

HOWARD BRENTON'S *THE ROMANS IN BRITAIN*



Aren't writers supposed to teach, to guide?
And for a country to have a great writer -
don't be shocked, I'll whisper it - is like
having another government.

Alexander Solzhenitsyn,
The First Circle (1968)

Carl Tighe

Howard Brenton's play *The Romans in Britain* (1980) showed how Roman 'civilisation' was brought to the native British Celts. It attempted to portray the brutal reality of colonialism by drawing a parallel between the events of the Roman invasion of Britain and the behaviour of the British Army in Northern Ireland. In particular the play included a vivid and uncompromising metaphor of colonialist violation in a scene where a Roman soldier anally raped a wounded and unconscious Celt.¹ Alan Travis wrote of the play:

Some objected to its agitprop analogy with the British Army's role in Northern Ireland. By the time the attack came, it was as much a political assault by the new Thatcherite ascendancy flexing its muscles, as it was a defence of a drive to defend a 'decent Christian society'.²



Horace Cutler, Conservative leader of the Greater London Council, walked out of the first performance of *The Romans in Britain*. On 17 October 1980 Mrs Mary Whitehouse, morality campaigner, self-appointed chair of the National Viewers' and Listeners' Association and main mover behind the Christian Campaign of Light, wrote in her diary, presumably on the basis of Cutler's account of what he thought had seen:

Three Roman soldiers are apparently tearing off all their clothes and raping three young, male Britons in full view of the audience. It has been known for two thousand years how the Romans – some of them – behaved in Britain. We haven't needed to wait all those years for the National Theatre to come and show us.³

¹ Howard Brenton, *The Romans in Britain*, Methuen: London, 1980.

² A. Travis, *Bound & Gagged: A Secret History of Obscenity in Britain*, Profile: London, 2000, 267.

³ A. Travis, *Bound & Gagged: A Secret History of Obscenity in Britain*, Profile: London, 2000, 267.

Mrs Whitehouse approached Sir Michael Havers, the Attorney General, on the subject of prosecuting the National Theatre over its production of *The Romans in Britain* under the Theatres Act (1968). However, censorship of the British theatre had been withdrawn with a revision of the role of the Lord Chamberlain in 1968, and consequently Havers refused to take any legal action against the theatre or to give permission for a private prosecution. Having failed to secure a prosecution under the Theatres Act Mrs Whitehouse and her legal advisers managed to find an obscure clause in the Sexual Offences Act (1956), designed to prevent homosexuals 'cottaging' in public lavatories, and brought a private prosecution against Michael Bogdanov, the director of the play, claiming that he had procured an indecent act between two men. While Bogdanov's trial at the Old Bailey was a sensational clash between the forces of the libertarian left and those of the reactionary right, Mrs Whitehouse suffered a humiliating defeat.

Graham Ross-Cornes, Whitehouse's solicitor and sole prosecution witness, claimed that he had seen the actor playing the part of the rapist direct his erect penis into the anus of the actor playing the victim – this, he claimed, had been a real sex act on the stage of the National Theatre. However, under cross-examination his evidence turned out to be totally useless: it turned out that he had been sitting in the final row of the gallery, in the cheapest seats in the house, more than 90 feet from the stage, and what he had seen was the actor's thumb rather than an erect penis. The Prosecuting Counsel found it-self unable and unwilling to proceed, refused to press the case further and then withdrew. The judge declared there was no case to answer and ordered that Bogdanov's trial expenses should be reimbursed from the public purse, while Mrs Whitehouse had to pay her own costs. As a result of this fiasco the Attorney General made it very clear that as long as the male rape was simulated, no indecency prosecution could be brought against the play in the future. However, even as the Attorney General announced the collapse of the prosecution, Mrs Whitehouse insisted that she had made her moral point since even if she had not won the case she had proved that a prosecution of the play was, after all, possible.

Three years later in 1983 Drama students of Swansea University's Studio Group again attempted to stage the play as part of the Swansea Festival Fringe. Once again Mrs Whitehouse and her associates attempted to prevent the production by threatening legal action. The following article for *The Stage* was written at the time of the Swansea incident. The text of the article was photographed, blown up to enormous size and pasted around the walls of the foyer at the National Theatre, where it stayed for several weeks. Letters in reply followed.

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**Carl Tighe reports on the thwarting of
Howard Brenton's *Romans in Britain*
Romans ban – symptom of Welsh malaise
The Stage, 13 October 1983**

The opening of the Swansea Festival Fringe has been marred by an incident of considerable importance for theatre practitioners in Wales – the banning of Howard Brenton's play *The Romans in Britain*.

Students of University College Swansea's Studio Groups were to have staged the first production, and the first amateur production of the play, since the National Theatre production when Mary Whitehouse attempted to prosecute the director Michael Bogdanov.

Mary Whitehouse's attempts to stop the play and to bring charges of procuring an indecent act against Bogdanov ended in ignominious defeat, but at the time fears were voiced that unless the legal position of the play was spelt out very clearly it was quite possible that other would-be producers, directors and actors might be prevented from staging the play by threats of prosecution. This is exactly what has happened.

Tory Councillor, Richard Lewis, who was earlier responsible for getting *The Life of Brian* banned from Swansea cinemas, threatened prosecution if the production of *The Romans in Britain* went ahead. The play was to have been performed at the Dylan Thomas Memorial Theatre, now leased by the Swansea Little Theatre, and then at University College Swansea. Both venues sought legal advice and were told that the threat of prosecution did exist, even if the chances of successful prosecution were slight. Both venues reneged on their agreements with the student group and refused to allow the performance. Wally Jenkins, one of the directors of Swansea Little Theatre, said:

I haven't read the play, nor have any of our other directors. I don't particularly want to either. For us this is not a moral issue, but a financial one. We are a small, poor theatre company and we are in difficult circumstances financially after opening at the Memorial Theatre. We have a responsibility not to put at risk the hard won achievements of our company – no matter how small that risk. The moral issues are not for us to decide. It is a legal matter. I haven't a clue about how a prosecution could be brought. I know nothing about Mary Whitehouse's case, or the law relating to it. All I know is that legal battles cost money. Why should we lose everything we've worked for because two fools choose to argue about morality? If somebody smokes pot in my house I am liable. It's the same in the theatre. You can't allow someone to break the law on your premises.

Without doubt the legal advice given was worthy and honest, but such advice will always err on the side of ultra-caution, and will always play into the hands of those seeking to browbeat the more timid spirits.

With this in mind the Theatre Defence Fund took the unprecedented step of calling a press conference in Swansea on 4 October. The Theatre Defence Fund fielded an impressive team: Andrew Leigh, Director of the Old Vic, Reverend Eric Matherson, chaplain to the National Theatre, Howard Brenton and Michael Bogdanov. The Fund, which was started to raise money for Bogdanov's defence in the original court case, said that it also intended to operate to prevent private prosecutions being brought against the play. From the outset it was stressed that they were intent on clarifying the legal situation of those wanting to produce, act in, direct or host a production of *The Romans in Britain*, so that the fiasco of the Whitehouse prosecution and the Swansea banning need never take place again.

Michael Bogdanov spoke at some length and his comments were backed up by a written statement from Geoffrey Robertson, the Junior Counsel for Bogdanov in the Whitehouse prosecution. Taken together, their comments make it absolutely clear that a prosecution under the Theatres Act (1968) can only be brought 'with the consent of the Attorney General'. The Attorney General had refused Mary Whitehouse permission to prosecute and had refused to initiate a case on her evidence in 1980.

Geoffrey Robertson made the position of future productions very clear:

The Attorney General has restated his view, in Parliament, that the play is not obscene and it is therefore difficult to comprehend how he could properly approve any prosecution of a subsequent performance unless it very much departed from the script as performed by the National Theatre... In these circumstances prosecution under the Theatres Act is not a real risk.

Bogdanov added:

The advice given to the Dylan Thomas Theatre and to the University College Swansea was a non-sense. The Attorney General will not allow a prosecution. There can be no prosecution of *Romans*. It is immune from prosecution.

After failing to secure a prosecution under the Theatres Act Mary Whitehouse eventually managed to bring an action against Michael Bogdanov under Section 13 of the Street Offences Act (1956) – an act designed to suppress homosexual activity in public toilets. That act makes it an offence for a *man* to procure an act of indecency with another man. If Bogdanov had been a woman Mary Whitehouse would have been unable to make use of this law. While Geoffrey Robertson's statement made it clear that the full implications of this act have yet to be unravelled, it was clear that:

Neither the trustees of the theatre nor the College Principal would have been open to prosecution... They are not party to any act of gross indecency which might occur, nor do they procure it. Their personal fears of prosecution are unfounded.

On the question of whether or not the actors or director might face charges, Bogdanov said:

Theatre is not above the law... we are the first people to say that you cannot really chop off an arm, have intercourse, bugger someone or kill someone. There is a contract between company and audience to pretend. On this matter, if you do not pretend you are open to prosecution.

Geoffrey Robertson put this into a legal framework:

There can be no allegation against the director or the actors unless the controversial scene is staged in a way which appears to be grossly indecent. Obviously a play reading would be unexceptional and there could be many permutations of lighting and positioning which could avoid any suggestion of gross indecency. We are, after all, concerned with a scene lasting only three minutes which calls for a representation of rape and I would have thought that the director could be advised, in rehearsal, as to which method of representation could avoid any possibility of legal action.

Geoffrey Robertson went on to say that the very nature of simulated sex, as opposed to the sex act itself, the discussion between director and willing actors, all made the question of 'procuration' doubtful. Also, in the absence of evidence that the intention was to procure an act of indecency, the prosecution of a serious production of the drama was unlikely. The only possibility of prosecution lay in 'how the play was staged' in respect of the failed homosexual rape in part one scene three of the play, and the responsibility for staging that scene lay with the director of the play alone. On the question of censoring the company and the writer, Reverend Matherson was unequivocal. Speaking of what he called 'Spiritual Fascism' he said:

The Romans in Britain is a play of deep moral earnestness, demonstrating the futility of violence. When I first saw this play it struck me as the most moral play in London. The banning of the play in Swansea is surrender to the worst elements of reaction. Don't believe the people who tell you that Mrs Whitehouse represents the forces of Christianity – her organisation is extremely well funded and very sinister. The ideology that claims you can compel people to be 'good' is misguided... you cannot impose a kind of moral or religious sanction like that attempted in Iran. I'm sure that the people of Swansea do not want the rule of the Ayatollah here.

Howard Brenton was equally forceful:

Once you begin to ban something by ill-based threats you are close to the mentality that takes people's tongues out. And that is what they are trying to do to me here in Swansea. If they don't like my play, let them picket the theatres or attack me in print, let's have a good old argument about it, but don't let them ban it.

Both the Swansea Little Theatre and University College Swansea have come out of the affair badly. The theatre has rather more to excuse its behaviour than the University, however. University College Swansea has never been happy about the inclusion of Drama within its ultra-conservative grove of academe and in the mid-1970s was the scene of bitter, acrimonious and bizarre struggles over the inclusion of practical work as part of its Drama degree. Bogdanov commented:

It is inconceivable that a centre of culture and learning, a bastion of public morality, has not got the guts to stand up to the threat of prosecution and allow the director and students to put on a performance, nor have the dignity or decency to change its mind. *The Romans in Britain* is already part of the university drama syllabus. It is available in local bookshops. It is an absurd anomaly that the play cannot be performed by the students who study it.

Wales is no stranger to this kind of thinking. BBC Wales refused to broadcast *Under Milk Wood* when it was first produced on the grounds that it was far too lecherous and irreligious for Welsh audiences. Not long after this Swansea Councillors banned Monty Python's *Life of Brian*. (The ban is still in place to this day.) The banning of *The Romans in Britain* is part of a much larger Welsh cultural malaise. If ever a play deserved to be seen in Wales it is this one. Britain at the time of the Roman invasion was peopled by Celts speaking a language that was the ancestor of modern Welsh, and the results of that invasion are with us to this day. The importance of that history, the failure of the Anglo-Welsh to understand their place in that history and come to terms with their linguistic and national heritage, and their uncertainty over their cultural identity, are all reflected in the patchy and generally negative response that Welsh theatre managements have to new works by Welsh writers.

If a writer of Howard Brenton's stature can be banned, it is certain that other playwrights resident in Wales face a similar, if less publicised, threat. It is only necessary to look at the history and work of Caradoc Evans to see that the banning of *The Romans in Britain* is only the most recent in a well-established series of such incidents.

LETTERS IN REPLY

SIR,

I hope the people of Wales who, I know, are capable of great eloquence will rise in their wrath and smite Carl Tighe for accusing them of a 'cultural malaise' because they are not as keen on pornography as he is.

My concern is with his argument in *The Stage* in praise of *The Romans in Britain* that says it is not obscene. Apparently the Attorney General has said in Parliament that the play is not obscene, that the play is not about homosexual rape but about the evils of Imperialism which the author (a communist) sees manifest in the presence of British troops in Ireland – but not presumably by the presence of Russian troops in Afghanistan.

Be that as it may, am I not right in believing that the obscene argument is irrelevant to such as Mr Tighe and Michael Bogdanov, who would want the play put on whether it was obscene or not? They, and, as far as I can gather from the reaction to the trial, the whole theatrical establishment from Lawrence Olivier to Hugh Manning, want people to be allowed to put on anything no matter how disgusting without being prosecuted for it.

It seems to me that some sort of guarantee that what is to be presented to the audience will, in a measure, conform to the norms of civilised living and behaviour might bring more real theatre-goers into the theatre and leave the sadly degraded minority at home with their video cassette machines.

James Ottaway, *The Stage* (20 October 1983)

REPLY TO THE REPLY

SIR,

James Ottaway's letter on the banning of Howard Brenton's play *The Romans in Britain* demands reply of some kind.

On the basis of statements made at the Swansea press conference I tried to clarify the situation regarding the play for those who might wish to stage this play in the future. Ottaway's letter shows that no amount of care is proof against intentional misreading. In order that some misrepresentation of my action does not become 'authentic' in any way I would like to offer further clarification.

I cannot determine what it was in my article that persuaded Ottaway that Howard Brenton supports the Russians in Afghanistan. Quite how he reached that point is beyond me to fathom, but I resent the implication that he assumes I support the Russians in Afghanistan. Ottaway may assume what he likes about my political opinions, but he knows nothing for certain. I suggest, however, that before he attributes such an attitude to Howard Brenton he reads *Weapons of Happiness*.

By some kind of paranoid reflex my name is linked with those of Michael Bogdanov, Lawrence Olivier, Hugh Manning and 'the whole theatrical establishment' in what Ottaway describes as an attempt to allow 'people' to put on stage 'anything, no matter how disgusting without being prosecuted'. The theatrical establishment may have something to say on this matter, but for myself I can only say that this is a slur and seriously misrepresents my views. At no point did I argue such a case, nor did I hear such a case put forward at the Swansea press conference. Indeed, quite the opposite is true, as my quotation of Michael Bogdanov's comments would make clear if the article were read properly. Since the Attorney General has ruled on the question of indecency in relation to *The Romans in Britain*, the whole argument as to the legality and the decency of presenting the play is irrelevant: simply, there is no case against the play. Ottaway's letter is confused and confusing.

I am puzzled as to what a 'real theatre-goer' could be. I am also mystified by why the 'sadly degraded minority (which I assume includes me, Lawrence Olivier, Michael Bogdanov, Howard Brenton etc etc) should be said to have video cassette machines at home. Leaving aside the question of how the degraded minority who make up the theatrical establishment of this country manage to fill the stage with filth while staying at home to play with their videos, I would venture to suggest that anyone who is a dedicated theatregoer cannot afford such a machine. The 'real theatregoers' of his

imagination are more likely to be the very people who stay away from the theatre to play with their hardware.

If the people of Wales decide to 'smite' me in their wrath, they will do it because they want to. They will not need prompting from Ottaway. He may like to ponder the idea in the meantime that urging anyone to 'smite' anyone else is a deeply uncharitable act, not to say un-Christian.

Ottaway's letter is a blustering display of a random fistful of prejudices. It will do little to open up a debate about the problems of Welsh theatre, and even less to help reach an understanding of either our collective heritage or Howard Brenton's interpretation of that heritage. With his talk of rising up, wrath and smiting Ottaway has started a Biblical theme, so let me finish by saying that it is not the Romans in Britain who are the problem. It is the Philistines.

Carl Tighe, *The Stage* (27 October 1983).

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Although the threat of legal action was entirely bogus, as events unfolded it was sufficient to ensure that no Swansea venue was bold enough to allow the students a stage on which to perform the play. ('Romans Banned from Swansea', *The Stage*, 8 March 1984, 40.)

Follow-up Work

- How is this topic relevant to the theme of Responsibility?
- What are the limits of free speech for the writer who wishes to satirise religious beliefs?
- What are the limits of free speech for the writer who wishes to dramatise the sexual element of warfare?
- Why shouldn't people be offended?
- Should there be blasphemy laws?
- Should there be laws to protect people from the actuality of military aggression?
- Should religious beliefs be given special protection under the law?
- What is the difference between explaining and justifying terrorism?
- How do these questions affect writers?
- Write a short report on how you see the current state of censorship in the UK.