romantic pair of figures: brash, passionate, political, rebellious, philosophical, and deeply creative. As the focus of my research demonstrates, I share Alisa Solomon's frustration with the tendency, both in critical

and scholarly circles, to fixate on a relatively brief period of time in the Living's history during the mid- to late-1960s and on the images of nearly naked bodies crying out for peace, love, and revolution. Yet, I also understand that the power of such images comes not only from theatre history, but also from the myths and dreams that pervade our field. The Living Theatre, especially in its itinerant years as a collective performing outside of "bourgeois" theatre, reflects a dream of freedom from budgets, marketing, and subscriber bases; of a theatre that said "no" to the demands of capitalism and that wandered the world preaching the power of theatre as a tool against injustice and inequity; of a voice that proclaimed theatre *was* power.

To then remember the dreary facts of unpaid bills, disconnected answering services, eviction notices, and valid tax debts, or the ways in which Malina and Beck helped disguise certain inconvenient truths about their interactions with the IRS or with the judge at their trial, can be jarring, even uncomfortable. This discomfort shows in Tytell's quick dismissal of Gelber's article about Beck and his business practices and in the way theatre scholars have often allowed the myth of the Living Theatre to smooth over the complexities of its history. Throughout this project I struggled to resist the urge to excuse Malina's and Beck's actions with regards to their deceptions or economic irresponsibilities: to claim for them a sincerity of action and purpose that would ease the transition from myth to history. Such an urge is neither random, nor is it merely a product of my own relationship to the couple and their legacy. Indeed, Bourdieu argues that sincerity is "one of the preconditions of symbolic

efficacy,” and that it is “only possible—and only achieved—when there is a perfect and immediate harmony between the expectations inscribed in the position occupied...and the dispositions of the occupant.”⁴⁹⁰ The symbolic efficacy of Malina and Beck depends on the acceptance—perhaps even the consecration—of their sincerity as artists and as people. Any hint of hucksterism or hustling immediately disrupts such efficacy.

Yet, the mere fact of the Living Theatre’s continued existence for nearly 70 years is itself remarkable. We are now as far away, temporally, from the founding of the Living Theatre as Malina and Beck were, when they started their company, from Sitting Bull and Crazy Horse fighting their final battles, or the installation of the very first telephone, or the premiere of Johannes Brahms’ 2nd Symphony. The facts of this existence and the nitty-gritty details of running a theatre company dedicated to anti-capitalist ideals while within a capitalist system offer something of greater value than maintaining the Living Theatre as a symbol of hippie anarchism and a doomed (or, depending on one’s perspective, yet-to-be-achieved) cultural revolution. Examining the interactions between the Living Theatre’s art, economic forces, and its relationship to the legal field, and how those interactions become mythologized, reveals certain valuations made by the theatrical field as a whole.

The examination I provided of the Living Theatre’s first thirteen years is by no means exhaustive. There is a rich vein of cultural analysis yet untapped by looking closely at the company’s impact on other artists and the downtown community of which it was part.

490. Bourdieu, *The Field of Cultural Production: Essays on Art and Literature*, 95.

Additionally, a detailed production history of the Living Theatre's first period (as well as all those other periods that have been neglected), would give theatre scholars a much clearer idea of the range and artistry that Malina and Beck brought to their craft, enabling us to see their artistic successes and failures with greater clarity. Yet, I hope that I have injected some value into this early period and that others will find this period a surprisingly rich and rewarding one. Likewise, my efforts to de-mythologize the IRS closing of the company's theatre space and to show that the trial of Malina and Beck was conducted, in many ways, to the benefit of the company, are meant to open lines of inquiry about structural forces within our field and not wag the proverbial finger at Beck's hustle or the ways in which Living Theatre members and supporters used the situations to their own symbolic benefit.

Some of these potential inquiries include an examination of how the economic affordances of creating an avant-garde theatre have changed in the ensuing decades. In particular, the monetary cost of living in Manhattan and the scattering of artistic communities across the Queens and Brooklyn boroughs limits the kind of hothouse bed of activity that was occurring in Greenwich Village during the 1950s and 1960s. Indeed, it might also be that a close examination of the differences in technology between then and now reveal not only structural changes in the field, but also in the possible dispositions and strategies of various agents. I am also interested to pursue how postmodernism affects the interaction between symbolic and economic capital. For example, how does the seeming triumph of late-capitalism, the implosion of high-brow/low-brow culture into one another,

and the emergence of postmodern sensibilities that allow for the gleeful re-purposing of popular culture as both a signifier and signified of “experimental” work, change the equations by which theatre artists maneuver for power within the field?

One company that might prove a useful example of these contemporary equations, as well as a counterpoint to the Living Theatre’s steadfast anti-capitalist stance, is the American Repertory Theatre in Boston. Under Diane Paulus’ direction the company has gained both critical and popular successes while building an audience—particularly with the company’s Oberon Stage and its nightclub sensibility—that is the demographic envy of many regional theatres. From avant-garde productions like *The Donkey Show* and the U.S. premiere of punchdrunk’s *Sleep No More* to Paulus’ revival of *Hair*, and the recent musical *Finding Neverland*, ART has blurred the boundaries of experimental and popular in complicated ways. Alexandra Wolfe, writing for *The Wall Street Journal* notes that Paulus “has always been interested in both commercial and critical success, which she doesn’t see as mutually exclusive.”⁴⁹¹ In that same article, Paulus herself stated that as “a theater artist, [she] came of age in the ‘90s...when the idea that you were an artist and you were going to be subsidized by the government or the state was nonexistent,” and that by “the time [she] got out of grad school and was hitting the streets, it was like, ‘You better know how to put on a show, you better be a producer, you better be an entrepreneur, and you have to get the butts in the

491. Alexandra Wolfe, “Diane Paulus Has Seen the Future of Theater,” *The Wall Street Journal* (2014).

seats.”⁴⁹² These sentiments seem eminently practical and no-nonsense. That very practicality also betrays just how deep the roots of a neo-liberal, late-capitalist ideology have burrowed, as well as how strikingly upfront Paulus can be about the economic hustle to sell tickets while maintaining considerable symbolic credit as an artist. Indeed, Bourdieu himself noted that, in the late 20th century, “the logic of commercial production” was beginning to “assert itself over avant-garde production” to a greater extent than it had previously.⁴⁹³

I am also interested to see how the Living Theatre will fare after Malina’s death and under the leadership of Brad Burgess. In January of 2016, the company began celebrating its 70th year of operation with performances in collaboration with Baba Israel—son of long-time Living Theatre member Steve Ben Israel—as well as by creating and performing a ritual ceremony at Washington Square Park to mark International Holocaust Day. The company does not have its own theatre space, but seems dedicated to maintaining the anarchist-pacifist ideals of the company’s founders as it finds new ways of existing in the expensive theatrical world of New York City. Only time will tell if it has either the economic or symbolic capital to continue for much longer, but one thing is certain in my mind: if Brad Burgess started talking about getting “butts in seats” in ways similar to Diana Paulus, any possible symbolic capital the company *does* have would be forfeit.

492. Ibid.

493. Bourdieu, *The Rules of Art*, 345.

In the end, Judith Malina and Julian Beck *won*. Their strategies and actions, along with the myth that they, and others, created, and the value accorded to the company by critics and scholars, beat back the short-term and immediate demands of Mammon. The Living Theatre, a ludicrous proposition for the economic field and often on the losing side of things in the legal field, has managed to produce largely unpopular theatre for 70 years and counting. The field of cultural production, even within a capitalist system, allows for the inversion of what is deemed “success.” Artists interested in playing the long game, Bourdieu argues, do so by inventing themselves “*in suffering*, in revolt, against the bourgeois, against money, by inventing a separate world where the laws of economic necessity are suspended, at least for a while, and where value is not measured by commercial success.”⁴⁹⁴ The Living Theatre has, throughout its history, been a textbook example of just such a non-commercial success.

494. Bourdieu, *The Field of Cultural Production: Essays on Art and Literature*, 169; emphasis in original.

APPENDIX: LIVING THEATRE PRODUCTIONS 1951 - 1963⁴⁹⁵

CHERRY LANE: JULY 1951 - AUGUST 1952

Doctor Faustus Lights the Lights

Production Dates: December 2, 1951 - December 16, 1951

Author: Gertrude Stein

Production Team

Director.....Judith Malina
Design.....Julian Beck
Music.....Richard Banks
Lighting Design.....Marjorie Spitz
Choreography.....Remy Charlip
Films.....Paul Johnson

Cast

Doctor Faustus.....Donald Marye
Mephisto.....Robert King Moody
Chorus.....Michael Wright
Dog.....Sudie Bond
Boy.....Tony Grosso
Marguerite Ida and Helena Annabel.....Kathe Snyder
Viper.....Remy Charlip

495. As far as I am aware, this information has never been gathered together in one place before now. I hope other scholars will find the names of the actors, designers, technicians, and administrative staff associated with the Living Theatre during these years to be useful in beginning further conversations about this time period in the company's history.

Country Woman.....Constance Mobley
 Man From Over the Seas.....Larry Swanson
 Girl with Boy.....Patty Dinnell
 Boy with Girl.....Louis Spencer

Staff

Technical

Director.....Marjorie Spitz
 Production Manager.....John Roberts
 Associate Technician.....Le Wang
 Stage Manager.....James Walsh
 Production Assistant.....Phyllis Castle
 Electrician.....Francis Uhler
 Stage Assistant.....Tracy Woodward
 House Manager.....Ralph Monteleone
 Public Relations.....Helen Santich
 Costumes.....Rose Zamora, Ilka Suarez
 Advertising Design.....Robert Galster
 Counsel for The Living Theatre, Inc.....Samuel Doran Harris

Music

Music Director for The Living Theatre.....Richard Stryker
 Piano.....Alice Kahn
 Oboes.....Gloria Glass, Terry Feldman

Beyond the Mountains

Production Dates: December 30, 1951 - January 11, 1952

Author: Kenneth Rexroth

Production Team

Director.....Julian Beck
 Music.....Richard Stryker
 Choreography.....Tei Ko
 Settings & Costumes.....Garrick Maxwell
 Lighting Design.....Marjorie Spitz

Cast

I Chorus

The Prostitute.....Phyllis Gildston
The Beggar.....James Walsh

II Chorus.....Richard Merrell, Athan Karras, Shirley Gleaner,
Tracey Woodward

Part I: Phaedra

Hyppolytus.....Maurice Edwards
Phaedre.....Judith Malina
Theseus.....Bennes Marden

Part II: Iphigenia at Aulis

Agamemnon.....Bennes Marden
Iphigenia.....Judith Malina
Achilles.....Maurice Edwards

Part III: Hermaios

Demetrios.....Ross Vaughn
Kalliope.....Grace Seliber
Hermaios.....Bennes Marden
Tarakaia.....Sybil Caron
Berenike.....Judith Malina

Part IV: Berenike

Berenike.....Judith Malina
Menander.....Maurice Edwards
Demetrios.....Ross Vaughn
Kalliope.....Grace Seliber
Huns.....Albert Pessa, Remy Charlip, Ralph Monteleone

Staff for The Living Theatre

Technical Director.....Marjorie Spitz
Production Manager.....John Roberts
Musical Director.....Richard Stryker
Associate Technician.....Le Wang
House Manager.....Ralph Monteleone
Public Relations.....Helen Santich, Harvey Langee
Counsel for The Living Theatre, Inc.....Samuel Doran Harris

Staff for *Beyond the Mountains*

Assistant Director.....Phyllis Castle
Stage Manager.....Milton Macklin
Costumes.....Ilka Suarez
Advertising Design.....Ralph Monteleone, Remy Charlip
Properties.....Le Wang, Marianne Benjamin

Music

Flute.....Frederick Beck
Cello.....Susan Muzzey
Oboe.....Marcia Schwartz
Piano.....Richard Stryker

An Evening of Bohemian Theatre: "Ladies' Voices"

Production Dates: March 2, 1952 - June 22, 1952

Author: Gertrude Stein

Production Team

Director.....Julian Beck

Cast

Woman 1.....Judith Malina
Woman 2.....Effie Mitchell

An Evening of Bohemian Theatre: "Desire Trapped by the Tail"

Production Dates: March 2, 1952 - June 22, 1952

Author: Pablo Picasso

Translation: Herma Briffault)

Production Team

Director.....Judith Malina
Design.....Julian Beck
Music.....Lucille Dlugoszewski

Choreography.....Jim Smith
Lighting Design.....Steven Meyer & Jack Ferris

Cast

Big Foot.....Otto Jones
Tart.....Helen Wagner
Onion.....Serafina Hovhannes
Cousin.....Shirley Gleaner
Round Shank.....Donald Marye
The Two Bow-wows.....Phillip Smith, John Costello
Silence.....Cecil Cunningham
Lean Anguish.....Norma Jabour
Fat Anguish.....Edith Delmar
The Curtains.....Phillip Smith, John Costello

An Evening of Bohemian Theatre: "Sweeney Agonistes"

Production Dates: March 2, 1952 - June 22, 1952

Author: TS Eliot

Production Team

Director.....Judith Malina
Music.....Morton Feldman
Setting.....Julian Beck
Lighting.....Jack Ferris & Stephen Meyer

Cast

Dusty.....Christina French
Doris.....Shirley Gleaner
Wauchope.....Mihran Chobania
Klipstein.....J.E. Duane
Krumpacker.....Angelo Laiacona
Sweeney.....Walter Mullen
Swarts.....Henri Sulaiman
Snow.....Cecil Cunningham

Staff

Coordinator.....Effie Mitchell

Public Relations.....	Yelena Santich
Costume Execution.....	Mabel Blum
Stage Manager.....	Angelo Laiacona
Assistant Stage Manager.....	D.L. Duane
House Manager.....	Bruce Hooton
Advertising Design.....	Erica Perl, Robert Galster
Properties.....	Serafina Hovhaness
Electricians.....	Steven Meyer, Jack Ferris

Faustina

Production Dates: May 25, 1952 - June 19, 1952

Author: Paul Goodman

Production Team

Director.....	Judith Malina
Setting & Costumes.....	Julian Beck
Music.....	Vanig Hovsepien
Choreography.....	Jim Smith
Lighting.....	Jack Ferris

Cast

Faustina.....	Julia Bovasso, Mary Mantague, Lee Alexander
Cornelia.....	Mary Gordon
Marcus Aurelius.....	Donald Marye
Fronto.....	Cecil Cunningham
Messenger.....	Henry Proach
Soldier I.....	Bruce Arcieri
Soldier II.....	John Young
Galba.....	Otto Jones
Boy.....	Tony Grosso
Isis, the Priestess.....	Walter James
Roman Spokesman.....	Robert Donohue
Roman I.....	Shirley Gleaner
Roman II.....	Serafina Hovhaness
Roman III.....	Norman Solomon
Soldier III.....	Richard Goode

Staff

Coordinator.....Effie Mitchell
 Assistant Director.....Philip Smith
 General Manager.....Bruce Duff Hooton
 Executive Secretary.....Shirley Gleaner
 Public Relations.....Yelena Santich
 Stage Manager.....Marion Magid
 Electricians.....Jack Ferris, Stephen Meyer
 Printing.....Trubow Press

Heroes

Production Dates: August 5, 1952 - August 8, 1952

Author: John Ashbery

Production Team

Director.....Judith Malina
 Sets & Costumes.....Julian Beck
 Music.....Elie Yarden
 Lighting.....William Neale

Cast

Theseus.....Julian Beck
 Patroclus.....Bruce Duff Hooton
 Hebe.....Serafina Hovhaness
 Achilles.....Herbert Hartig
 Circe.....Shirley Gleaner
 Chorus.....Ruth Kaner
 Ulysses.....Jackson MacLow
 Astyanax.....Murray Paskin
 A Guardsman.....Angelo Laiacona
 Andromache.....Hildur Halvorsen
 Hector.....Bjorn Halvorsen

Ubu the King

Production Dates: August 5, 1952 - August 8, 1952

Author: Alfred Jarry

Translation: Jane Warren & Arnold Devree

Production Team

Director.....Judith Malina
Sets & Costumes.....Julian Beck
Sound.....Lucille Dlugoszewski
Lighting.....William Neale
Diabolical Mechanisms.....Ralph Dorazio

Cast

Papa Ubu.....Mungi Moskowitz
Mama Ubu.....Ruth Kaner
Captain Bordure.....Jackson MacLow
Pile.....Bjorn Halvorsen
Cotice.....Eric Weinberger
Giron.....Angelo Laiacona
King Wencelaus.....Henry Proach
Buggerlaus.....Richard Newmar
Queen Rosamund.....Fanny Mitchell
Boleslaus.....Herbert Hartig
Ledislaus.....Murray Paskin
Lackey.....Serafina Hovhaness
The Whole Polish Army.....Norman Solomon
Shade of Prince Mathias of Konigsberg.....Norman Solomon
Michel Federovitch.....Herbert Hartig
Second Winner.....Murray Paskin
Count of Vitepsk.....Herbert Hartig
Grand Duke of Posen.....Serafina Hovhaness
Duke of Courland.....Murray Paskin
Prince of Podolia.....Jackson MacLow
Clerk.....Norman Solomon
Margrave of Thorne.....Jackson MacLow
Magistrates.....Angelo Laiacona, Eric Weinberger, Bjorn Halvorsen
Financiers.....Jackson MacLow, Herbert Hartig, Murray Paskin
Stanislaus Leczinski.....Angelo Laiacona
Another Peasant.....Norman Solomon
Czar Alexis.....Herbert Hartig
Prison Guard.....Serafina Hovhaness

Court of the Czar.....Lawrence King, Murray Paskin, Serafina Hovhaness
 The Phynancial Horse.....Himself
 Voice of Jean Sigismund.....Norman Solomon
 A French Mercenary in the Army of Buggerlaus.....Tchouki Mattei
 General Lascy.....Henry Proach
 The Whole Russian Army.....Serafina Hovhaness
 The Bear.....Tchouki Mattei
 Nicholas Rensky.....Murray Paskin
 Ship's Captain.....Jackson MacLow

Staff

Coordinator.....Fanny Mitchell
 General Manager.....Bruce Duff Hooton
 Executive Secretary.....Shirley Gleaner
 Stage Manager.....William Mullally
 Assistant Stage Managers.....William Kehoe, Eric Weinberger
 Administrative Associate.....Norman Solomon

THE LOFT: MARCH 1954 - OCTOBER 1955

The Age of Anxiety

Production Dates: March 18, 1954 - May 2, 1954

Author: WH Auden

Production Team

Director.....Judith Malina
 Design.....Julian Beck
 Music.....Jackson MacLow

Cast

Narrator.....Judith Malina
 Quant.....Julian Beck
 Malin.....Richard Astor
 Rosetta.....Eleanor Munro

Bartender.....Henry Proach
Radio Announcer.....James Agee
Emble.....George Miller

Musicians

George Jacobs.....Tape Recording
Grete Sultan.....Piano
Tui St. George Tucker.....Recorder
Larry Rivers.....Saxophone
Isca Jorgensen.....Voice

Staff

Stage Manager.....Pat Woodul
Lights.....Robert Anderson

The Spook Sonata

Production Dates: June 3, 1954 - June 27, 1954

Author: August Strindberg

Translation: Elizabeth Sprigge

Production Team

Director.....Judith Malina
Design.....Julian Beck
Music.....Alan Hovhaness
Stage Manager.....Pat Woodul

Cast

Ghost.....Henry Proach
Hummel.....Joseph Leberman
The Milkmaid.....Lilly Bennett
The Student.....Richard Edelman
The Caretaker's Wife.....Pat Woodul
The Dark Lady.....Mary Ladue
The Fiancée.....Irene Harris
Johansson.....Al Spartic
The Aristocrat.....David Harris
Bengtsson.....Frank Maguire

The Mummy.....Serafina Hovhaness
The Cook.....Mungi Moskowitz

Orpheus

Production Dates: September 20, 1954 - November 14, 1954

Author: Jean Cocteau

Translation: Carl Wildman

Production Team

Director.....Judith Malina
Design.....Julian Beck
Improvised Music.....Seville Clark, Lalan Parrott

Cast

Orpheus.....Richard Edelman
Eurydice.....Shirley Gleaner
The Horse.....Himself
Heurtebise.....George Miller
Death.....Judith Malina
Raphael.....Philip Smith
Azrael.....Howard Lanser
The Commissioner of Police.....Frank Maguire
The Scrivener.....Henry Proach

The Idiot King

Production Dates: December 2, 1954 - January 10, 1955

Author: Claude Fredericks

Production Team

Director.....Richard Edelman
Design.....Julian Beck
Music.....Noel Sokoloff

Cast

The Queen.....Judith Graves
 The King.....Julian Beck
 The Prince.....Jerry Wellish
 The Children.....Sharon Stock, Peter Ernster
 The Prioress.....Shirley Gleaner
 The Nun.....Judith Malina
 The Nurse.....Margery Hargrove
 The Servant.....Lauren Libow
 Soldiers.....Henry Proach, William Strong

Musicians

Joan Brockway.....Violoncello
 Norman Masonson.....Clarinet

Staff

House-managers.....George Miller, Frank Maguire, David Harris,
 Richard Edelman
 Musical Director.....Saville Clark
 Business Manager.....George Skelley

Tonight We Improvise

Production Dates: February 17, 1955 - April 17, 1955

Author: Luigi Pirandello

Translation: Claude Fredericks

Production Team

Direction & Design.....Julian Beck
 Music Direction.....Saville Clark
 Lighting.....Marc Klein

Cast

The Director.....Julian Beck
 Rico Verri.....Richard Edelman
 Signor Palmiro La Croce.....Leonard Hicks
 Signora Ignazia La Croce.....Dorothy Olim
 Mamma.....Judith Malina

Totina.....	Nina Gitana
Dorina.....	Judith Graves
Nenè.....	Judy Lenett
Pomarici.....	George Furth
Nardi.....	Raoul Gonzalez
Mangini.....	David Harris
Customer.....	Henry Proach
Customer.....	Geoffrey Fitzgerald
The Drinker.....	Margery Hargrove
Chanteuse.....	Irene Harris
Child.....	Garrick Maxwell Beck
Spectators.....	Jackson MacLow, Garry Goodrow, Robert Stock Harriette Stock, Sharon Stock

Song: "I Don't Want to Sin Anymore" by Saville Clark and Judith Malina
 Film: "Sicily: Land of Passion" by Julian Beck, Score by Saville Clark, Starring Judith Graves, Irene Harris, David Harris, Richard Stryker, Beverley Merritt and Lalan Parrott at the Piano

Staff

Assistant to the Director.....	Peter Feldman
Stage Managers.....	Margery Hargrove, Toby Armour
Recording.....	Barron Sound Studio
Publicity.....	Irene Harris
Printing.....	Igal Roodenko

Phèdre

Production Dates: May 29, 1955 - June 12, 1955

Author: Racine

Translation: Julian Beck and Judith Malina

Production Team

Director.....	Richard Edelman
Design.....	Julian Beck
Music.....	Saville Clark
Lighting.....	Marc Klein

Cast

Hippolytus.....	George Miller
Theramene.....	Cecil Willis
Oenone.....	Ruth Kaner
Phedra.....	Judith Malina
Panope.....	Mary Neuman
Arcia.....	Judith Graves
Ismene.....	Nina Gitana
Theseus.....	Leonard Hicks

Musicians

Jack Holland.....	Trumpet
Bryon Good.....	Flute
Brenda Kaplan.....	Harp
Eugenia Miller.....	Oboe
Bernard Shapiro.....	Oboe
Vincent Luzzi.....	Viola
Burton Labowitz.....	Bassoon
Nancy Klein.....	Percussion

Staff

Technical Director.....	Marc Klein
Stage Managers.....	Margery Hargrove, Irwin Hecht
Musical Director.....	Saville Clark
Publicity.....	Irene Harris
Printing.....	Claude Fredericks
Costumes.....	Prisilla Darbon, Glen Gress

The Young Disciple

Production Dates: October 12, 1955 - November 4, 1955

Author: Paul Goodman

Production Team

Direction & Design.....	Julian Beck
Music.....	Pierre Schaeffer
Assistant Director.....	Søren Agenoux

Cast

Woman.....Margery Hargrove/Diane Rhodes
 Old Man.....Henry Proach
 Young Disciple.....Hooper Dunbar
 Caspar.....William Vines
 Melchior.....Walter Mullen
 Balthasar.....Shirley Stoler
 Tolerant Man.....Ace King
 Child.....Sharon Stock
 Boy.....Mark William
 Old Crone.....Judith Malina
 Our Master.....Philip Smith
 First Old Woman, Ernestine.....Katherine Lurker
 Second Old Woman, Jessie.....Jean Barr

14TH STREET: JULY 1958 - OCTOBER 1963⁴⁹⁶

Many Loves

Opening Night: January 13, 1959

Author: William Carlos Williams

Production Team

Direction and Design.....Julian Beck
 Lighting.....Nicola Cernovich
 Assistant Director.....Peter L. Feldman

Cast

Hubert.....George Miller
 Alise.....Judith Malina
 Stage Manager.....Charles Weatherford

496. As these plays were in repertory, there were a number of cast changes over the course of their runs. The casts listed here reflect the opening night of a production.

Peter.....	Julian Beck
Serafina.....	Judith Malina
Laddie.....	Murray Paskin
Husband of Serafina.....	Henry Proach
A Woman.....	Charlet Oberley
A Girl.....	Marilyn Chris
Boyfriend of Serafina.....	Joseph Chaikin
Waiter.....	Rudd Lowry
Mattie.....	Charlet Oberley
Pete.....	John A Coe
George.....	Rudd Lowry
Ann.....	Marilyn Chris
Kate.....	Helen Ray
Fred.....	Murray Paskin
Lil.....	Cynthia Robinson
Min.....	Genie Franklin
Horace.....	Martin Sheen
Real Estate Agent.....	Joseph Chaikin
Agnes Breen.....	Judith Malina
Doc.....	John A Coe
Clara.....	Judith Malina
Child.....	Bryant Frazer
Minister.....	Peter Feldman

The Cave at Machpelah

Opening Night: June 11, 1959

Author: Paul Goodman

Production Team

Direction & Design.....	Julian Beck
Music.....	Ned Rorem
Lighting.....	Nicola Cernovich
Choreography.....	Merce Cunningham

Cast

Haga.....	Dina Paisner
Ishmael.....	Ira Lewis

Isaac (Child).....	Harris Weiss
Abraham.....	Phili Huston
Sarah.....	Judith Malina
Menassah.....	Frank Magaire
Kiriath.....	Emy Boselli
Angel of Lord.....	Louis McKenzie
Ephron.....	Joseph Chaikin
Eleazar.....	Jamil Zakkai
Isaac (Boy).....	Thomas Victor
Ram.....	Jerome Raphel
Isaac (man).....	George Miller
Rebekah.....	Judith Malina
Jetur.....	Murray Paskin
Mishma.....	Jerome Raphel
Tema.....	Daniel Lutsky
Hadad.....	Garry Goodrow
Kedema.....	Henry Proach

Production Staff

Assistant Director.....	Lawrence Kornfeld
Production Stage Manager.....	Peter L Feldman

The Connection

Opening Night: July 15, 1959

Author: Jack Gelber

Production Team

Director.....	Judith Malina
Design.....	Julian Beck
Lighting.....	Nikola Cernovich
Original Tunes.....	Cecil Payne & Kenny Drew

Cast

Jim Dunn.....	John A. Coe
Jaybird.....	Peter Feldman
Leach.....	Joseph Chaikin

Solly.....Kamil Zakkai
 Sam.....Leonard Parker
 Ernie.....Martin Sheen
 First Photographer.....Murray Paskin
 Second Photographer.....Norman Bush
 Harry.....Henry Proach
 Sister Salvation.....Helen Ray
 Cowboy.....Carl Lee

Musicians

Cecil Payne.....Tenor Sax
 Frank Hewitt.....Piano
 Al Jones.....Drums
 Michael Mattos.....Bass

Tonight We Improvise

Opening Night: November 6, 1959

Author: Luigi Pirandello

Translation: Claude Fredericks

Production Team

Direction & Design.....Julian Beck
 Lighting.....Nicola Cernovich

Cast

The Director.....Julian Beck
 Rico Verri.....Alan Ansara
 Signor Palmito La Croce.....Bennes Mardenn
 Signora Ignazia La Croce.....Sala Staw
 Mommina.....Judith Malina
 Totina.....Arlyne Raines
 Dorina.....Cynthia Robinson
 Nene.....Ethel Manuelian
 Pomarici.....Melvin Brez
 Sarelli.....Garry Goodrow
 Nardi.....Jamil Zakkai
 Mangini.....Joseph Chaikin

Pometti.....Warren Finnerty
 First Customer (Beppe).....Henry Proach
 Second Customer (Canio).....Jerome Raphel
 Absinthe Drinker.....Margery Hollister
 Chanteuse.....Jenny Davis
 Child.....Bonnie Namm
 Spectators.....Jackson MacLow, James Tiroff, Murray Paskin

Production Staff

Assistant Director.....Soren Agenoux
 Stage Manager.....Peter Feldman
 Production Assistant.....Henry Proach
 Chief Technician.....James Tiroff
 Lighting Technician.....Jerome Raphel
 Properties.....Bobby Tiroff, John Wynne Evans

Administration Staff

General Manager.....Malka Safro
 Administrator.....James Spicer
 Assistant to the Directors.....Peter Feldman

The Theatre of Chance: The Marrying Maiden

Opening Night: June 22, 1960

Author: Jackson MacLowe

Production Team

Director.....Judith Malina
 Design.....Julian Beck
 Lighting.....Nikola Cernovich
 Music.....John Cage (with the assistance of Richard Maxfield)

Cast

The Marrying Maiden.....Jennie Davis
 The Superior Man.....Leonard Hicks
 Ancient King I: Pharoah.....Louis McKenzie
 Ancient King II: David.....Benness Mardenn
 Ancient King III: Abdulla bin Fazil, a Moorish King.....Carl Lee

The Ruler.....	Jamil Zakkai
The Great Man.....	John A. Coe
A Maiden.....	Ethel Manuelian
A Merchant and Stranger.....	Jerome Raphel
The Dice Thrower.....	Henry Proach

The Theatre of Chance: The Women of Trachis

Opening Night: June 22, 1969

Author: Ezra Pound / Sophocles

Production Team

Direction & Design.....	Julian Beck
Music.....	Lucia Dlugoszewski
Lighting.....	Nikola Cernovich
Film.....	Willard Maas & Marie Menken

Cast

Daysair.....	Judith Malina
Nurse.....	Barbara Winchester
Hyllos.....	Ira Lewis
Messenger.....	Garry Goodrow
Likhas.....	Warren Finnerty
Herakles.....	Leonard Hicks
The Women of Trachis.....	Marilyn Chris, Jennie Davis, Ethel Manuelian, Cynthia Robinson
Attendants to Heracles.....	Jamil Zakkai, Jerome Raphel
Captive Women.....	Iris Clay, Sue Fearing, Giselle Heinimann, Marjory Hirsch, Jeanne Johnson, Dawn Pullin, Katheryn Ramsey, Heather Bruyere Rodin, Volda Setherfield, Janet Weinberger

Musicians

Nicko'a Roussakis.....	Clarinet
Elisha Cook.....	Clarinet
Judith King.....	Flute
Lawrence Kornfeld.....	Piano
Stephen Paxton.....	Percussion
Murray Paskin.....	Percussion

Robert Regan.....Percussion
Martin Sheen.....Percussion

Production Staff

Assistant Director.....Soren Agenoux
Stage Manager.....Peter Feldman
Production Assistant.....Henry Proach
Stage Technicians.....Matt Clark, Robert Regan, Martin Sheen
Sound.....George Jacobs
Set Construction.....Hans Hokanson

Administration Staff

General Manager.....Malka Safro
Administrator.....James Spicer
Assistant to the Directors.....Peter Feldman

In the Jungle of Cities

Opening Night: December 20, 1960

Author: Bertolt Brecht

Translation: Gerhard Nellhaus

Production Team

Director.....Judith Malina
Design.....Julian Beck
Music.....Teiji Ito
Lighting Design.....Nikola Cernovich
Stage Manager.....William Shari

Cast

George Garga.....Jamil Zakkai
Skinny.....Benjamin Hayeem
C. Shlink.....Khigh Dhiegh
C. Maynes.....Bennes Mardenn
J. Finnay.....John A. Coe
Collie Couch.....James Gormley
Jane Larry.....Marilyn Chris

Mary Garga.....Ethel Manuelian
 A Salvation Army Preacher.....Peter L. Feldman
 Salvation Army Lassies.....Cynthia Robinson, Lola Ross
 Pat Manky.....George Miller
 John Garga.....Grant Code
 Mae Garga.....Helen Ray
 A Secretary.....Robert Regan
 The Man with the Turned-up Nose.....Murray Paskin
 Ken Si.....Henry Proach
 Lynch Mob.....Members of the Living Theatre Company
 Musicians.....Peter Berry (Haitian Drum), and Mr. Ito

The Apple

Opening Night: December 7, 1961

Author: Jack Gelber

Production Team

Director.....Judith Malina
 Design & Masks.....Julian Beck
 Lighting.....Nicola Cernovich
 Mask Construction.....Ralph Lee

Cast

A Negro.....James Earl Jones
 A Con Man.....John Coe
 An Oriental-American.....Marion Jim
 A Nihilist.....Julian Beck
 A Spastic.....Henry Proach
 A Hustler.....Cynthia Robinson
 A Former Silent Screen Actor.....Fred Miller

Living Theatre Staff, 1961-1962 Season

General Manager.....James Spicer
 Music Director.....Alan Hovhaness
 Assistant Director.....Peter Feldman
 Stage Manager.....Charles Weatherford

Production assistants.....Robert Grace, Ronald Forbes, Jonathan North,
Robert Green, James Tiroff
Assistant to the Directors.....Lola Ross

Man is Man

Opening Night: September 12, 1962

Author: Bertolt Brecht

Translation: Gerhard Nellhaus

Production Team

Direction & Design.....Julian Beck
Music.....Walter Caldon
Lighting.....Nikola Cernovich
Assistant Director.....Lawrence Kornfeld
Song Staging.....Remy Charlip

Cast

Galy Gay.....Joseph Chaikin
Galy Gay's Wife.....Marilyn Chris
Jessie Mahoney.....Jerome Raphael
Polly Baker.....Henry Howard
Uriah Shelly.....William Shari
Jeriah Jip.....Henry Proach
Sergeant Charles Fairchild, called "Bloody Five".....Warren Finnerty
Leokadja Begbick.....Judith Malina
Wang.....Benjamin Hayeem
Mah Sing.....Sean Warburton
Soldiers & Tibetans.....Tom Lillard, Joel Vance, Sean Warburton

Production Staff

Production Stage Manager.....Ellen Wittman
Production Assistant.....James Tiroff
Technical Director.....Nancy Haskell
Stage Technicians.....Tom Lillard, Joel Vance, Sean Warburton
Accompanist.....Alvin Novak
Vocal Instruction.....Carole Werner

The Brig

Production Dates: May 15, 1963 - October 19, 1963

Author: Kenneth Brown

Production Team

Director.....Judith Malina
Design.....Julian Beck
Lighting.....Nikola Cernovich
Assistant Director.....Saul Gottlieb

Cast

Guards

Tepperman.....Jim Anderson
Grace.....Henry Howard
Warden.....Chic Ciccarelli
Lintz.....Warren Finnerty

Prisoners

Number One.....James Tiroff
Number Two.....Tom Lillard
Number Three.....Rufus Collins
Number Four.....Steve Thompson
Number Five.....Michael Elias
Number Six.....William Shari
Number Seven.....Jim Gates
Number Eight.....George Bartenieff
Number Nine.....Steven Ben Israel
Number Ten.....Leonard Kuras
New Prisoner.....Henry Proach
Prisoner Chasers and Stretcher Bearers.....William Pratt, David Siever

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