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Ms Ula and Ms President

Censorship as a Mechanism of Local Theatrical Life; the Case of Ula Kijak's 'Nieskończona historia' at Teatr Nowy in Zabrze

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Abstract

The article highlights an attempt at modifying the performance *Nieskończona historia* (Unfished Story) by Ula Kijak at the Teatr Nowy in Zabrze in 2012 – after a protest by some local Catholic and right-wing activists, and also by the sponsors of the theatre. Jerzy Makselon, the managing director of the theatre, tried to organize a special non-public performance of the play with the Mayor of the City as an expert in order to decide on the future of the performance. The author of the play, Artur Pałyga, declared that the Zabrze case is just the tip of the iceberg because the problem of censorship is very present in Polish theatre, and often generates conflicts between managers and local politicians on the one side and artists on the other side. However, the strategies of censorship and mechanism of power are usually not as apparent as in Zabrze. The research approach applied in the article combines institutional analysis, legal aspects and reflection upon the social significance of the artistic phenomena described.

Keywords: censorship; Ula Kijak; Artur Pałyga; theatre and local politics; Teatr Nowy in Zabrze

'Censorship, even when legal and based in law, avoids the spotlight.

Censorship is shy' – Zygmunt Hübner wrote these words in *Polityka i teatr* (Politics and Theatre) (Hübner, 2009, p. 64). The lack of shyness in attempts at censorship is one of the reasons why the suggestions to introduce changes the 2012 performance *Nieskończona historia* (Unfished Story) directed in Zabrze by Ula Kijak, on the basis of Artur Pałyga's play, are such an interesting case study for the history of censorship in Polish theatre in the last decades. Statements for the media made by the directors of Nowy Teatr in Zabrze, where Kijak's performance was created, reveal a number of circumstances and mechanisms usually hidden from the public eye. Furthermore, the theatre director's reference to the organiser (the local government) as an institution meant to determine the artistic shape of the theatre and mediate between the cultural institution and other participants of the local public sphere, foreshadows later, much better known and researched attempts at censorship in the theatre in the following years.

Most of these cases are situated between the classic, liberal way of thinking about censorship, where 'freedom of speech' is taken as a default and commonly available state, violated by external interventions of an institutionalised censor, linked to political or religious power – and the new censorship theory, where every utterance is, from its very inception, determined by a number of dispersed factors, structural conditions, violence and inequalities, inscribed into society, where censorship is both internalised and distributed (Bunn, 2015, p. 26) between numerous instances and institutions linked to the state, politics or the market, including the art market. This division is described by the American historian and theoretician Matthew Bunn, who points out that the way in which a given researcher views censorship mirrors their outlook on society.

Coming back to Hübner's thought, it is worth to recall his expression

‘censorship beyond censorship’, which refers to a number of censorship practices understood as ‘ideological’, but not requiring the participation of a formal censor. ‘The phenomenon of ideological censorship’, Hübner explains in *Polityka i teatr*, ‘is difficult to describe and precisely analyse, because it is impossible to strictly determine who the mysterious “ideologue” is’. It seems that Hübner’s intuitions stemming from his institutional practice are compatible with those analytically and systematically described and recognised by Bunn, especially that Hübner, even though he lived his whole professional life in the People’s Republic of Poland, always emphasised that the mechanisms of ‘censorship beyond censorship’ are also at work in Western democracies.

When applying reflection on new censorship theory to the field of theatre, it is worth referring to Grzegorz Niziołek’s research. In his article ‘Cenzura w afekcie’ (Censorship in Affect), he points out three models of structural censorship, i.e. censorship that ‘acts with the help of affective cultural norms, not political institutions’ (Niziołek, 2016, p. 262).

The first one refers to Judith Butler’s idea that censorship is a form of producing speech, rather than blocking it. It is an understanding of censorship which Bunn mentions as characteristic of new censorship theory, placing Butler alongside i.a. Bourdieu or Foucault. This assumption results in the statement that ‘no text can be fully uncensored or censored’ (Niziołek, 2016, p. 262) – and each political work in the theatre is a game with strong performatives constituting how we understand the ‘majority’.

The second model, derived from the ideas of Sarah Ahmed, is based on understanding censorship ‘not as a boundary between the excluding and the excluded, but as a form of circulating affects, which orient themselves towards certain objects and avoid others’ (Niziołek, 2016, p. 263). One has to

note that in the case study presented below, the affects will direct themselves towards objects linked to religion. The key aspect here is the role of emotions in shaping not only social norms, but also feelings of community, including the nation understood as a political community, as well as the 'majority'. Niziołek writes that the political stakes of this model are not about 'belonging to the community, but the right to express feelings and desires in the public space.' The central dilemma here is the extent to which gaining this right requires manifesting one's adherence to the community.

The third model distinguished by Niziołek stems from Michael Warner's ideas. Niziołek sees in it an opportunity to deconstruct the ideological understanding of the Polish theatre audience. He states that 'Polish theatre identifies the audience with the public, and the idea of a public with the nation – the public' (Niziołek, 2016, p. 263). The last of these substitutions, realised in the space of local communities and local 'public opinion' will prove to be vital in the case of Ula Kijak's performance created in Zabrze.

'It's a pity censorship is no more'

Nieskończona historia is a play by Artur Pałyga. It presents the lodgers of a tenement house in an unspecified city, suddenly confronted with the death of their neighbour, an elderly lady listening to the nationalist Catholic station Radio Maryja. The community devoted to the radio station is not represented in terms of anticlerical satire – the critics noted empathy, warmth, as well as 'metaphysics of the everyday' in the spirit of Miron Białoszewski. The Warsaw premiere directed by Piotr Cieplak three weeks earlier was accepted enthusiastically, without any controversies, also by critics associated with the conservative side of the spectrum, even those directly linked to the Catholic church.

‘The performance is brimming with faith that our imperfect world is moving in the right direction,’ Hanna Karolak wrote in the Catholic *Gość Niedzielny* (Karolak, 2012), then published in Katowice, not far from Zabrze, by the Metropolitan Curia publishing house, in a review whose title echoes Franciszek Karpiński’s religious song: ‘Wszystkie nasze dzienne sprawy’ (All Our Daily Matters). In *Teatr* the conservative critic Jacek Kopciński notes: ‘An amazing scene in which the church kitsch is combined with a good woman’s empathy, which reveals its mystical power’ (Kopciński, 2012). *Tygodnik Solidarność* praised the performance: ‘excellent theatre for a demanding audience. Theatre of the kind we are no longer used to, with the influx of shocking performances’ (adz, 2013), also noting, without a trace of outrage, that ‘the scene involving the Shakespearean motif of play within the play is set in what is sometimes a chancel, and sometimes a venue for cabaret songs’ and ‘church pews become benches by the rubbish bins’.

In Zabrze, however, the theatre directors demanded that the priest should not wear a stole in the scenes reminiscing his youth, and his former love should not be visibly pregnant. Furthermore, a scene involving one character hitting another with a Bible was supposed to disappear. The two remaining changes concerned the way the text was delivered by the actors (Mrozek, 2012). The justification given for the changes was based on the needs of the audiences and their demands presented after the premiere. Joanna Derkaczew summarised the messages from dissatisfied viewers in *Gazeta Wyborcza*:

> After the premiere in Zabrze on April 1, the theatre received three angry e-mails whose authors demanded censoring *Nieskończona historia*. They wrote: ‘It’s a pity censorship is no more’. They were not anonymous. Attorney Krzysztof Woryna stated that his

> complaint is an open letter, also addressed to the president of Zabrze and the Gliwice diocesian curia. The viewers claimed the performance was offensive to their sense of good taste and their religious feelings. However, they used different arguments. The first one referred to the penal code. Another mentioned her rights as a consumer. She wrote she did not get what she paid for, deceived by the description advertising the performance on the theatre's website. The third viewer simply wrote a number of insults and complained about the actors smoking on stage (Derkaczew, 2012a).

Reviewer Bartłomiej Miernik described the crucial scenes as follows:

> The two scenes which caused outrage among the conservative inhabitants of the city seem insignificant compared to things one can see every day on Polish stages. In one of them, a young woman with a pillow tied to her belly stands next to a priest. They do not interact. Apparently, the audiences and the theatre directors were disturbed by the fact that the characters are standing close to each other. In the second scene a man is searching the Bible to find the answer why he thoughtlessly followed a beautiful woman to a church. He reads at random, quoting fragments about the dynasties of Israel or snippets irrelevant to his question. Resigned, he comes to the conclusion that he will not find an answer in the Good Book. That's it, nothing more. It's good that the creators did not allow the theatre director to change the performance. It delights with its precision and consistency in formal choices (Miernik, 2012).

The scenes mentioned here can still be seen – even though the last performance of *Nieskończona historia* took place in Zabrze on June 15, 2013, a year and two months after the premiere, during which time it appeared on the stage seventeen times (according to the repertoire archive at e-teatr.pl, a portal create by the Theatre Institute in Warsaw; dates of the performances in 2012: March 31- the premiere, April 14 and 15, May 19 and 20, June 1 and 2, September 28, November 15, December 8; in 2013: January 6, February 1, March 1 and 16, April 12, June 8 and 15). A recording of the performance is available at the Theatre Institute archive, accessible by request through Encyklopedia Polskiego Teatru (the Polish Theatre Encyclopedia) website (signature IT/5248/DVD/AB).

The scene with the Bible shows the frustration of Andrzej, a believer who clumsily tries to 'pray with the Bible' (a practice in, among others, Neocatechumenal movements). The book opens first on the second chapter of the 1 Chronicles, enumerating the descendants of Jacob from the generation of Judah, and then on the 21st chapter of the Acts of the Apostles, with the description of apostle Paul's visit in the Jerusalem church, right before his capture. The recording shows that most of the time it is not the actor who is holding the book – it is presented to him by the actress saying dialogue which the play attributes to the character called 'God', and which consists of quotes from the above-mentioned biblical texts. Finally, a tussle ensues – Andrzej attacks the woman-God. Even the Judeochristian imaginary can provide a context for this scene in the form of Jacob's struggle with the angel in the 30th chapter of the book of Genesis, painted by Rembrandt, among others. In their defence, the creators of *Nieskończona historia* pointed out that the performance does not use an actual copy of the book considered holy by the Christian, but a prop. In their open letter they wrote:

> The scene of hitting an actor by an actress with a stage prop of the Bible is a consequence of the director's and actor's analysis of Andrzej as a character – a man lost and discouraged by the world and his faith. It is not a realistic scene of an argument/fight between two people, but a metaphorical image of Andrzej's view of his own relationship with the Holy Bible (Kijak, Pałyga, Skaza, Jankowska, Rumińska, 2012).

As for the scene with the priest, it is worth noting that the author is wearing a 'secular' costume – beige trousers and a T-shirt, and the only indication of his status as a clergyman is a stole on his shoulders, which, according to the Roman Catholic rules concerning liturgical vestments could mean he is involved in an action restricted for the 'priestly authority' , such as hearing confession ('The stole is a sign of action, not jurisdiction'; Nowowiejski, 2010, p. 214). In Pałyga's play, the scene does not explicitly show a confession, but it does have confessional character, first with Judith, a teenager telling about her romantic and erotic fascinations, then with father Piotr remembering his own love. Its object, Magda, appears in the flashback scene. Pałyga's text does not suggest she is pregnant. Adding a protruding belly (whose artificiality is emphasised, as evidenced by the recording – it is visible that the belly is in fact a pillow) is the director's gesture, making the Zabrze performance different from that directed by Piotr Cieplak in Warsaw.

'Correctional rehearsal,' or the legal aspects

In purely legal terms, taking into consideration the contract with the director, did the theatre directors have the right to demand changes in the performance?

The second paragraph of the contract signed by Kijak with Nowy Teatr in Zabrze stated that ‘The director’s conception will be agreed upon with the Head Director of the Theatre’. In administrative law, this refers to a form of cooperation in which both parties have to agree on something, as opposed to, for example, ‘expressing an opinion’, which is not binding for the person whose work is judged. However, ‘the director’s conception’ is not the whole of the performance, but a concept in the form of a short description or a conversation presented at the outset of the work on the performance, sometimes added to the contract as a basis for the first payment (in Kijak’s case there was no such requirement, the first payment was planned after the end of the second week of rehearsals, on January 27, 2012).

Point 8 of paragraph 7 of the contract gave the theatre the right to call on the director to ‘make suitable corrections’ and set a date by which they should be ready. As will be shown later, it is this clause that Makselon and Stryj wanted to use in order to conduct a ‘correctional rehearsal’ and introduce the changes. Among the potential reasons for such demands, the contract mentioned ‘flaws’, ‘legal defects’ or deviations from paragraph 2, i.e. the director’s conception presented earlier.

One can perhaps imagine an extreme interpretation of the notion of ‘legal defect’ used in paragraph 7, according to which any image, word or gesture which someone could potentially see as insulting to religious feelings in the understanding of article 196 of the Polish penal code, would be a ‘legal defect’ serving as a basis for ‘corrections’. The stole or the Bible could meet the criteria for being items that can be object to the crime of insulting religious feelings, according to the legal doctrine (cf. Dąbrowski, Demenko, 2014, p. 162) – hence the attempt at defence by the creators of the performance, emphasising that a prop was used instead of the actual Bible.

An ultimate, absurd consequence of such a reading of the law would be a ban on all representations of the clergy or references to religion. A short digression: it is not much different from the regulations used in the Austro-Hungarian Empire, where it was forbidden to use clerical vestments on stage; this law influenced the premiere of Stanisław Wyspiański's *The Wedding* in 1901.

However, the above-mentioned clause from the contract between Nowy Teatr and Ula Kijak stated that if the director were to fail to introduce the corrections by the given date, the theatre could withdraw from the contract, 'thus refusing to accept the work'. This would indicate that the whole procedure of seeing the necessity to make corrections should take place before accepting the work, i.e. the third dress rehearsal (this is how the moment of accepting the work is defined in point 2, paragraph 1 of the contract). The events described here, including the pressure on the director to introduce changes in the performance, took place later, after accepting the work. This means a 'correctional rehearsal' would be in violation of the contract.

It is worth noting that the regulations at work in the Republic of Poland, the contracts and the Polish legal literature are deficient in their use of terminology capable of grasping the particularities of creative work in the theatre. The lack of a proper definition of the 'director's conception' (mentioned above and present in Kijak's contract), a term understood only on the basis of habit, tradition and unwritten agreements, is but one example. If the matter was to be resolved in court, the interpretation of this phrase would depend on the judge.

The following is a fragment from a legal commentary by Elżbieta Traple, part of the volume *Prawo autorskie i prawo pokrewne. Komentarz*, edited by

Janusz Barta and Ryszard Markiewicz:

> The work of a theatre director deserves a few words of explanation. Turning a literary work into a play, performed by the director, is a clear case of adaptation, legally protected as a derivative work. Practice has long distinguished ‘ordinary directing’ from stage adaptation (the distinction can be seen on theatre posters). Stage adaptation happens when the interpretation of the work includes features of an adaptation, i.e. when the director consciously shifts the play’s focus (e.g. places secondary characters in the foreground, without changing the plot), or changes the construction of the work. Stage adaptation often consists in adapting the play to the needs of a new viewer, a new point of view on the values contained within a theatrical work. That is why stage adaptation is a creative activity, leading to a derivative work.. In contrast, directing can consist exclusively of a simple preparation of the play to be performed on a specific stage, efficient guidance of the actors, providing ‘rhythm and pacing’ (also through certain cuts in the text), executing theatrical qualities intended by the playwright. Such ordinary directing is subject to performing rights and, consequently, the director should be regarded as a performer (Traple, 2011, p. 53).

This is why another chapter of the same volume, written by Monika Czajkowska-Dąbrowska, states:

> The assessment of the role of the director has long been a controversy within the doctrine. It depends on the treatment of the

> performance itself. If we consider it to be a work separate from the dramatic work performed (which could find a basis in the law, article 1, paragraph 2, point 8, the director should be viewed as a creator as understood by the copyright law, and a person creatively working in performance. If the show were to be treated as an execution of a play, the director only has the latter role (Czajkowska-Dąbrowska, 2011, p. 542).

The volume was published in 2011, but it uses certain terms in ways they were understood in theatre criticism, and on 'theatre posters', several decades ago, as if the Great Theatre Reform was a recent innovation. Regardless of these anachronisms and the lack of precise terminology, it has to be noted that the law and its commentators notice the authorial potential in a theatre director's work, and based on her contract, Kijak – as a director – was supposed to prepare a performance that would be an 'original result of her work' (paragraph 8 of the contract).

Behind the scenes

What were the specifics of the process in which the directors of Nowy Teatr communicated with Ula Kijak about expected changes in the performance? Such situations are often difficult to reconstruct, as the theatre's requests are presented not in an exchange of letters or e-mails, but during unminuted meetings and individual conversations in office rooms. Artur Pałyga described one of such meetings in his text on the e-teatr website, published in the same month:

> We are having this amazing meeting at the theatre in Zabrze. All

> the actors are there, as well as the theatre directors, who are trying to explain that for the good of all we should agree to these wretched changes.
>
> ‘But what will the changes change? What happens if we change something, and they will demand further changes?’
>
> ‘If you make the four changes, we will be on your side’ (Pałyga, 2012).

This clearly shows how the process of agreeing on the corrections takes place informally. Pałyga continues:

> Then the theatre director said something about whether we want to cancel the performance because of an actor’s illness (accompanied by a knowing look). All in a ‘you know how it is’ mood. And it’s either-or (Pałyga, 2012).

The meeting also involves tales about circumventing censorship during the Martial Law – once more, the times of the Polish People’s Republic become the main reference point for the imagination when facing censorship. A process of haggling, often described in the context of censorship in the Polish People’s Republic, also takes place:

> We have agreed. We are sitting downstairs with our heads down. We have agreed because we are nice. I was surprised by all of this. Not the performance, not the play! And the changes, damn, stupid, nonsensical, under visible pressure, because it was all after the

> premiere, but whatever. We agree on two, not four, and that the public will be told that for such and such reasons, for the good of the performance, the following changes took place. And then a voice from the actors, that it is a suffocating, humiliating feeling. That this is how you take dignity away from people (Pałyga, 2012).

Pałyga's account also presents attempts made by the theatre directors to antagonise the actors, the theatre crew and the people involved in this particular production. 'And the theatre directors repeated, not just as suggestions, but direct statements, that we will benefit from this controversy, and the theatre will be harmed. That we left, and they had to stay there. And in the coming years they will not risk a performance like that.' However, this point of view is subverted by one of the actors, happy that 'Finally, something has changed here!'

In order to understand the particularly emotional tone of this account, it is worth noting the broader context. On the day of the premiere of *Nieskończona historia* in Zabrze, another play premiered in Bielsko-Biała's Polish Theatre, where Pałyga worked as a programme consultant. Ingmar Villqist's *Miłość w Königshütte* (Love in Königshütte), dealing with Silesia's history right after the Second World War, including the Soviet and Polish violence towards the local population, caused political protests and a request made by the right-wing PiS politicians that the theatre director, Robert Talarczyk, be removed from office (Klimaniec, 2012). It was a time when Pałyga had a particularly intense experience of the political and institutional consequences of his artistic work.

Censorship not always shy

While theatre directors' decisions to cancel a performance before the premiere can be seen – at least in some cases – as acts of censorship, it sometimes happens that a reference to the 'shyness' of censorship mentioned by Hübner can serve as a defensive strategy, as described by Pałyga:

> I remembered another conversation in another theatre in another part of Poland. A long conversation two days before the premiere, which started with 'I won't allow you to show this here' and ended on 'But you know we will simply talk about it and it the whole country will know', and I felt so helpless that it was the only thing I could say, that it was so convulsive. But the director didn't say 'So what?' He said: 'OK, you've convinced me' (Pałyga, 2021).

However, in Zabrze the theatre directors were surprisingly open and verbose about what happened and what they demanded from the artists. Information about the attempts at changing the shape of the performance was not obtained through investigative journalism and it does not come solely from accounts provided by one party, the creators of the performance. Director Jerzy Makselon himself admitted in a media statement that he proposed to organise a special show for the city authorities, including the president, Małgorzata Mańka-Szulik. Makselon did not try to hide behind a refusal to comment, quite frequent in media practice, nor did he blame the decision to modify the performance on the deficiencies of the creators in terms of their skills or, like it happened at Teatr Stary in Kraków under the direction of Jan Klata, when Oliver Frljić's *Nie-Boska komedia. Szczątki* was

cancelled.[1] As the creators of the performance noted in their open letter, 'the theatre director decided that the show would be a 'correctional rehearsal,' not a proper performance, which meant the actors were to play for Ms President for free.'

Asked by the media whether he does not see censorship in such a solution, Makselon replied:

> It could also be understood as a result and expression of very good cooperation between the local government and the cultural institution it runs. […] Ms President knows the city very well, she has an excellent social sense and can influence the public opinion. With just a few conversations she is able to give appropriate proportions to certain phenomena, to discourage or encourage certain groups (Mrozek, 2012).

Explaining the reasons behind the idea to organise a closed performance, Makselon presents something understood by his critics as a potential act of censorship in the light of completely different values and contexts. The priority here is no longer creative independence, the autonomy of the institution or respect for the rights of the artist (also her copyright, resulting from the work being accepted by the theatre) – but rather harmony within the local people, presented as a 'community'. The key assumption is based on the conservative views of the audience, presupposed by the theatre director: 'In Zabrze, you cannot assume that by causing outrage in one part of the audience you will be able to draw other people to the theatre. You can conduct dialogue with the audience only when the audience is actually there' (Mrozek, 2012). The voices of protest are identified with the whole of the

audience.

Pałyga also points out how the responsibility for cancelling one of the shows was transferred to the director: 'You can thank Ms Ula for calling different people in the whole country. You know we were supposed to play today, for just a few people. You can thank Ms Ula that the show did not take place!' (Pałyga, 2012).

The sarcastic rebuke present in the above comment, the complaint about revealing a 'family secret', the familial 'Ms Ula' – all those tell a lot about the functioning of institutional theatre and the position of the director within it. Kijak herself attempted to reflect on this position four years later in the doctoral dissertation, *Mit artysty a codzienność reżyserki* (The Myth of the Artist and the Everyday Life of the Director), defended at the Directing Faculty of the Theatre Academy in Warsaw. She wrote:

> There are two basic positions of power in the Polish theatre system: the director of the performance and the theatre director. While the head of the theatre owes their power to the fact that they are an employer indicated by official sources (the law, competitions, contracts, rules), the power of the director of a performance is based on the fact that they are a creator – an artist. It is the 'myth of the artist' that constructs the director's sceptre. And because there is a widespread belief that theatre cannot exist without such directors, the whole community is involved in maintaining the myth of the 'artist-director' (Kijak, 2016, p. 21).

The opposition between the 'official' power of the theatre director and the 'unofficial' power of the artist-director, stemming from custom and myth, has

to be viewed in a more complex light. While the power of the theatre director has the advantage of them being a legal ‘employer’ (in the case of a performance director without a permanent job contract they are in fact a person ordering a certain work, as used in the contract), a number of steps taken by the directors of Nowy Teatr in Zabrze during the whole affair were based not on official sources, but rather on informal local connections or uncodified theatre customs; in some cases they were attempts to work against legal contracts.

Pałyga’s and Kijak’s accounts, as well as authorised comments by director Maskelon published by the media, show the importance of informal relations, rather than formal procedures, in maintaining the position of power in the case of a head of a public cultural institution. The key role played by informal relationships, combined with the ‘weaker’ side’s use of anticipatory humility or familial tone in communication are all elements of clientelist relations. ‘A certain amount of ceremony serves both sides, and the most important thing is the “familiality” of the whole system. […] The patron (even when represented by their deputy) shows their kindness and generosity; the client benefits from it” – says Antoni Mączak, an expert on the history of clientelist systems (Mączak, 2000, p. 16).

Where does the patron’s strength originate from? ‘Above all (not only in the early modern age), the patron uses public funds, and has a share in the state’ – says Mączak (Mączak, 2000, p. 15). It is not difficult to notice that this is the main advantage of the theatre director in relation to the director of the performance, as well as the state organisers in relation to the theatre director. The director determines the pay of the artist, and the president of the city or the voivodship board prepare a budget draft, containing the subsidy for the theatre (even though the budget itself is ultimately approved

by the council).

The emotional relationships and ‘informal competences’ were also the reason which the president of Zabrze, Mańka-Szulik, gave for appointing Makselon as theatre director:

‘It was us who offered this job to Jurek, but he didn’t take much convincing. We wanted someone who, apart from the formal requirements, understood Zabrze and could love it’ – she told the local press in 2007, appointing the new head of Nowy Teatr (Polok-Kin, 2007). Before that, Makselon had been the head of the Młodzieżowy Dom Kultury (Youth Cultural Centre) in Stalowa Wola and an official at the Zabrze city hall.

Whose is the theatre?

‘Whose is the theatre?’ – it is a question asked by researcher and curator Marta Keil. In her doctoral dissertation on institutional criticism in the field of Polish theatre and performance studies, she points out that during the last few decades of Polish debates on the subject, the question of the meaning of the word ‘public’ in the expression ‘public theatre’ usually referred to the legal form of the given institution. ‘It usually recurred in discussions on ways of funding theatre institutions and in subsequent attempts at censorship, either direct or economic’ – she notes (Keil, 2021).

The situation in Zabrze could serve as a good example of the homology between the fields of power and art as described by Pierre Bourdieu. It is a fact that specific factions or groups within the social elite are strongly linked to specific areas of theatre life, and specific stages (Bourdieu, 2001, p. 250).

Going further, one could also refer to Grzegorz Niziołek’s reflection on how

the institution of Polish theatre, using mechanisms of ‘displacement, resistance and exclusion, built a model of a sublimated audience, perceiving itself as a representation of the community’ (Niziołek, 2016, p. 256). Following Niziołek’s view, also in Zabrze the audience becomes identified with ‘the public’, i.e. the participants of the local public sphere. Coming back to the question of ownership of the theatre posed by Keil: deconstructing subsequent conceptualisations of the public sphere, she points out how the privileged speak in the name of the ‘public’. In Zabrze they were attorneys, entrepreneurs, the clergy, and finally the city’s president. Keil writes that the public sphere ‘was shaped […] depending on power and property relations in a political struggle for dominance, finally won by the rich bourgeoisie’ (Keil, 2021). In Zabrze it can be seen how the theatre becomes declaratively a matter of the whole ‘city’, even though in practice it is all up to a particularly understood elite able to determine what should not be shown on the city stage, referring to, among others, very broadly conceived ‘religious feelings’.

Niziołek’s and Keil’s reflection should be complemented with the question of the whole network of informal local connections. The clientelist relationship between the local government and the theatre directors has already been mentioned, but the media accounts do not feature voices of, among others, the Catholic clergy. In spite of that, the press wrote about signatures gathered under petitions against the show in the local parishes, and the director, Ula Kijak, talked to the journalists about the deputy director of Nowy Teatr, Jerzy Stryj: ‘The artistic director suggested that after the changes have been introduced, he would go to the parish priests gathering the signatures and explain everything’ (Mrozek, 2012). Director Makselon also confirmed that local parishes were gathering signatures under a petition against the performance, but have not been able to reach the

petition itself. The following years would bring many such petitions and reactions on the highest level, often issued by bishops.

In 2017, Grzegorz Niziołek pointed out ‘a feeble presence of criticism towards the Catholic church in Polish theatre’, writing about a ‘paralysis’ of discourse critical towards the Catholic church in the Polish public debates and noting that the reasons for this lie not only in theatre itself, ‘but also in mechanisms governing the public sphere’ (Niziołek, 2018, p. 57).

In texts from the time of the controversy, the question of the local authorities was much more present than that of the pressure from the Catholic church – yet the church pressure was mentioned in the background. Furthermore, some secular parties to the conflict were connected to the institution of the church. The author of one of the emails sent to the theatre, attorney Woryna, wrote in his biographical note on the website of his law office that he for many years he had been ‘involved in the family formation of the Light and Life Movement [a prominent Polish religious organisation]’. Mańka-Szulik, on the other hand, had initiated the Metropolitan Family Festival for which she was rewarded by the General Chapter of the Catholic Association of the Republic of Poland and the Silesian Juliusz Ligoń Award, given by the Catholic Association Civitas Christiana.[2] In 2012 she also received the honorary Badge of Merit for Polish Culture from the Minister of Culture, Bogdan Zdrojewski.

To sum up: a closed show of *Nieskończona historia* for the president of Zabrze never took place – as Makselon told the media and the creators of the performance noted in their open letter – because the politician herself did not want it. In the matter of *Nieskończona historia* president Mańka-Szulik initially wanted some explanation from the theatre, basing the request on, among others, the action in the local parishes, which director Makselon saw

as, in his words for the press, ‘an expression of the organiser’s interest and care for the activities of the artistic institution (Mrozek, 2012). Later, however, the politician distanced herself from the whole matter. In their enquiries about the changes in the performance, the media (not only local, but also nationwide) which wrote about the controversies surrounding *Nieskończona historia* focused only on the theatre directors, leaving the city authorities alone.

This confirms Hübner’s opinion – in *Polityka i teatr* he writes about theatre directors as ‘buffers’ for censorship, taking upon themselves the tasks that would be ‘shameful’ for the authorities. As examples of such an attitude, Hübner mentions himself in 1968, when he was the director of Stary Teatr in Kraków and postponed the premiere of a performance based on Tadeusz Różewicz’s text to two months after March, to avoid a potential ban in the most politically heated period, and Samuel Lane, the director of Britannia Theatre, ‘who, in 1848, cancelled a performance on the French Revolution in accordance with the censors’ suggestion, and received a letter from the Lord Chamberlain’s office, thanking him for his responsibility, wisdom and right mindedness’ (Hübner, 2009, p. 65). In the case of the director of Nowy Teatr in Zabrze there was no official ‘reward’, but neither were there any clear messages from the authorities regarding his practices. Apparently the way in which Jerzy Maskelon led the institution and cooperated with the artists was not in any way objectionable to the local government, as his tenure was prolonged for subsequent terms – on September 3, 2018, president Mańka-Szulik appointed him as the director of Nowy Teatr for another five years, until August 31, 2023. At the same time, in the situation surrounding *Nieskończona historia*, Mańka-Szulik worked to improve her image in the eyes of the artists. In a video interview for the local news service 24gliwice.pl, published on April 15, 2012, i.e. two weeks after the premiere,

Kijak mentioned that the creators of the performance ultimately met with the president. The director summed the meeting up as follows: ‘Ms President’s stance is clear and it makes us very happy. It is as it should be. Ms President does not intend to influence the shape of the performance’ (Jezierski, 2012).

Censorship in the case of *Nieskończona historia* works in ways describer by the theoreticians from the circle of new censorship theory – it is dispersed and involves a number of social actors, such as religious communities, local politicians, authorities and the media, as well as the cultural institution itself, which internalises the mechanism of censorhip. At the same time, like in ‘old’, liberal theory of censorship, the censor’s decision, even one ultimately retracted, had an authoritative, visible nature, which, additionally, was something external from the creators’ perspective.

The unfinished story of systemic mechanisms

Ultimately, *Unfinished Story* was not removed from the repertoire or changed, but the attempt to censor it revealed a number of mechanisms characteristic for the operation of cultural institutions in Poland. The thesis of Joanna Derkaczew’s text in *Gazeta Wyborcza* summing up, among other things, the Zabrze affair, seems premature: ‘the decisions of the “offended” are not backed up by any system, but merely banal, individual inanity’ (Derkaczew, 2012b). By all means, the affair had a systemic nature: it resulted, firstly, from a system of clientelist relations in public cultural institutions, and secondly, from a growing fear of offending ‘religious feelings’, which would, in the following years, lead to a flurry of attempts at limiting creative freedom, coming both from the bottom up and from the top down. Analysing the consequences of cancelling the premiere of Oliver

Frljić's *Nie-Boska komedia. Szczątki* at the Stary Theatre in Kraków in 2013, Magdalena Rewerenda claimed that 'the offense of religious feelings has become a performative in itself, which changes a performance meant for a small interested group into an ideological battlefield involving a large part of society' (Rewerenda, 2020, p. 192). It is striking that a legal regulation becomes a 'performative', effective inasmuch as – following Rewerenda – religious feelings are 'ambiguous and unverifiable', 'they are used as a weapon and escalate the emotional register of the discussion, thus excluding substantive arguments' (Rewerenda, 2020, p. 192); this is in agreement with Grzegorz Niziołek's thesis about the link between censorship and the circulation of social affects, mentioned at the beginning of this text. When one refers to earlier attempts at censorship in Polish art after 1989, both in actions of local governments and grassroots initiatives, one can see that on a local scale such attempts at using 'religious feelings' to 'change' censored works of art and 'broaden' the groups involved had happened earlier as well.

For the author of *Nieskończona historia*, Artur Pałyga, in April 2012 attempts at censorship were already – or still – a common phenomenon. 'Why am I writing about this? Because theatre is a public matter. Because such and similar things happen all over Poland in more or less clever or camouflaged ways. And they happen in silence' (Pałyga, 2012) – he wrote at the end of his text.

How common was the phenomenon Pałyga spoke about? In his book *Cenzura w sztuce polskiej po 1989. Artyści, sztuka, polityka* (Censorship in Polish art after 1989. Artists, art, politics), in the chapter 'Spis wypadków cenzorskich 1989-2012' ('A list of censorship incidents 1989-2012'), Jakub Dąbrowski lists a number of documented attempts at censorship from the field of theatre, in part referring to a similar list presented earlier by Jarosław

Minałto in *Notatnik Teatralny* (Minałto, 2006). They were, among others:

– an attempt to cancel the subsidy for the Malta Festival, because the French theatre Turbo Cacahuete walked around Poznań with a coffin on June 30, 1994;

– an attempt made in the city council of Tarnów to remove the performance of Aleksander Fredro's *Revenge*, directed by Stanisław Świder, the director of the theatre, due to the strap covering Papkin's buttocks being too narrow (April 1999);

–an attempt to remove Ravenhill's *Shopping and Fucking* from the repertoire of Warsaw's Teatr Rozmaitości made by two Akcja Wyborcza Solidarność councilwomen – Joanna Fabisiak and Julia Pitera (April 1999);

– attempt at economic censorship at the Musical Theatre in Gdynia made by the members of the city council family committee, concerning the performance of *Hair* (November 1999);

– cancelling the International Theatre Festival Zdarzenie in Kłodzko due to the plans of performing the performance *Judasze* (Judases) at the main square on the day of a city council session;

– request made by councilman Krzysztof Mączkowski to remove the directors of the Polish Theatre in Poznań, Paweł Wodziński and Paweł Łysak, after a guest performance of *Shopping and Fucking* from Warsaw's Teatr Rozmaitości (April 2001);

– removing *Moralność Pani Dulskiej* (The Morality of Mrs Dulska) from the repertoire by the new director of Teatr Węgierka in Białystok, because 'it encourages premarital sex';

– termination of cooperation with the Warsaw club M25 by the mayor of the Praga Południe district, Tomasz Koziński (PiS – the right-wing Law and Justice party) after a performance of *Flesh Forms 013* by Suka Off Theatre, which was removed from the programme of the 14th Łódź Theatre Meetings, with no reason given (November 2005); half a year later the local government in Katowice lowered the subsidy for the A PART festival for the performance of Suka Off (June 2006);

– a change in the conditions of the competition while it was already on in order to make it impossible to give Wojtek Klemm another term as the director of Teatr Norwida in Zielona Góra (Dąbrowski, 2014, pp. 690-737).

This list could confirm Jakub Dąbrowski's claim that during the aforementioned period (1989-2010, and definitely in the following years as well) the local environment played a key role in shaping artistic freedom. Dąbrowski concludes:

It became a tradition that most interventions were procured by local government politicians, who, especially after the local government reform in 1998 gained real influence over the operation of cultural institutions and had better insight into the repertoire of cinemas, theatres, galleries and museums, and their

> activity as censors drew the attention of the local voters (Dąbrowski, 2014, pp. 214-215).

However, later years were to show that censorship does not necessarily prefer silence. Peculiarly understood ‘social sense’ and ‘knowledge of the city’ – arguments given in 2012 by Makselon for the idea of consulting the shape of Kijak’s performance with the Zabrze local government – were to return quickly, and from the lips of local politicians themselves, for example in the case of the cancellation of Rodrigo García’s *Golgotha Picnic*, finally not shown at the 2014 Malta Festival. In a highly publicised statement from June 17, 2014, president Ryszard Grobelny said that even though he cannot, and does not want to, censor the festival, he still hopes the organisers will show ‘responsibility’ for the city and block the performance[3].

Combined with the statements from the Poznań police and bishops, Grobelny’s appeal proved effective – on June 20, 2014, the director of the Malta Festival, Michał Merczyński, cancelled the performance of *Golgotha Picnic*.

The authorities of Lower Silesia showed that acceptance of such practices remained undiminished among local politicians in 2015, when they tried to cancel the premiere of *Śmierć i Dziewczyna* (Death and the Maiden), directed by Ewelina Marciniak, at Teatr Polski in Wrocław. The voivodship council members from Platforma Obywatelska spoke even before the freshly appointed Minister of Culture, Piotr Gliński from PiS, whose ministry requested the cancellation of the rehearsals in a letter from November 20, 2015. ‘The Polish Theatre is supposed to fulfil its public mission, not show pornography. This has gone too far. Together, we have to think how to protest against this performance and remove him [sic!] from the repertoire’ –

said Janusz Marszałek, head of the committee of culture at the regional council, member of Platforma Obywatelska (Kozioł, Piekarska 2015). 'We cannot agree that such performances be shown for public money. There are limits one cannot ignore' – said Michał Bobowiec, president of the PO faction in the Lower Silesian regional council. Alongside these politicians from Platforma Obywatelska and PiS councilmen Roman Kowalczyk and Piotr Sosiński, who campaigned, among other things, for lowering the subsidy for the theatre, another voice against Krzysztof Mieszkowski and Ewelina Marciniak came from Patryk Wild from the Bezpartyjni Samorządowcy faction, expecting the voivodship marshal to take an 'immediate personal decision', i.e. remove Mieszkowski from the post of the director of the Polish Theatre (Protocol of the 16th session of the Fifth Term Lower Silesia Regional Council 2015).

Later attempts at limiting creative freedom, already at the central level – such as the actions against Oliver Frljić's *Our Violence and Your Violence* (2016) or Klątwa (The Curse, 2017), and the resulting cancellation of the subsidy for the Malta Festival because of Frljić acting as a curator – beg the question to what extent Hübner's thesis on the shyness of censorship remains accurate in a reality where one of the basic tools of politics is based on 'culture wars'. This means, among others, fighting against art which, according to politicians or influential figures, ostentatiously attacks values.

Adam Bodnar, the Polish Ombudsman in the years 2015-2021 described this way as follows, on the example of the 'Rainbow Virgin Mary' and the activist Elżbieta Podleśna:

> Now political effect is achieved through coordinated actions of the police, prosecutors and public media. This consists of an

> accusation, use of direct coercive measures, such as an arrest, and then – an interrogation. All this allows to represent a given person as an enemy, a danger – both in the public media and in media 'friendly' towards the authorities. It also has another purpose, to show the politician who decides about such methods as a good sheriff. This or that minister can say how indignant they are. At the same time, they are aware that the charges won't be upheld in the court. But further interest from the media does not matter – nobody follows the case anyway. Except for institutions such as the Ombudsman's Office, NGOs or specialised journalists (Mrozek, 2020).

In the case of Zabrze and Ula Kijak there were no official investigations or police interventions. There was no campaign in right-wing media, either. The attempt at censorship was not meant to be a political spectacle, but rather an example of political practice that is the business as usual in the theatre, remaining within the 'stage family', normalised and conducted according to custom.

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Footnotes

1. Even though in cancelling the premiere of *Nie-Boska komedia. Szczątki* Stary Teatr referred, in its statement from November 26, 2013, to 'care for the actors' safety' and 'good working conditions', in an interview given several weeks later, theatre director Jan Klata mentioned the conception of the performance as a second reason: 'Another thing is that Frljić's strategy which worked great in the Balkan context, unfortunately did not work in the Polish context. It was visible in the fragments of the performance I saw during the rehearsals. I have a basis for my decision, and the creators of the performance have the right to feel bitter about it' (cf. Pawłowski, 2014).
2. http://mszulik.pl/o-sobie [accessed: 15.02.2021].
3. Grobelny wrote: 'As the President I do not possess the legal instruments which would administratively force any organiser of an artistic event, or protest, to cancel it. And even though I am deeply convinced that the artists' right to free speech and freedom of assembly are great achievements of the Polish democracy, there is – in my opinion – a value that stands above them. It is the life and security of the inhabitants and their goods. That is why I think that the organisers of artistic and social events have a duty, not only legal, but also moral, to predict the results of their actions. That is why I hope that both the leaders of the Malta Foundation and the organisers of the potential protests will prove responsible and consider these dangers. At the same time I want to emphasise that the local government and its organs are not entitled to review artistic events or apply preventive censorship' (Grobelny, 2014).

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