(DIS)AGREEMENTS

CENSORSHIP AND THE CONFIGURATION OF CINEMATIC CLASSICISM

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introduction
THE MOTION PICTURE PRODUCTION CODE REVISED ALMOST A HUNDRED YEARS LATER

CARMEN GUIRALT GOMAR

Censorship in American cinema existed practically from the very birth of the medium, in the form of municipal and state censorship boards that freely cut shots, scenes or intertitles from any films they judged to be offensive or unacceptable (Guiralt, 2016: 81). However, self-censorship — or, more precisely, self-regulation — of the Hollywood film industry was something quite different. The birth of self-regulation has a specific date: 1922, with the establishment of the Motion Picture Producers and Distributors of America (MPPDA), popularly known as the Hays Office, whose mission was to control the moral content of film productions.[1] The first written regulations also have a specific date: 1930, with the drafting of the Motion Picture Production Code, also known as the Hays Code.[2] And the beginning of the official, rigorous application of those regulations has an even more exact date: July 1934, with the establishment of the MP-PDA's Hollywood office, the Production Code Administration (PCA), which, from that time on, was responsible for reviewing each film with an eagle eye before it made it to the big screen. The PCA, with Joseph Breen at the helm, approved the screenplays, gave the green light for shooting to begin, and subsequently reviewed the finished films and stamped them with its "seal of purity", without which no feature film could be shown in the country's main movie theatres.

It is therefore important, when analysing American cinema, to differentiate from the outset between censorship proper and other practices engaged in by the industry itself in the interests of enhancing its public image. In this respect, what has traditionally been referred to as *censorship* in Hollywood was in reality *self-regulation*. In other words, from 1922 to approximately 1966-1967, the Hollywood studios were never actually subjected to censorship, but instead simply chose to regulate their own productions. Of course, during the silent era this practice was in its incipient stages

and focused mainly on specific films that could have caused an uproar and given rise to protests by influential pressure groups. The Code did not yet exist, but there were self-censorship guidelines like "The Formula" (1924) and the document known as the "Don'ts and Be Carefuls" (1927).[3] Later, the development of the Code in 1930 had no direct impact on the application of a new, indisputable morality for film productions. Indeed, the reality was quite the opposite, at least at first, as during its first four years of life it paradoxically seemed that the Code had been specifically established merely to be mocked and ignored. However, this period of unusual ideological and sexual freedom from 1930 to 1934—known as Pre-Code Hollywood (a designation that is questionable to say the least)—would soon come to an end. From July 1934, with the establishment of the PCA headed by Joseph Breen, through to 1968, when the Code was finally abandoned and replaced by the current age-based rating system,[4] self-censorship was firmly maintained in Hollywood.

The situation described above inevitably raises the question of why the film industry decided to regulate itself, and to voluntarily impose a series of restrictions and prohibitions on its own productions. It has often been suggested that the decision was the result of a series of scandals that shook Hollywood in the early 1920s: the trial of the comic actor Roscoe "Fatty" Arbuckle, who was charged with the rape and murder of the actress Virginia Rappe at a wild orgy in a hotel in San Francisco in 1921; the unsolved murder of the director William Desmond Taylor in 1922; and the drug addiction that ended the life of the popular actor Wallace Reid in 1923. But this answer is so straightforward as to appear excessively simplistic and even disingenuous.[5]

Hollywood obviously had other motives for founding the MPPDA and taking its first steps towards self-regulation. One reason, related to aesthetic and narrative (and, therefore, economic) concerns, was to get around the intervention of the municipal and state censorship boards, which were in the habit of butchering films according to their whims. Thus, by censoring their own films in advance (*self-censorship*), the studios would be able to prevent a lot of arbitrary cuts by these boards. A second and much more important reason was strictly financial in nature: to prevent the establishment of the federal censorship board that numerous municipal boards and conservative religious groups were lobbying for. In other words, self-regulation was a way of preventing state intervention in the film industry, which would very probably have led to investigations into potential breaches of US antitrust law, given the monopolistic and oligopolistic practices of the big, vertically integrated Hollywood companies that controlled the film production process from beginning to end, with a stranglehold on all three branches of the business: production, distribution and exhibition.[6]

In view of the above, the traditional conception of Hollywood's self-censorship practices is in need of review, as the decision of the big corporations to submit to the precepts of the Code was voluntary and never imposed by external agents. Also in need of reconsideration are the roles of Will Hays and Joseph Breen as censors working *against* the films, attempting to cut shots and scenes, imposing restrictions on producers and filmmakers and keeping certain plots and stories from making it to the screen, as both these figures actually worked *for* the studios, not *against* them. In reality, both Hays and Breen were paid employees of the system—extraordinarily well paid, in fact—who took care to protect its investments. Their main mission was to safeguard the interests of the majors by ensuring that the films would not face problems in their domestic and international distribution. As José Cabeza suggests, "[t]he majors and the Hays Office always went to great lengths to ensure that no film would be deemed undesirable and unmarketable to foreign audiences, which would have been a tragedy for

the producer" (2009: 38). And this applied equally, of course, to the domestic market. The objective of the Hays Office, with the full complicity of the studios, was therefore to ensure that films were clean, healthy, inoffensive, happy, apolitical, morally just (always with the inevitable triumph of good over evil), suitable for all audiences, that they could be released in any country in the world without offending the audience and, above all, they would be able to secure the best possible box office returns.

Nearly one hundred years after it was written, the Hays Code and its application is in need of new examinations from a contemporary perspective. With this in mind, for this issue's *(Dis)Agreements* section we have brought together some of the world's most authoritative experts on the subject, from the United States (Nora Gilbert, Lea Jacobs, Eric Schaefer, and Janet Staiger), Britain (Lee Grieveson), and Australia (Richard Maltby). Based on the latest and most solid research on the question, their assessments serve to correct and update numerous aspects in relation to the real scope and impact of the Hays Code on Hollywood films. ■

NOTES

1   In 1945, the MPPDA changed its name to the Motion Picture Association of America (MPAA).

2   The MPPDA and the Code came to be popularly known as the Hays Office and the Hays Code, respectively, after Will Hays, who was the Chairman of the MPPDA from its creation to his retirement in 1945.

3   Established in June 1924, "The Formula" was Hays' first attempt to introduce self-regulation of film content since taking his new position at the MPPDA: "[i]t consisted of a list of works, plays and novels that were considered unacceptable for motion pictures due to their daring and lewd subjects. Specifically, the Formula: (1) prevented the making of films based on those materials; (2) obligated studios to provide in advance a synopsis of the entire plot of any film project

they intended to bring to the screen; and (3) banned the purchase of rights to these works" (Guiralt, 2016: 85). According to Richard Maltby (1992: 561), in practice it functioned as a kind of blacklist of works that should never be filmed, and it soon provoked protests from the Authors League of America, which resulted in it being revised in December 1927 (Maltby, 1992: 562). The text known as the pre-Code "Don'ts and Be Carefuls", on which the Code itself would be directly based, stipulated for the first time in writing what was and was not morally acceptable for the screen. The "Don'ts" encompassed eleven proscribed topics, including nudity, insults, issues related to drugs, white slavery, miscegenation, and venereal diseases, while the "Be Carefuls" referred to twenty-six adult topics that had to be addressed with extreme delicacy and good taste, such as delinquency, sexual relations, and violence (Guiralt, 2016: 85). The document represented a synthesis of the restrictions and cuts imposed on films by local, state and foreign censorship boards (Maltby, 1992: 562).

4   According to Nicholas Laham (2009: 195), the films that contributed most to the collapse of the Code were *Who's Afraid of Virginia Woolf?* (Mike Nichols, 1966), which included provocative sexual language, and the British-Italian co-production *Blow-Up* (Michelangelo Antonioni, 1966), which contained explicit nudity. After these films, filmmakers began increasingly refusing to adhere to the Code. In 1968, the MPAA replaced it once and for all with the age-based ratings system.

5   Moreover, the dates don't match up. Although the argument is feasible in Arbuckle's case, it is completely impossible in the cases of Taylor and Reid, as the MPPDA was established in January 1922, while the director's body was found in his Hollywood bungalow in the early morning of 1 February 1922, and Wallace Reed's drug-related death occurred the following year.

6   In July 1938, the US government would finally file a lawsuit against the five big Hollywood studios — Paramount, MGM/Loew's, Warner Bros., Twentieth Century-Fox, and RKO — for their monopolistic activities, requiring the dissociation of production and exhibi-

tion. The studios were able to push back the application of the antitrust laws through a series of appeals and also thanks to the country's entry into the Second World War, which resulted in a stay of the judicial proceedings However, after the war ended, the Supreme Court rendered its final judgement on 25 July 1949, ordering the majors to sell their movie theatres, thereby bringing an end to the studio system.

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discussion*

1. Decades before the Production Code was established, did the different modes of self-regulation and censorship play any role in the step from a cinema of attractions to a narrative model? What forms of voyeuristic pleasure or visual enjoyment were allowed under the Institutional Mode of Representation and which ones survived, even during the period in which the Code was in force? Could self-censorship be considered a constituent element of classical cinema, or did it represent a factor that was external to the model?

Lea Jacobs

One could argue that inhibitory or defensive elements are part of any textual operation, indeed, as per Sigmund Freud, any fantasy. Self-censorship in this sense would necessarily be constitutive of film from its very beginnings. But, I would be very reluctant to posit industry self-regulation as a single and unitary force that could be said to have constituted classical cinema. Film censorship has its own history which was determined by the social forces arrayed against the industry at any given point in time, and by the specific regulatory mechanisms adopted by the industry in response. These varied over the course of American film history so that film censorship in 1909 differs from censorship in 1920 which differs from censorship in 1934.

Film censorship in the US arose once there were large numbers of purpose-built cinemas (the nickelodeons) and the manufacture of films was institutionalized and centralized in combines of manufacturers, such as the Motion Picture Patents Company, formed in 1908. Social reformers in this period targeted the nickelodeons along with dance halls, amusement parks and night clubs. Cinema was understood as one among several leisure amusements which, in their view, contributed to promiscuity and immorality among immigrants and the urban poor. These efforts at regulation were targeted much more at the space of the theater than at specific films. For example, in *The Transformation of Cinema*, Eileen Bowser discusses the much-publicized decision by Major McClellan to close all the nickelodeons in New York City on Christmas Eve in 1908: "The official reason given for the closing was poor safety conditions, but it was well understood that the real impetus was the supposedly poor moral condition of the darkened rooms and the kinds of films shown in them." (Bowser, 1994: 48). This was followed by various attempts to police the space of the theater – through fire regulations and zoning laws among other strategies.

The institutionalization of film censorship in the National Board of Censorship (later the National Board of Review) in 1909 was supported by the MPPC and other manufacturers in an attempt to appease reform groups and state officials. The National Board operated in ways akin to the state censorship boards which developed slightly later, reviewing completed films and cutting out offensive scenes or segments (it also promoted films it deemed worthy). This is in decided contrast to self-regulation as administered by the MPPDA (Motion Picture Producers and Distributors of America) which was formed in 1921 and began to regulate content in the middle 1920s. The MPPDA's first attempts at regulation concerned the purchase of literary properties that reform groups considered offensive; that is, it did not attempt to excise portions of completed films but either to prevent the purchase of literary works deemed offensive or to convince the studios to adapt the source material in a way which rendered it less offensive. With the coming of sound, the MPPDA established an office in Los Angeles to review scripts and conduction negotiations with producers. This office became the basis for the Production Code Administration.

Thus, the earliest efforts at social control of the cinema did not have a textual dimension at all – they were directed at theaters and the groups that congregated within them. Self-censorship proper also changed over time. I would argue that the excision of shots and scenes as practiced by the National Board had less of an impact on film form than later attempts by the MPPDA which sought to shape scripts before films went into production. In any case, it seems important to be cognizant of how censorship functioned at an institutional level, and how its policies and procedures changed over time.

I would also note that historians seem to agree that the consolidation of classical cinema or what Noël Burch would call the Institutional Mode of Representation took place in 1917-1920 at a time when the mechanisms of self-regulation and of state censorship were relatively weak. The influence of the National Board of Review, which was tied to the MPPC and other manufacturers of short one-reel films, was waning, and the MPPDA had yet to be formed.

Janet Staiger

Several centuries of official and self-regulation of images and stories of sex, sexuality, and violence pre-date US cinema.[1] Moreover, a range of representations existed within its visual and prose culture: some representations were licit (and "art"), but others were on the edge of illicit to downright prohibited. From the beginnings of US cinema, both documentaries and fictions were produced.[2] Some sort of narrative nearly always enclosed the documentary material. One advantage of a *narrative* was that the story and narration could justify and thus contain potentially illicit images whether within a documentary or a fiction. Using tropes of denigration or revelation of crime or primitivism might allow presenting such possibly troubling images while still providing the requisite didactic lesson. *How* the strategies of revealing but moralizing *do* shift from 1895 to the present, but

the shifts are both in narrational methods as well as cultural norms of morality.

Lee Grieveson

The practices of self-regulation in the US, the example I know best, began most substantively from 1909. If one accepts the argument that a cinema of attractions flourished but was replaced by a narrative model from around 1906, as Tom Gunning has proposed (though not without contestation), then clearly the organized self-regulatory practices of the emerging industry played little role in the turn to narrative and fiction. Rather, the shift to fiction and narrative is a consequence of an economic logic that began to shape film as a commercial entertainment form. Early entrepreneurs recognized the need to circumvent regulatory concerns about cinema as space and affective practice, and this produced the first self-regulatory board from 1909 and subsequent iterations in the 1910s until the more stable establishment of the Motion Picture Producers and Distributors of America in 1922. The MPPDA simply sought to obviate economic regulation of an industry that had become corporate, from 1919, and self-regulation was key to this goal. Certainly, then, self-regulation is a constituent element of what the question calls "classical cinema," because that cinema was a commercial practice that became corporate and relied on self-regulation to forestall economic regulation both in the form of separate municipal or state censor boards and more substantively in the application of anti-trust laws to the monopolistic and oligopolistic control of the mainstream film industry. But it is a mistake to read these regulatory practices as disabling "voyeuristic pleasure," or that some fugitive forms of visual pleasure survived this self-regulation: this is a commercial industry, by the early 1920s a corporate one synced together with banks, that turned visual pleasure into capital. The political functionary the major studios hired at great expense to ward off economic regulation, Will Hays, made a song and dance about

censorship from the early 1920s because that was a matter much less important to the industry than its monopolistic, corporate, and oligopolistic practices. Censorship and the practices that led up to the Code was in this respect something of a smokescreen, as Richard Maltby has argued in compelling detail. One of the key goals of the self-regulatory practices that began in 1909 and were more fully institutionalized in 1922 was to deny that cinema was a powerful ideological force, to define it simply as "harmless entertainment," and this became central to the self-definition and operating practices of corporate film studios. In short, then, in answer to the questions posed above: no, not really; the premise is mistaken; yes, self-regulation is constitutive of the form the question calls "classical cinema." To my mind, that is less about this ankle being shown here, or this intimation of sex there, but more substantively about the definition of the social function of cinema that through a combination of self-regulatory and governmental action produced by the late 1910s an apolitical cinema of harmless entertainment designed to be as broadly profitable as it could be. Visual pleasure remained key to these corporate fictions.

Nora Gilbert

As I discuss extensively in my first book (Gilbert: 2013), *Better Left Unsaid: Victorian Novels, Hays Code Films, and the Benefits of Censorship*, I believe that cinematic practices of self-censorship took their cue, very early on, from the strategies for dealing with "objectionable" literary material that had been implicitly agreed upon and increasingly implemented over the course of the Victorian era, in the name of both social acceptability and economic profitability. The Victorian model was, in other words, the censorship of public opinion; of middle-class morality; of the marketplace. It's easy to see why this model would appeal to Production Code administrators such as Will Hays and Joseph Breen, but it's equally easy to see its appeal for the many filmmakers and movie moguls who came be-

fore them, all of whom wanted very much for their young new medium to be popular, well-respected, and financially lucrative. And because the goal of this particular brand of self-censorship was not to eliminate but to submerge and sneak in controversial content, it specifically worked to create new kinds of viewing pleasure for the movie-going public: the pleasure of looking for, finding, and reading subtext; the pleasure of being in on the joke; the pleasure of tasting the forbidden fruit.

Eric Schaefer

Before the Production Code was written and enforced, censorship and various efforts at self-regulation put their stamp on film production in the United States. State and municipal censorship, the Thirteen Points and Standards and the "Don'ts and Be Carefuls" (which evolved into the Code) pushed many storylines and images off the screen in the mainstream of movie making and movie going. However, one strand of the cinema of attractions survived as "forbidden spectacle" in what I have called "classical exploitation films" – movies made outside the studio system that trafficked in those censored images and topics, including nudity, childbirth, venereal disease, and the drug traffic among others.

Self-regulation became a key organizing factor of the classical Hollywood cinema. Such regulations imposed limits on narrative content and various types of representation through ellipses, elision, and metaphor. Just think about those Hollywood films that cut away just as a couple embraced or inserted images of fireworks or crashing waves that were meant to indicate some sort of sexual union. By dictating what could and could not be shown on screen, self-censorship was an integral element of classical Hollywood cinema. But it also served to create a viable independent alternative rooted in forbidden spectacle in the form of exploitation movies.

2. Was it easy for Hollywood to adapt the principles of the Production Code and make them coexist with the rest of the norms and systems already consolidated in classical cinema? How were the contradictions between the moral requirements of self-censorship and the foundations of the star system resolved? Did the conventions and requirements of film genres represent a constant problem for the application of the Code or, conversely, were they traditions on which to lean to find generic solutions to the problems posed by each project?

Lea Jacobs

Certain plot types such as the gangster film or the fallen woman film were identified as problems by industry censors, and by the state censor boards that self-regulation aimed to thwart. Such films received more intensive scrutiny than more innocuous genres such as, for example, biopics. But solutions to the problems posed by difficult plots themselves became institutionalized – the gangster's "fall" or the fallen woman's reformation – and became part of the body of genre conventions upon which filmmakers could draw. In my view, comedy was the most difficult genre or mode for industry self-regulation. Partly this was because of the tradition of indirect or elliptical treatment of sexual material which developed in the 1920s in the work of Ernst Lubitsch, Monta Bell, Sidney Franklin and others. In addition, the solutions to problematic material often prescribed by industry censors – emphasis upon the suffering of the guilty party, re-enforcement of what Joe Breen termed "the voice of morality" – could not be easily integrated with the comic conventions of vaudeville, farce and operetta on which Hollywood drew.

Janet Staiger

Broad cultural norms of appropriate (or improper) images existed from 1895 on so the norms and systems of narrative and narration of classical Hollywood cinema developed within those strictures. Various versions of "do's" and "don'ts" exist from the start of the cinema due to state and local laws with more explicit articulations developing within trade associations from the 1910s on. One of the greatest pressures on maintaining the rather strict Production Codes of the 1920s and then 1934 was the belief that audiences might be attracted to less than moral images. Industrial competition and desperation (especially in the early depression years of the 1930s) produced some stress. As well, individual members of the industry held divergent attitudes about the functions of narrative to provide moral lessons and, indeed, what was or was not moral.

My analysis is that the star system as a method of presenting characters and moving narratives along had no particular significant play in this history of tacit or illicit images (non-stars might have been substituted in the films with the same regulations of imagery occurring). However, since stars were real people with wealth and public attention, that did matter, especially if contradictions developed between the stories of the actors' lives versa their on-screen personas. Of course, as I have argued about *Blonde Venus* (Josef von Sternberg, 1932), that might merely multiply the reading opportunities for audiences while also pointing to the distance between the fictional stories of the screen and the documentaries of real life.

Regarding genre conventions, I am inclined to say they were the latter: the genre offered narrative solutions to potential representational problems.

Lee Grieveson

Any patient genealogy of the Production Code can easily show its direct connections to earlier practices of self-regulation and to the formalisation of the governmental censor codes that began in Chicago in 1907 but expanded to state censor boards in the early 1910s. The efforts of the MPPDA after its foundation in the early 1920s built directly on

these practices and this filtered into the establishment of the Code. The answer to the first question here, then, is simply: yes, because self-regulation and the delineation of the function of cinema was key to the establishment of "classical cinema" in the 1910s. I wonder if changing "classical cinema" to "corporate cinema" might be more useful here. Was it "easy" for new corporate media entities to build on established rules to make their media unobjectionable so that it could be profitable? Yes. It was expensive – Hays and his political clout did not come cheaply – and it certainly involved complex negotiations as the social and economic order shifted from a rural to a new urban corporate culture and as this media circulated around the world. But a corporation is legally defined as a profit-seeking entity – that is its over-riding, principal, objective – and the corporate media industry that was the Hollywood studios and their lobbying and PR arm the MPPDA worked assiduously to ensure the long-term profitability of the film industry.

By the late 1910s, stars had become central to that profitability, and the early corporate studios used stars as central poles of attraction for mass audiences in an emerging consumer economy. The star scandals of the early 1920s – most famously the "Fatty" Arbuckle case – were PR problems for the film industry, and an economic problem for the individual corporate studios (in this case Famous Players-Lasky, Co.). But they were also opportunities for Hays and his corporate paymasters to "clean up" the industry, and its few "bad apples," thereby drawing attention away from the governmental efforts to regulate the industries economic practices that began in mid-1921, when the Federal Trade Commission (FTC) initiated anti-trust proceedings against Famous Players-Lasky, Co. (The details of that are explicated in my book *Cinema and the Wealth of Nations* [Grieveson, 2017].) The corporate studios hired the political operative Hays, who was the former Republican Party Chairman, to circum-

vent that economic regulation. Building on the Public Relations practices established during the War by propaganda institutions and spun out privately in the immediate aftermath of the War, Hays and the corporate studios cannily focused on discrete questions of morality and star scandals to purposively draw focus away from the economic problems of monopoly and oligopoly that were at the base of the FTC investigation and that directly threatened the economic practices of the industry. The scandals also allowed the newly corporate industry to discipline its workforce, beginning with the insertion of "morality clauses" into contracts, but expanding later in the 1940s to the "blacklist" that disciplined film-workers for their political beliefs in order to maintain the profitability of the "harmless entertainment" that was corporate media.

Broadly speaking, the American classical cinema of the corporate era borrowed from traditions of melodrama that drew sharp distinctions between good and evil and articulated moral fables amid the broad transformation from religious to secular societies. Generic variations take place within the broad, foundational, context of melodrama: most Hollywood films, for example, end happily, with evil punished and virtue rewarded, a form that is simultaneously consistent with melodrama, with the moral dictates of self-regulation, and with the economic imperatives of corporate media to be cheerful and happy. (Similar imperatives shape advertising sponsored media to be mostly cheerful and affirmative media, despite the fact that there is very little to be cheerful and affirmative about these days.) Genres as variants on melodrama enabled simple narrative solutions, then. Take the "gangster film" as an example of this: generic, regulatory, and Code conventions dictated that the gangster must ultimately be punished, and the films are good examples of the doubled imperatives of commercial/corporate fiction to explore the illicit but to return to the safe confines of morality. The "fallen woman" film ex-

amined so well by Lea Jacobs is another example of that imperative.

Remember also that some of those generic forms had emerged and been shaped by the regulatory and self-regulatory discourses and practices prior to the establishment of the Code. This is another way in which it makes sense to de-emphasize the Code as a radical break and re-inscribe it as a continuation of the self-regulatory practices of a commercial and – by the early 1920s – corporate industry.

Nora Gilbert

For the first four years of the Production Code's formal existence – 1930-1934, which are typically and somewhat misleadingly referred to as the "pre-Code" years – it was not Joseph Breen but Colonel Jason Joy who called the self-censorship shots. During these years, Joy strove to incorporate the new censorship guidelines without substantially undermining the aesthetic, stylistic, or narrative principles of classical Hollywood cinema; his job, as he saw it, was to show filmmakers how to get their content and storylines across to even their most easily-offended viewers, subtly and un-disruptively. Though Joseph Breen's arrival on the scene in 1934 did make things harder for filmmakers in some specific ways, I would argue that Joy's early influence continued to be felt throughout the Code years, and played a larger role in the smoothness and longevity of classical Hollywood narrative style than we tend to give it credit for.

In terms of the relationship between the Hollywood star system and the moral requirements of self-censorship, I actually see more confluence than contradiction in the way those two systems operated as well. Movie stars were, from the very beginning, strongly and titillatingly associated with things like sex appeal and scandal, but there were also always certain moral protest groups and audience members who objected to the overt sexiness and scandalousness of the stars. As a result, fan magazines and other publicity materials had to tread a fine line between emphasizing and de-emphasizing the sensuality of the stars they featured, in much the same way that Hollywood films had to tread a fine line between going too far in their depictions of desire and desirability and not going far enough.

Eric Schaefer

As an industry operating within modern capitalism, it was only consistent for Hollywood, as we now refer to it, to adapt to the principles of the Code. The entire business model was directed to make as much profit as possible and during the decades that encompassed the studio era that meant appealing to the widest audience available. Hence, stars were installed in vehicles that could be viewed by anyone of any age and movies were designed for any and all. Even though some genres such as the western, gangster film, some melodramas and comedies may have featured inherently violent or sexual content, they were quickly drawn into the precepts of the Code to sidestep or screen them for that general audience.

3. How did the relaxation and subsequent abandonment of the Production Code affect the narrative and mise-en-scène model of classical cinema?

Lea Jacobs

The question seems to presume a change in self-regulation (the relaxation and abandonment of the Production Code) which then produced changes in film form and style. But, in my view, the conventions of narrative and genre began to shift first, prompting changes in the administration of self-regulation and rendering the Code itself less useful as a protective mechanism and more of a liability to the industry. The reasons for this are multiple and can not be discussed in detail here, but they include the competition with television and the consequent impetus for producers to explore subject matter which was then taboo on TV and radio, and the Supreme Court decisions in 1952 (Joseph Burstyn, Inc. v. Wilson), 1953 (Gelling v. Texas), and 1955 (Holmby v. Vaughn) which overturned the original 1915 decision that had exempted film from first amendment protection, drastically narrowing the compass of the state censor boards.

The Production Code was always a rear-guard action aimed, in the words of an early MPPDA agreement to monitor the acquisition of literary properties, "to prevent the prevalent type of book or play from becoming the prevalent type of picture." As the compass of state censorship declined, removing one of the original motives for the instigation of industry self-regulation in the 1920s, it became less pressing for the industry to cut itself off from sensationalistic subject matter that was likely to increase box office. Indeed, as Barbara Klinger has shown, film advertising in this period helped to create the category of the "adult film" which presented subject matter related to sexual repression and dysfunction, incest, and drug abuse among other taboo topics. In *Melodrama and Meaning*, Klinger (1994) writes: "ad campaigns often went so far as to call attention to their challenges to censorship as a means of selling a film.

The Rose Tattoo (Daniel Mann, 1955), for example, was 'The Boldest Story of Love You've Even Been Permitted to See,' while *The Sun Also Rises* (Henry King, 1957) was a 'Love Story Too Daring to Film until Now,' and *From Here to Eternity* (Fred Zinnemann, 1953) was 'The Boldest Book of Our Time, Honestly, Fearlessly on The Screen.'"

Several genres seem to have been breeding grounds for the films and filmmakers that pushed back the strictures of the Code, beginning in the 1940s and continuing through to the 1950s (in my view the Code was largely defunct by the time it was abandoned in 1968). One possible case among many is film noir which proved difficult for industry censors to deal with given its conspicuous lack of what Breen termed "compensating moral values." A good example of this is *Scarlet Street* (1945), Fritz Lang's film adapted from Jean Renoir's *La chienne* (1931). In his article in *Controlling Hollywood: Censorship and Regulation in the Studio Era*, Matthew Bernstein (1999) details the banning of the film by the New York, Atlanta and Minneapolis censor boards, and the ultimately successful fight of producer Walter Wanger and the distribution company, Universal, to exhibit it with minimal cuts. In the film, Chris, an amateur painter, falls in love with a prostitute, Kitty, without realizing that she is really in love with her pimp, Johnny. Though married, Chris sets her up in an apartment, embezzling money from his employer to do so. Kitty takes Chris's money, and moreover, with Johnny successfully markets and sells his artwork as her own. When Chris discovers Kitty with Johnny, he kills her and lets Johnny take the blame – the pimp is eventually executed for Kitty's murder.

Industry censor Joe Breen was most concerned about the ending, about the way Chris sets Johnny up for the murder and then is not punished himself. Lang had wanted Chris to kill himself,

perhaps the ultimate form of self-punishment, but Breen vetoed this option since suicide was against the Code. Like many noir, *Scarlet Street* challenged the PCA's strictures in that it presented an amoral universe where Chris was no more deserving than Kitty and Johnny. In addition, Chris's home life, with its straitened middle-class environment, and a churlish wife who looks down on her husband and his hobby of painting, was also clearly horrendous – no source of moral value. Ultimately, the attention to a sexually attractive but vicious underworld of pimps and prostitutes, not to mention the disturbing equation between prostitution and art, was viewed by censors as immoral and sordid. Nonetheless, as Bernstein demonstrates, in 1945 it was possible for Wanger and the distributor to over-ride most of the objections mounted by industry censors, to challenge the decisions of the state censor boards publicly, and, at least in New York city, to mobilize critical opinion in favor of the film.

Janet Staiger

I am not inclined to think that the ending of the Production Code in the 1960s significantly affected the classical cinema's narrative and style. Yes, now films can end with villains succeeding in their violent criminal behavior. People who could not love one another now can (and the films win awards). Characters can use profane language. So classical narratives initiate, progress, and resolve, and mise-en-scène (and editing, camerawork, and sound) narrate that. Moreover, I would argue that the classical cinema has many, many representations every year, remaining the dominant mode of representation in US theatrical and mainstream television experiences, and in large part obeying general public standards of presenting violent and sexual content, at least for widely distributed material.

Recall that this shift away from the 1934 Code was a consequence of multiple factors: at least, divorcement of the producer-distributors from the exhibitor chains (late 1940s on), rise of independent production (mid 1940s on), importation of European art cinema (late 1940s on), spread of television as a site for family entertainment and substitute for theatrical screenings (early 1950s on), and changes in US law regarding permissible sexually explicit materials (1960s on). While the 1934 Code is officially no more, it still exists tacitly in the network television codes of representation and the film ratings system established in 1968. In fact, we know that producers often alter movies to secure the rating they want – which can often have significant box office implications (and directors will create "directors' cuts" that will usually be in a more "adult" category). These audience advisory codes operate very successfully to guide viewers as to what might be on the screen or what taboo words might be heard, allowing individuals to use their own judgment about the representations they wish to experience. So regulation still happens, now by both the industry and the audience members.

Lee Grieveson

The key scholarship on this question is by Jon Lewis, in particular in *Hollywood v. Hard Core* (2000), and the usual history has a period of experimentation in narrative form and morality in the years from the end of the Code in 1967 to the emergence of the new forms of family "blockbuster" entertainment beginning in the mid-1970s that are best explicated by Peter Kramer. The film studios become nodes in larger corporate conglomerates from this point, and similar imperatives predominate: attracting broad global audiences to mostly affirmative entertainment. Sometimes illicit representation challenging moral codes helps with that, but most often corporate media does not challenge the status quo. The operations of the corporate media industry are not radically transformed by the end of the Code, just as I have argued they were not radically shaped by its initiation: the economic logics that shape cor-

porate entertainment have a history that precede the Code and continue after its dissolution.

Nora Gilbert

Even though the classical Hollywood narrative style predates the implementation of the Production Code, the decades during which the Code was enforced were such important ones in terms of the development and refinement of that style that, when the Code was officially dissolved in the 1960s, many filmmakers took it as an opportunity to move away from classical aesthetics and narrative expectations as well. It's possible, too, that without an explicit set of moral guidelines in place to be creatively and artfully worked against, filmmakers felt inspired to break more of the implicit rules of continuity, causality, and linearity that had dominated in Hollywood cinema for so long.

Eric Schaefer

By the time the Production Code was devolving in the 1960s and 1970s, the "classical" model of cinema was also in decline as the cinema of attractions and spectacle were reintegrated into narrative modes. Examples of spectacular violence in films such as *Bonnie and Clyde* (Arthur Penn, 1967) and *The Wild Bunch* (Sam Peckinpah, 1969), and those that trucked in an eased sexual exhibition (far too many to list here) found a place in theaters – in no small measure because of audience demand and a changing legal landscape.

This is hardly to say that these new, "permissive," films lacked narrative. However, those moments that we remember in such movies that were "spectacular" often arrested the narrative and frequently stood in relief against the grinding gears of storytelling. Indeed, a few vivid images from *A Clockwork Orange* (Stanley Kubrick, 1971) and *Last Tango in Paris* (Bernardo Bertolucci, 1972) will probably outlive the "stories" of both of those films. The cinema of attractions was revived then and has increasingly become central to narrative cinema.

In a day when super hero films and CGI-driven epics dominate the boxoffice and sexual spectacle has become – dare I say – an intimate part of film, television, and most moving image entertainment, it is obvious that all media has once again reverted to a cinema of attractions.

4. While trying to reinforce classical values of the Hollywood narrative style, self-regulation led to the introduction of problematic elements such as ambiguity, opacity, implausibility, etc. What strategies did Hollywood employ in an effort to integrate or disguise these non-classical elements within its narrative and mise-en-scène model? Did these aesthetic contradictions introduced by self-censorship play a role in the mannerist[3] crisis of the classical model?

Lea Jacobs

The classical cinema as I understand it was highly formalized but also very flexible. I do not think of it as a set of fixed rules for how to construct plots or manage *mise-en-scène*, but rather as a tool kit of options upon which filmmakers could draw. For example, one could employ a single take or shot-reverse-shot in staging a conversation without throwing the system into crisis. In addition, Hollywood narrative did not subscribe to a single unified model. It drew on multiple, sometimes conflicting, conventions. Thus, the demands of linear narrative might be relaxed in favor of comic byplay or a good song in genres which relied upon such devices. Given that trade-offs between competing tendencies were part of the game, ambiguity, opacity or implausibility did not necessarily undermine the basis of Hollywood narrative or *mise-en-scène* as such. For example, in his dealings with the Studio Relations Committee (fore-

runner to the PCA) Josef von Sternberg consistently opted for elliptical, opaque and implausible plots, *Blonde Venus* being an obvious example. Yet the film was perfectly readable to contemporary audiences and in many ways helped to define his trademark style as a director.

Janet Staiger

Narrational devices of "ambiguity, opacity, implausibility, etc." are traditional and significant parts of story-telling that pre-date cinema. These devices are not confined to the 1900s or to a regulated cinema like the classical Hollywood cinema (see, as a start, *The Life and Opinions of Tristram Shandy, Gentleman*, by Laurence Sterne, published in 1759). While the guidelines for classical Hollywood cinema suggest avoiding coincidences and implausibility (particularly at the end of a story), ambiguity and suppression of information may be significant means for narrating stories.

Moreover, character flaws – of heroes and of villains – propel narratives. The typology proposed by Jesús González Requena of classical, mannerist, and post-classical US cinema focuses first of all upon the protagonist shifting from hero to a "radical negation." However, troublesome representations of violence and sexuality can be produced by, and upon, the protagonist in any of these narrative instantiations. Where, and to what purpose the material deemed necessary for regulating, may change, but every era uses plot materials of violence and sexuality and narrational devices of ambiguity, opacity, coincidence, and so forth.

Lee Grieveson

Hollywood in its corporate studio era was both an excessively obvious cinema, and a cinema that was frequently purposively opaque and ambiguous. The example of the latter I recount most to my students is the one brilliantly explicated by Richard Maltby, about *Casablanca*, where for 3 ½ seconds the charged scene between Humphrey and Ingrid is interrupted by a shot of a lighthouse:

the viewer can either interpret this to mean they have just had sex, or simply that time has passed, and the two positions are equally plausible because the film is *purposively* ambiguous, to circumvent regulation by the "Hays Office" while still allowing some viewers a more suggestive reading. Clearly, this balancing of the illicit and the licit was key to a commercial industry, as in the examples of the gangster and fallen woman cycles given above. Are these elements "non-classical"? I am not sure that term is serving us very well here because these elements were key to the corporate studio era and to the varied pleasures that are encoded in corporate film melodrama to attract as broad an audience as possible. Best not to let conceptual models – here of a "classical cinema" – get in the way of its actual practices. In answer to the final question, I confess I am not sure if this played a role in the "mannerist crisis" – but perhaps its more significant legacy is as a tiny node in the epistemological fracture of reality and truth that has recently enabled the return of fascism.

Nora Gilbert

To my mind, it wasn't so much that Hollywood filmmakers had to come up with strategies to disguise or integrate narrative elements like ambiguity, opacity, and implausibility into their storytelling; the way I would describe it, instead, is that Hollywood filmmakers strategically employed such elements as ambiguity, opacity, and implausibility in their efforts to integrate the narrative elements that Code administrators didn't want them to include in their storytelling. While I would agree, then, that the introduction of such disruptive, non-classical elements was a result of Code censorship, and that the addition of these elements did play a part in the eventual destruction (or, at least, deconstruction) of the seamless, self-contained classical model, I think it is important to acknowledge how much film *artists* – as opposed to just film censors –participated in the infusion and utilization of those elements. ∎

NOTES

* We would like to express our sincere gratitude for the desinterested collaboration of the authors participating in the discussion. Originally, they were asked to answer each question with texts of about 200 words. Some of them adhered to this limit, while others, taking advantage of the flexibility we offered them, wrote much more extensive answers. Given the interest of all the texts and the prestige of the participants, we decided to keep the answers complete, even if this resulted in uneven interventions.

1 My answers are going to be from the point of view of systems of representation in the United States. Every national cinema, because of the industrial and State conditions and policies, has a specific history which, obviously, will also be affected by goals of international distribution. Regarding these early years of US cinema, see my *Bad Women: Regulating Sexuality in Early American Cinema, 1907-1915* (Staiger, 1995).

2 No shift occurs from a cinema of "attractions" to "narrative"; however, producing *fictional* stories had advantages of cost and ease of production over producing documentaries. Thus, fictional stories became dominant in production and distribution.

3 González Requena and other Spanish scholars have used the concept of "mannerism" to refer to the progressive introduction (within the classical model itself) of elements subtly contradictory with the principles of classicism. Deviations that, however, are considered significant insofar as they break down the classical mode of representation and anticipate the ruptures with the dominant model that were to arrive in the 1960s.

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closure*

RICHARD MALTBY

While trying to reinforce classical values of the Hollywood narrative style, self-regulation led to the introduction of problematic elements such as ambiguity, opacity, implausibility, etc. What strategies did Hollywood employ in an effort to integrate or disguise these non-classical elements within its narrative and *mise-en-scène* model?

"That's not the question. That's not the question."

J. PARNELL THOMAS (1947: 294)

In the spirit of this section title – (Dis)agreements –, I can best frame the closure by disagreeing with the premise of your last question, that "elements such as ambiguity, opacity, implausibility" were "problematic," "non-classical," or aesthetically contradictory within the norms and values of Classical Hollywood. The roots of my disagreement lie in the mode of Hollywood's distribution. The Production Code is best understood as a component of Hollywood's content management system, designed to facilitate the unhindered circulation of its products through multiple markets. Rather than distinguishing among audience groupings and manufacturing specific products tailored to particular market segments, Classical Hollywood's system of circulation required that its pictures play to undifferentiated, heterogenous audiences. These audiences were, however, composed of viewers with distinct, and distinctly different, tastes, opinions, knowledge and desires. In order to fulfil their commercial intent of making "indiscriminate numbers of people indiscriminate-ly happy," Hollywood's products had to accommodate the multiple sensibilities of audiences in Mobile, Melbourne and Manilla as they engaged in the shared social experience of cinema (Tyler, 1944: 10). Classical Hollywood dealt in economies of pleasure rather than the aesthetics of organic forms, and had as a result to reconcile a multiplicity of frequently contradictory internal and external commercial, ideological and cultural imperatives; unsurprisingly, movies' reconciliations of these imperatives were more often multi-faceted and contradictory than they were unified and coherent.

Within the understanding of their producers, movies had to provide a variety of attractions, appealing across the taste preferences of its multiple audiences; that, at the most elementary level, is why its movies combined spectacle and narrative and why they almost invariably told two mutually irreducible stories, of heterosexual romance for one half of the audience and adventure for the other half. Hollywood's commercial aesthetic

sought integration less in its products' internal coherence than in the social experience of cinema, offering "something for everyone" in what Jeffrey Klenotic (1998: 490-491) has called "the hierarchically organized provision of […] culturally and socially safe spaces for its various audiences."

Nevertheless, Classical Hollywood movies have determinate narrative structures. Convention, whether in the form of generic predictability, "stair-step" construction or the Production Code, dictated order, morality and outcome. On the one hand the Production Code strove to eliminate any moral ambiguity in a movie's narrative progression through the increasingly rigid imposition of a deterministic plot line, ascribing every character a position on a fixed moral spectrum. But at the same time, precisely the same forces obliged movies to construct strategies of disavowal around the details of action – the spectacle, the cinema's erotic performance – which they were not permitted to present explicitly. In the representation of romance, what could not be shown was explicit, unambiguous, unmistakable, sexual behaviour. Instead, what could be shown was mistakable sexual behaviour, the presence of which could always be denied as an act of over-interpretation.

This was not a trivial, incidental or extraneous feature of Classical Hollywood's construction, nor was it limited to the representation of sexual relations. It was as pertinent to the representation of actual places, personages and events – that is, to any content that might provoke political or legal complaint – as it was to the conventional concerns of censorship with sex and violence. To take an example chosen almost at random, an avid consumer of true crime stories or Warner Bros. publicity might recognise Barton MacLane's character Al Kruger in *Bullets or Ballots* (1936) as a sanitised depiction of New York racketeer Dutch Schultz, while a less knowledgeable viewer might simply casually accept the movies' standard disavowal that any resemblance to actual persons, living or dead, was entirely coincidental and un-

intended. As Edward Branigan has argued, Hollywood's "adaptable, resilient" (1992: 98) narrative accommodated the knowledge, desire and taste preferences that each viewer brought with them to the movie theatre, and congratulated and rewarded them "by intimating that their interpretation [was] uniquely correct." (Branigan, 1992: 149). Just as Rick Blaine (Humphrey Bogart) and Ilsa Lund (Ingrid Bergman) do and do not consummate their repressed passion in the 3½ seconds that we watch the airport tower in *Casablanca* (Warner Bros., 1943), MacLane is and is not Schultz, and *Bullets or Ballots* does and does not take place in New York City.

From the perspective of the audience rather than that of the producer, "ambiguity" is not quite the right descriptor, since it implies a viewer holding multiple perspectives simultaneously. Rather, Classical Hollywood movies offer audiences interpretive choices, based on the sensibilities, ideological assumptions and preferences that each individual brings with them to the cinema. They do this less through ambiguity than through paradox and contradiction; more precisely, through antinomy, a contradiction resulting from the formulation of discrepant but apparently logical conclusions. At the removed, ahistorical level of textual analysis, Rick and Ilsa do *and* do not consummate their relationship. At the level of the individual viewer's experience, however, *either* they do *or* they do not. The viewer's construction of the remainder of the movie's narrative is conditioned by their understanding of what happens in the temporal interstice represented by the 3½ second shot of the airport tower – constructions that Production Code administrators would label "innocent" or "sophisticated." Viewers are not required to agree with each other, or even with themselves, in order to gain satisfaction from their consumption of the movie's narrative: as a student once explained, "the last time I saw *Casablanca*, they didn't sleep together, but this time they did."

Every Hollywood movie offers its audience co-incidences, inconsistencies, gaps and delays, and much of the work in its narration involves offering the audience incentives to interpret or activate these interstices through hypothesis-forming and testing. This Classical Hollywood procedure provides individual viewers with considerable autonomy to construct the story they please, the one which provides them with a maximum of pleasure in the text. It also opens up intertextual fields of possible meanings not explicitly articulated or referenced.

Because movies took place in Hollywood's invented worlds of Sylvania, Bedford Falls or anywhere in which the logic of screwball comedy was plausible, "innocent" viewers were protected from any increased knowledge of the real world outside its sets and conventions. Bringing their store of knowledge and desire to the cinema, a "sophisticated" audience, could on the other hand find hidden, "subversive" or "repressed" meanings in almost any movie by supplying "from its own imagination the specific acts of so-called misconduct which the Production Code has made unmentionable." (Salemson, 1946: 4). In the case of adaptations from novels, the repressed of the text might be the original story, the "objectionable" elements of which had been removed in the process of adapting it to the screen (Paul, Quintanilla, 1942: 63-64). The "sophisticated" viewing of a movie would often be an act of fatalistic, doomed resistance to the inevitability of its moralistic ending, but the more the movie world diverged from what audiences knew went on in the real world, the more the movies took on a knowing sophistication that audiences could take pleasure in, because it revealed and rewarded their own sophistication (Vasey, 1997: 100-126).

Such pleasurably aberrant viewings were always possible within Classical Hollywood Cinema, because its narrative determinism was overlaid with, and even constructed from, plot implausibility, character inconsistency and melodramatic coincidence, all of which provided opportunities for audiences to distance themselves from the movie, allowing the repressed of the text to return in some parallel imagined version, no less implausible than the one on the screen. ∎

NOTES

*   These comments extend arguments originally presented in "'A Brief Romantic Interlude': Dick and Jane Go to Three-and-a-Half Seconds of the Classical Hollywood Cinema" (Maltby, 1996).

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CENSORSHIP AND THE CONFIGURATION OF CINEMATIC CLASSICISM

CENSURA Y CONFIGURACIÓN DEL CLASICISMO CINEMATOGRÁFICO

Abstract

Practically from its origins, and especially once it had been consolidated as a spectacle for mass consumption, American cinema had to deal with censorship by different authorities at local, state and federal levels. The industry responded to the problems arising from such censorship by introducing self-regulation, expressed in the Motion Picture Production Code, popularly known as the Hays Code. In addition to their influence on the subjects chosen and how these were treated, these mechanisms of censorship and self-regulation had a highly significant influence on the filmic form. What role did censorship play in the transition from the cinema of attractions to a more narrative model? Was it a determining factor in the establishment of the Institutional Mode of Representation? How did the Production Code interact with other systems and formulas associated with classical cinema, such as the star system or the different film genres? How did the progressive relaxation and subsequent abandonment of the Code affect the mise-en-scène of films? How did classical cinema handle problematic elements related to filmic form resulting from the restrictions of the Code? In this section, six internationally renowned scholars address these questions and offer their views on the subject.

Resumen

Desde prácticamente sus orígenes y, sobre todo, a partir de su consolidación como espectáculo de masas, el cine estadounidense tuvo que hacer frente a la censura por parte de distintos organismos a nivel local, estatal y federal. La solución por parte de la industria a los problemas que esto generaba fue la autorregulación, materializada en el Código de Producción, popularmente conocido como código Hays. Además de su influencia sobre los temas y su tratamiento, estos mecanismos de censura y autorregulación tuvieron una influencia muy significativa sobre la forma fílmica. ¿Qué papel jugó la censura en el paso de un cine de atracciones a un modelo más narrativo? ¿Fue determinante en la constitución del Modo de Representación Institucional? ¿Cómo interaccionó el Código de Producción con otros sistemas o fórmulas propios del cine clásico, como el *star system* o los géneros cinematográficos? ¿Cómo afectó a la puesta en escena de los films la progresiva relajación y posterior desaparición del código? ¿De qué manera fueron gestionados por parte del cine clásico los elementos problemáticos relacionados con la forma fílmica surgidos a causa de las restricciones? En esta sección, seis académicos de reconocido prestigio internacional abordan estas cuestiones y aportan sus puntos de vista al respecto.

Key words

Classical Hollywood Cinema; Motion Picture Production Code; Hays Code; Censorship, Self-regulation; Film form.

Palabras clave

Cine clásico de Hollywood; Código de Producción Cinematográfica; código Hays; censura; autorregulación; forma fílmica.

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