

Spring 5-11-2012

Virtue for Commercial Purpose: A Look at Production Code Censorship in the 1930s

Jacob Key
University of Southern Mississippi

Follow this and additional works at: https://aquila.usm.edu/honors_theses



Part of the [History Commons](#)

Recommended Citation

Key, Jacob, "Virtue for Commercial Purpose: A Look at Production Code Censorship in the 1930s" (2012).
Honors Theses. 42.

https://aquila.usm.edu/honors_theses/42

This Honors College Thesis is brought to you for free and open access by the Honors College at The Aquila Digital Community. It has been accepted for inclusion in Honors Theses by an authorized administrator of The Aquila Digital Community. For more information, please contact Joshua.Cromwell@usm.edu, Jennie.Vance@usm.edu.

The University of Southern Mississippi

VIRTUE FOR COMMERCIAL PURPOSE:
A LOOK AT PRODUCTION CODE CENSORSHIP IN THE 1930s

by

Boleyn Jacob Key

A Thesis

Submitted to the Honors College of
The University of Southern Mississippi
in Partial Fulfillment
of the Requirements for the Degree of
Bachelor of Arts
in the Department of History

March 2012

Approved by

Andrew Haley
Professor of History

Phyllis G. Jestice
Chair, Department of History

David R. Davies
Dean, Honors College

Abstract

This paper is a study of the conservative political bias inherent to the Motion Picture Production Code as it applies to Great Depression cinema. Many films in this period attempted to explore progressive themes but were edited or prohibited outright under the Code's authority. Father Daniel Lord, the Code's author, greatly feared cinema's cultural and moral influences, but may have been unaware of the political ramifications of his work. On the other hand, his boss, Will H. Hays, was an ambitious man fully in support of the Code's ability to censor politics that differed from his own. The unlikely partnership between these two men preceded and perhaps helped precipitate the rise of the American religious right. The paper concludes with a series of case studies. Each case study analyzes a single film in order to offer a unique insight into the practical application of the Production Code and the ways it could be used to change a film's message in significant ways.

Table of Contents

I. The Code Comes to Hollywood.....	6
II. Censorship and the Promise of Profit.....	12
III. A Shepherd Tends His Flock.....	18
IV. The Films: Case Studies in Censorship.....	26
<i>Gabriel Over the White House</i>	27
<i>Black Fury</i>	30
<i>Angels With Dirty Faces</i>	33
<i>The Grapes of Wrath</i>	37
V. Conclusions.....	41
Appendix: The Production Code.....	44

The Socialists in Los Angeles have opened a moving picture theater where moving pictures depicting the real life and ideals of the working class will be shown. It has now been in operation for several weeks and is a pronounced success.

The Los Angeles Citizen,
15 September, 1911

Censorship is the tool of those who have the need to hide actualities from themselves and from others.

Charles Bukowski

I. The Code Comes to Hollywood

It has been over a hundred years since the Los Angeles socialist theater opened its doors to moviegoers curious about the lives of the working class. It has been almost as long since Americans could imagine such an establishment opening with anything resembling marked success. By the early 1930s, film had jumped sides. Years of bad science and conservative criticism led the film industry to enact a severely limiting code of censorship that curtailed the industry's ability to create films addressing important social issues. The coalescence of religious, political, and economic forces into a single, united front against film is a long story with many characters, and only some of that story can be related here. The purpose of this thesis is to pick out and analyze several of the driving powers behind the conservative makeover of the film industry. The scope of this project is limited to the 1930s: the Great Depression.

The Depression was a time of severe and widespread disillusionment, not only with the establishment, but also with the very systems that characterized the American economic identity. Membership in leftist political parties reached its peak in this period.¹ Franklin Roosevelt, one of the most progressive of U.S. presidents, sat in the White

¹ Frank A. Warren, *An Alternative Vision: The Socialist Party in the 1930s* (Bloomington: Indiana University Press, 1974), 3.

House for almost four terms. John Steinbeck's socialist-themed *The Grapes of Wrath* won the Pulitzer Prize. Yet, all throughout the rising tide of progressivism, the film industry found itself carefully monitored and controlled by some of the most conservative men in the country. The Production Code was the fruit born of their labor.²

Film censorship in the Depression era is unique in the vast history of censorship. Motion pictures were not censored by the government (not technically), but rather by popular sovereignty. Troubling but inaccurate research claimed to show the frightening effects on American youth from theater attendance, and parents were terrified that their kids would grow up stunted and cruel and criminal.³ The federal government was not blind to the uproar, and began to consider possible avenues of state censorship, as it had in the 1910s and 1920s. In order to preempt possible regulation, the industry quickly and loudly agreed to censor itself. The Production Code Authority was established in New York, 2800 miles away from Hollywood and staffed mostly by black sheep and industry outsiders, united under the staunch Republican Will H. Hays.

The Code was in place for several years before it was strictly enforced. The studios were in charge of interpreting the Code and making judgment calls on questionable content until 1934, when a threatened boycott by the Legion of Decency wrested control from the producers and granted it to Joseph Ignatius Breen, Hays' California representative and head of the newly minted Production Code Administration.

² In this thesis, *conservative* and *progressive* will be used to illustrate opposing mainstream political viewpoints. *Conservative* will be defined as being pro-business, anti-regulation, and aligning with traditional viewpoints towards racial, religious, and sex/gender issues; the Republican Party. *Progressive* will be defined as the viewpoints generally opposed to those above: pro-regulation, pro-New Deal, and more open to alternative political viewpoints, mainly socialism; the Democratic Party.

³ Gregory Black, "Censorship: A Historical Interpretation" (*Journal of Dramatic Theory and Criticism*, Fall 1991, 167-185), 173.

Prior to the Legion of Decency's efforts, the American Catholic Church had stayed well away from the issue of censorship, though there had been a few Protestant reform movements in the twenties. The Church's involvement began when Martin Quigley, devout owner of *The Motion Picture Herald*, became increasingly troubled about the crumbling morality of popular film and confessed his worries to his priest. The priest encouraged Quigley to use his influence within the industry to try and enact a new standard of acceptable content. Invigorated, he contacted a middle-aged professor of drama at St. Louis University. Father Daniel Lord answered Quigley's call to action with great enthusiasm. Quigley also decided to include Joe Breen, whom he had met in the mid-twenties.

Quigley, Lord, and Breen spent the summer of 1929 sketching out what would become the Production Code, a lengthy list of topics and themes to be banished from Hollywood. The final result was an unprecedented blend of pop psychology, Catholic theology, and political conservatism.⁴ The Code served to convert the motion picture from a volatile art into a malleable product. The whole affair sounds rather un-American by modern standards, but film had not been considered an expression of free speech since a 1915 Supreme Court decision, and concerned audiences were remarkably insistent.⁵ Investors and the studio bosses saw in the Code a chance to both please the people and prevent possible federal oversight. The producers themselves were much less excited over the prospect, arguing that audiences could make up their own minds concerning what they were and were not comfortable viewing. The producers introduced their own

⁴ Gregory Black, "Who Controls What We See? Censorship and the Attack on Hollywood Immorality," in *Movies in American Society*, ed. Stephen J. Ross (Malden: Blackwell Publishing, 2002), 104.

⁵ *Mutual Film Corporation v. Industrial Commission of Ohio, et al.*

proposal, which was subsequently ignored. Triumphant, Quigley and company enacted the Code “without a whimper” from Hollywood.⁶

Historian Gregory Black suggests three possible reasons why the Code’s architects pushed so hard to have their plan adopted, and why they were successful. Black suggests that the first reason was the sheer amount of power that the Production Code would place at Will Hays’ fingertips. Previously relegated to New York, Hays’ hand would now extend directly to Hollywood, which would help in mollifying the assorted reform groups. The second reason was the very real effect that a full Catholic boycott would have had on the fragile film industry. The industry was booming despite the Depression, with upwards of ninety million tickets sold every week, but the loan and repayment system of filmmaking could be irrevocably damaged by even a few months of decreased ticket sales that a boycott could induce. Industry experts estimated that potential losses could reach as high as twenty percent. Hays and the studio heads were not ignorant of the dangers of directly opposing the reformists—no one wanted to risk crippling the business financially. Finally, Black suggests that most producers simply believed the Code to be a hollow threat. Even the ones who quietly agreed with Daniel Lord on moral grounds never expected that the Code would actually operate at the stifling capacity it eventually did.

Theater attendance plummeted soon after the Code’s adoption as the Depression finally caught up with Hollywood. Ticket sales dropped by a third from 1930 to 1931. The studios panicked and immediately began looking for sensational projects to try and jumpstart the box office. Paramount, near bankruptcy, won a special ruling from the

⁶ “What We See,” 106.

Motion Picture Producers and Distributors Association (MPPDA) to produce a film starring a Broadway actress recently jailed for obscenity charges stemming from her performance in a critically-adored production called *Sex*. The young actress was named Mae West, and she was Daniel Lord's worst nightmare. Mae West, wrote Lord, was the very sort of person the Code was meant to contain.⁷

West took Hollywood by storm with two films in 1933: *She Done Him Wrong* and *I'm No Angel*. Critics and audiences loved her, and because of the profits she was bringing in, Paramount received something of a free pass from the censorship board. Even Hays was reluctant to push too hard; Hollywood needed the money. It was around this time that the gangster genre hit its stride, riding on the substantial talents of James Cagney and Paul Muni. Extravagantly violent, and adherent—technically—to the Code, gangster films were met with considerable ire from the reformers. Lord feared the gangster film as well, and was angry at the ease at which the studios had brazenly cast aside the Code. Breen was even angrier. "Nobody out here [in Hollywood] cares a damn for the Code or any of its provisions," he wrote.⁸ Quigley meanwhile found that the industry press was increasingly forgetful concerning his role in the Code's formation. Hays, gifted with the art of media manipulation from his days in politics, had maneuvered himself into position as the face of industry censorship. Quigley was furious, and that anger probably played a part in Quigley's behind-the-scenes efforts to threaten Hollywood with a large-scale boycott in 1933.

Quigley saw his chance when Henry James Forman published *Our Movie-Made Children*, a wildly exaggerated bit of journalism lashing out at the industry's depravity.

⁷ Ibid., 108.

⁸ Ibid., 109.

In the book, Forman alleged that nearly three-quarters of all Hollywood films were laced with evil and that they were responsible for creating a criminal culture in America's youth. *Our Movie-Made Children* was in fact simply a summary of nine misquoted academic publications, all of which had stressed the need to avoid assumptions like Forman's when it came to movies. These studies had encouraged a case-by-case system for judging a film's possible effect on its viewers, but despite its sensational inaccuracy, or perhaps because of it, Forman's book rocketed to the top of the bestseller list. The reform movements fired up once more.

Quigley used the flow of bad press to his advantage, convincing a Vatican delegate to inject references to the controversy into a few impending speeches during a visit stateside. Hearing the Vatican delegate back up Quigley's position spurred the community into action in a way that Quigley alone never could have. His efforts gave rise to Legion of Decency, a united front of parents, women's groups, Catholics, and Protestants. Seven million strong by the end of 1933, the Legion presented a very real and therefore unavoidable danger to industry profits.

The campaign's Catholic leadership sought to boycott offensive material while also drawing attention to the fact that a Production Code had already existed for three years and was being largely ignored by socially irresponsible producers. But why should filmmakers have adhered to the Code? The truth was that filmmakers simply had no real incentive to stick to the Code. Jason Joy, Hay's man in Los Angeles from 1930 to 1932, had long maintained that he lacked the power or the workforce to press the Code on the five hundred or so films that came through his office each year. Joy and his successor, Dr. James Wingate, were caught between the proverbial rock and hard place: on one side

were the studios, who felt they could not operate profitably if the Code was followed in its entirety, and on the other was Will Hays, who demanded complete adoption of the censorship guidelines. Joy and Wingate's more liberal, "common sense" approach to interpreting the Code rarely kept Hays satisfied, much less so Quigley and Lord.⁹ The Code simply was not working prior to the Legion's campaign.

For their part the producers maintained that they had no real quarrel with the Legion of Decency; they only wished to avoid an unfair boycott.¹⁰ Theater owners, whom the boycott threatened most, were especially incensed by the Legion's threats. The danger proved too much to ignore, and finally the MPPDA consented to form the Production Code Administration to ensure compliance with the Code. Hays selected Joe Breen as its director because of his Catholic ties and staunch support for censorship. Breen made a great figurehead, animated and opinionated, but the industry knew that the power still lay with Hays.

II. Censorship and Promise of Profit

Will Hays was the man most responsible for insuring that the Production Code had the political capital necessary to pass in Hollywood. Born 1879 in Indiana, Hays had a very successful career with the Republican Party before settling down to become a censor; indeed, he was the party chairman for three years, before being appointed to Warren Harding's cabinet in 1921. The movie czar devoted the last half of his life to remaking Hollywood in his own image. To this end, he instigated a marriage of culture and politics that was at that moment unprecedented in American history, but today seems

⁹ Gregory Black, *Hollywood Censored: Morality Codes, Catholics, and the Movies* (New York: Cambridge University Press, 1996), 51.

¹⁰ "Producers Resent Boycott of Films," *The New York Times*, 8 December, 1934.

almost commonplace. Did Will Hays help lay the groundwork for the religious right? To explore this possibility it is first necessary to try and understand the man who would be czar.

Hays was Harding's campaign manager for the 1920 election. After Harding's victory, Hays was appointed Postmaster General. Hays' appointment was a gesture of goodwill on Harding's part; Hays was certainly no master postman. Despite this, Hays took an extremely prideful view of his new job. In 1935, J.A. Datimer reached out to Hays and the other former Postmaster Generals for a handwritten statement about the postal service to be framed and hung up inside the Postal Office Department's new library. Hays wrote several drafts and selected the one he liked best. His remarks tell more about his personality than a bulleted biography could ever hope to illustrate.

"Incomparably the biggest distinctive business in the world, the postal establishment of the United States comes nearer to the innermost interests of all the people than any other institution on earth," wrote Hays. "Without it business would be at a standstill . . . [the postman] becomes in a sense the agent of inscrutable Providence."¹¹ Hays' caption characterizes him as a man with an intense desire to belong to a system, and to have that system be changed irrevocably by his presence. Hays was only affiliated with the post for 362 days, and yet he wanted to believe himself one of them, a real postman, *a hand of God*. Equally telling is Hays' vision of the post first and foremost as a corporate entity, the "most human and colorful business in which man even engaged."¹² Hays had a mind for business and for making business the stuff of heroes. Hays would

¹¹ Will H. Hays, "Draft for Post Office Department Library," The Will Hays Papers, microfilm, 8:0394.

¹² Ibid.

apply this pro-business thirst for greatness with great effect to his work with the MPPDA and the PCA. As much as Hays' published statement reveals about his nature, what is perhaps the most telling fact lay in the rough draft, struck through with three sharp pencil strokes. Hays originally called the post the "strangest business" in his remarks.¹³ That line was later deleted. Will Hays was not a man with an appetite for the unusual.

Hollywood on the other hand had at the beginning of the 1920s an overwhelming surplus of strangeness. The industry's reputation for decadence culminated in the notorious 1921 death of Virginia Rappe, allegedly at the hands of Fatty Arbuckle. Though Arbuckle was acquitted three times of any wrongdoing, media accounts of Hollywood's lecherous partying and Rappe's libertine sexuality cast a dark cloud over the business. In a last ditch effort to salvage public opinion, and prevent the government from stepping in, several big names in the industry formed the Motion Picture Producers and Distributors Association to try and control Hollywood's image by instituting a greater level of oversight in the filmmaking process. They needed a figurehead, and Hays' pronounced distaste for nonsense made him the perfect candidate. He resigned from his position in President Harding's cabinet in 1922 and assumed presidency of the MPPDA for an exorbitant \$100,000 salary. Hays found himself lording over his second industry in as many years, and it can be argued that he knew even less about motion pictures than he did about the post.

Hays' selection was a perfect decision and a perfect irony. One of the main effects of the Production Code would be to distill questions of good versus evil into simple caricatures; the irony was that Hays himself was something of caricature. He was a

¹³ Ibid.

Presbyterian elder, a teetotaler, a ranking Republican, a Midwesterner, a Mason, an Elk, a Rotarian, a Moose, and a Knight of Pythias.¹⁴ He was a character straight out of a Frank Capra film, the “puritan in Babylon.”¹⁵ As Gregory Black puts it, as a public relations agent, Hays was a roaring success, but as a censor, he was an abject failure.¹⁶

In fact, when the MPPDA emerged, Hollywood soldiered on in much the same way as it had before. The public was satisfied and the government backed off. Things remained relatively stable until the advent of sound in the late 1920s led to a shift in the way films were created and marketed. The sudden appearance of dialogue gave the industry numerous inroads for morally reprehensible insinuation: for every line of poetry there was a string of innuendos to match.

Censorship in the 1920s was predominantly at the state and municipal level, casually determined by a list of “Don’ts and Be Carefuls” issued by the MPPDA in 1927. The document forbid many of the things that would eventually appear in the Production Code, like nudity, profane language, and interracial relationships. Several of the Be Carefuls, like the use of firearms or the detailed description of crime, evolved into Don’ts over the course of a few years, and were more thoroughly discouraged in the thirties under the Code.

With the arrival of Mae West and the Legion of Decency, it was Hays and Joe Breen, rather than the producers, who became the final authority in what films were released to theaters. The nature of their duties had changed as well. Prior to the corporatization of cinema, in the decades before and after the First World War, audiences

¹⁴ “Historical Interpretation,” 168.

¹⁵ “What We See,” 101.

¹⁶ Ibid.

avored melodramatic films that illustrated social dilemmas with exaggerated characters and a sense of humor.¹⁷ Early critics like Walter Finch saw limitless potential in cinema: producers, Finch wrote in 1910, have the power to “play on every pipe in the great organ of humanity.”¹⁸ By the time of the Production Code, however, that world had gone. The Democrats had emerged from the 1920s as real contenders for political power for the first time in decades. With the failure of Herbert Hoover and the success of Roosevelt’s 100 Days, the Republican Party was on its knees. Hays had no choice but to try and check the spread of liberal thinking if he wanted to remain relevant from the Depression onward. The PCA’s attempts to inflate conservative viewpoints to detriment of their progressive counterparts can be felt all throughout Depression-era cinema.

It was with this air of professional and personal self-preservation that Hays dove into the censorship project after 1934. The Legion had succeeded in giving Hays real power where before he had had none. The MPPDA had no power over the studios to directly affect an offending film, but the Production Code Administration had Joe Breen and the PCA seal of approval. A director endeavoring to produce a message film had to first make it past the studio heads and then past Breen and Hays. The studio heads rarely dissented from Hays’ wishes; Sam Goldwyn was fond of telling directors that if they wanted to send a message, they could send it via Western Union.¹⁹

Message films were deemphasized in order to maintain a film’s appeal over every possible demographic. Devoting too much time to too specific of an issue risked

¹⁷ Kay Sloan, “Heroes and Heroines of Their Own Entertainment: Progressive-Era Cinema” in *Movies in American Society*, ed. Stephen J. Ross (Malden: Blackwell Publishing, 2002), 43.

¹⁸ Walter Finch quoted in Sloan, 44.

¹⁹ Sam Goldwyn quoted in “Historical Interpretation,” 167.

alienating a section of the audience. No one at the administrative level was looking to create art; films were “assembly line productions” whose purpose was to generate corporate profit.²⁰ As such, it made little sense for a studio to sign off on a film that condemned corporate entities, when Hollywood had become such an entity itself.

There were instances where the lure of profit tempted Hays and the studio chiefs into lowering the Code’s standards. Instances like these demonstrate that when it came to the practical implementation of the Code, saving souls was secondary to making money. The 1936 film *Dead End* is indicative of this trend.

Based on the play of the same name, *Dead End* describes a block of tenements in New York dominated by crime, scum, and destitution. The play is overtly political, openly blaming inner-city poverty and the correctional system for helping maintain a cycle of crime and death in the poorer parts of town. Sam Goldwyn took his wife to play in March 1936 and emerged from the studio “overwhelmed” and committed to bringing the play to the screen, no matter the cost.²¹

The version of *Dead End* that his studio put together was a sanitized one, but it still maintained the social critique of the source material. Black notes how “startling” the film is compared with its contemporaries.²² How did this film get produced when so many others were scrapped or purged of socially relevant material? Quite simply, *Dead End* was made because Goldwyn really wanted it to be. He engaged in numerous private meetings with the PCA, agreeing on certain scenes to cut and making arrangements to preserve others. Goldwyn’s intense desire to see the film produced impressed even Joe

²⁰ “Historical Interpretation,” 167-168.

²¹ *Ibid.*, 179

²² *Ibid.*, 181.

Breen. The PCA chief wound up lobbying various women's groups to support the film and sent letters voicing his approval of the film to the censorship boards of New York and Great Britain. Even the Legion of Decency endorsed the film. Thanks to Breen's marketing, the film opened to great success. Goldwyn had unwittingly given Breen his greatest weapon. After *Dead End*, it became standard practice for the PCA to barter free publicity in exchange for total compliance with the Administration's requests. Fighting the PCA now not only risked financial loss, it basically guaranteed it. The Administration became quite adept at using aggressive capitalism to support films that supported the beliefs held by Hays and company.

As can be demonstrated by a myriad of different films, the Code nearly always pushed the inclusion of conservative and/or capitalist viewpoints in the films that passed through the Administration office. It is debatable whether or not Quigley and Lord intended for their labors to be so political in execution. Quigley wanted simply to ease his conscience. Lord's motivations may have been more complex, but it is doubtful that he intended to glorify the Republican party when he sat down to create the Production Code. It can perhaps be argued that Hays took advantage of Lord's goodwill and idealism as a way to secure a powerful soapbox to preach a gospel of his own. Lord himself likely never intended to be the frontispiece for Hays' agenda.

III. A Shepherd Tends His Flock

The Production Code might have been Martin Quigley's brainchild, but it was Father Daniel Lord who sat down to write it, and it is he who remains most closely associated with the Code. Lord was a fascinating man. As a university professor of drama and a Hollywood employee, his very livelihood depended on the success of the dramatic

arts, but he was nevertheless endlessly troubled by what he saw as a potentially dangerous aspect of modern culture. Among his prolific body of work are dozens of pamphlets written for the Catholic Truth Society, covering everything from the Catholic sacraments to discussions on the proper day of the Sabbath. A handful of those publications clearly demonstrate Lord's fear of popular culture's influence. It should be noted here that some these works were written many years after the instatement of the Code; however, comments made by Lord in his autobiography strongly suggest that the fears represented in these pamphlets were lifelong ones.

One, "Fashionable Sin," describes a priest visiting two of his favorite teenage parishioners when he discovers that they have both read a popular modern novel, which the priest knows to contain significant vulgarity. The twins, a boy and a girl, try to debate the priest as to the artistic merits of the book, but the priest gently corrects them and shows them that they are not quite adults just yet, and that even if they were, they would still have no need for this modern rot.²³ Another, "Of Dirty Stories," finds Lord describing the shame of enjoying a dirty joke using the most fire and brimstone language he could muster.²⁴ Despite the intentionally preachy content, Father Lord's intellect shines in his pamphlet writing. His writing is littered with alliteration and metaphor, and his arguments are well illustrated and organized under provocative headlines. Lord's skill at the typewriter hints at the man's defiance of the traditional anti-entertainment preacher stereotype. Lord was no bandwagon critic.

²³ Daniel Lord, "Fashionable Sin: A Modern Discussion of an Unpopular Subject," Australian Catholic Truth Society No. 1353, 1961; it can be safely assumed that Lord wrote this pamphlet in response to Arthur Miller's *Tropic of Cancer*.

²⁴ Daniel Lord, "Of Dirty Stories," Australian Catholic Truth Society No 866, 1944.

Lord's pamphlets refer mostly to bawdy literature, but it is no stretch to imagine that his criticisms were not limited to a single medium, especially since most films produced during Lord's career were based on works of literature. The priest was first exposed to motion pictures in his youth, in the first decade of the twentieth century. Young Daniel stuck his head into an arcade gallery peep show and was treated with the beheading of Mary Queen of Scots. He later wrote that he would never forget "the wonder of it."²⁵

A few years later, it had become a family ritual for Lord to come home from his Jesuit studies every so often and go to the movies with his mother. On one of these trips, Lord and his mother saw D.W. Griffith's *Birth of a Nation*. The Lords enjoyed the film—the priest calls it a "miracle" in his autobiography—but Lord found himself troubled by the sympathetic view of the Ku Klux Klan taking root in audiences in the wake of the film's release. Griffith, "whether he had meant to or not," had released a piece of propaganda so effective that Lord half expected the film's viewership to immediately begin a march on the black neighborhoods of Chicago. Lord recalled that he was forever changed by this experience: "I knew [then] that I was in the presence of a medium so powerful that it well might change our whole attitude toward life, civilization, and all established customs."²⁶ This passage is something of a jackpot for the historian—in fact, it is too convenient. While he had enough self respect to not spend the entirety of his biography vindicating himself, Lord knew the Code was deeply controversial, and he knew he would be remembered for it, so some degree of self defense inevitably crept into

²⁵ Daniel Lord, *Played By Ear: The Autobiography of Daniel A. Lord, S.J.* (Chicago: Loyola University, 1955), 270.

²⁶ *Ibid.*, 271.

the book for obvious reasons. After twenty years of PCA sovereignty, defending the Production Code was habit.

Lord's concerns about the persuasive powers of film were not unique; indeed, they suggest an educated response to a very popular fear. In trying to soothe audiences, the PCA used the Code to present something of an on-screen utopia—sexuality was biblical, crime never paid, the good guys always won, and, perhaps most importantly, the authority figure always knew best. The work of at least one scholar suggests that the sanitized world portray in Code cinema may have actually had an effect on the moviegoing public.

Film theorist Andrew Sarris presents in “The Illusion of Naturalism” a theory of reality versus fantasy in filmmaking that suggests that censored films might have actually created the brainwashing effect that Father Lord so feared. Naturalism as a realist dramatic movement is an alien concept to film, writes Sarris. A movie, due to the inherent surreality of its medium, is required to screen fantasy in place of reality if it expects to convince an audience of its authenticity. Realistic footage appears uncanny and false projected onto the big screen, while idealized versions of real events become somehow more palatable.²⁷

This great paradox is not present in the theatre, where naturalism and realism are synonymous. The paradoxical aspect of cinematic naturalism explains why a successful documentary needs some degree of staged footage, and why a brilliant stage play will often suffer greatly when in its original incarnation. Sarris' theory also helps to explain why Production Code censorship was so dangerous to progressivism. Every film released

²⁷ Andrew Sarris, “Film: The Illusion of Naturalism” (*The Drama Review*, Vol. 13, No. 2, Winter 1968, 108-112).

with false optimism and sanitized issues served to strengthen traditional mores and undermine a very real need for action in combating the Depression. Whether Lord intended to or not, his Code forced Hollywood to produce what amounted to conservative propaganda, films that exerted the very influence that the Code was ostensibly created to prevent. If indeed he and the other censors really did seek to shape the minds of their viewership, what sort of people might they have sought to engineer?

The goal was most certainly not to create social activists. The incompatibility of progressivism, cinema, and the clergy can be demonstrated by the experiences of Bob Brodsky, an urban Methodist minister, who in the waning years of Code censorship, found his penchant for socially active filmmaking unappreciated by the elders of his Massachusetts church. Despite the chronological distance Brodsky's brief career as a pastor-cum-filmmaker has from the creation of the Code, his experience is still quite relevant to this discussion in that it suggests that the relationship between Hollywood and religious conservatism remained tense, and was not a partnership based upon an agenda of social justice.

"Measured against the conservative Christian ministers of today [2007], I was unapologetically liberal in my teaching," writes Brodsky.²⁸ He was certainly that; his second—and final—film as a minister, *Present Tenses*, covered everything from teenage alienation to black identity to racism in the white-collar job market. Brodsky believed that confronting painful social issues was part of his job as a clergyman. However, one half year after creating *Present Tenses*, Brodsky was asked to resign from his position as

²⁸ Bob Brodsky, "When the Minister Made Movies: A Questionable Activity" (*Film History*, Vol.19, 2007, pp. 429-437), 430.

pastor. “Issues of civil rights, human rights, and civic awareness” were apparently off-limits. Art raises questions, says Brodsky, but a minister is supposed to be comforting.²⁹

Brodsky’s words echo a simple truth of Code censorship: in enacting the Code, its framers eliminated film’s ability to agitate and to ask important questions. Instead, Hollywood was forced to release musical and heartless comedies in droves, safe and sterile. The world’s most powerful form of communication was centralized in the hands of the financiers and their censors rather the artists. This was by design. The Production Code’s purpose was twofold; the censors sought to both save souls and empty wallets. Which of these objectives was primary seems to depend on the observer. As was previously discussed, Hays and the studio heads were palpably aware of the profits at stake in Code censorship. Lord on the other hand saw himself and his Code as shepherds for an increasingly wayward flock. Were the Code’s dual agendas mutually exclusive?

The politics of films like Bob Brodsky’s, films like *Gabriel in the White House* or *Grapes of Wrath*, are by-and-large classified as liberal. Civil rights, class warfare, and a rejection of the military-industrial complex were, and remain, hallmarks of progressive policy. All of these films were attacked by the Code. Catholic support of Code’s considerable conservative bias came on the heels of a time when Catholics in America were much more closely aligned with the progressives. A priest like Quigley or Lord speaking out against alcohol abuse or organized crime is one thing, but why would a Christian speak out against a film that encourages helping the poor? Obery Hendricks, perhaps, said it best: “A society that views the existence of economic classes as necessary

²⁹ Brodsky, 436-437.

and desirable does not have in mind development of Jesus' beloved community."³⁰

Catholics were generally very outspoken about issues of urban poverty, since poor urban groups made up a large portion of its membership. Why then did Quigley and Lord, through the creation of the Code, advocate silence on these issues? The conflict between conservatism and the social gospel must be considered to gain a deeper understanding of the Code's biases.

After President Roosevelt's New Deal, academics like Lionel Trilling and Louis Hartz announced the death of political conservatism.³¹ Not really dead but certainly dormant, the right wing remained quiet into the 1950s, when suburban affluence and Communist containment began to dominate American thinking and push progressivism from mainstream politics.

It might be useful to ascertain the exact nature of anti-progressive conservative thought if Father Lord's loyalty unto them is to be accurately gauged. In 1953, in a somewhat belated response to the Roosevelt reforms, Russell Kirk published *The Conservative Mind*, in which he listed the core tenets of conservatism, summarized here by Hendricks:

- 1) That divine intent, as well as personal conscience, rules society.
- 2) That tradition fills life with variety and mystery, while most 'radical systems' are characterized by 'a narrowing uniformity' and 'egalitarianism'.
- 3) That to be civilized, society needs 'orders and classes,' although 'ultimately, equality in the judgment of God, and equality before courts of law, are recognized by conservatives.'
- 4) That property and freedom are closely linked, but economic 'leveling' is desirable.

³⁰ Obery M. Hendricks, "Class, Political Conservatism, and Jesus" (*CrossCurrents*, Fall 2005, 304-321), 320.

³¹ *Ibid.*, 305.

- 5) That humanity's 'anarchic impulse' and 'the innovator's lust for power' must be controlled 'custom, convention, and old prescription...'
- 6) That social change must happen slowly and gradually.³²

The most important things to take away from Kirk's list are the presence religious sentiment, a celebration of disparate social classes, and Kirk's insistence that social change come at a glacial pace. Kirk's references to the divine, although evocative of Adam Smith's "invisible hand", stands out as a recent addition to the conservative agenda; the Republicans had long been the party of individual liberty and industrial capitalism, but the assumption that all conservatives were united by religious sentiment was altogether new. Kirk's rejection of egalitarianism and support for stratified social class are descended from nineteenth-century social Darwinism, unsurprising in a free market context but important in that such beliefs seem antithetical to what one might expect a man like Daniel Lord to support. Conversely, Lord and Kirk would no doubt have been total agreement over the assertion that social change must be gradual. Lord's Code was a direct attempt to prevent changes in the nation's moral focus precipitated by new ideas on display in the cinema.

The attitudes Kirk described in 1953 can be seen in practice two decades earlier in the adoption and enforcement of the Production Code. The Hays office aggressively targeted films that were openly concerned with class disparity or advocated immediate social change. All of this political censorship is done largely outside the written Code—the Code was created in theory to control the flow of sex and gunfire from Hollywood, but in application, far more scandalous dresses escaped the censors' pens than did political commentary. Father Daniel Lord, as an intellectual and a biblical scholar, should

³² Kirk Russell, quoted in Hendricks, 306.

by definition of his station have been supportive of films that sought to help the poor or reign in unregulated corporate abuses. And yet he was not.

The intent here is not to cast Father Lord as some sort of villain; Lord, by all accounts, was a wonderful man. Rather, the evidence suggests that his desire to save the world from vulgarity quite simply trumped mundane political concerns. It can be argued that Daniel Lord was largely ignorant (or at least apathetic) to the political ramifications of his campaign of censorship.

IV. The Films: Case Studies in Censorship

What follows is a look at four films from the first decade of Production Code censorship. Each case study offers unique insight into the practical application of Code censorship: *Gabriel Over the White House*, *Black Fury*, *Angels With Dirty Faces*, and *The Grapes of Wrath*. These films are compared to their source material where possible.

A great number of films in the early years of cinema were based on literature both contemporary and classical; the epic scale book-to-film adaptation is not a recent phenomenon. If it is to be shown that censorship tampered with the message of these films, it is of great help to demonstrate story elements in the original texts that are antithetical to or absent from the finished Hollywood product.

All of the films in this chapter but one, *Angels With Dirty Faces*, were adapted from print sources; of those sources, one is widely read, one is extremely rare, and one no longer exists. Steinbeck's *Grapes of Wrath* is considered an American classic, with no shortage of copies available. *Rinehard*, a British novel published anonymously by Thomas Tweed, was the basis for *Gabriel*, and is rather difficult to locate today. That leaves *Black Fury*. The film's story is credited to both a short story and a play, each by a

different author but drawing inspiration from the same real life events. Neither is available. The short story however was written by the judge who presided over the court case from which the film draws inspiration, so by taking a look at what information persists concerning that case, it is possible to hazard guesses towards the content of the original story.

Gabriel Over the White House (1933)

Gabriel Over the White House opened in March 1933. Reviews were favorable, based largely on the strength of Walter Houston's performance in the leading role. Directed with "imagination and forcefulness" by Gregory La Cava, the film is a Depression-era fairy tale with an obvious political message.³³

The film opens with the inauguration of President Judd Hammond. Hammond is a career politician; he is lifted to office by the efforts of his party, but he has little interest in fulfilling the dozens of promises he made on the campaign trail. He refuses to take the job seriously, bestowing cute nicknames on the members of his staff and letting his Secretary of State, a senior party member, handle the running of things.

Hammond wrecks his vehicle on a country highway trying recklessly to avoid his motorcycle guard. The archangel Gabriel visits the comatose President. Unconscious for several weeks, Hammond awakens a changed man and begins a one-man campaign to save the world. He pledges to form a public works corps called the Construction Army, and when Congress refuses the funding, he disbands them and assumes full control of the government. He overturns Prohibition and has the "last racketeer" executed by firing

³³ Mordaunt Hall, "Walter Houston as a President of the United States Who Proclaims Himself a Dictator," *The New York Times*, 1 April 1933. <<http://movies.nytimes.com/movie/review?res=9401E3DD1438E333A25752C0A9629C946294D6CF>> Accessed 3 December 2011.

squad. He completes his mission by urging all the nations of the world to sign a disarmament treaty, but he suffers a fatal heart attack as he pens his own signature. The film ends as all the world's leaders bow their heads at his passing.

Will Hays hated *Gabriel*. He was not oblivious to the film's attacks on the Republican Party, specifically the policies of Presidents Harding, Coolidge, and Hoover.³⁴ As noted by a number of scholars, Hammond is a fairly blatant facsimile of Harding—whose 1920 campaign was managed by Hays. Indeed, Hays was appointed Postmaster General as a thank you from Harding. In light of his relationship with Harding, Hays considered the film a very personal offense.

In 1933, before the Legion of Decency campaign, the Hays office still had little power to force changes at the production stage. When Hays first read the script for *Gabriel*, he immediately suggested a number of changes, which producer Walter Wanger promptly ignored. Hays continued to demand the film be altered, appealing to La Cava and Louis Mayer when Wanger proved unreceptive. Hays even went so far as to threaten barring the film from playing in New York. Hays was able to call an emergency session of the MPPDA executive board that resulted in some of his suggestions being implemented in the editing room. Still, Hays was unsatisfied with the final cut. But he had learned an important lesson, writes Gregory Black. It was now obvious that “post-production censorship, no matter how effective, could not change the basic flavor of a film.”³⁵ Hays' permanent distaste for *Gabriel* likely spurred the creation of the Production Code Authority seal of approval.

³⁴ “Historical Interpretation,” 172.

³⁵ *Ibid.*, 173

At first glance, the film's plot seems like it would be very thing Daniel Lord was encouraging studios to produce: the film's plot boils down to a President inspired by God to end war and crime. Interestingly, Gabriel never actually appears on screen. Divine presence is implied by a mysterious wind and a vacant look on Hammond's face. The only reason the audience knows that Hammond's transformation is the angel's doing is because his former lover more or less turns to the camera and says so. Even though the President's staff seems to believe his divine inspiration, they still infer throughout the film that he might simply be insane. The film's climax offers no satisfaction when it comes to ascertaining the nature of Hammond's transformation. The President's death can be interpreted in two ways, one religious, one secular. Is Hammond merely succumbing to the injuries that produced his reformist dementia, or is he being called home after completing the angel's mission? It can argued that the film's religious component exists solely to make its support of benevolent fascism more palatable. It would seem that Hays was not suitably distracted.

One difference between this film and the countless others that were labeled offensive is that this one really *was* propaganda. *Gabriel* was produced by Cosmopolitan Studios, a production house owned by William Randolph Hearst. Hearst was an ardent supporter of Franklin Roosevelt's incoming administration and planned the film from the beginning as a homage. Roosevelt had even been handed an early copy of the script on the campaign trail; he read the whole thing during a train ride, making line edits and even suggesting new dialogue. While there is no record of what changes Roosevelt suggested, even the mere fact that he offered notes raises an eyebrow. If pre-accident Hammond is Warren Harding, then post-accident Hammond is obviously Roosevelt. Hammond's

urgency and dedication to ending the Depression mirror Roosevelt's policies during the 100 Days, which began precisely when the film was released to theaters. Even Hammond's death eerily presages Roosevelt's; Roosevelt died just after the Yalta Conference in 1945, with the Depression under control and Japan the only remaining Axis power. Although Hays could never have predicted the Roosevelt's four terms, he would not have been ignorant of Roosevelt's popularity. He no doubt feared that the glowing praise offered the President by *Gabriel* would give him a tide of momentum going into the White House. He might have been right.

Hays lost the battle over *Gabriel Over the White House*, but the emergence of the Legion of Decency a few months after its release gave him the opportunity to widen the scope of the Administration's power.

***Black Fury* (1935)**

In the autumn of 1934, the Administration had just been thwarted once more by Walter Wanger and *The President Vanishes*, another film which was precisely the sort of movie that the Code was design to prevent. Joseph Breen and his boss were not keen to have it happen again. It was at this time that the script for Michael Curtiz's new film *Black Fury* arrived in the office. Breen set to the script with much enthusiasm, dedicated to exerting his full powers of censorship over a film that had the potential to be an incendiary indictment of Big Coal. The final release of *Black Fury* in 1935 turned out quite differently. The anti-big business themes explored in the original script were gone, or worse, manipulated to serve an agenda quite contrary to that of the filmmakers.

Black Fury is the story of a miner named Joe Radek. Radek is living the dream: having made enough money from mining, he is all set to buy a farm with his fiancé Anna.

He is extremely popular with the other miners and his best friend is the local leader of the miners' union. When Anna suddenly leaves him for a member of the coal police, Radek spirals into depression and accidentally becomes entwined with a group of union separatists planning to create their own, more radical union. Radek becomes the face of the new union just as it forces a strike at the mine. As the strike wears on, it becomes clear that the company has no plans to concede. Evictions and widespread hunger follow. Radek becomes despised. It is revealed that a corrupt security firm looking to profit from unrest in the coal town started the radical union movement. After the murder of his best friend, Radek barricades himself in the mine with a cart full of dynamite, and holds out until the miners' demands are met. As soon as the company realizes that the security force instigated the strike, they agree to return to old agreements with no hard feelings. Radek and Anna happily reunite.

The film was based on a play and a short story inspired by the same event, the 1929 murder of John Barkoski, a Pittsburgh miner. Barkoski succumbed to his wounds after being savaged by pickax by a pair of coal and iron police employed by the mine. The murder and subsequent trial were major news topics in 1929; when the trial ended in a not-guilty verdict, the public was outraged. *The Pittsburgh Post-Gazette* called the decision "a miserable travesty on justice" and District Attorney Sam Gardner moved to have the jury thrown out based on a lack of "moral stamina."³⁶ Two bills curtailing the power of the coal and iron police made it through the Pennsylvania legislature spurred by public demand. State Representative Michael A. Musmanno, for whom one of those bills

³⁶ Frank Butler, "Coal and Iron Justice," *The Nation*, 16 October 1929. <<http://explorepahistory.com/odocument.php?docId=1-4-29A>> Accessed 12 February 2012.

was named, was so inspired by the trial and its aftermath that he wrote a short story about it called “Jan Volkanik.” This story made its way to Hollywood and was adapted by Adam Finkel and Carl Erickson into *Black Fury*.

Barkoski’s murder is reflected in Mike Shemanski’s murder in the film. Mike tries to stop one of the corrupt security guards from raping a local girl. In the scuffle, the guard nicks his arm on a nail and shouts that he has been stabbed. His friends show up and beat Mike to death before they realize that he has no weapon. Due to Code restrictions on explicit violence, the beating is implied rather than shown directly; on camera, Mike is simply knocked once on the head with a guard’s elbow and dies instantly. His death serves dual purposes. The murder serves primarily to force Radek into heroic action in the third act. Under the surface, however, Mike’s death is used to illustrate that the radical labor movement is causing more harm than good. Mike is the president of the old, conservative union, and he is killed rather directly because of the actions of the radical sect. This scene is the culmination of the film’s message: orthodox unions provide enough subsistence, while radical labor is greedy and evil. The film’s support of established labor practice is so blatant that Andrew Sennwald wrote in his review for *The New York Times* that “far from being radical, *Black Fury* is a rousing defense of the conservative viewpoint in labor-employee relations.”³⁷

The film uses a clever series of tricks in order to portray a labor dispute while also completely undermining the aims of the unionists. The most obvious is the choice of protagonist. Joe Radek, though played quite brilliantly by Paul Muni, is a classic “dumb

³⁷ Andrew Sennwald, “Paul Muni in the Coal-Mine Melodrama *Black Fury* at the Strand,” *The New York Times*, 11 April 1935. <<http://movies.nytimes.com/movie/review?res=9A0CEFD91F3CE23ABC4952DFB266838E629EDE>> Accessed 3 December 2011.

Polack” stock character, broken English and all. His buffoonishness is charming to his friends and the audience, and it also enables the plot to make him the head of a radical movement in such a way that dodges the censors. Naturalized Americans could watch Radek and feels sophisticated, safely removed from his stupidity, and immigrant populations could watch and cheer him on as he triumphs over the corrupt agitators. Both populations could feel smug in Radek one way or the other.

The filmmakers also toy with the origins of the labor dispute in such a way as to make the strike seem less legitimate. Joseph Breen suggested several of these alterations himself. *Black Fury*’s strike is instigated not by a legitimate union but by an actor (also a European immigrant, coincidentally) paid to create dissent in the town. The labor complaints in the film are spurred not by worker unity or intelligent debate but by drunkenness, foreign attitudes, and the treachery of women; indeed, one could suggest that the film makes a target of everyone *except* upper-class businessmen. Radek may be the film’s protagonist, but his antics only succeed when the owners of the mine uncover the security company’s fraud and move to rehire the workers (with their original contracts). By transplanting the miners’ complaints from their employers to a shady security company instead, Warner Brothers was able to make a film about the working class that the working class would pay to see, even if it lacked any real sympathy for them. Although pre-release buzz anticipated “an inflammatory social document,” the version of *Black Fury* that was ultimately released differed wildly from the film that first

took shape at the studio.³⁸ The film's critiques were so muted that the final release was endorsed by the very men it originally sought to vilify.³⁹

***Angels With Dirty Faces* (1938)**

Despite the growth of the Administration's power through the mid 1930s, gangster films continued to flood from Hollywood, particularly from Warner Brothers Studios. The studio had always played a bit loose with the Production Code, but as the one of the biggest sources of income for the industry, they got away with it a good bit of the time. By 1938, when *Angels With Dirty Faces* was released, Joseph Breen's power as head censor was near absolute. It is interesting then to consider that almost all of his demands for *Angels* went completely unheeded.

The film tells the story of a pair of childhood pals who take wildly different paths in their adult lives. Rocky Sullivan becomes a notorious mob figure, while Jerry Connolly becomes the priest in the slum where they grew up. Rocky comes home after a three-year-long stint in prison to collect the money being held for him by his mob lawyer. Rocky meets the local gang of urchins (played by Sam Goldwyn's beloved "Dead End Kids") when they try to rob him. Jerry and Rocky become competing mentors for the kids, with Rocky using them for extortion while Jerry tries to clean them up and pull them into mainstream society. Meanwhile, Rocky finds himself threatened by the local mob head and steals a ledger of illegal business deals in order to guarantee his safety. When they turn on him, Rocky is forced to murder the mob boss and his lawyer. So begins a long shootout with the police where Rocky is finally captured and sentenced to

³⁸ Sennwald.

³⁹ "What We See", 117. The National Coal Association, the industry's Washington lobby, officially endorsed the film.

death. Jerry convinces Rocky to feign cowardice at his execution so that the boys who look up to him will be disillusioned with his way of life and go on to lead moral lives. Rocky initially refuses, but relents at the last moment, screaming and begging until the end in what may very well be James Cagney's finest performance.

Breen received the script for *Angels* from Jack Warner in January 1938. "Great care will be needed in both in the writing and actual shooting of [this] picture," Breen replied. "It is not acceptable on a number of counts."⁴⁰ A few examples: Rocky successfully kidnaps James Frazier and holds him for ransom; a significant gang murder goes unpunished; policemen are shown dying in the climactic gun battle; Rocky displays apparent atheism in the final scene. Warner and director Michael Curtiz agreed to a few of Breen's more superficial demands—an implied strip poker scene was dropped, as well as a machine gun or two—but thematically important Code violations, which also happened to be the most severe, remained in the film. Rocky remains faithless in his final conversation with Jerry. The kidnapping remains unchanged, though the audience never actually sees Frazier in captivity. A number of policemen still die on-camera. The killing of policemen was one of the greatest taboos of Code-era cinema; how were Curtiz and crew able to include the murder of several in such a high-profile feature?

There is at least one easy answer: *Angels* was a guaranteed gold mine. There is assuredly some credence to that, but perhaps Breen had a further motivation. The power of the Administration was so firmly entrenched in the industry by this point that Breen could afford to bend the rules from time to time if it helped the cause. It can be argued

⁴⁰ Joseph Breen quoted in Gerald Gardner, *The Censorship Papers: Movie Censorship Letters from the Hays Office 1934-1968* (New York; Dodd, Mead & Company, 1987), 48.

that he relaxed the restrictions on *Angels* because the film does more for the cause of censorship even with the offending material than it would without it. The story's central conflict is the battle between the criminal and the priest for the loyalty the browbeaten local youth. As such, *Angels With Dirty Faces* serves as a metanarrative of Code censorship itself, whether it intends to be or not. In this reading of the film, James Cagney's Rocky Sullivan symbolizes the actor's entire oeuvre, from the kidnapping in *Angels* to the grapefruit in the face in *The Public Enemy*. Father Connelly represents the positive influence of moral censorship in general, and perhaps even alludes to Daniel Lord specifically. Even the film's poster alludes to the inherent conflict between the two camps these characters represent. Cagney is rendered hideous, waving around a loaded revolver, while Pat O'Brien's face is deliberately smooth and thoughtful, his strong, symmetrical hands holding back Cagney's trigger finger. The Dead End Kids hover despondent above them.

Rocky's sacrifice at the end of the film can also be read in this fashion. Films like Cagney's will be allowed to exist if the priest gets the last word, if the end of the gangster flick justifies the means by proving time and again that crime does not pay. When all is said and done, it is Rocky who captivates the children most, not Father Jerry; but if the gangster's seductive charm can be used to subvert his malignance into something much more positive, then what is the harm? This is the best explanation of *Angel's* relative freedom from censorship.

This analysis can be further proven by comparing the Code violations in *Angels with Dirty Faces* to a crime film of a different ilk, 1935's *Let 'Em Have It*. In the first couple years after Breen's appointment and the subsequent crackdown on Code

adherence, a number of producers sought to circumvent the more stringent restrictions on gangster films by producing movies from the point of view of hardcore, violent federal agents. These G-Men films were popular, but were not incredibly successful at avoiding the censors. Breen reviewed Edward Small's script for *Let 'Em Have It* in March 1935. Among his many suggestions for revision: no criminals discussing guns; specific sums of illicit money should never be shown or totaled; shouts or grunts of pain are severely frowned upon; pickpocketing should not be shown; and, finally, absolutely no dead policemen or federal agents. Each of these offenses was enough in its own right to cause Breen to reject Small's initial script . . . and each of these offenses are important plot points in *Angels With Dirty Faces*. Most notable is the prohibiting of ill-gotten cash appearing onscreen. Rocky's \$100,000 is a major subplot in the film; everyone from the street urchins to Father Connelly handles it, comments on it, gets a taste of it. Rocky even retrieves it from Frazier while making a speech at gunpoint. But compared to *Let 'Em Have It*, *Angels* was hardly touched by the censors. The power of the Administration was so firmly entrenched in the industry by this point that Breen could afford to bend the rules from time to time if it helped his position.

***The Grapes of Wrath* (1940)**

John Steinbeck published *The Grapes of Wrath* in 1939 to widespread acclaim. It became the best-selling book of the year and a point of discussion for the whole country. It was burned by its opponents. It was debated on national talk radio. The film adaptation was released almost immediately. It was—and still is—hailed as a modern classic of

dramatic art: “*The Grapes of Wrath* is just about as good as any picture has a right to be; if it were any better, we just wouldn’t believe our eyes.”⁴¹

The film is certainly good, every bit the masterpiece history wants it to be. And yet, it could have been so much more. Despite being released less than a year after the book, the movie adaptation makes a number of changes, some subtle, some not, that manage to change the book’s message entirely. There was a worry among fans of the book that the film would be unrecognizable. Frank Nugent, reviewing the film for the *New York Times*, confronts that fear at the forefront of his write-up: the film follows the book, he writes, “but not with blind, indiscriminating literalness.”⁴² Looking to Linda Cahir’s guidelines, *Grapes of Wrath* is eliminated as a literal translation, so the film must be either a traditional or radical translation. Despite Nugent’s assurances to the contrary, there is strong evidence to categorize *Grapes* as a radical adaptation.

Grapes of Wrath tells the story of the Joad family, who set out from their foreclosed and destitute farm in Oklahoma for California, where work was sure to be found. Their number slowly dwindles as the journey rolls on; the two most elderly of the group die one after the other, and several of the family break off and try to make it on their own. Overall, the story’s main points remain the same from book to film, but there are a few important exceptions. Most important for the purposes of this analysis are the liberties taken with crucial events in the last third of the film, mainly the rewritten ending and the fate of Jim Casy.

⁴¹ Frank S. Nugent, “Twentieth Century-Fox Shows a Flawless Film Edition of John Steinbeck’s *The Grapes of Wrath*, With Henry Fonda and Jane Darwell, at the Rivoli,” *The New York Times*, 25 January 1940. <<http://movies.nytimes.com/movie/review?res=9802E7D91E3EE23ABC4D51DFB766838B659EDE>> Accessed 3 December 2011.

⁴² Ibid.

Casy serves as the story's political mouthpiece in both versions of the story. The Casy of the film is actually changed little from his literary incarnation. Though once a skilled and popular charismatic preacher, Casy lost his faith when the Depression hit Oklahoma. His background, as well as his occasional role as comic relief, makes him the sort of character that the Code would normally not allow. However, Casy in all his glory is necessary to the development of Tom Joad's character; the story cannot progress without him. As a compromise, the film adaptation subverts Casy's faithlessness by changing a crucial scene in such a way as to make Casy appear more like the more appropriately religious character the censors preferred.

In the novel, Jim Casy argues with a California sheriff about whether or not the migrants have the right to form a union. The argument escalates into a fight and Casy is arrested after attacking the sheriff. Casy is arrested under different circumstances in the film. A nameless laborer becomes hostile with a wealthy employer who comes to the migrants' camp. A policeman fires on the agitator, misses, and hits a bystander. Tom takes out the policeman and runs for it, and when he comes to, Casy takes the blame and is arrested in Tom's place. Casy's story arc remains much the same after this point. In translating this scene from book to film, the integrity of the narrative is maintained, but Jim Casy's underlying motivation is subverted. The book makes it clear that Casy has become a leftist, and that he is willing to die for that cause. The film's Casy stumbles into politics almost by accident, out of concern for his adopted family. In transforming Jim Casy from a political martyr to a sacrificial lamb, the film's politics become subtly but fundamentally different from that of the novel.

The original ending of *Grapes of Wrath* was considered unfilmable and was changed completely from its printed form. In the novel, Tom's sister Rose-Of-Sharon, having been pregnant for the entire story, finally gives birth to a stillborn baby. When she discovers that she is still producing milk, she offers her breast to a starving man to save his life. It is one of the great scenes of literature, powerful and disturbing. One can argue easily that the original ending was not appropriate for family consumption, but the great shame is that the film's rewritten ending holds none of the power and bitter hope that the novel's has. The film closes with the remaining Joads receiving a hopeful job offer and leaving the government camp to find it. Ma Joad closes out the film with her well-known monologue:

Rich fellas come up and they die, and their kids ain't no good and they die out, but we keep on coming. We're the people that live. They can't wipe us out. They can't lick us. We'll go on forever, Pa, 'cause we're the people.

On the surface, speech speaks to the persistence and spiritual purity of the working class, but in truth the speech harbors the same subversive sentiment present in the film's treatment of Jim Casy. Ma Joad links purity and permanence to poverty; the speech does not advocate the poor moving up and out of their loathsome station, but instead encourages them to accept it and find pride in it instead. The speech is a direct reversal of Tom's famous "I'll be there" speech from a few minutes before, and the audience winds up remembering Ma's words, not Tom's. Tom's decision to leave and fight for social justice is quickly shoved aside in favor of Ma's less radical view of the story's events.

The Grapes of Wrath should be considered a radical translation of its source material not simply based on the cosmetic changes from one version to the other, but

because of way the movie uses the novel to push a completely different ideology.⁴³ The film is altered in such a way that becomes the Freudian doppelganger of the printed version. The two versions appear similar, but the effect is that of the uncanny. The novel describes an entire population dehumanized by appalling social conditions, and calls for the lower classes to rise up and improve their station. The film describes one family consistently victimized by circumstance, exploited by a few bad but powerful people, and calls instead for the lower classes to *cope* with their station, rather than trying to change it. The story of the Joad odyssey is changed at the foundational level from a story about a large group of disenchanting people uniting for change into a story about a single family with horrible luck.

V. Conclusions

These case studies demonstrate both the conservative partiality inherent to Production Code censorship and censors' impressive guile in choosing what to censor and how to do it. The PCA was more clever than to simply whitewash offensive material. They subverted it, transformed it into something they could use to push Hays' conservative agenda. *The Grapes of Wrath* and *Black Fury* are the most notable examples of this subversion; both films are packed with progressive subject matter, but express a conservative viewpoint instead thanks to masterful manipulation of narrative material. Hays was remarkably successful in preventing progressive attitudes from becoming overwhelmingly pervasive, thus preserving his own legacy as well as keeping the dormant conservative movement from fading completely. When the conservative

⁴³ This analysis uses the definition of a radical adaptation suggested by Linda Costanzo Cahir in *Literature into Film: Theory and Practical Approaches* (Jefferson: McFarland and Company, 2006). Cahir uses the phrase to mean a drastic reimagining of the source material that produces the adaptation independent of the goals of the original.

movement resurfaced in the 1950s, the shape of the Republican platform had changed, ever so slightly. Christianity became a central tenet of the party elite while the constituent bases of both parties shift radically. The Republican Party owes Will Hays a debt of gratitude. Without him, it is very possible that progressivism would have remained the dominant political force coming in to the second half of the twentieth century.

And what of the Code's author? Daniel Lord himself spent the waning years of his life hoping to philosophize a way to meld socialism and capitalism together without violence or espionage. He did not regret the Production Code, and indeed remained quite proud of being the man who helped drive the smut from Hollywood. It remains unlikely that Lord intended his Code to be used as a weapon against progressive thinking. Lord's concern was the young people whose development he was convinced was being stunted both mentally and spiritual by a massively powerful form of mass media. Rather, the evidence suggests that Lord's Code was one of the starting points for a Fourth Great Awakening in American public life.

Historians continue to debate the existence of the Fourth Great Awakening, but it is fairly clear that something fundamental changed in twentieth-century American politics. The rise of the religious right and the conflation of evangelical morality with capitalist wealth building is more than enough evidence to signify such a movement. According to Wyndy Corbin, the individualism inherent to both evangelical Christianity and Jeffersonian conservatism made the Christianization of the American narrative into a simple process—physical wealth became spiritual wealth, material goods became gifts

from the Divine. The Christianization of capitalist became a moral imperative.⁴⁴ The public marriage of conservatism with Christianity in American politics is a true watershed moment in the nation's history, and to downplay the very real impact of such an event is akin to rewriting that history. The landscape of American politics in the modern age is a testament to the reality of the Fourth Great Awakening.

The powerful partnership between Will Hays and Daniel Lord gave the Republican Party time to tend to its wounds after decades of consistent failure, and the new emphasis on morality brought about by Lord's Code and Martin Quigley's Legion of Decency gave the conservative movement a readymade platform to begin its revival in the 1950s. It is perhaps no coincidence that it was about that time that producers began to once more get away with ignoring the Code's provisions. Hays died in 1954, and Breen retired that same year. Lord died a year later. The Code persisted until the late sixties, when the release of a film titled *The Graduate* destroyed Code censorship forever.

⁴⁴ Wyndy Corbin, "The Impact of Evangelical Ethics" (*CrossCurrents*, Fall 2005, 340-350), 346.

Appendix: The Production Code

Motion picture producers recognize the high trust and confidence which have been placed in them by the people of the world and which have made motion pictures a universal form of entertainment.

They recognize their responsibility to the public because of this trust and because entertainment and art are important influences in the life of a nation.

Hence, though regarding motion pictures primarily as entertainment without any explicit purpose of teaching or propaganda, they know that the motion picture within its own field of entertainment may be directly responsible for spiritual or moral progress, for higher types of social life, and for much correct thinking.

During the rapid transition from silent to talking pictures they have realized the necessity and the opportunity of subscribing to a Code to govern the production of talking pictures and of re-acknowledging this responsibility.

On their part, they ask from the public and from public leaders a sympathetic understanding of their purposes and problems and a spirit of cooperation that will allow them the freedom and opportunity necessary to bring the motion picture to a still higher level of wholesome entertainment for all the people.

General Principles

1. No picture shall be produced that will lower the moral standards of those who see it. Hence the sympathy of the audience should never be thrown to the side of crime, wrongdoing, evil or sin.

2. Correct standards of life, subject only to the requirements of drama and entertainment, shall be presented.

3. Law, natural or human, shall not be ridiculed, nor shall sympathy be created for its violation.

Particular Applications

I. Crimes Against the Law

These shall never be presented in such a way as to throw sympathy with the crime as against law and justice or to inspire others with a desire for imitation.

1. Murder

a. The technique of murder must be presented in a way that will not inspire imitation.

b. Brutal killings are not to be presented in detail.

c. Revenge in modern times shall not be justified.

2. Methods of Crime should not be explicitly presented.

a. Theft, robbery, safe-cracking, and dynamiting of trains, mines, buildings, etc., should not be detailed in method.

b. Arson must subject to the same safeguards.

c. The use of firearms should be restricted to the essentials.

d. Methods of smuggling should not be presented.

3. Illegal drug traffic must never be presented.

4. The use of liquor in American life, when not required by the plot or for proper characterization, will not be shown.

II. Sex

The sanctity of the institution of marriage and the home shall be upheld. Pictures shall not infer that low forms of sex relationship are the accepted or common things.

1. Adultery, sometimes necessary plot material, must not be explicitly treated, or justified, or presented attractively.

2. Scenes of Passion

a. They should not be introduced when not essential to the plot.

b. Excessive and lustful kissing, lustful embraces, suggestive postures and gestures, are not to be shown.

c. In general passion should so be treated that these scenes do not stimulate the lower and baser element.

3. Seduction or Rape

a. They should never be more than suggested, and only when essential for the plot, and even then never shown by explicit method.

b. They are never the proper subject for comedy.

4. Sex perversion or any inference to it is forbidden.

5. White slavery shall not be treated.

6. Miscegenation (sex relationships between the white and black races) is forbidden.

7. Sex hygiene and venereal diseases are not subjects for motion pictures.

8. Scenes of actual childbirth, in fact or in silhouette, are never to be presented.

9. Children's sex organs are never to be exposed.

III. Vulgarity

The treatment of low, disgusting, unpleasant, though not necessarily evil, subjects should always be subject to the dictates of good taste and a regard for the sensibilities of the audience.

IV. Obscenity

Obscenity in word, gesture, reference, song, joke, or by suggestion (even when likely to be understood only by part of the audience) is forbidden.

V. Profanity

Pointed profanity (this includes the words, God, Lord, Jesus, Christ - unless used reverently - Hell, S.O.B., damn, Gawd), or every other profane or vulgar expression however used, is forbidden.

VI. Costume

1. Complete nudity is never permitted. This includes nudity in fact or in silhouette, or any lecherous or licentious notice thereof by other characters in the picture.
2. Undressing scenes should be avoided, and never used save where essential to the plot.
3. Indecent or undue exposure is forbidden.
4. Dancing or costumes intended to permit undue exposure or indecent movements in the dance are forbidden.

VII. Dances

1. Dances suggesting or representing sexual actions or indecent passions are forbidden.

2. Dances which emphasize indecent movements are to be regarded as obscene.

VIII. Religion

1. No film or episode may throw ridicule on any religious faith.

2. Ministers of religion in their character as ministers of religion should not be used as comic characters or as villains.

3. Ceremonies of any definite religion should be carefully and respectfully handled.

IX. Locations

The treatment of bedrooms must be governed by good taste and delicacy.

X. National Feelings

1. The use of the Flag shall be consistently respectful.

2. The history, institutions, prominent people and citizenry of other nations shall be represented fairly.

XI. Titles

Salacious, indecent, or obscene titles shall not be used.

XII. Repellent Subjects

The following subjects must be treated within the careful limits of good taste:

1. Actual hangings or electrocutions as legal punishments for crime.

2. Third degree methods.

3. Brutality and possible gruesomeness.

4. Branding of people or animals.

5. Apparent cruelty to children or animals.

6. The sale of women, or a woman selling her virtue.
7. Surgical operations.

Reasons Supporting the Preamble of the Code

I. Theatrical motion pictures, that is, pictures intended for the theatre as distinct from pictures intended for churches, schools, lecture halls, educational movements, social reform movements, etc., are primarily to be regarded as ENTERTAINMENT.

Mankind has always recognized the importance of entertainment and its value in rebuilding the bodies and souls of human beings.

But it has always recognized that entertainment can be a character either HELPFUL or HARMFUL to the human race, and in consequence has clearly distinguished between:

- a. Entertainment which tends to improve the race, or at least to re-create and rebuild human beings exhausted with the realities of life; and
- b. Entertainment which tends to degrade human beings, or to lower their standards of life and living.

Hence the MORAL IMPORTANCE of entertainment is something which has been universally recognized. It enters intimately into the lives of men and women and affects them closely; it occupies their minds and affections during leisure hours; and ultimately touches the whole of their lives. A man may be judged by his standard of entertainment as easily as by the standard of his work.

So correct entertainment raises the whole standard of a nation.

Wrong entertainment lowers the whole living conditions and moral ideals of a race.

Note, for example, the healthy reactions to healthful sports, like baseball, golf; the unhealthy reactions to sports like cockfighting, bullfighting, bear baiting, etc.

Note, too, the effect on ancient nations of gladiatorial combats, the obscene plays of Roman times, etc.

II. Motion pictures are very important as ART.

Though a new art, possibly a combination art, it has the same object as the other arts, the presentation of human thought, emotion, and experience, in terms of an appeal to the soul through the senses.

Here, as in entertainment,

Art enters intimately into the lives of human beings.

Art can be morally good, lifting men to higher levels. This has been done through good music, great painting, authentic fiction, poetry, drama.

Art can be morally evil in its effects. This is the case clearly enough with unclean art, indecent books, suggestive drama. The effect on the lives of men and women are obvious.

Note: It has often been argued that art itself is unmoral, neither good nor bad. This is true of the THING which is music, painting, poetry, etc. But the THING is the PRODUCT of some person's mind, and the intention of that mind was either good or bad morally when it produced the thing. Besides, the thing has its EFFECT upon those who come into contact with it. In both these ways, that is, as a product of a mind and as the cause of definite effects, it has a deep moral significance and unmistakable moral quality.

Hence: The motion pictures, which are the most popular of modern arts for the masses, have their moral quality from the intention of the minds which produce them and from their effects on the moral lives and reactions of their audiences. This gives them a most important morality.

1. They reproduce the morality of the men who use the pictures as a medium for the expression of their ideas and ideals.

2. They affect the moral standards of those who, through the screen, take in these ideas and ideals.

In the case of motion pictures, the effect may be particularly emphasized because no art has so quick and so widespread an appeal to the masses. It has become in an incredibly short period the art of the multitudes.

III. The motion picture, because of its importance as entertainment and because of the trust placed in it by the peoples of the world, has special MORAL

OBLIGATIONS:

A. Most arts appeal to the mature. This art appeals at once to every class, mature, immature, developed, undeveloped, law abiding, criminal. Music has its grades for different classes; so has literature and drama. This art of the motion picture, combining as it does the two fundamental appeals of looking at a picture and listening to a story, at once reaches every class of society.

B. By reason of the mobility of film and the ease of picture distribution, and because the possibility of duplicating positives in large quantities, this art reaches places unpenetrated by other forms of art.

C. Because of these two facts, it is difficult to produce films intended for only certain classes of people. The exhibitors' theatres are built for the masses, for the cultivated and the rude, the mature and the immature, the self-respecting and the criminal. Films, unlike books and music, can with difficulty be confined to certain selected groups.

D. The latitude given to film material cannot, in consequence, be as wide as the latitude given to book material. In addition:

a. A book describes; a film vividly presents. One presents on a cold page; the other by apparently living people.

b. A book reaches the mind through words merely; a film reaches the eyes and ears through the reproduction of actual events.

c. The reaction of a reader to a book depends largely on the keenness of the reader's imagination; the reaction to a film depends on the vividness of presentation.

Hence many things which might be described or suggested in a book could not possibly be presented in a film.

E. This is also true when comparing the film with the newspaper.

a. Newspapers present by description, films by actual presentation.

b. Newspapers are after the fact and present things as having taken place; the film gives the events in the process of enactment and with apparent reality of life.

F. Everything possible in a play is not possible in a film:

a. Because of the larger audience of the film, and its consequential mixed character. Psychologically, the larger the audience, the lower the moral mass resistance to suggestion.

b. Because through light, enlargement of character, presentation, scenic emphasis, etc., the screen story is brought closer to the audience than the play.

c. The enthusiasm for and interest in the film actors and actresses, developed beyond anything of the sort in history, makes the audience largely sympathetic toward the characters they portray and the stories in which they figure. Hence the audience is more ready to confuse actor and actress and the characters they portray, and it is most receptive of the emotions and ideals presented by the favorite stars.

G. Small communities, remote from sophistication and from the hardening process which often takes place in the ethical and moral standards of larger cities, are easily and readily reached by any sort of film.

H. The grandeur of mass settings, large action, spectacular features, etc., affects and arouses more intensely the emotional side of the audience.

In general, the mobility, popularity, accessibility, emotional appeal, vividness, straightforward presentation of fact in the film make for more intimate contact with a larger audience and for greater emotional appeal.

Hence the larger moral responsibilities of the motion pictures.

Bibliography

- Black, Gregory. "Censorship: A Historical Interpretation." *Journal of Dramatic Theory and Criticism*, Fall 1991, pp. 167-185.
- _____. *Hollywood Censored: Morality Codes, Catholics, and the Movies*. New York: Cambridge University Press, 1996.
- _____. "Who Controls What We See? Censorship and the Attack on Hollywood Immorality," in *Movies in American Society*, ed. Stephen J. Ross. Malden: Blackwell Publishing, 2002.
- Brodsky, Bob. "When the Minister Made Movies: A Questionable Activity." *Film History*, Vol.19, 2007, pp. 429-437.
- Butler, Frank. "Coal and Iron Justice." *The Nation*, 16 October 1929.
<<http://explorepahistory.com/odocument.php?docId=1-4-29A>> Accessed 12 February 2012.
- Cahir, Linda Costanzo. *Literature into Film: Theory and Practical Approaches*. Jefferson: McFarland and Company, 2006.
- Corbin, Wyndy. "The Impact of Evangelical Ethics." *CrossCurrents*, Fall 2005, pp. 340-350.
- Gardner, Gerald. *The Censorship Papers: Movie Censorship Letters from the Hays Office 1934-1968*. New York: Dodd, Mead & Company, 1987.
- Hall, Mordaunt. "Walter Houston as a President of the United States Who Proclaims Himself a Dictator." *The New York Times*, 1 April 1933.
<<http://movies.nytimes.com/movie/review?res=9401E3DD1438E333A25752C0A9629C946294D6CF>> Accessed 3 December 2011.
- Hays, Will H. "Draft for Post Office Department Library." The Will Hays Papers, microfilm, 8:0394.
- Hendricks, Obery M. "Class, Political Conservatism, and Jesus." *CrossCurrents*, Fall 2005, pp. 304-321.
- Lord, Daniel. "Of Dirty Stories." Australian Catholic Truth Society No 866, 1944.
- _____. "Fashionable Sin: A Modern Discussion of an Unpopular Subject." Australian Catholic Truth Society No. 1353, 1961.
- _____. *Played By Ear: The Autobiography of Daniel A. Lord, S.J.* Chicago: Loyola University, 1955.

Nugent, Frank S. "Twentieth Century-Fox Shows a Flawless Film Edition of John Steinbeck's *The Grapes of Wrath*, With Henry Fonda and Jane Darwell, at the Rivoli." *The New York Times*, 25 January 1940. <<http://movies.nytimes.com/movie/review?res=9802E7D91E3EE23ABC4D51DFB766838B659EDE>> Accessed 3 December 2011.

"Producers Resent Boycott of Films." *The New York Times*, 8 December, 1934. The Will Hays Papers, microfilm.

Sarris, Andrew. "Film: The Illusion of Naturalism." *The Drama Review*, Vol. 13, No. 2, Winter 1968, pp. 108-112.

Sennwald, Andrew. "Paul Muni in the Coal-Mine Melodrama *Black Fury* at the Strand." *The New York Times*, 11 April 1935. <<http://movies.nytimes.com/movie/review?res=9A0CEFD91F3CE23ABC4952DFB266838E629EDE>> Accessed 3 December 2011.

Sloan, Kay. "Heroes and Heroines of Their Own Entertainment: Progressive-Era Cinema" in *Movies in American Society*, ed. Stephen J. Ross. Malden: Blackwell Publishing, 2002.

Steinbeck, John. *The Grapes of Wrath*. New York: Penguin Press, 2006.

Warren, Frank A. *An Alternative Vision: The Socialist Party in the 1930s*. Bloomington: Indiana University Press, 1974.

Films

Curtiz, Michael. *Black Fury*. Los Angeles: Warner Brothers, 1935.

Curtiz, Michael. *Angels With Dirty Faces*. Los Angeles: Warner Brothers, 1938.

Ford, John. *The Grapes of Wrath*. Los Angeles: Twentieth Century Fox, 1940.

La Cava, Gregory. *Gabriel Over the White House*. Los Angeles, MGM Studios, 1933.