



## What is Pre-Code Hollywood?

What is pre-Code Hollywood? The quickest definition is this: “pre-Code” refers to an era in motion pictures from the arrival of sound (aka ‘talkies’) in 1927 to the mandatory enforcement of the Motion Picture Production Code in July 1934. This era is notable for while being censored, it is not as *severely* censored as the films that follow that July 1934 date.

The fascination with pre-Code films often comes from how openly suggestive and fun the majority of films that compromised those seven years are. Sex, drugs, miscegenation, portrayals of homosexuality, and a host of other issues that would be banned from public consumption for several decades are indulged in and exploited frequently by then-big Hollywood studios. Films could be exploitative and lurid or sophisticated and adult.

## What led to pre-Code Hollywood?

Since motion pictures were created in the late 19th century, they touched on a wide variety of topics, including many illicit or controversial subject matters. Hollywood grew as a capital of motion picture production, and as the bankrolls expanded, so did the scandals. The trial of Roscoe “Fatty” Arbuckle for rape in the early 1920s was a turning point and set off a large boycott of motion pictures and helped solidify Hollywood as a den of vice and immorality.



William Hays.

Seeking to overcome this portrayal, the major motion picture studios formed the Motion Picture Producers and Distributors of America (MPPDA). This trade group secured former Postmaster General William Hayes for its leadership berth and under him sought to clean up the movies’ image, from enforcing code of conduct for filmmakers to limiting racist caricatures.

A major problem for studios of the time was the fact that motion pictures were not considered free speech under the American constitution, and therefore were not afforded any protections in their content. Many states and even a few major cities had censorship boards that could order cuts before any movie would play within their jurisdiction. These cuts could be wildly different from state to state and even country to country— Great Britain, for example, would raise an objection whenever two people shared a bed— even if they were husband and wife. Because the cost of editing the prints to fit the censor’s demands fell back on the studios, these costs were a major drain on the industry.

The goal initially was to avoid censorship by creating guidelines that studios should be mindful of when producing pictures. You know, simple stuff like “don’t show any nudity”. But as the stink of the scandals receded, studios

returned to being bold with their content— sex sells, after all. The Jazz Age also saw widespread social changes, as the post-War sense of nihilism, a booming economy, and new sexual freedoms (including widespread birth control) resulted in an era of laissez faire moral attitudes in cities, while the nation's vast countryside remained staunchly religious and conservative. This clash would only intensify in the early 30s.



The more salacious you could make a movie seem— this poster for *Her Wedding Night* (1930) winks at the audience both figuratively and literally— the bigger the draw.

Back in the movie world, films like *Ben Hur* (1925) and Clara Bow's *It* (1927) showcased nudity and sex appeal. Cecil B. DeMille found that by cloaking scandalous material in the trappings of Biblical stories, he could insert lesbianism and sexual deviance and turn a pretty penny on the result. With the arrival of *The Jazz Singer* from Warner Brothers in 1927, 'talkies' went from novelty to craze, and soon motion picture houses across the nation were outfitted for sound. Because of the high cost of these conversions (most of the country's movie theaters were owned by the movie studios at this point in time), salacious material increased in attempts to boost profits and pay for the expansions.

The Jazz Age died on October 29, 1929. "Black Tuesday" capped off a week of the stock market losing over 30% of its value, the opening salvo in The Great Depression. Movie studios, on top of the costs of conversion and increasing competition with radio, were now faced with an audience with dwindling spending money. It became vital to draw in audiences by any means necessary.

But local censor boards remained a thorn in the side of motion picture producers, and Hays' attempts to force the studios to adhere to stricter sets of moral guidelines were constantly undermined. With profits coming in and no serious financial threat outside of censorship costs, studios had no motivation to tone down their content.

But there was a confrontation brewing.

## What's the 'Code' that pre-Code refers to?

*With the crash, the party was over. In the littered debris of confetti and ticker tape, an enormous sense of guilt set in. One does not turn from the past so suddenly and so unaccountably. A creeping fear that Big Daddy was striking back set in. In a mood of sobriety, a chastened citizenry reacted against those symbols of its great debauch and began to punish them. The Securities and Exchange Commission was made into a powerful bureau to control excesses in the stock market. And the F.B.I. was resurrected from the mothballs and made into a mighty arm of righteousness under the young Director J. Edgar Hoover. The imaginative system of the "ten most wanted" criminals was created, the rumrunners and racketeers were routed, and Prohibition was repealed.*

*The movies were more wily. They promised to control themselves. Since this solution seemed more coordinate with the American ideals of freedom and of the undesirability of censorship, the gesture of good will was accepted generally by the public.*

*I believe that this was pretty much the mood in which the Code first came into being.*

— **See No Evil** by Jack Vizzard, pages 38-39

It's important to understand that the creation and enforcement of the Motion Picture Production Code is primarily Catholic in origin. It was drafted in 1930 by Martin Quigley, a magazine magnate behind the "Motion Picture Herald", and Father Daniel A. Lord, both of whom felt that the movies were actively immoral and affecting unsuspecting children. There was also a sense of religious rivalry present, as Catholics thought that the mostly Jewish studio heads and Presbyterian Hays were obsessed with profit and overlooking their duties as moral guardians.

Hays took their document up as a cause célèbre, and, using the threat of Federal regulation, got most of the studios to sign on to its tenants. [I have a copy of the entire document on my site.](#) Unlike previous documents which merely suggested subjects to avoid, the Production Code was a statement of principals. High entertainment raises the moral character, while low entertainment lowers it. By taking censorship from a matter of wide-ranging personal beliefs to a philosophical standpoint, Hays had a basis to start with not only cutting out material that could be considered offensive, but the ability request changes to film's underlying moral fabric to reflect a humanistic ideal.

Under its provisions, studios would submit scripts and screenplays to his office in order to find ways in which objectionable content could be avoided. Studios, however, remained under no obligation to honor these suggestion, and the Production Code Office (or colloquially the Hays Office) would have to find ways to work with religious and ethnic groups to dispel controversy.

The film most often cited as the first true pre-Code is [The Divorcee](#) with Norma Shearer. A sophisticated and funny look at the double standard that men applied to women who were sexually adventurous, the movie was considered immoral for showcasing an independent woman carrying on different sexual liaisons and enjoying them with no moral recompense at the film's end. The movie was a hit, and Shearer won a Best Actress Oscar for her performance.

Studios, feeling that the Code once again had no teeth, took it upon themselves to double down on creating new and exciting pictures that would capture the public imagination while Hays did everything in his power to try and find a balance between the studios artistic (and baser) impulses and the pressure of religious groups and the United States government.

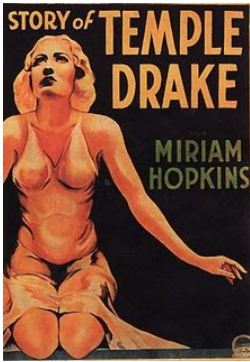
## So, what's so great about pre-Code?

A lot, honestly. Pre-Code is Hollywood at a crossroads, the emergence of the huge Goliath studio systems, the awkward transition from silent films to sound, a revolution in filmed movie stars, and the start of several genres that could only work with sound— with musicals both the most notable and most obvious.

There's also a remarkable freedom of creativity in the era, as film studios tried out talkies and whole a generation of stars rising in these new pictures. Several genres flourished in the era, from gangster movies to message pictures. The ability to create risky and adult content gave rise to a variety of movies that looked at moral issues in depth, and challenged America at its lowest point.

But the thing that always engages me about pre-Code films is how vital they still feel. Besides how structural experimental and free they still are, it's fascinating to look back 80 years ago and see how people lived, and both how much has changed and how much remains the same. While no one will contend that the Recession of 2008 holds a candle to the horrors of the Great Depression, watching hard time in American history dealt with through fiction is a fascinating mirror for our own time and the challenges we face even today.

## What brought an end to pre-Code Hollywood?



*The Story of Temple Drake* (1933) was a Gothic horror story that involved rape and sexual slavery.

After the enforcement of the Production Code became mandatory in 1934, many producers and directors bragged about how their film was 'the one' that brought on the censorship. From the sources I read, these are the most commonly cited films for the crackdown:

- [\*Baby Face\*](#)
- [\*Convention City\*](#)
- [\*I'm No Angel\*](#)
- [\*Red Headed Woman\*](#)
- [\*She Done Him Wrong\*](#)
- [\*The Sign of the Cross\*](#)
- [\*The Story of Temple Drake\*](#)

*Baby Face* and *Red Headed Woman* were both charged with sex and featured their female protagonists, after sleeping their way to the top, getting away with riches and rewards for their ambition. *Convention City*, now a lost film, featured Warners' biggest stars at a debauched weekend; its most famous gags involved drunk businessmen trying to wrangle a goat up to their hotel rooms. *I'm No Angel* and *She Done Him Wrong* were a pair of Mae West movies that won major box office and even accolades— *She Done Him Wrong* was nominated for Best Picture. But West's brazen sexual come ons and curvy appeal was viewed as morally unscrupulous. *The Sign of the Cross* and *Story of Temple Drake* were both dark dramas about sexual desire and moral decay.



As a combined roster of the worst offenders of 1932 and 1933, they represent a turn towards adult content and bawdy worldviews that sent the Catholics into a tizzy. This resulted in the 1933 formation of The Catholic Legion of Decency, a group that issued its own classifications of films and forbade members from seeing films it marked as Class C for 'Condemned'. While the movies condemned by the Legion could still turn a profit (and sometimes made more money from the publicized controversy), the organization grew and began to lobby the government.

Joseph Breen, a Catholic who'd been working as a trouble shooter for Hays in 1931, assumed being the head of the Production Code Office in 1934. Using his closeness to the Legion and exploiting the fear of the studio heads, he negotiated that all films had to receive the Motion Picture Production Code Seal of Approval before they could be released or suffer protests and fines.

The final, absolute end date of pre-Code Hollywood is July 1, 1934, with mandatory censorship occurring after that time. This blog does cover several movies from after that date that fit in with the blog's themes that slipped through by virtue of their creator's leeway— DeMille's *Cleopatra* for example— or ones that simply weren't viewed as as big of a threat.

This attempt at censorship stuck for a number of reasons. After several years of decline, 1935 showed a turnaround at the box office, which was attributed to the new, 'clean' slate of pictures. A new star named Shirley Temple became emblematic of the late 30s, a precocious tot whose innocence captured the public's imagination. America, sick of the Depression and hard times, accepted the censorship of movies as a necessary evil. The Code would remain enforced until 1968.