

**THE CATHOLIC CRUSADE
AGAINST THE MOVIES, 1940–1975**

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ILLUSTRATIONS

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INTRODUCTION

For more than three decades, from 1934 to the late 1960s, the Catholic church, through its Legion of Decency, had the power that modern Christian conservatives like Pat Robinson, Jerry Falwell, and Ralph Reed, political conservatives like William Bennett and Bob Dole, media personalities like Rush Limbaugh, and countless politicians of all stripes can only dream about – the power to control the content of Hollywood films. The Catholic church’s Legion of Decency could, and did, dictate to Hollywood producers the amount of sex and violence that was allowable on the screen. The producers meekly removed any scene that offended the church.

For more than three decades the Legion served as moral guardian for the American public. The Catholic church was able to force Hollywood to submit every film it produced to a small group of Legion reviewers in New York before its release. The Legion then issued a rating for the film, which could vary from approval for all age groups to the most feared rating, “C” (condemned) – forbidden viewing for all Catholics.

Hollywood producers could avoid a condemned rating by entering into negotiation with the Legion. If they were willing to remove the offending material, the Legion would reclassify the film, which would allow Catholics to attend. This scenario was repeated countless times between 1934 and the end of the censorship system in the late 1960s. *Duel in the Sun*, *Forever Amber*, *A Streetcar Named Desire*, *Lolita*, *Baby Doll*, *Tea and Sympathy*, and *Suddenly Last Summer* represent just a few examples of films discussed in this book that were heavily censored by the Legion before the public was allowed to see them.

The Catholic church, the Legion of Decency, and many modern advocates of tighter control of the mass media have always maintained that the Legion did not censor movies but only classified them. A Catholic publication, *Ave Maria*, editorialized that familiar stance in 1949. When critics complained of Legion censorship the magazine told readers that “the Legion of Decency is not a censorship body. It simply grades pictures on moral values. It advises but does not command.”¹ Russell Whelan, writing in the

American Mercury, repeated that theme when he wrote that “the Legion technically is a pressure group, and not a censor. . . . It applies mundane pressure on Hollywood to prevent certain subjects and modes of treatment from reaching the screen.”² Nothing could be further from the truth than the myth that the Legion did not censor movies.

It did much more than just rate films for Catholic audiences. As this book shows, the Legion demanded that offending films be altered to Catholic tastes before the Legion would bless them. They further demanded that Hollywood not exhibit any print of the film anywhere in the world other than that approved by the Catholic Legion of Decency. In addition to this type of censorship, the Legion called for a nationwide boycott of all condemned films and demanded that all Catholics stay away from any theater that dared exhibit a condemned film for six months to a year. It is important to note that the films discussed in this book were not obscene or pornographic in any sense. They were the products of the Hollywood studio system and most had been approved by the Hollywood Production Administration (PCA) and/or the state and municipal censorship boards that functioned during this era.

A Legion condemnation also brought a fury of attacks against the offending film, and the theaters that played it, from the Catholic press and pulpits. The mere threat that the more than twenty million Catholics would join in unison against a single film made the Hollywood executives quake with fear.

The process, however, did not start with a public condemnation. Most of the time when the Legion first threatened to condemn a film they did so privately. They did not officially review scripts – that was the job of the PCA; rather, the Legion reviewed the final print of the film when it was sent to New York for duplication and then distribution to the nation’s theaters. This reviewing process included an opportunity to change the film. If the Legion did not like what it saw, word was sent to the producing studio that negotiations were in order. A letter or a telephone conversation would detail Legion objections, and the process of censorship would begin. If the offending film was altered to suit Catholic tastes, the condemned rating would be changed to a classification that would not ban Catholics from attending. Here the Legion moved away from its role of moral judge to that of censors: Legion priests negotiated with studios to eliminate certain scenes, reshoot or recut others, change dialogue, or add a prologue or epilogue to a film to make it acceptable to the Catholic church. This action turned the Legion into a national board of censorship.

The Legion often worked hand in hand with the industry’s censorship board, the Production Code Administration, to keep the movies from exploring social, political, and economic issues that it believed were either immoral or a danger to the Catholic church. For twenty years, from 1934 until

the retirement of PCA director Joseph I. Breen, the PCA and the Legion were linked so closely that it is next to impossible to separate them. The PCA sent the Legion scripts and asked for an “unofficial” opinion on the overall theme or a particular scene. That opinion was often sent back to the studio with a warning that it needed to be altered to avoid Legion wrath. The files of both organizations, which are open without restrictions to scholars, are full of correspondence from representatives of each agency; they were in constant contact with each other.

This is not to say that they always agreed on what was immoral – they did not; but the working relationship was extremely close. The Legion was, however, also quite capable of independent action. It was not adverse to slapping Breen’s hands in the belief that he had allowed some moral infraction to slip into a movie. After Breen’s retirement in 1954, the relationship between the Legion and the PCA under the directorship of Geoffrey Shurlock was not as close as it had once been, but neither was it an adversarial relationship.

How this religious organization got this power, used it, and finally lost it is the subject of this book. *The Catholic Crusade against the Movies* is a continuation of my work on censorship and film. In 1994 my book *Hollywood Censored* concentrated on the decade of the 1930s, when this dual system of censorship was established. After a brief recap of these events in Chapter 1, the present book picks up the story where *Hollywood Censored* left off and covers roughly the period 1940–75, when the full impact of the movie ratings system was clearly established.

CHAPTER 1

A CATHOLIC COUP AGAINST HOLLYWOOD

My eyes nearly popped out when I read it. This was the very thing I had been looking for.

– Will Hays after reading Father Daniel Lord’s movie code.

Late in 1995, the Pontifical Council for Social Communication identified forty-five films produced in the United States, Europe, and Asia that, it said, possessed special artistic or religious merit. The list was prepared as part of the Vatican’s contribution to the hundredth anniversary of the cinema. For the average moviegoer there were many recognizable films: The Vatican council cited, among others, Fred Zinnemann’s *A Man for All Seasons*, William Wyler’s *Ben Hur*, Gabriel Axel’s *Babette’s Feast*, Frank Capra’s *It’s a Wonderful Life*, Louis Malle’s *Au Revoir les Enfants*, Victor Fleming’s *The Wizard of Oz*, and Steven Spielberg’s *Schindler’s List*. The purpose of the council’s list, said Henry Herx, director of the United States Catholic Conference Office for Film and Broadcasting, was to recognize films that all critics “would agree were major works of international significance.”¹

Nevertheless, those familiar with the history of the relationship between the movie industry and the Catholic church in America know that only recently has the church taken such an enlightened view of the movies. For example, the council cited *Open City*, Roberto Rossellini’s classic account of Rome under Fascist rule, under the values category. Upon the film’s release fifty years earlier, however, the Catholic Legion of Decency had issued *Open City* a “B” classification (objectionable in part), objecting to its “suggestive” costumes and its portraying narcotics use; such a classification was interpreted by many priests and bishops as meaning a film was off limits for all Catholics. Two other films that won a place on the select list, Federico Fellini’s *La Strada* and Vittorio De Sica’s *The Bicycle Thief*, had also been branded by the Catholic Legion of Decency in the late 1940s and mid-1950s as “morally objectionable in part for all.”

The Pontifical Council’s evaluation of films represents a truly remarkable change of attitude by the Catholic church toward the movies. It is especially

remarkable when compared to the stance taken by the church from the early 1930s until the late 1960s. During that era Catholic prelates and priests played a dominant role in determining what was seen on the screen. A Catholic priest, Father Daniel Lord, wrote the Production Code that defined what was acceptable movie content for Hollywood. From 1934 until the early 1950s a staunch lay Catholic, Joseph I. Breen, rigorously enforced Lord's code at the Production Code Administration (PCA), often over the protests of studio executives, producers, directors, and screenwriters.

The PCA, however, represented only the first step in the process of purification that all Hollywood films underwent during the Legion's reign. After receiving a Production Code seal of approval, films were shipped to New York for duplication and distribution; but before that process could begin each film was submitted to the Catholic Legion of Decency for a final review. The PCA and the Legion worked closely together and often combined forces to prevent studios from offending Catholic sensibilities, but the Legion always stood ready to condemn any film it believed immoral. A Legion condemnation shook Hollywood to its core because Catholics, some twenty million strong, were theoretically forbidden, under the penalty of mortal sin, to attend the condemned film. Any theater that exhibited a condemned film was targeted for boycott by Catholic organizations such as the Knights of Columbus. The industry believed that the combination of negative publicity and Catholic boycott would make it impossible for any Legion-condemned film to make a profit. Rather than risk a loss of income or challenge the Legion's authority to censor their product, producers bowed to the pressure and cut the offending material from all prints exhibited worldwide. In reality, then, the Legion's view of sex and politics reached an international market.

The story of the Legion is inextricably entwined with the history of Hollywood filmmaking. The Legion had a direct, overt effect on the content of Hollywood films; it also had a "chilling" effect on studio executives, producers, directors, and writers, who realized that certain subjects were either banned from the screen or could be presented only within a certain framework because of Catholic opposition. The history of the relationship between the Legion and Hollywood, of a religious organization's censorship of a mass medium, is the subject of this book. It entailed a cultural war between the Legion, which believed it spoke for the moral values of the American public, and the the movie industry, which fought – often rather meekly – for freedom of the screen.

From the mid-1930s until Otto Preminger's release of *The Moon Is Blue* in 1953, no Hollywood studio seriously challenged the right of the priests to censor their films. From 1953 until the establishment of the current ratings system, only a handful of independent producers, foreign and domestic, refused to submit their films to Legion censors.

It would be wrong, however, to imply that only the Catholic church wanted movies censored. Moral guardians of all religious and political stripes had long feared that movies, more than any other form of communication or entertainment, had the ability to change radically the moral and political beliefs of their audience. The problem was that movies graphically visualized topics of sex and politics that many people did not want discussed in public. From the very beginning, filmmakers had turned to popular literature, drama, and contemporary issues for story lines. Historians Kevin Brownlow, Kay Sloan, and Janet Staiger have shown that the content of early silent films was contemporary, wide-ranging, and frank. Brownlow chronicled a silent cinema that revealed “the corruption of city politics, the scandal of white slave rackets, the exploitation of immigrants” and had gangsters, pimps, loan sharks, and drug addicts sharing the screen with Mary Pickford.² Sloan noted that “the cinema championed the cause of labor, lobbied against political ‘bosses,’ and often gave dignity to the struggles of the urban poor.”³ Staiger’s analysis revealed a frank discussion of sexuality and desire in pre-World War I cinema.⁴ All three historians found that silent films not only upheld traditional standards but debunked and challenged them as well.

The movies were born during the height of the Progressive reform movement in the United States. Progressive reformers exposed corruption in government and shocked the American public with lurid exposés about child labor, urban living conditions, prostitution, and alcoholism. As remedies they sponsored legislation to regulate the use of child labor, used the licensing power of the state to enforce safety and sanitary codes, passed compulsory education laws, regulated the production of consumer products with “pure food and drug” acts, and reformed the electoral process on the local, state, and federal levels.

The movies, of course, were an especially troublesome recreation form for Progressive reformers. For one thing, the environment was all wrong: Rather than staying in the open, with clean air and exercise, children were flocking to dirty, dingy movie theaters. Jane Addams, the consummate reformer whose Hull House in Chicago brought her international recognition, wrote that the movies were a “veritable house of dreams” for the children of America. Addams was convinced, like so many of her day, that films were a more powerful influence on the minds of children than any other form of communication or education. She believed that what children saw on the screen directly and immediately was transformed into action.⁵

Nonetheless, Addams and the Progressives recognized that, conversely, if films could preach positive values, their potential to educate, to play a positive role in socializing the citizenry, was unlimited. Convinced that movies were “making over the minds of our urban population,” Addams thought they ought to advocate good citizenship, the superiority of Anglo-Saxon

ideals, and the value of hard work. If films could be turned into morality lessons for workers, they could become an ally in the Progressive fight to protect the masses against the combined forces of poverty, corruption, and injustice.

Ministers, social workers, civic reformers, police, politicians, women's clubs, and civic organizations joined with Progressive reformers in accusing the movies of inciting young boys to crime by glorifying criminals, and of corrupting young women by romanticizing "illicit" love affairs. These "moral guardians" – a loose-knit confederation of reformers who ranged from thoughtful and sometimes perceptive critics like Jane Addams to religious reactionaries like New York's Canon William Shaefe Chase – claimed that movies were changing traditional values, not reflecting them, and demanded that government use its licensing and regulatory powers to censor this new form of entertainment.

Chicago enacted the first film censorship law in 1907 when it required exhibitors to secure a permit from the Superintendent of Police before exhibiting films. In 1909, in response to growing demands for strict censorship, Progressive reformer Charles Sprague Smith formed the New York Board of Motion Picture Censorship. The industry, which was then located in New York City, quickly agreed to submit films for review to this board, which comprised volunteers from a variety of New York civic and social organizations. Despite its name, however, the board was reluctant to censor. The result was that the movies continued to provoke controversy.

The Pennsylvania legislature reacted to continued complaints from moral guardians when, in 1911, it declared the board "ineffective" and passed a law that created its own board to screen films before exhibition in the state. Kansas and Ohio followed suit in 1913. By 1915 – by which time the New York censorship board had been renamed the National Board of Review of Motion Pictures (NBR)⁶ – a host of municipal and state censorship boards had been created to impose local community standards of morality on films.

The common denominator was that all the censorship boards were committed to eliminating depictions of changing moral standards, limiting scenes of crime (which they believed to be responsible for an increase in juvenile delinquency), and avoiding as much as possible any screen portrayal of civil strife, labor-management discord, or government corruption and injustice. The screen, these moral guardians held, was not a proper forum for discussing delicate sexual issues or for social or political commentary.⁷

The movie industry disagreed, arguing that movies had the same constitutional protections of free speech that other forms of communication were afforded. The constitutional challenge to film censorship came in Ohio, where the state board was especially restrictive. All films required prior approval by the board, which held that only "such films as are in the judgment

and discretion of the board of censors of a moral, educational or amusing and harmless character” could be exhibited in the state.⁸ Ohio, as with most of the censorship boards, charged a fee to film distributors to have their films licensed for exhibition.

Perhaps overly confident that the courts would extend to movies the same free-speech rights enjoyed by the press, Harry E. Aitken’s Mutual Film Corporation, an interstate film exchange, sought an injunction against the state. The Ohio law, Mutual claimed, restrained trade by forcing Mutual to pay a license fee for each film exhibited. Mutual further maintained the law was a clear violation of the free-speech provisions of the federal and Ohio constitutions. When the District Court denied their injunction, Mutual appealed to the United States Supreme Court. It would prove to be a calamitous decision.⁹

Before the U.S. Supreme Court, William B. Saunders, Mutual’s lawyer, argued that movies were no different from other forms of communication protected under the provisions of “free speech”; therefore, movies were “part of the press” and were “increasingly important . . . in the spreading of knowledge and the molding of public opinion upon every kind of political, educational, religious, economic and social question.”¹⁰

The film industry was stunned when the Supreme Court unanimously rejected Saunders’s arguments. Justice Joseph McKenna, who wrote the opinion, stated: “We feel the argument is wrong or strained which extends the guaranties of free opinion and speech” to theater, the circus, or movies because “they may be used for evil.” McKenna concluded that movies were “a business pure and simple,” and not “regarded by the Ohio constitution . . . as part of the press . . . or as organs of public opinion.”¹¹

The Supreme Court’s description of the movies as “evil” was music to the ears of moral guardians everywhere. The judges had recognized that movies communicated ideas more effectively and more seductively than any of the traditional forms of communication or education. Moreover, the ideas they disseminated were potentially “evil.”

This logic, strange as it may seem today, was not outside the American judicial mainstream. In upholding the Ohio law, the Court affirmed the power of local communities to protect themselves from outside “evil” through licensing, whether of the physical theater or of the content of the product offered the public.

No matter how ill-informed or unfair the *Mutual* decision might have been, the hard reality was that it was the rule of law for the next four decades. Government censorship of movies prior to their exhibition was legal. The very thing the industry feared most – an explosion of municipal and state censorship laws, each one conflicting with the other – now seemed probable.

The demand for action against the movies accelerated when a series of sensational sex scandals about the private lives of the stars rocked the industry. The most famous centered around rotund comedian Roscoe “Fatty” Arbuckle. Second only to Charlie Chaplin in popularity, Arbuckle was at the peak of his career when an actress, Virginia Rappe, died after a wild Hollywood party hosted by Arbuckle at San Francisco’s St. Francis Hotel. The press had a field day with Arbuckle, insinuating that the combination of his weight and perverse sexual appetite had killed the woman. After three sensational trials (the first two were hung juries) Arbuckle was exonerated. The third jury felt so strongly of his innocence that they issued him an apology. Public opinion, however, judged him guilty.

Nor did the scandals stop with Arbuckle. Director William Desmond Taylor was found murdered, and a series of front-page stories revealed a life-style of drugs and sex. America was shocked when matinee idol Wallace Reid died from drug complications. Even America’s sweetheart, Mary Pickford, was caught in the web of sexual impropriety: Her divorce from actor Owen Moore and almost immediate marriage to Douglas Fairbanks shocked the nation. The conduct of the stars and the content of the movies confirmed for critics that Hollywood was the modern Babylon.

The embattled movie industry united in January 1922 to create a trade association, the Motion Picture Producers and Distributors of America (MPPDA). Movies, the studio owners believed, needed a squeaky clean image and an astute politician who could organize effective political campaigns to combat censorship bills at the federal and state level. They chose as their new “czar” the Hoosier William Harrison (Will) Hays, Postmaster General in President Warren Harding’s cabinet and chairman of the Republican National Committee.

Hays was a perfect choice. His roots were solidly midwestern, his politics conservatively Republican, his religion mainstream Presbyterian, and he was “passionately opposed to state interference with business.”¹² During his first eight years as head of the trade association he used his political base in the Republican Party to fend off censorship bills in the states, most notably Massachusetts, and to kill proposals for federal regulation that cropped up on a yearly basis in Congress. He worked hard at sanitizing the offscreen image of the industry and established a cooperative spirit among the fiercely competitive movie companies. Under his stewardship Hollywood became the unquestioned leader in the production of worldwide popular entertainment. In 1922 Hollywood averaged forty million paid admissions per week; by 1928 the figure stood at sixty-five million; and in 1930 it hit a record ninety million! Foreign revenues reflected a similar growth.¹³

Hays first attempted to achieve self-regulation for the MPPDA in 1924 when he presented its Board of Directors with “The Formula.” This request-

ed that each studio forward to the Hays Office a synopsis of every play, novel, or story under consideration for a future film; the office would then judge the suitability of the material for the screen. In most ways, this voluntary scheme failed. Even though 125 proposals were rejected, “The Formula” did little to quiet protests.¹⁴

In a continuing effort to gain control over the studios and the content of films, Hays next created a Studio Relations Department (SRD) and appointed Jason Joy, a former executive secretary of the American Red Cross, as its director. Headquartered in Los Angeles, Joy worked closely with the studios trying to delete material that would offend censors. The SRD drew up a code of the most common demands of the municipal and state censorship boards. The working document became known as the “Don’ts and Be Carefuls” and prohibited, among other things, profanity, nudity, drug trafficking, and white slavery; it also urged producers to exercise good taste in presenting such adult themes as criminal behavior, sexual relations, and violence. Even so, each studio interpreted these guidelines according to its own inclination, and criticism continued.

The advent of sound films late in the decade simply complicated the situation. Now, instead of exaggerated pantomime, films stars used dialogue. Men and women openly discussed their love affairs on the screen, criminals bragged about their crimes, and politicians spoke cynically about the important issues facing the government. This new openness delighted movie fans and infuriated the moral guardians, who intensified their demand that government regulate this powerful medium of communication. What Hays needed was some mechanism that would allow the movies to continue to attract huge numbers of paying customers while muting the protests of a very vocal, influential minority.

Ironically, it was a religious institution, the Catholic church, that offered Hays a solution. Since the inception of the movies at the turn of the century the Catholic church had adopted no official policy toward films. Catholics were free to choose which films they saw and when they saw them. Although an occasional priest might conduct a local campaign against “evil” films, the hierarchy of the church refused to condemn the film industry or join the Protestant demands for federal regulation. Catholic organizations such as the International Federation of Catholic Alumnae (IFCA), a Catholic women’s organization, cooperated with the Hays Office by publicizing “good films” and ignoring the rest. By 1929, however, a small group of Catholic laymen and priests were becoming more and more uncomfortable with what they perceived as the declining moral quality of films.

Martin Quigley, a staunch lay Catholic and owner and publisher of the industry trade journal *Exhibitors Herald*, published in Chicago, took the first steps toward Catholic involvement. Quigley, a native of Cleveland, had at-

tended Niagara University and Catholic University of America before embarking on a career in journalism. His journal would soon merge with *Moving Picture World* to form the *Motion Picture Herald*, which became an important industry trade publication. While not as well known outside the industry as *Variety*, this new *Herald* gave Quigley a pulpit for promoting film morality. An advocate for theater owners, he opposed government censorship as ineffective.

Quigley argued instead that if censurable material could be eliminated during production, political censorship boards would be unnecessary. In turn this would also undercut the demands of the Protestant lobby for an elimination of block booking, the industry practice whereby theater owners had to rent films not individually by title (which would allow exhibitors to take local community standards into consideration), but in a block. Quigley thus advocated stricter self-regulation by the industry as a means of reducing criticism and ensuring continued popularity of the movies.

While he opposed Protestants' methods, Quigley shared their conviction that movies were increasingly immoral. He was further convinced that movies ought to avoid social, political, and economic subjects: Moving pictures, in his view, should be simple entertainment, not social commentary. In Chicago during the summer of 1929, he and a local parish priest, Father Fitz-George Dinneen, S.J., began to formulate a new code of behavior for the film industry. Both men hoped it would force moviemakers to consider the moral issues in their films as well as the entertainment values.

Father Dinneen arranged for Quigley to meet privately with George W. Cardinal Mundelein to discuss his concept of a Catholic code for the movies. Mundelein had long favored police censorship of the new medium. Quigley countered that a new code of behavior written by Catholics and backed by the hierarchy of the church would eliminate the need for police or political censorship. He stressed to Mundelein that the Catholic church – twenty million strong, heavily concentrated in urban centers, and boasting its own national press with a circulation of more than six million readers a week – was in a unique position to exert influence on the industry. Being more centralized than the Protestant denominations the mere threat of united Catholic action, Quigley argued, would force the industry to reform.¹⁵

Mundelein supported Quigley's idea that the Church draft a moral code for the movies.¹⁶ When Father Dinneen suggested bringing in Father Daniel Lord, S.J., to write the document, the cardinal gave his blessing.¹⁷

No reclusive cleric, Lord was professor of dramatics at St. Louis University and editor of the widely read *Queen's Work*, which preached morality and ethics to Catholic youth. Lord, like so many Catholic intellectuals, deplored the modern trend in drama and literature, which dealt with sexual and social issues in increasingly realistic terms.¹⁸

He began a prolific publishing career in 1915 with an attack on George Bernard Shaw in *Catholic World*. In editorials in *Queen's Work*, in pamphlets, in Catholic newspapers and journals, Lord attacked the ultrasophistication of modern living as reflected in literature and drama. Other topics like evolution, birth control, abortion, secular education, and the growth of communism also drew his wrath. As Lord later recalled, he and Dinneen “often groaned together over the horrible stuff that came pouring out of Hollywood.”¹⁹

Joseph I. Breen was another key figure in this small group of provoked Catholics. An active Irish Catholic, Breen graduated from St. Joseph's College in Philadelphia and began a career in journalism as a reporter for the *Philadelphia North American*. After four years in the United States consular service, he went to Washington as the Overseas Commissioner of the National Catholic Welfare Conference. He continued his involvement in Catholic affairs when he was appointed the press relations chief for the 1926 Eucharistic Congress in Chicago, where, by that time, he had also become public relations director of the Peabody Coal Company.²⁰

Breen combined political conservatism with deep religious conviction. He blamed “radical teaching in our great colleges and universities” for undermining American youth. He wrote a series of articles on the threat of communism in the United States for the Jesuit publication *America*, under the pseudonym of “Eugene Ware.”²¹ He was strongly opposed to public discussion of such moral issues as divorce, birth control, and abortion. This was especially true in movies – because Breen believed that average moviegoers were “youngsters between 16 and 26,” most of them “nit-wits, dolts and imbeciles.”²² An extreme anti-Semite, Breen held the Jewish moguls responsible for the decadence on the screen.

Breen and Quigley met through their Catholic connections. From the beginning Breen saw himself as a potential censor. His first suggestion was that he head a Chicago “Board of Examination” to censor film scripts before production. Although this proposal was rejected, Breen would eventually emerge in 1934 as the director of the PCA.²³

For several months Quigley, Breen, Lord, Father Dinneen, and Father Wilfrid Parsons, editor of *America*, discussed a new and more stringent code of behavior for the movies. After studying various state and municipal censorship codes, the Hays Office's “Dont's and Be Carefuls,” and the objections of Protestant reformers, Daniel Lord drafted a Catholic movie code. What emerged was a fascinating combination of Catholic theology, conservative politics, and pop psychology – an amalgam that would control the content of Hollywood films for the next three decades.²⁴ (A copy of this document is included as the Appendix to this volume.)

Although this code is most often discussed as a document that prohibited nudity, required married couples to sleep in twin beds, and effectively ruined

the movie career of that saucy favorite, Mae West, its authors intended it to control much more. Lord and his colleagues shared a common objective with Protestant film reformers: They all wanted entertainment films to emphasize that the church, the government, and the family were the cornerstones of an orderly society; that success and happiness resulted from respecting and working within this system. Entertainment films should reinforce religious teachings that deviant behavior, whether criminal or sexual, cost violators the love and comforts of home, the intimacy of family, the solace of religion, and the protection of law. Films should be twentieth-century morality plays that illustrated proper behavior to the masses.

As Lord explained, Hollywood films were first and foremost “entertainment for the multitudes” and as such carried a “special Moral Responsibility” required of no other medium of entertainment or communication. Their universal popularity – cutting across social, political, and economic classes and penetrating local communities, from the most sophisticated to the most remote – meant that filmmakers could not, Lord argued, be permitted the same freedom of expression allowed producers of legitimate theater, authors of books, or even editors of newspapers.²⁵

Movies had to be more restricted, Lord believed, because they were persuasively and indiscriminately seductive. Whereas audiences of books, plays, and even newspapers were self-selective, the movies had universal appeal. Hollywood’s films, its picture palaces, and its beautiful and glamorous stars combined to create an irresistible fantasy.

Therefore, the basic premise behind the code was that “no picture should lower the moral standards of those who see it.” Recognizing that evil and sin were legitimately part of drama, the code stressed that no film should create a feeling of “sympathy” for the criminal, the adulterer, the immoralist, or the corrupter. No film should be so constructed as to “leave the question of right or wrong in doubt.” Films must uphold, not question or challenge, the basic values of society. The sanctity of the home and marriage must be upheld. The concept of basic law must not be “belittled or ridiculed.” Courts must be shown as just and fair, police as honest and efficient, and government as protective of all people. If corruption was a necessary part of any plot, it had to be restricted: A judge could be corrupt but not the court system; a policeman could be brutal, but not the police force. Interestingly, Lord’s code stated that “crime *need not always be punished, as long as the audience is made to know that it is wrong.*” What Lord wanted films to do was to illustrate clearly to audiences that “evil is wrong” and that “good is right.”²⁶

“I received this morning your final draft of our code,” Quigley wrote Lord in November 1929. Quigley was excited by Lord’s blending of Catholic attitudes toward entertainment with traditional movie taboos.²⁷ With the power of the church behind him, Quigley took Lord’s draft to Hays and began agitating for industry adoption. According to Hays, “My eyes near-

ly popped out when I read it. This was the very thing I had been looking for.”²⁸

With the dramatic stock market crash only a few weeks behind them, film corporation heads in New York were jittery, and Hays convinced them that the code would be good for business: It could quiet demands for federal censorship and undercut the campaign to eliminate block booking. It remained for Hays to convince Hollywood producers that the code made good sense from an entertainment, as well as an economic, point of view. With the full support of the corporate offices in New York and the backing of Cardinal Mundelein in Chicago, Hays and Quigley set off for Los Angeles to “peddle a script” for movie behavior.²⁹

Not surprisingly, Hays found the producers less than enthusiastic over the tone and content of Lord’s code. In fact, the code was, as one scholar of modern Catholicism has written, “hopelessly out of sympathy with the creative artistic mind of the twentieth century.” Taken literally, it forbade movies even to question the veracity of contemporary moral and social standards.³⁰

A small group of producers – MGM’s head of production Irving Thalberg, studio boss Jack Warner of Warner Bros., production head B. P. Schulberg of Paramount, and Sol Wurtzel of Fox – recognized this and offered a counter-proposal.³¹ The producers rejected Lord’s basic contention that the movies had to be more restrictive in presenting material than did other art forms. They maintained that films were simply “one vast reflection of every image in the stream of contemporary life.” In their view, audiences supported movies they liked and stayed away from those they did not. No other guidelines were needed.³²

The two positions could not have been further apart. From the producers’ perspective Lord’s code, representing reformers of all sorts, asked them to present a utopian view of life that denied reality and, frankly, lacked box-office appeal as they understood it. Daniel Lord, however, convinced that the screen was undermining church teachings and destroying family life, wanted a partnership among the movie industry, church, and state that would portray a moral society that uniformly condemned sin, crime, and corruption.

Lord admitted that the world’s imperfections were the stuff of good drama, but he saw no reason why films should not show simple and direct solutions to complex moral, political, economic, and philosophical issues. The producers countered that the American people were the real censors and the box office was their ballot box.

The fascinating aspect of this conflict was that despite strong opposition in Hollywood, Lord’s position, backed by Hays and the Catholic church, was accepted with barely a whimper. Hays liked the new code because it gave him more control over the studios; Lord and Quigley liked it because they believed it would force producers to infuse movies with morality; and from the

producer's point of view, filmmakers had lived and even prospered with local codes since 1911. Furthermore, few people in Hollywood believed the code meant exactly what it said. Even if it did, the producers insisted on one concession that gave them, not Hays, the final say over film content: If any studio felt the Hays office interpreted the code too stringently, a "jury" of producers, not MPPDA officials, would decide whether or not the offending scene should be cut. With that understanding, the code was accepted by the Hollywood producers.³³

While a facade of harmony appeared on the surface, it is clear that from the very beginning there was fundamental misunderstanding over what had been negotiated in Los Angeles. Lord, for example, informed Mundelein that Jason Joy, who was to be the enforcer of the code for Hays, had authority to reject scripts, which meant "that the picture will not be filmed"; further, that finished films rejected or questioned by Joy would be submitted to a committee or jury of producers who could prevent the film from being shown. Lord left Los Angeles with the impression that his code would be rigidly enforced by Joy and that the producers were in full agreement. Nothing could have been further from the truth. As it will soon be made clear, the producers fought Joy from the beginning and saw the code as at best a general guideline for movie morality.