

Hays Gone By: The Proto-Feminism of Pre-Code Hollywood
and the Films of Mae West

By

Daniel Simpson

A thesis submitted to the Graduate Program in Cultural Studies

in conformity with the requirements for the

Degree of Master of Arts

Queen's University

Kingston, Ontario, Canada

July, 2019

Copyright © Daniel Simpson, 2019

For Mom and Dad

Abstract

Pre-Code Hollywood has famously been described as an alternative universe of American cinema, as looser censorship restrictions allowed filmmakers to explore adult themes of violence and sexuality far more openly than would be permissible under Joseph Breen and the Production Code Association. My thesis addresses how this era gave rise to a proto-feminist cinema through the transgression of Production Code rules pertaining to gender and sexuality. Though the Pre-Code era was no stranger to virulently misogynistic works, the lack of strict censorship allowed filmmakers to put forth depictions of independent women who were sexually active and in control of their lives. The epitome of this archetype is Mae West, who not only portrayed sex sirens with tremendous agency on-screen, but also took an active role behind-the-scenes as a screenwriter and should be considered the primary author of her films. Though West's independence on and off-screen would diminish as the Pre-Code era ended, her work remains a trove of proto-feminist cinema through its subversion of male gaze and its consideration of a female spectator. Understanding West's films, and the era which produced them, helps provide insight on the challenges faced by women in Hollywood, and more specifically, how women-centric art is often devalued and dismissed.

Table of Contents

Dedication.....	ii
Abstract.....	iii
Table of Contents.....	iv
Introduction.....	1
Chapter One: A History of the Production Code.....	12
Chapter Two: The Gendered Politics of Pre-Code.....	33
Chapter Three: The Subversive Proto-Feminism of Mae West.....	52
Conclusion.....	76
Bibliography.....	83
Films Referenced.....	90

Introduction

“With her words as her weapons, West waged war against hypocrisy, pretension, elitism, unbridled lust, intellectualism, and repression. She spun fine fantasies of self-reliance, survival, and eventual success for her audiences, her own personal triumphs paralleling at times her characters’ struggles. But when the public thinks of Mae West, the association with raunchy sex is foremost in its recollection” (Ward 1989: 60).

The Hollywood Production Code is a pivotal document in the history of American cinema that played a fundamental role in the values and ideologies of classical Hollywood. A self-censorship document written in 1930, the Code served as a moral guideline that regulated the content of Hollywood films from the Code’s inception until 1967. Rooted in the influence of the American Catholic Church, the Code was primarily concerned with curtailing what the MPPDA considered to be “harmful” messages, typically surrounding issues of violence, sexuality, crime, and “immoral” behaviours. Following years of demand clamouring for film censorship by reformers who feared the influential power movies had over the general public, the Code allowed Hollywood the power to self-regulate, thus maintaining a degree of control over their industry while still satisfying censorship concerns. In doing so, however, Hollywood also relinquished moral authority to the American Catholic Church, who themselves sought greater control over American morality and viewed cinema as a powerful tool towards this end (McGregor 2013: 2-7; Vieira 2019: 38). In turn, the Church’s values would come to bear on the screen representations offered by Hollywood cinema, with a particular interest in sexuality – and female sexuality at that (McGregor 2013: 7). As historian Alexander McGregor has said, the

primary focus of Code censorship “was on the representation of *female* sexuality and sensuality” (ibid: 104).

Cinematic space under the Code has been described as “a patrolled landscape with secure perimeters and well-defined borders” (Doherty 1999: 1). Indeed, within the language of the official Production Code document lay explicit rules when it came to depicting violence, crime, sin, and of course, sexuality, while censorship offices had precise strategies for diffusing any potentially harmful material, in terms of rewriting and reediting films (ibid; Jacobs 1999: 91-92; Maltby 1996: 97-98; Vasey 1999: 102-103; Wittern-Keller 2008: 6, 55). But before the Code was so vigorously enforced, there was the Pre-Code era. This refers to a period in Hollywood between 1930 and 1934 when the enforcement of the Production Code was left in the hands of the relatively inefficient Screen Relations Committee (SRC), leading to films that egregiously bent and broke Code rules. Such films eventually led to the formation of the Production Code Administration (PCA), which took a far more rigid approach in enforcing the Production Code. This era is important in relation to gendered representation, as Pre-Code cinema was a space where the rules pertaining to how gender should be represented on-screen could be blatantly violated before this freedom was quelled by the PCA. Though the term Pre-Code is itself a misnomer (given the Code was in fact written and even enforced between 1930 and 1934, albeit weakly), the phrase is nonetheless useful in identifying a distinct moment in Hollywood history, wherein the rules and censorship of the Production Code that would become so strict so soon could be gleefully violated. Pre-Code films have been described as “almost defiant in their raciness, with open discussion of sex, drugs, interracial relationships, and homosexuality” that so flagrantly broke the Code’s rules (Malone 2017: 47). Of course, this reputation is somewhat built on hindsight and cherry-picking only the most salacious of Pre-Code texts. To be sure, Code

censorship was in effect even in the Pre-Code days, with concessions and compromises to the Code's rules routinely made. Though it would be inaccurate to describe Pre-Code Hollywood as an era completely free from Production Code censorship, the standards faced in the Pre-Code period were demonstrably different than that of Hollywood cinema post 1934.

Granted, the notion that Pre-Code cinema followed different rules than the era that succeeded it is hardly a new revelation. Thomas Doherty's monograph *Pre-Code Hollywood* alone offers an extensive analysis of the era which considers the representations of Pre-Code and the ways in which they defied Code rules. Doherty describes the era as follows:

For four years, the Code commandments were violated with impunity and inventiveness in a series of wildly eccentric films. More unbridled, salacious, subversive, and just plain bizarre than what came afterwards, they look like Hollywood cinema but the moral terrain is so off-kilter they seem imported from a parallel universe (1999: 2).

Pre-Code's quality as a sort of Wild West era in cinema – where censorship rules were enforced with a fast and loose inconsistency – is thus well-documented, but comparative analysis between Pre-Code and Code cinema seldom goes any deeper than observing the greater censorship restrictions placed on the latter. One such area is a consideration of the feminist dynamics of Pre-Code, as opposed to Code era, particularly in regard to feminine agency and independence. To be sure, while the lack of strict censorship in Pre-Code Hollywood did help produce films which depicted rampant misogyny and violence (sexual or otherwise) inflicted on women, the era also saw a rise in depictions of sexually active women (sometimes even as the heroine of the story) who exhibited a level of independence and sexual agency free from traditional conservative norms. Broad examples of this archetype can be seen in the Pre-Code

films of Mae West, Marlene Dietrich, Jean Harlow, Pola Negri, and Barbara Stanwyck, among others. Said norms would become firmly instilled in 1934 with the coming of the PCA as the sexual liberation of the Pre-Code era was put to rest (Malone 2017: 47; *ibid*: 338). From this perspective, the PCA and Code enforcement is not merely a question of film censorship, but an issue of controlling women's bodies.

Such a perspective is not entirely absent in the cinematic literature. Doherty's *Pre-Code Hollywood* at least alludes to the feminist elements of Pre-Code "sex pictures", referring to the ways in which certain films challenge aspects of male gaze or spectatorship, while also referring to the tremendous agency of the heroines in films like *Baby Face* (1933), who take charge of their sexuality and are in control of their own lives (Doherty 1999: 119, 132). Lea Jacobs's *The Wages of Sin*, meanwhile, offers an insightful and nuanced analysis of how the "fallen woman" films of Pre-Code Hollywood transgressed traditional gender norms, and how said transgression was reduced by the PCA (1991: 5, 149). More recently, Alicia Malone's sweeping history of women in American film, *Backwards and in Heels*, has overtly qualified the work of Pre-Code filmmakers like Dorothy Arzner and Mae West as feminist, though the work's broad overview prevents Malone from probing either's work in great depth (2017: 46-48, 50-53). Thus, analysis of Production Code history from a feminist perspective does exist but remains a relatively underdeveloped aspect of Code literature.

To what extent did Pre-Code Hollywood allow for a proto-feminist cinema through the subversion of Production Code morals, and how did this gendered representation change with the coming of the Production Code Administration? These are the questions I intend to answer by analyzing the history leading to the Code's inception, the general landscape of Pre-Code cinema, and performing an analysis of the works of Mae West specifically through the prism of feminist

film theory. I use the term “proto-feminist” (which I have borrowed from Doherty’s usage in *Pre-Code Hollywood*) deliberately here. The feminist analysis I will be performing draws more from second wave-era feminist film theory rather than the Suffragette writing which would have been contemporary to the classic Hollywood cinema of the 1930s. As such, it would be inaccurate to refer to such cinema as strictly feminist, since such writings did not exist at the time the films to be analyzed were made. The emphasis on second-wave feminist film writings instead is two-fold. First and foremost, feminist film theories such as the male gaze and female spectatorship that were developed in second-wave feminism function as exceptional tools for understanding the representation of gender in Pre-Code cinema. Second, second-wave feminists such as Laura Mulvey and Mary Ann Doane center much of their analysis on the golden age of Hollywood from the 1930s-1950s, or the era of Joseph Breen and the PCA. Given Pre-Code cinema serves as a foundation on which this “golden age” was built, extending second-wave feminist film analysis to such an era is appropriate. Furthermore, such analysis is useful in comparing and contrasting Pre-Code cinema to the PCA censored “golden age” which succeeded it. That all being said, I am not blind to the intersectional shortcomings which underpin second-wave feminism and make such theorists inadequate for exploring the experiences of racialized women. These shortcomings parallel that of Pre-Code Hollywood, which too was not a hospitable place for women of colour. These failures will be foregrounded in more detail in Chapter Two.

Proto-feminist is a preferable term, as it not only indicates what is being analyzed as a precursor to what would eventually emerge, but the term “proto” also implies that the feminist aspects to Pre-Code Hollywood are not fully formed. This is reflective of a Pre-Code Hollywood which opened up opportunity for more diverse female representation while simultaneously also

creating a space for exploitation and misogyny. Put simply, feminism in Pre-Code Hollywood is ripe with contradiction, and the use of “proto” accurately captures this.

These research questions seek to make an important intervention to the literature on the Production Code at multiple levels. One such level is historical, as these questions necessitate rethinking the many parties crucial to the creation of the Production Code, and the Code’s greater place in the history of American cinema. Another level is media studies, as this research is rooted as much in the implications of media representation as it is cinematic analysis. Finally, efforts to understand the way the Hollywood Production Code shaped gendered representations in 1930s American cinema will also provide a contribution to feminist film theory, as it will explore the ways in which gender has been constructed in cinema historically.

This thesis is divided into three chapters. Chapter One considers the history of the Hollywood Production Code, from early censorship efforts in Hollywood, to the Code’s first implementation, to the creation of the Production Code Administration. Such a history is necessary for understanding the development of motion picture censorship, why self-regulation was sought in the first place, and how censorship negotiations between producers and censors manifested. Such a history also lays bare how crucial the controlling of women’s bodies has always been to the history of film censorship. This chapter references primary documents, namely the Code itself (as in, the actual document first written by Father Daniel Lord and Martin Quigley in 1930), as well as a collection of documents exchanged between the SRC/PCA and various film studios, which serve to demonstrate the history of the Code’s development. Additionally, this chapter draws extensively on reviewing the major literature on the Production Code, including writings by Lea Jacobs, Marybeth Hamilton, Richard Maltby, Thomas Doherty, Alexander McGregor, Ruth Vasey, Laura Wittern-Keller, and others.

Chapter Two offers an analysis of the landscape of Pre-Code cinema by sampling a wide range of films in order to understand the general proto-feminism of the era. This chapter largely relies on content analysis, specifically to ascertain the ways in which the Code was imposed on various films and how such influence was manifested. The works themselves are subjected to a qualitative analysis considering elements such as theme, narrative structure, characterization, and tone, as they pertain to representations of gender and sexuality. Such analysis will be put into conversation with the relevant literature as well as primary sources like the Code itself. Text has been based on a combination of films/filmmakers cited by the relevant literature as important to Code history (based on citations and influence in the field), as well as works highlighted by organizations such as Turner Classic Movies and the Criterion Collection as being exemplars of Pre-Code cinema and/or Production Code censorship. Major films foregrounded include *Baby Face*, *Tarzan the Ape Man*, *Faithless*, and *She Had to Say Yes*, as well as the Hollywood collaborations between Marlene Dietrich and Josef von Sternberg. Such choices are designed to provide a diverse portrait of the proto-feminism of Pre-Code Hollywood, from the era at its most progressive and sexually liberated, to its most exploitive and openly misogynistic. This chapter also seeks to foreground the lack of intersectionality of Pre-Code proto-feminism by highlighting indignities and condescension in the representation of women of colour when compared to their white counterparts.

Chapter Three provides a brief overview of Mae West's career in Hollywood from 1932-1943 and analyzes a key sample of her films using feminist film theory. Specifically, I am using feminist film theory largely developed in the 1970s and 80s by authors such as Laura Mulvey, Mary Ann Doane, and Teresa de Lauretis, as well as other feminist writers like Molly Haskell and Marjorie Rosen. Though I could opt for more contemporary theorists (such as Bracha L.

Ettinger, Carol J. Clover, Jackie Stacey), I feel these figures remain the most appropriate choices in my research for a number of reasons. First, the work of the aforementioned theorists remains foundational to modern feminist film theory/analysis and is no less relevant than when it was written. Second, such theories are highly applicable to the texts I am analyzing. Theories of the gaze, male spectatorship, and how one defines a feminist cinema are crucial tools in understanding the nuances of the gendered gaze in relation to the proto-feminism of Pre-Code cinema. Mulvey's contention is not that there is one gaze, but three; that of the character, that of the camera, and that of the audience. Such nuance is crucial for providing a deeper understanding of proto-feminism in Pre-Code cinema.

If my choice of theorists is adequately addressed, another question remains: of all the figures of Pre-Code cinema to foreground, why Mae West? In terms of female stars of Pre-Code cinema famous for their taboo-breaking sexuality who can be studied in relation to feminine agency, there is no shortage of candidates, including Marlene Dietrich, Clara Bow, Jean Harlow, Greta Garbo, Katharine Hepburn, Pola Negri, Kay Francis, and Joan Blondell. What makes West so special? Well, for all the ways she was part of a larger trend in Pre-Code of sexually charged women of great power and wit, West remains unique.

For a start, while Pre-Code did see all manner of sex symbols and taboo-breaking heroines, no figure is as inextricably tied to the history of the Production Code as Mae West. Indeed, West's battles with censors were among the most prolific in the 1930s, with many reductive accounts of Production Code history citing West as the principal factor in the formation of the PCA and the more strict censorship from 1934 on (Giannetti 2016: 197; Jacobs 1991: 3; Petersen 2014: 105). West herself largely embraced this legacy later in her life, joking she, "made a fortune" off censorship efforts against her (Weekes 2011: 86). Of course, this

notion is a degree of myth-making. Historical precedents in film censorship date back well before West had graced the silver screen (the Code itself was first written in 1930, two years *before* West's film debut, *Night After Night*) and such processes are largely bigger than any one figure. That said, West's legacy being that of a censored figure who went head to head with a Production Code is worth considering, especially given West's film career runs parallel to Pre-Code Hollywood and the early years of the PCA, beginning in 1932 during the Pre-Code era, and closing out in 1943 after repeated struggles against the PCA diminished the box-office potential of her work (a brief niche revival in the 1970s notwithstanding) (Petersen 2014: 107-109). To trace her work through this period is to see how the stringent censorship standards of the PCA shaped representations of female sexuality directly compared to said representations by the same creator under the more lax rulings of the SRC during Pre-Code. Thus, the arc of West's film career is an ideal microcosm of depictions of female sexuality in Pre-Code and Code era Hollywood.

Second, and even more importantly, while Pre-Code cinema is littered with sexually charged women who challenged gendered norms, none had as active a role behind the scenes as Mae West. Where the films of figures like Dietrich or Stanwyck may have been provocative or transgressive, they were none the less works born from a primarily male creative team of writers, producers, directors, etc. But West's films came from a more distinctly feminine point of view. Many of West's films were based on plays she had written and with West serving as screenwriter on all of these adaptations. Furthermore, a special reoccurring credit simply stating "By Mae West" is found in many of West's films. Put simply, West, "wrote her stories, and in them she ran the show" (Vieira 2019: 180). Even in *Night After Night* (1932), her first film in which she only had a supporting role, West still wrote her own dialogue (Ward 1989: 23). The fact that the

authorial voice of West's films (despite being directed by men) is largely female is unique in the context of 1930s Hollywood. This is an important layer when considering the proto-feminism of Pre-Code Hollywood, as West efforts not only provide representations of female agency, but ones shaped by a female voice. Few female figures had such creative authority in 1930s Hollywood. Dorothy Arzner, often credited as being the only woman director of 1930s Hollywood, would be among the few, and while she is a trailblazing figure whose work is ripe for proto-feminist analysis, she lacks the strong association with the Code that West has (Malone 2017: 46).

Finally, the choice to foreground Mae West is a deliberate effort to elevate the discourse surrounding her body of work. Despite West's undeniable place in film history, writings on West's work have largely been inadequate (Ward 1989: x). To be sure, West is referenced a great deal in academic literature. Pick up any piece on the Hollywood Production Code, whether an extensive study of Code history or a brief aside in an entry level textbook, and you will almost certainly find a description of West's swaying hips, seductive looks, and innuendo-laced dialogue. Though not strictly speaking inaccurate, these simplistic summaries reduce West and her work to merely being sexually provocative without considering the deeper implications of and transgressive qualities of West's screen representations. Despite the writings of figures such as Molly Haskell, Marjorie Rosen, Marybeth Hamilton, Pamela Robertson, and, more recently, Alicia Malone and Anne Helen Petersen, the enduring legacy of Mae West is that of sex siren first, with bold, transgressive artist falling as a distant second. In applying a feminist-based analysis to the films of Mae West, this thesis hopes not only to develop a greater understanding of the proto-feminism of Pre-Code Hollywood, but also to place West in the context of other historically relevant female filmmakers whose work demands serious analysis.

Chapter Three will be followed with a brief conclusion that will summarize the major points of each chapter and address how West's struggles over her art are echoed in the modern reception of women-centric texts which challenge the centrality of male desire. To what extent did Pre-Code Hollywood allow for a proto-feminist cinema through the subversion of Production Code morals, and how did this gendered representation change with the coming of the Production Code Administration? In asking these questions, this thesis will contribute to the major discourse on the Production Code and feminist film theory, while also providing contributions more broadly to film history, cultural studies, and media studies. Furthermore, in offering a greater understanding of the proto-feminism of Pre-Code Hollywood, this thesis explores the more broad dismissal of women's texts, particularly those which present alternative forms of desire.

Chapter One

Haysed and Confused: A History of the Hollywood Production Code

“It was this revolution in morals, whether it was called the ‘Jazz Age’, or ‘Flaming Youth’, or the ‘Lost Generation’, which credited the bitter contest between the representatives of the traditional culture and those who favored the new order” (Jowett 1976: 141).

In recounting the history of the Hollywood Production Code, where should one begin? The Production Code may not have been enforced with true zeal until 1934, but the document itself was penned four years prior, in 1930. Of course, the various forces which contributed to the development of the Code were at play well before the likes of Will Hays or Joseph Breen found themselves employed by the film industry. Indeed, the first documented call for film censorship comes from 1894, when New Jersey senator James A. Bradley, “condemned the display of ankles shown by the Spanish dancer Carmencita in one of Edison’s Kinetoscopes” (Jowett 1976: 109). This historical account will be primarily concerned with the years from 1922 (and the formation of the Motion Picture Producers and Distributors of America) through 1930 (the creation of the Production Code) to finally 1934 (and the establishment of the Production Code Administration), with subsequent chapters exploring the effects and consequences of PCA rule. Though this twelve-year period will be the focus of this chapter, attention will also be paid to the preceding years and how they informed the development of motion picture censorship. From its very conception, the American film industry was charged with communicating harmful messages to vulnerable groups, prompting civic and religious institutions to clamour for censorship.

Fearing the effects government regulation might have on the business and eager to maintain the profit margins from the large groups protesting, Hollywood sought to self-censor. After several failed attempts, the solution finally came from the American Catholic Church. Itself eager to instill their moral values in the American public, the Church contributed to the creation, and successful implementation, of the Production Code.

This chapter seeks to do three things. First, to provide a clear outline of the history leading to the Code's inception and eventual enforcement by the PCA. Second, to demonstrate the mutually beneficial goals of the film industry and the Catholic Church, the former wanting to maintain agency and profitability, while the latter eager to instill its moral values on the American public. Finally, in moving through the complex history of the Production Code and considering the various reformer groups who clamoured for film censorship, this historical account will foreground how a fear of sexuality, and controlling of female bodies in particular, has always been an essential goal in regard to censoring films.

Before exploring the specific motivations and contradictory stories surrounding the creation of the Code, a basic timeline must be established. In 1922, the Motion Picture Producers and Distributors of America (MPPDA) was formed, with former Postmaster General William H. Hays at the head, responsible for internally regulating the, "moral content" of films (Corrigan and Wright 2015: 358). In 1925, the Committee on Public Relations, an organization within the MPPDA, was formed under the authority of Jason Joy. This group would rebrand in 1927 as the Screen Relations Committee (SRC). The function of the Committee, and later the SRC, was "to act as a direct channel of communication between motion picture producers and the public" (Vasey 1999: 103). This communication was based on working through potentially "sensitive, offensive, or libelous details of representation" and negotiating potential changes (ibid: 103-

104). One such proposed method of regulating content was the “Don’ts and Be Carefuls”, a list of rules that could be followed to avoid difficulties with censorship, devised by Jason Joy in 1927 (Couvares 1996: 137). This list would come to be replaced by the Production Code, a document that also sought to govern the moral content of Hollywood motion pictures. In 1930, “Catholic priest Father Daniel Lord and *Motion Picture Herald* publisher Martin Quigley wrote a draft of the Production Code which was accepted [by the MPPDA] with minimal change” (Wittern-Keller 2008: 55). At the time, enforcement of the Production Code remained the responsibility of the SRC (Hamilton 1996: 188). In 1934, however, the Hays office reorganized its power structure, abolishing the SRC in favour of the newly formed Production Code Administration (PCA), headed by journalist and “influential layperson” in the Catholic Community Joseph Breen (Doherty 1999: 9; *ibid*: 200; Petersen 2014: 105). The Production Code remained in place until 1967, when it was replaced with “the ratings system, which remains in effect today” (Pramaggiore and Wallis 2014: 315).

Nineteen twenty-two is also used as a starting point by Anne Helen Petersen, who attributes the MPPDA and the rise of Will Hays not to a film, but to the behaviour of a film star. Successful comedian and Hollywood film star Roscoe “Fatty” Arbuckle was accused of rape and manslaughter in 1922. Though the evidence was largely insubstantial, and Arbuckle was eventually acquitted, the resulting controversy was tremendous (Petersen 2014: 21). The charges laid against Arbuckle spoke to the major fears that religious organizations, parent groups, and much of the general public held regarding Hollywood. Namely, that Hollywood was a place of, “unbridled wealth”, “unchecked vice”, and deviance that threatened the ideal status quo (*ibid*: 25). Thus, Hollywood found itself needing to convince the public of its good moral standing in order to maintain its business. The solution was self-censorship. In the wake of the Arbuckle

controversy, the MPPDA was formed, with Will Hays at the head of the organization. Hays's first act was a temporary ban on all Arbuckle films, which was subsequently followed by a mandate for "morality clauses" in the contracts between movie stars and studios (ibid: 23; Leff and Simmons 1990: 4-5). These actions reflect just how central the Arbuckle controversy was in bringing Hays to power and the MPPDA together. Furthermore, the Arbuckle scandal speaks to many of the elements which defined film censorship from the turn of the century through to the 1930s. Namely, public outcry over Hollywood's mass influence, a fear of sexuality, and a desire to self-regulate in order to preserve cinema's prominent place in American business and culture reflect the reoccurring themes of film censorship throughout the history of the Production Code.

The Arbuckle controversy may have been the catalyst for Hays and the MPPDA coming to prominence, but the path to self-censorship was underway well before Fatty's legal trouble. Debate and concern regarding the censoring of films dates back to end of the 19th century when the medium was still very much in its infancy. Much of the concern stemmed from how simply movies could communicate ideas, not just in terms of their presentation (a series of typically easy to understand visuals), but also for the ways they seemed to circumvent institutional filters and economic limitations. As Laura Wittern-Keller writes, film represented a turning point where "new and sometimes unwelcome ideas could be transmitted quickly and easily to anyone, regardless of education, age, or economic status, and without the usual communal filters imposed by family, church, and civic groups" (2008: 17). The phrase "unwelcome ideas" is highly suspect. Qualifying what ideas were actually considered "unwelcome" in the early years of film censorship is a challenge. No official rulebook existed that could easily delineate what was permissible, and furthermore, the task of censorship was distributed so widely and inconsistently across local or municipal governments, state governments, and Congress that there was no sense

of cohesion (Jowett 1976: 109). In other words, no one was quite sure what counted as an “unwelcome” idea, or whose responsibility it was to remove them.

In looking at early cases of film censorship, however, we can detect certain patterns in what material was objected to. It is telling that the first documented case of demand for film censorship was specifically designed around controlling a woman’s body. Senator James A. Bradley’s objection to 1894 Kinetoscope film *Carmencita* (named after the dancer who stars in the work) was the display of Carmencita’s ankles as a vulgar, sexual display. Viewing the film today, one could certainly use a feminist-based analysis to argue that the film depicts a woman dancing for the pleasure of an unseen, presumably male spectator rather than her own, but such analytical tools were obviously unavailable to Bradley. More to the point, there is nothing overtly sexual to Carmencita’s performance. No part of Carmencita’s body – not even her ankles – is explicitly made sexual through either the camera or her own performance. What Bradley was objecting to, then, was not a lewd sexual display, but the very notion of a woman using her body as a means of expressing pleasure. A year later, the first film was taken to court for its obscene qualities, where the presiding judge “ruled that a pantomime of a bride’s wedding night was ‘an outrage upon public decency’” (ibid: 109). Both these events are major precedents in the history of film censorship, and both share a similar truth. Namely, an objection to women’s autonomy over their own bodies. Though this decree is not found in any formal documentation from the era, the persistence of reformers to control female bodies reveals how central such goals are to the project of film censorship.

The other factor which made certain ideas “unwelcome” were the ways in which they challenged what Wittern-Keller described as the communal filter sources of family, church, and civic groups (2008: 17). Movies did not carry with them the barriers of literacy or economics that

media such as books or theater did. They were a widely accessible and affordable medium that could be easily understood by the general public – and not so easily shut out or curtailed by institutions like the church. As Garth Jowett describes, “Movies dramatically symbolized the diminishing power of localized control as a factor in American society” (1976: 108). Thus, ideas were “unwelcome” not only for the ways in which they challenged the authority of family, church, and civic groups, but for how easily they escaped the gatekeeping control of said institutions. An outright ban of motion pictures, however, was out of the question. Movies could not so simply be stopped. Such a goal was attempted in micro form on December 4th, 1908, when New York mayor George B. McClellan closed all movie houses in the city (ibid: 112). This closure was short-lived. Film studios banded together and sought an injunction against McClellan on the 26th, and cinemas were re-opened shortly thereafter (ibid). This historical curiosity taught reformers an important lesson. Namely, the outpouring of support for movies showed reformers they had “grossly underestimated the importance of the motion picture house as a recreational activity for the ordinary people of New York City”, and American society more broadly (113). Even as early as 1908, cinema had become an indispensable aspect of American culture. Movies were not going to just go away. Any efforts to change the values of motion pictures, then, would have to occur from within.

The prevailing attitude which drove reformers’ discomfort with perceived “unwelcome ideas” was concern “about the impact of movies on children, immigrants, and the uneducated” (Wittern-Keller 2008: 1). In other words, there was a fear that those lacking adequate intellectual capabilities would be vulnerable to the harmful ideas transmitted by film. The notion of film censorship, then, “reflected a willingness of many Americans to restrain seemingly dangerous or threatening ideas for the good of society” (ibid: 2). This too speaks to the paternal condescension

regarding Hollywood's influence – the notion that women exposed to sexuality and sexual agency might be dangerously swayed by such portrayals and seek such behaviours themselves. Such an attitude is reflected in the Arbuckle controversy, as it was a public outcry regarding the morally harmful behaviour of Hollywood stars and its potential influence which spawned the self-censorship of Hays and the MPPDA. The fact that Hollywood's censorship was self-imposed, rather than regulated by an external power, is also significant. As a desire for film censorship was repeatedly echoed in the American public, the rising threat of government imposed censorship loomed large over Hollywood, “as more and more state legislatures and the U.S. congress considered film censorship bills” (ibid: 4). In turn, Hollywood sought to self-censor, not out of any actual desire to abstain from “unwelcome ideas”, but to maintain control over their product.

The potential for government censorship meant a loss of power for movie studios and it also represented a threat to business interests. In the early 20th century, the American movie industry was largely in violation of anti-trust laws and, by the 1920s, “had achieved a near monopoly over the major cities' screens through vertical integration” (ibid: 51; Petersen 2014: 22). In practice, what this meant is that studios held control over not only the production of films, but also their distribution and exhibition. Such power allowed the major studios to engage in block-booking, a process where the major studios could foreclose entry into the market by independent distributors and force theaters to play any B-pictures if they wished to also screen major releases, effectively guaranteeing “a steady market for studio products” (Couvares 1996: 140). In short, the major studios' monopoly, made possible through the violation of anti-trust laws, had served as a tremendous source of profit. This financial goldmine was seriously challenged by the possibility of government censorship, as “moguls feared that a federal

ensorship agency might lead to broader regulation of their product, including their greatest fear: antitrust action” (Wittern-Keller 2008: 51). Avoiding external regulation was thus equal parts about the preservation of the American movie industry’s agency and the preservation of the tremendous financial gains made through the monopoly held in the industry.

The Arbuckle film ban was an effective start in diffusing the call for movie censorship, but Hays and the MPPDA had much work ahead of them were they to quell public concerns regarding Hollywood’s harmful content. Hays’s next step was to establish a Committee on Public Relations “within the newly formed MPPDA”, which sought to regulate film content by reaching out to various public organizations who could consult the studios “about motion picture standards” (Vasey 1999: 102-103). In a sense, the MPPDA was outsourcing morality. This makes sense when one remembers that Hollywood itself had no qualms with the content of its motion pictures. Self-censorship was born to satisfy the concerns of the general public, and therefore it was a logical step to include sects of the public in the process. The many groups who agreed to participate with the MPPDA and the Committee on Public Relations included “the Daughters of the American Revolution, the Boy Scouts, the General Federation of Women’s Clubs, the National Congress of Mother and Parent-Teachers Associations, the YMCA, the American Federation of Labor, the Associated Advertising Clubs of the World, the Dairymen’s League Cooperative Association, and the U.S. Chamber of Commerce” (ibid: 103).

The vast number of organizations who engaged with the Committee on Public Relations certainly gave the MPPDA the resources to conduct self-censorship, but the sheer number of participants also posed a problem. The film industry “was willing to listen to representations from any disgruntled section of the audience that constituted itself into a lobby” (ibid: 103). The 1924 film *Manhattan*, for example, was “modified with cuts and retakes in response to protests”

made by the National Billiard Association (ibid). With so many groups vying for authority in the censoring of motion pictures, the MPPDA had difficulty navigating the complexity of demands and pleasing all parties. Additionally, for all the efforts of the MPPDA to self-censor, Hollywood still found itself at the mercy of external powers. City and state-level censorship boards often had their own specific ideas about what was amoral and needed to be censored, “forcing the studio to provide unique prints of a film for dozens of different states and municipalities, a process that was both expensive and inefficient” (Leff and Simmons 1990: 6-7; Petersen 2014: 22). In other words, Hollywood’s explicit goal of maximizing profits while maintaining control over their product was clearly failing. Though the MPPDA had made strides to quell censorship controversy, the plethora of organizations involved in the process led to high costs and inconsistent results. Hollywood needed a more efficient system of self-censorship.

In 1927, SRC head Jason Joy introduced the “Don’ts and Be Carefuls”, a list of topics to avoid and handle delicately. The list comprised of eleven “Don’ts”, which included “references to ‘white slavery,’ ‘sexual perversion,’ childbirth, venereal disease, profanity,” and “‘ridicule of the clergy,’ ” while there were twenty-six “Be Carefuls”, which effectively provided for how to depict sensitive material like, “criminal activity” (Couvares 1996: 137). The “Be Carefuls” included “sympathy for criminals” (including sex workers), prostitution, “first-night scenes” (scenes depicting a newly-wed couple’s first night together), men and women in bed together, “seduction of girls”, and “excessive or lustful kissing” (Mast 1982: 213-214). Though the parameters of the list are wide-ranging, the policing of sexuality and the female body remains a cornerstone. The goal of this list was to appease the various institutions and state censors beforehand. Such a proactive approach not only reflected a desire on Hollywood’s part to self-censor (a gesture of good faith to those clamouring for movie censorship), but it also allowed

studios to placate organizations without having to make costly cuts after the fact (Leff and Simmons 1990: 6-7). At least in theory. In practice, however, the “Don’ts and Be Carefuls” were far less effective. The problem, in part, can be found in historian Francis G. Couvares’s description of the “Don’ts and Be Carefuls” as, “a list of rules that studios could follow to avoid the censors’ wrath” (1996: 137). The key word is “could”. Despite their status, the SRC had no authority to enforce filmmakers to abide by the “Don’ts and Be Carefuls”. By 1929, it was clear that the “Don’ts and Be Carefuls” had failed, with the MPPDA still unable to appease the many groups who continuously called for film censorship (Witern-Keller 2008: 53-54). Once again, Hollywood had to reconsider the problem of self-censorship. The solution came from the Catholic Church.

Before delving into the Catholic Church’s role in shaping the Production Code, it is important to backtrack a bit and understand the church’s place in early 20th century American society, as well as how the church saw itself. The Catholic Church “wielded considerable political power” in the United States at the time and was comprised of “large and powerful constituencies” (Couvares 1996: 143; Vasey 1999: 103). In spite of such strength, however, the powers of the Catholic Church were limited. Historian Alexander McGregor has argued that the church “understood itself to be embroiled in a war, if not outright siege, from various aspects of the modern, secular world, including the increasing allure of monetarism, growing sexual liberation, permissiveness and tolerance, communism both domestic and international and the enduring progress of science” (2013: 2). In other words, the Catholic Church felt its relevancy in contemporary America slipping away. Cinema itself was one such source of competition for the Catholic Church, offering an alternative morality and avoiding the local control of religious institutions (Jowett 1976: 108; Witern-Keller 2008: 17). Throughout film’s development in the

early 1900s, American cinema had been frequently accused of embracing the very values which deviated from Catholic teachings. Indeed, much of the desire for film censorship stemmed from “films that seemed to condone violations of conventional sexual mores and challenged the authority of family, church, and civil government” (Couvares 1996: 137). Such a history would suggest Hollywood to be the enemy of the Catholic Church in the 1920s and 1930s. In actual fact, however, the relationship between the two entities is best understood as a partnership, rather than a contestation.

The Catholic Church understood cinema’s power to transmit ideas effectively and to a wide audience. McGregor argues that the church sought to, “win control” over the American movie industry and “use it to engender a pro-Catholic social moral code among the entire US population” (2013: 2). Such a claim might sound overdramatic, but the history does reveal that the Catholic Church had a great interest in shaping the content of Hollywood cinema. Indeed, in the days of the MPPDA’s Committee of Public Relations, “Catholic organizations were among the most active in maintaining contact with the industry” (Vasey 1999: 103). Thus, early in the history of the MPPDA, the Catholic Church sought to work with Hollywood in curtailing the perceived amoral content of American cinema. The Catholic Church’s approach differed from Protestant reformers, who “were increasingly promoting federal anti-block-booking legislation” in order to combat content they found offensive (Couvares 1996: 140). In other words, Protestant reformers sought to involve the government in the censoring of American films, the very antithesis of what the studios wanted. The Catholic Church, however, “did not want to involve the government, since statutory regulation meant secular control” (Wittern-Keller 2008: 54). The goal for the Church was not just to have the “unwelcome ideas” of American cinema curtailed,

but to use American cinema as a method for transmitting Catholic ideals and values to the American public.

Though possessing different motives, both the American film industry and the Catholic Church found themselves pursuing complementary goals. The Catholic Church represented a large, and powerful sect of the American population. Appeasing such a population would help maintain a wide profit margin for the film industry while also providing a basic moral standard to follow. Furthermore, neither party wanted to involve the government in film censorship. Thus, a partnership would allow Hollywood to keep the government out of their business, while granting the Catholic Church some control over the content of motion pictures and an outlet to influence the wider population. Thus, when Catholic Priest Father Daniel Lord and *Motion Picture Herald* publisher Martin Quigley offered to write a code to govern the moral content of motion pictures in 1930, the proposition was accepted by the MPPDA with minimal changes (ibid: 55; Leff and Simmons 1990: 8-11; Vieira 2019: 38). Granting the Catholic Church moral authority over industry products was a small price to pay for, “the right to continue monitoring itself without federal censorship” (ibid: 60). And thus, the Motion Picture Production Code was born.

The provisions of the Production Code were thorough and detailed, with extensive parameters for what could and could not be shown on-screen. A set of general principles, included near the start of the document, outline the thinking of the Code while also providing an effective summary of its goals:

1. No picture will be produced which 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. (ibid: 55)

The complex histories of both the American film industry and the Catholic Church are laid out here in order to disprove some key misconceptions regarding the relationship between the two and the formation of the Code. Specifically, there is a tendency to see the two parties as enemies, with the Production Code as a site of struggle. One perspective sees Hollywood as a site of amorality and sin that was saved by the American Catholic Church, while another sees the Code as a forced imposition against the film industry to diffuse the radical and daring challenges to the traditional American values of the 1920s and 1930s (Maltby 2012: 240). Different perspectives, but both equally wrong in their understanding of Hollywood, the Catholic Church, and the Code. Even Laura Wittern-Keller, a historian who has been cited throughout this account, succumbs to this line of thinking when she describes the Catholic Church as an “adversary” to the MPPDA (2008: 53). The more accurate and perhaps more mundane truth is the two were partners who benefited from each other. The American Catholic Church offered the MPPDA a moral code (figuratively and literally) to follow. This allowed Hollywood to address the many reformers clamouring for censorship and to appease a large and powerful group of American citizens, thereby maintaining significant profit potential; and avoid the U.S. government interfering with business. Meanwhile, the Catholic Church was not only able to curtail the “unwelcome ideas” which challenged their doctrine, but they were also given a degree of control over a substantial tool in influencing the American public. The relationship, then, was

mutually beneficial. The American film industry and the Catholic Church are thus best understood not as adversaries, but as old, faithful friends (Maltby 2012: 244).

The story of the Production Code does not, however, end with its creation. The history surrounding the Code's implantation and its consequences are just as complex and worthy of analysis as its origins. Perhaps most striking, the initial timeline outlined in this history shows a substantial gap between the Code's creation in 1930, and the replacement of the SRC with the Production Code Association (PCA) to enforce the Code in 1934, suggesting that initial implementation was not entirely successful. This is, in fact, one of the most contested periods in the history of the Production Code. The general belief is that between 1930 and 1934, the Code was enforced "weakly" by Jason Joy and the SRC, allowing the Pre-Code cinema (as it is commonly referred to) of the early 1930s to violate code rules and subvert standard moral values (ibid: 237; Leff and Simmons 1990: 14; Wittern-Keller 2008: 56-57). Certainly, this era was wrought with transgressive imagery that would not be approved in the coming reign of the PCA, but it would be unwise to suggest censorship did not exist in this period.

The very phrase "Pre-Code" is a misnomer given that the Production Code was indeed intact and enforced between 1930 and 1934. This distinction is not merely semantics. While the phrase "Pre-Code" might prove an effective way to distinguish specific periods of Hollywood cinema, the implication that the era was beyond the reach of the code drastically overstates the less strict standards of the SRC. In distinguishing Pre-Code cinema, Wittern-Keller references *Little Caesar*, *The Public Enemy*, and *Scarface*, three gangster films released in 1931 and 1932, which, Wittern-Keller argues, "portrayed gangsters as glamorous heroes" (2008: 57). To be sure, each film portrays crime and violence in greater detail than Breen and the PCA would likely have allowed, and the protagonist of each movie is unambiguously a ruthless crime lord, but to

suggest that these men were portrayed as “glamorous heroes” is to ignore efforts to diffuse said glamour. All three films end with the central criminal empire crumbling and the protagonist being gunned down, reinforcing the clichéd notion that “crime doesn’t pay” (Vieira 2019: 56). *Scarface* also sees the central character begging for mercy from the police in the film’s climax, while *The Public Enemy* includes a prologue and epilogue denouncing criminality. How successful these efforts were in diffusing the glamour of these criminal protagonists is certainly debatable, but to suggest these films were completely free from Hollywood’s self-censorship and the Production Code is highly misleading.

The approach to film censorship seen in the aforementioned gangster films is reflective of Jason Joy and the SRC’s philosophy when it came to interpreting and implementing the Production Code. Rather than fixate on the details, Joy and the SRC “believed that the code should concern itself with the overall message of a film, not individual sentences or scenes” (ibid). Hence, movies like *Little Caesar*, *The Public Enemy*, or *Scarface* could depict violence in more graphic detail than the Code allowed, as long as the overall message of the film conformed to the greater values the MPPDA were trying to uphold. This line of thinking can also be used to make sense of the SRC’s censorship of Mae West’s films. The typical understanding of Mae West is that she was a Broadway star who brought her frank depiction of sex and sexuality to Hollywood in the early 1930s before being torn down by the censorship of the Production Code Administration (Giannetti 2016: 197; Hamilton 1996: 187-188). In broad strokes, this is an accurate assessment, but it ignores that West’s films were censored before the formation of the PCA. West films such as *She Done Him Wrong* and *I’m No Angel* (both 1933) were indeed subject to censorship efforts from the SRC (Hamilton 1996: 188). What separated West’s early films from those after 1934 is the SRC’s interest in the “overall message” of a film, rather than

the details. Instead of trying to remove West's sexuality, the SRC sought to deemphasize it by alluding to sex and sexuality rather than depicting it. Additionally, the SRC insisted on adding comedy in order to invest the films "with such exaggerated qualities as automatically to take care of possible offensiveness" (ibid: 191). Such an approach allowed for West's sexuality to still exist on-screen despite being curtailed in an effort to appease the Catholic morals and values of the Code.

The SRC's approach represented a compromise wherein filmmakers could still explore potentially offensive content as long as they navigated it in a such way that ultimately promoted the larger values of the Production Code. The willingness to bend the rules of the Code largely stemmed from a desire for profit. This might seem paradoxical given that economic interests were key to the creation of the Code in the first place, but the discrepancy makes sense when one considers the different perspectives of individuals and the industry as a whole. While Hollywood feared government regulation and faced pressures to censor, film studios also knew that "audience titillation meant increased sales" (Wittern-Keller 2008: 57). Such titillation required challenging the Production Code and potentially earning the ire of reform groups, but "individual producers were motivated by short-term interests – the maximization of box office receipts for single features", and "no single film was likely to bring on the passage of regulatory legislation or provoke drastic action by reform groups" (Jacobs 1999: 88). In short, producers were willing to compromise Code values, but only if it could lead to higher profits for individual films, as they believed no one film would bring severe consequences.

In a sense, these producers were right. No one film was responsible for Hollywood reformation (though many reductive accounts pose that Mae West was singlehandedly responsible for the Production Code) (Giannetti 2016: 197; Petersen 2014: 105). Rather, the

cumulative effect of producers repeatedly bending the rules of the Production was the eventual dissolving of the SRC. Despite attempting to satisfy the general principles of the Production Code, the film industry still faced pressures from reformers who felt that Hollywood had failed to effectively self-censor (Wittern-Keller 2008: 60-61). Among the biggest causes of concern for reformers were the fallen woman films. This genre specialized in seduction and adultery – offering scores of sexually active women who used sex in order to advance their own ambitions. In effect, these films embodied everything reformers feared about female sexuality and its capacity to influence similarly bad behaviour from its impressionable audience (Jacobs 1991: 5). Not just sexual, but sexually liberated, the fallen woman films like *Baby Face* (1933), *Possessed* (1931), and *Bed of Roses* (1933)¹ offered a celebration of female sexuality and the ends it could achieve, much to the chagrin of reformers. One such outraged voice was the Catholic Church, who, in believing Hollywood had failed in imposing Catholic morals and values in the movies, formed the Catholic Legion of Decency, an organization “built on encouraging decent films” in 1933 (Wittern-Keller 2008: 60). With the birth of the Legion, Will Hays was compelled to “abolish the Studio Relations Committee” and “create in its place the Production Code Administration (PCA)”, while hand-selecting dedicated Catholic Joseph Breen as the PCA’s head (ibid: 61; McGregor 2013: 18; Vieira 2019: 241-242).

Ostensibly, the PCA served the same function as the SRC: enforcement of the Production Code. But unlike the SRC, the PCA was far stricter in how they enforced the Code. Objectionable content, such as sex and adultery, could no longer be depicted with ambiguity under Breen’s rule (Hamilton 1996: 200; Jacobs 1999: 203). One of the most prominent targets of these changes was Mae West, who may have also been censored by the SRC, but nonetheless

¹ A more in-depth consideration of the “Fallen Woman” film can be found in Chapter Two.

was able to retain some sexual expression on film through ambiguity and humour. These strategies would prove ineffective with the PCA. *Belle of the Nineties*, West's first film in the wake of the PCA's formation, went through a long and rigorous struggle over censorship in the scripting and editing stages. Originally titled *It Ain't No Sin*, Joseph Breen objected to the film's "sacrilegious" title, demanded it be changed, and argued the script was a "glorification of prostitution and violent crime" which was "certain to throw the sympathy of the audience with sin, crime, wrongdoing, and evil" (Sova 2001: 42). The producers attempted to defend the film on the grounds that it was a comedy and not meant to be taken seriously, but this excuse was rejected. Breen "was adamant that the script was in total violation of the code" and insisted changes be made (ibid). Even after a new title and changes to the dialogue, the PCA still demanded changes to the completed film, including adding a wedding scene in order to legitimize the relationship of the main characters, and reshooting certain scenes so West's body was not as sexually suggestive (ibid: 42-43).

When *Belle of the Nineties* arrived in cinemas in September of 1934, it did so in a drastically compromised fashion. While West was open to working with Hollywood censors, as evident by the fact that all of her films were censored to some degree, the rigid demands of Breen and the PCA ultimately stifled her voice and, in turn, led to her presence in Hollywood diminishing rapidly (Petersen 2014: 106-107). Though the notion that Mae West was primarily responsible for the censoring of motion pictures by the Hays Office is a vast oversimplification, her experience remains an effective microcosm in demonstrating the different approaches to censorship taken by the SRC and the PCA. To be sure, Hollywood censorship and the enforcement of the Production Code "was 'stronger' after 1934", but the difference is a matter of degrees (Jacobs 1999: 94). West films had always been censored, just as the gangster films of the

1930s had always been subject to the parameters of the Code. The difference is merely in how the Code was interpreted and implemented, with the PCA's reading and enforcement creating an environment where the sexual expression and agency of West could not be sustained.

It is unlikely that Hollywood specifically sought to silence filmmakers like West and other figures of the fallen woman genre. The Code and the PCA were about protecting Hollywood's interests, not undercutting them. Had Will Hays truly wanted to remove West from cinemas, he could have implemented a ban on all of her films as he had with Fatty Arbuckle a decade prior. The core idea underpinning much of Hollywood's self-censorship was a business interest, and "it would hardly be desirable to wreck profits in the short term by preventing the exhibition of a complete film" (Jacobs 1999: 90-91). Censoring Mae West was not about removing her from the screen. It was about trying to negotiate a place for her profit generating content that could also appease the standards of the Production Code, therefore not incurring the ire of reform groups and potential government regulation. Nevertheless, we see from the results of these negotiations, the film industry's willingness to disregard female agency and sexuality in attempting to appease the morality embodied by the Production Code. Hollywood would take a similar approach to a litany of literary adaptations which often challenged the tenets of this morality. This can be demonstrated over the struggle to bring *Anna Karenina* to the screen in 1935.

In seeking highly profitable projects, adaptations "from Broadway successes, best-selling novels and nonfiction, and short stories from the mass-circulation magazines offered the best guarantee of commercial success, substantially outweighing the cost of their acquisition" (Maltby 1996: 103). Thus, it was a natural step for producers and film studios to secure the rights of many highly valued properties and adapt them to film. In the era of Joseph Breen and the

PCA, however, this proved a considerable problem, as the financial potential of such properties “made them commercially desirable and culturally appropriate for adaptation, but their content made that adaptation extremely problematic” (ibid). The 1935 adaptation of *Anna Karenina* is a primary example of a lucrative text which faced substantial changes at the hands of the PCA. Given that the source novel is rooted in adultery, something the Code only allowed if it was condemned and “not made explicit”, substantial changes had to be made (Jacobs 1999: 94). Major changes include the omission of Anna’s child born out of wedlock, Anna’s husband and the novel’s “inadvertent oppressor”, Karenin, being repurposed “as a patient, thoughtful, decent man abused by his sinful wife”, and Anna herself being frequently shamed for her infidelity (McGregor 2013: 90-91). Such alterations fundamentally change the meaning of Tolstoy’s text, altering what was a story about how systemic oppression of women manifests itself in domestic spaces to a misogynist tale of how an evil and ignorant woman brings ruin to a benevolent man. No matter. Doing so allowed the studio to reap the profits of a recognizable property while still satisfying the demands of the Production Code. The bulldozing of female agency may not be an implicit goal of the film industry, but if that is what is required to maintain a financially viable business without rocking the boat of the Production Code, so be it.

Hollywood’s approach to “problematic” adaptations captures the core theme behind the history of the Code. Namely, that the Code was a compromise that allowed Hollywood to maintain control over a profitable film industry while simultaneously diminishing female agency and controlling women’s bodies on-screen. As civic groups and religious institutions rallied against the “unwelcome ideas” in American cinema, Hollywood feared that government censorship would lead to further regulations which would curtail and limit film industry profits. Thus, the film industry elected to censor itself, thereby negating the need for government

ensorship and keeping the power, and profit, of the film industry internal. After several failed attempts, Hollywood found an ally in the Catholic Church, themselves seeking a means to spread influence in the country. With the Production Code, the Church offered Hollywood a moral guideline that would appease the many who clamoured for film censorship without involving the government. And it worked. Not only did the Code, Breen, and the PCA provide Hollywood a moral high ground with which they could appease censorship demands, but the works this system produced also proved highly profitable. Nineteen thirty-four, the first year of the PCA, saw a massive financial triumph for Hollywood studios, with, “wholesome family pictures” taking off at the box-office (Doherty 1999: 335-336). So, in addition to quelling censorship demands, putting an end to costly local cuts of films to satisfy local censorship boards, and maintaining control of the film industry within the hands of the producers, the new movies were also making money. While Mae West struggled to make a profit post-1934 and proved increasingly to be a gamble for Paramount, Shirley Temple soared, practically printing money for 20th Century Fox (ibid: 334-336; Ward 1989: 33).

To paraphrase Thomas Doherty, why should Hollywood quibble? (1999: 336). The Production Code, as enforced by the PCA, solved virtually all of the major problems censorship had posed for the film industry since the late nineteenth-century, and the films were making a profit too. Surely, feminine agency was a small price to pay.

Chapter Two

Immorality and Insurrection: The Gendered Politics of Pre-Code Cinema

“It is the difference between Ginger Rogers having sex without children – *Gold Diggers of 1933*, *Upper World* (1934) – and Ginger Rogers having children without sex – *Bachelor Mother* (1939)” (Haskell 1987: 91).

With the history of the Production Code established, we can now turn our attention to the specifics of feminine representation, and female sexuality in particular, in Pre-Code cinema. Before delving into the specifics of a singular filmmaker (Mae West) in Chapter Three, this chapter will put forth a broader overview of Pre-Code cinemas, covering a wide range of films, including glamorous collaborations between Marlene Dietrich and Josef von Sternberg, the fallen woman films Lea Jacobs deconstructs in her monograph *The Wages of Sin*, early Warner Brothers gangster pictures, “jungle adventure” narratives such as *Tarzan the Ape Man*, and what Thomas Doherty describe as “sex pictures”. This phrase refers to stories based on titillation and transgressive eroticism designed to entice 1930s audiences with the promise of raunchy sex (Doherty 1999: 103).

Such a broad approach is necessary, not only for understanding the wider trends of proto-feminism in Pre-Code cinema, but also for understanding the ways in which the Pre-Code era failed said feminism. It is my contention that Pre-Code Hollywood allowed for a space wherein proto-feminist messages could exist, *not* that the era itself was inherently proto-feminist. Indeed, the loose censorship standards that allowed for such proto-feminism also allowed for misogyny

which sought to profit from the on-screen exploitation of women. Any account of Pre-Code's feminist qualities must account for such a paradox. Similarly, it is important to consider the racialized double standards of this proto-feminism. While wealthy and glamorous white women were permitted a certain level of agency and sexual independence in Pre-Code, such dignity was not extended to women of colour. Black women in particular were often reduced to either highly sexualized bodies that added a degree of exoticism to foreign settings, or highly desexualized servants of whites, whose own internal lives are largely absent (Doane 1991a: 209-211; Koppes and Black 1999: 137). Though at different extremes, both speak to a fundamentally shared racism that denotes blackness as inferior to whiteness and reduces black bodies to set dressing within a scene rather than people. A similar streak of racism and colonialism pervades the representations of Indigenous women, who again are defined in relation to white characters, and white men in particular.

But even for white women, the proto-feminism of Pre-Code was compromised. Transgressive ideas and imagery were indeed able to slip through and make it into Pre-Code Hollywood, but the manner in which these elements manifested themselves was always contextualized in the more conservative values embodied by the Production Code. In effect, Pre-Code films may allude to pre-marital sex, adultery, prostitution, or promiscuity, but various strategies would be employed to ensure the films themselves did not paint these acts in a positive light. The degree to which such efforts of diffusion were successful can be debated and vary from film to film, but they nonetheless do demonstrate that even films which challenge aspects of patriarchal society nonetheless subscribe to aspects of patriarchy. This is a crucial reason why this thesis refers to the feminism of Pre-Code as a *proto*-feminism. That is to say, a more primitive form of feminism, one which is a precursor to the feminist analysis and critique which

was to emerge in the second-wave feminism of the 1970s but remains constrained. This is not meant to dismiss the value of proto-feminism in Pre-Code Hollywood, but to provide the most accurate understanding of said proto-feminism.

This chapter is divided into three sections. Part I considers the proto-feminism of Pre-Code cinema, citing examples of films which demonstrate a degree of female agency, independence, and sexual liberation, as well as analysis of how such films express these transgressive viewpoints. The goal here is to identify the larger trends of female representation in Pre-Code cinema, and specifically, how proto-feminist ideas and imagery most often manifested themselves. Part II considers the trends of misogyny and racism which underpin much of Pre-Code. This is not to dismantle the notion of a proto-feminism in early 1930s Hollywood, but to understand the era in all its complexities and shortcomings. Similarly, Part III complicates the understanding of proto-feminism in Pre-Code by considering the ways it is compromised, constrained, and contradicted. In particular, this section considers how filmmakers would employ what Joseph Breen would come to call compensating moral values – “narrative signposts that took viewers by the hand to prevent them from reading” films in salacious or transgressive ways (Hamilton 1996: 204). This analysis, taken in tandem with a consideration of the inherent racism of Pre-Code cinema, will help to provide the most authentic portrait of Pre-Code’s proto-feminism possible. The goal of this thesis is not to argue that Pre-Code was an idyllic paradise of feminist representation that was torn asunder by the Production Code Administration. Rather, that the space of Pre-Code, though a compromised space, did allow for alternative forms of representation, one which had the capacity to transgress the societal norms inscribed within the Production Code.

The focus of Part III will also help set the stage for Chapter Three, and the feminist-based analysis of Mae West. Put simply, tracing the ways in which depictions of feminine agency and sexuality, no matter how seemingly transgressive, were nonetheless compromised within a patriarchal cinematic apparatus, is to emphasize the very freedom which continues to make West unique.

Part I: The Proto-Feminism of Pre-Code Hollywood

In describing the transgressive feminist qualities of Pre-Code cinema, Lea Jacobs states that it is “not that the films directly set out to challenge the values of marriage, hard work, and female chastity, but rather that in their terms of address and enactment of narrative conventions the films inadvertently destabilize the moral and sexual categories which censorship sought to reinforce” (1991: 24). Such perspective is reflected in this analysis, which concerns itself less with authorial intent, and more so with the works themselves. In breaking the rules of the Code, how did Pre-Code cinema represent female agency and sexuality? To what degree did these depictions play into masculine-dominated and patriarchal cinema, and to what degree did they disrupt this system? These questions will be answered by applying feminist film theory, first (building on Jacobs) to the fallen woman genre, and second, by looking more broadly at key sex symbols of Pre-Code cinema, like Marlene Dietrich (building off of Marjorie Rosen and Molly Haskell).

On paper, the fallen woman story is one that seems ripe with gendered double standards and subordination of women. Indeed, the genre, which drew from nineteenth-century literature, is predicated on “seduction or adultery”, where the sexual deviance of the heroine causes her to be cast out from society (ibid: 5). Her exile from society is the “fall” of the fallen woman, and her exile is brought about by sacrificing her virtue through sexual indiscretion. Such a set of

conventions clearly speaks to patriarchal societal norms pertaining to female sexuality and the ways in which women are valued (or devalued) on the basis of their sexuality. These very values are embedded in the Production Code itself, as it sought to restrict imagery of sexually active, independent, and promiscuous women on the basis that they might influence similarly negative behaviour in impressionable American women (ibid: 3; McGregor 2013: 7, 104; Wittern-Keller 2008: 2). It is in this regard that the transgressive qualities of the fallen woman film start to make themselves apparent. Though the values which underpin the genre are largely shared with those which shaped the Production Code, such stories do necessitate depictions of sexually active and independent women. Thus, fallen woman films “thematized many of the reformers’ own concerns about sexual deviance among female spectators” (Jacobs 1991: 5). In other words, the films inevitably depicted the very sexual deviance the Code was designed to quash. Consequently, the genre’s representations of female sexuality were transgressive.

Of course, transgression from the Code’s gendered norms does not itself denote a proto-feminism (Part II of this chapter will consider transgressions which remain steeped in misogyny, after all). What elevates the fallen woman genre from merely transgressive to proto-feminist is not merely that the works depicted female sexuality and independence, but how. To analyze this, we will turn our attention to one of the most cited and discussed fallen woman films: *Baby Face* (1933) (Doherty 1999: 2-3, 108-109; ibid: 11, 69; McGregor 2013: 83). *Baby Face* belongs to a subset of fallen woman films that Jacobs refers to as “Cinderella stories”, wherein a woman from a lower class uses her sexuality to achieve means (1991: 11). *Baby Face* embodies this with Barbara Stanwyck’s heroine coming from poverty but using her sexuality to ascend within a major banking company. The film depicts Stanwyck moving from one man to another, with her suggestive persona and inviting glances depicting her sexual conquests, while a reoccurring

visual device sees a camera tilting up the skyscraper she works in; metaphorically and literarily depicting Stanwyck's rise to the top.

With its use of visual metaphor and scope of its rag to riches story, *Baby Face* is among the purest versions of the Cinderella story Jacobs describes, but it is not an isolated example. Films such as *Possessed* (1931), *Bed of Roses* (1933), and *Red-Headed Woman* (1932) put forth similar storylines wherein women use their sexuality to ascend economically (ibid: 11, 18; Vieira 2019: 130). Thus, while the fallen woman film is rooted in certain reductive beliefs in regard to female sexuality, the films also inherently put forth an independent woman who is able to achieve success on her own terms. In *Baby Face*, Stanwyck seeks economic and social advancement, and proceeds to attain these goals not through the aid or generosity of men, but through her own actions. In putting forth such an active female protagonist who directly shapes the narrative, *Baby Face* subverts typical gendered norms of cinema which position men as agents who drive the narrative while women are largely passive and lack agency (Mulvey 2010: 483-484; Rosen 1974: 169). Such depictions were especially transgressive given the social climate of America in the early 1930s. In the wake of the Great Depression, with the nation in a state of turmoil and denied material goods, the movies which showed women as active agents had to depict them using their wits to survive and prosper in trying times (Jacobs 1991: 12; Rosen 1974: 141). *Baby Face* foregrounds the precarious economic conditions of the Depression, opening with Stanwyck working in an impoverished speakeasy during prohibition. It is from this Depression-informed milieu that Stanwyck rises.

Putting forth economically independent women during the Great Depression was quite bold, and it did indeed spark a backlash. In addition to their sexual transgressions, the "Cinderella stories" also spoke to male insecurities. As Marybeth Hamilton describes, "In an era

when men's status as breadwinners was so precarious, male control was a sensitive issue. One has only to look at oral histories of the Great Depression to see how often families were broken by sexual tension and men's flagging sense of authority" (1996: 202). This flagging sense of authority was precisely the tension that the fallen woman films, perhaps inadvertently, preyed upon. In depicting women who achieved such financial success while men were struggling both economically and with their own sense of value, the fallen woman films personified the anxieties of men in the 1930s. Compounding this anxiety was the fact that the fallen woman achieved their success precisely at the expense of men. In *Baby Face*, the foundation of the narrative is Stanwyck repeatedly seducing men to get what she wants, and then discarding them when they are no longer necessary. Narratively, the men are inscribed as subordinate, and this is reflected in the film's visual language. While Stanwyck is largely seen through glamorous close-ups and moves through space with authoritative confidence, the men in the film are characterized by powerlessness, often framed in standard medium close-ups and with flat angles which lack personality or affect. The performances, meanwhile, are defined by nervousness. The men awkwardly stammer and stare, with their lines coming out in a stutter as they sweat, fidget, and avoid eye-contact with Stanwyck. Rather than the camera's gaze objectifying and demeaning women, as Mulvey has argued is the standard in classical Hollywood, *Baby Face's* gaze instead reduces the authority of men on-screen, while reifying a woman's power (Mulvey 2010: 483-485).

The proto-feminism of the fallen woman genre stems from how the films repeatedly position women as independent and active agents who drive the narrative, rather than passive figures. This sense of independence is predicated on violating Code rules regarding depictions of female sexuality. In the case of a film like *Baby Face*, that meant portraying Barbara Stanwyck's

heroine as a woman well in charge of her sexuality and who used her intelligence to get what she wanted on her own terms, even if at the expense of men. One might argue (as has been the case with the works of Mae West), that such films merely engage in an act of reverse chauvinism wherein men are exploited rather than women, but the fundamentals remain the same (Ward 1989: 62). There is some truth to this. Certainly, *Baby Face* does depict a form of exploitation where men are reduced to objects for Stanwyck's own gain (albeit economic rather than physical) and the film gleefully indulges in such exploitation. However, to view such a depiction as merely "reverse chauvinism" is reductive and ignores gendered power dynamics. Crucial to chauvinism (and gender oppression more broadly) is how it plays into traditional norms about gendered power dynamics, and specifically female subordination (Patil 2011: 250-251). Simply putting forth a cinematic depiction where it is men who are exploited rather than women does not itself make for reverse chauvinism, as the larger socially constructed power dynamics which underpin the relationship are fundamentally different. Rather than depicting men reaffirming notions of patriarchal control, *Baby Face* depicts a response wherein a woman turns said tools around against the oppressor. Indeed, fallen woman films like *Baby Face* are best understood for the ways in which they challenge gendered norms pertaining to female agency and sexuality.

Challenging gender norms was not merely limited to a single genre in Pre-Code Hollywood. In some cases, it defined entire star personas. Take Marlene Dietrich, whose identity was largely built on a gender fluidity, and whose Hollywood collaborations with director Josef von Sternberg in the early 1930s were among the boldest in transgressing the traditional, Code-approved notions of femininity (Haskell 1987: 7; The Criterion Collection 2018b). Together, the pair made five films in Pre-Code Hollywood: *Morocco* (1930), *Dishonored* (1931), *Shanghai Express* (1932), *Blonde Venus* (1932), and *The Scarlet Empress* (1934). All five tell

fundamentally different stories, but each revolves around Dietrich as a powerful, larger-than-life character with an explicitly sexual past who walks the line between societal judgement and personal pride. Key to Dietrich's transgressions was not just that her characters embodied a very pointed sexuality, but also that Dietrich mixed masculinity and femininity, while also suggesting a level of bisexuality (The Criterion Collection 2018a). Such elements were perhaps never stronger than in Dietrich and von Sternberg's first Hollywood film. In *Morocco*, Dietrich is first introduced as an otherworldly figure emerging from a ghostly fog, and later takes to the stage donning a tuxedo for a musical performance. The basic construction of the scene is that of the female entertainer performing for a room full of leering men, but Dietrich's attire tilts the conventional power dynamics. In wearing a tux, itself a symbol of masculinized power, Dietrich reasserts a level of agency and control that is typically denied to women on-screen.

To some extent, Dietrich's agency in *Morocco* is fundamentally different than, say, Barbara Stanwyck's in *Baby Face*. Where Stanwyck's agency draws from an extreme embrace of female agency and sexuality, Dietrich's comes from seizing traditionally masculine symbols of authority and integrating them into her own performances. Rather than destroying her own femininity, however, Dietrich parodied "conventional notions of male authority and sexual role-playing without destroying her credibility as a woman" (Haskell 1987: 112). Her characters still embrace female sensuality and a sense of sisterhood (particularly in *Shanghai Express*), but also refuse for such femininity to deny her the power so often rewarded to men. Similarly, Dietrich refuses to play strictly within a heteronormative mode of desire. Though each of the aforementioned collaborations with von Sternberg do center around a heterosexual romance between Dietrich and a man, the films are also loaded with suggestions of bisexuality. This is most evident in *Morocco*, where a man in attendance flirts with Dietrich during a performance.

Rather than play into his desires, however, Dietrich rejects his advances and instead plants a delicate kiss on the man's female attendant. Not only does this depiction clash against the rulings of the Code, which explicitly forbade depictions of homosexuality, but the moment is also constructed as a rejection of a man's sexual attention in favour of an alternative form of sexual pleasure. In effect, these depictions challenge a strictly patriarchal understanding of both personal identity and desire.

This defiance against patriarchy is often evident in the films themselves. Both *Shanghai Express* and *Blonde Venus* depict women that receive judgement and scorn from men who struggle with her sense of sexual independence and agency, struggling to accept that Dietrich could achieve sexual pleasures beyond them. Both movies end with a reconciliation of sorts between Dietrich and her lover (though the tone of *Blonde Venus*'s ending is far more ambiguous in this regard), effectively suggesting a coming together of women and the patriarchal expectations placed on them. This is not the case with *Dishonored*, where Dietrich plays a prostitute enlisted by her government to engage in acts of espionage in World War I. This premise suggests a redemption arc wherein the shamed sex worker finds value and purpose in serving her country, but this is not what happens. Instead, the third act sees Dietrich turn against her superiors in order to spare an ex-lover. Dietrich is given an opportunity to recant her crimes, but she refuses, and thus is executed by her own government. Narratively, her execution is for treason, but thematically, Dietrich is really charged with her own sexuality. It is for not fitting within a limited understanding of what is a 'good woman' that Dietrich is killed. This is emphasized not only by Dietrich's past as a prostitute, but also for her choosing to wear the dress she wore as a prostitute. When asked about the choice, Dietrich defiantly claims it was for when she served "her countrymen rather than her country".

Dietrich is killed in the end of *Dishonored*, but more importantly, she goes out on her own terms. Her death may be a punishment that helped appease the SRC in regards to the film's breaking of Code rules, but it also serves as an act of defiance. Dietrich resists the moral redemption offered by a supposedly benevolent patriarchal state, and instead embraces the sexual agency that made her deviant in their eyes. This is why Molly Haskell describes Dietrich as a hedonist; an unshackled sensualist "who would rather go to hell than achieve salvation at the price of erasing all their moments of carnal bliss" (ibid: 109). For Pre-Code figures like Dietrich, this defiance was crucial to their proto-feminism. Not only did they embody a sexual agency and desire which fell outside of patriarchal worldviews, but they also embraced this deviance with pride. Such accomplishments need to be qualified, however, as this proto-feminism was not available to all women in Pre-Code Hollywood. Indeed, such privilege was only granted to a select few.

Part II: The Misogyny and Racism of Pre-Code Hollywood

Pre-Code was not a utopian space, but one where a lack of enforced censorship allowed for films that defied the moral standards outlined by the Production Code. This did allow for a wave of proto-feminist films that promoted female agency, but it also allowed for a wave of virulently misogynist movies. Haskell notes the contrast, describing the era as "liberated" while also stating, "The same period gave us, with *Little Caesar*, *Public Enemy*, and *Scarface*, the most violently machismo, woman-bruising films in history" (ibid: 91). Indeed, each gangster film gleefully indulges in violence against women, with the wives, molls, and mistresses frequently subject to pain and humiliation, often for the amusement of the viewer. Take *The Public Enemy* (1931), where James Cagney smashes foods in his girlfriend's face. This moment of cruelty is merely another example of our gangster protagonist exerting his power over others.

A similar streak of unobserved cruelty can be seen in the vice films that depict prostitution in the Depression, such as *She Had to Say Yes* (1932). To this film's credit, it does foreground the ways in which prostitution was often the only viable means for women to achieve some manner of economic stability (Rosen 1974: 141). The focus of the narrative is not, however, on a woman having to navigate a potentially dangerous working environment (as seen in 1932's *Faithless*, for example), but on a group of men who decide to start prostituting their female employees without their consent in order to compensate for Depression-era losses. The whole situation is played as wacky comic hijinks, which clash wildly with the depiction of sexual violence. Throughout the film, Loretta Young's heroine is subject to attempted rapes by the film's competing love interests in scenes which are constructed as lightly comic courting attempts. By film's end, Young ultimately settles and embraces one of her suitors, giving a horrifically dark layer to the film's supposedly comedically intended title. Thus, both the gangster films and *She Had to Say Yes* frame female suffering in a comical light, designed to elicit laughter and amusement from a presumably male spectator (Doane 1991d: 165-166; Doane 2010: 501-502).

The aforementioned works also engage in a more subtle and pervasive form of sexism: the reducing of women in film to passive figures who lack agency and primarily exist to be gazed upon by men (Mulvey 2010: 483; Rosen 1974: 169). Neither the gangster's moll nor the women prostituted have any narrative agency. The former exists to be won as a prize by the Cagneys and Robinsons, while the latter to be objectified by her male employers and ultimately seduced and had by men. Their importance starts and ends with their bodies, and what they offer to the men of the film. This is a more general trend in Pre-Code cinema that extends well beyond gangster movies or "sex pictures". Certainly, the horror films of the 1930s utilize the trope of

passive, vulnerable white women whose beauty attracts the attention of monsters who prey on their femininity, before the monster is destroyed by the white hero. Examples include *Dracula* (1931), *Frankenstein* (1931), *The Mummy* (1932), *Mystery of the Wax Museum* (1933), and *King Kong* (1933). This of course opens another failing of Pre-Code's proto-feminism, and that is its racial politics.

While a proto-feminism did exist in Pre-Code cinema, this space was only really available to white women. Black women were probably the most visible racialized Other in 1930s American cinema, and they too were marginalized. The Code's strict forbidding of miscegenation (itself reflective of a long censorship history) was severely limiting for people of colour given the strict emphasis on white narratives in Hollywood (Regester 1996: 171). Granted, Pre-Code was designed around the violation of Code rules, but only when said violation could be profitable for the studios. Breaking miscegenation rules, however, would severely damage a film's profitability in the United States South. Thus, "studios striving for the maximum market willingly modeled their black characters to the tastes of the most racist part of the country" (Koppes and Black 1999: 137). Consequently, black women were typically relegated to the margins of the screen, either as supporting characters or as background extras. In effect, black women were rendered largely invisible (Doane 1991: 209-211).

Black women's sexuality in Pre-Code Hollywood typically existed at one of two extremes. First, as a hypersexualized Other to be gazed upon as a sort of exotic foreign specimen distinct from white sexuality. This was most common in jungle adventure films such as *Tarzan the Ape Man* (1932). Ella Shohat and Robert Stam note the racialized double-standard in censoring white and black bodies. The pair describe how the Code "censored Jane's two-piece outfit into one in later *Tarzan* films, [but] left intact the naked African women in the background,

evoking a *National Geographic*-style prurient delight in unilateral native” (1994: 106). The pair go on to argue that in taking up a presumed ethnographic gaze, films like *Tarzan the Ape Man* instead speak to “pornographic impulses” (ibid). The black women in the *Tarzan* films are not really characters; they are sexually objectified figures designed to be consumed voyeuristically. This of course links to the Mulvian view of the male gaze and the ways in which the camera’s gaze is designed to objectify women for male pleasure (Mulvey 2010: 485). What Shohat and Stam add to this analysis is the sense of a racial hierarchy. That in films like *Tarzan the Ape Man*, there is a clear distinction in the ways white and black women are represented on-screen, and in a way that ultimately places superiority on the former.

This pattern of racial discrepancy is also seen in von Sternberg’s *Morocco*. The film does not open with Dietrich, but with French soldiers marching through a Moroccan marketplace as topless black women adorn the frame. These women do not speak but are instead framed as background details, which add an exotic (and erotic) element to the film. Furthermore, these objectified nude figures serve as a contrast to Dietrich, who is not only shot and lit in a way that emphasizes a luminous whiteness, but whose agency largely draws from her costumes. If power in *Morocco* draws from clothing, then the nudity of the black women in the opening scene denotes powerlessness. Von Sternberg would further contrast Dietrich with black women’s bodies in *Blonde Venus*, where a musical performance shows a sea of faceless black dancers reduced purely to bodies playing into savage jungle film stereotypes. Dietrich, meanwhile, emerges from an ape costume, suggesting a transcendence beyond the animalistic characterizations that the black bodies remain resigned to. In other words, both *Morocco* and *Blonde Venus* use the contrast between Dietrich’s whiteness and black female bodies to denote the authority of the former while demeaning the latter.

The other end of black women's sexuality in Pre-Code Hollywood was an extreme desexualisation. This is most evident in depictions of black servants such as maids or assistants, who are depicted as being so subservient to their white masters that they seem to lack an internal life. The most famous depiction of this is undoubtedly *Gone with the Wind* (1939), where Hattie McDaniel and Butterfly McQueen's respective maid characters exist seemingly only to serve the whims of Scarlett O'Hara. A similar dynamic is also seen in the films of Mae West, which do frame West as a confidante and friend to people of colour, but there is nonetheless a clearly enforced hierarchy. West has agency, sexuality, and identity, while her black maids are typically middle-aged, overweight, and whose own desires are no concern (Robertson 1996: 35-36; Ward 1989: 11, 83). This dynamic was not limited to West however. A similar relationship can be seen in the likes of *Morocco* and *Baby Face*. These films foreground a contrast between white and black femininity that ultimately denies the sexual identity and agency of the later. This denial of black sexuality is not totally dissimilar from the ways in which movie stars like Sidney Poitier and Harry Belafonte had their sexuality denied and diluted in mainstream Hollywood in the 1950s (Peck 2016). The common denominator is the use of a sexually diffused identity as a means to keep blackness subordinate to whiteness.

The racism and misogyny which informed the depictions of black women in 1930s Hollywood were not exclusive to black women. A similar (though distinct) binary also shaped depictions of Indigenous women. Although American films about Indigenous peoples were at the height of their popularity and proliferation in the early years of the silent era, certain trends regarding the representation of indigeneity from Hollywood carry through into Pre-Code cinema (and beyond). In regard to Indigenous women, the most reoccurring trend is the binary of what Indigenous film scholar M. Elise Marubbio calls "The Celluloid Princess" and "The Sexualized

Maiden” (2006: 5). These are two distinct but interrelated archetypes that inform the roles played (by and large) by Indigenous women in Hollywood. First, the Celluloid Princess “symbolizes the ‘best’ of Native America and the possibility of assimilation”, with her key characteristics being, “her connection to nature and the American landscape, her innocence and purity, her link to nobility, her exotic culture and beauty, her attraction to the white hero, and her tragic death” (ibid: 6). By contrast, the Sexualized Maiden “represents the ramifications of interracial mixing on American society”, and she “embodies enhanced sexual and racial difference” (ibid: 7). Her intense sexuality is framed as a threat to the white male characters, “as evidence of her immorality, innate savagery, and potential to destroy American society” (ibid).

Though existing on opposite extremes, both the Celluloid Princess and the Sexualized Maiden reflect a similar pattern wherein the sexuality of Indigenous women is defined entirely by how it affects the white male protagonist. With the Celluloid Princess, the purity of her sexuality represents another frontier for the white male hero to colonize (ibid). Alternatively, the Sexualized Maiden’s sexuality turns her into a type of femme fatale; a villain who can use her sex as a weapon against the white male hero (ibid: 7-8). Both archetypes see their sexuality defined only in relation to a white man. Furthermore, both characters are ultimately destroyed by the end of the narrative. This way, not only does this free the white hero “to fulfill his destiny”, but it also allows the presumed white spectator to indulge in a fantasy of lusting for Indigenous women while still maintaining a firm racial hierarchy of separation between white America and Indigenous peoples (ibid: 54-55). This dynamic is most fully embodied within Pre-Code in Cecil B. DeMille’s 1931 version of *The Squaw Man*, wherein the exotic and hypersexualized native woman ultimately sacrifices herself for the white hero (ibid: 55).

These two binaries, the hypersexualization/desexualisation of black women and the Celluloid Princess/Sexualized Maiden archetypes of Indigenous women speak to the same fundamental process: the reducing of women of colour to set decoration. Though there are exceptions, women of colour in Pre-Code are less characters within the space and are closer to props. They are objects to be consumed and used by the white characters. This is one of the great failings of Pre-Code's proto-feminism. The lack of intersectionality in understanding the way racial divisions further shape women's experience is a profound hole and one of the principle reasons why this thesis looks at the *proto*-feminism of Pre-Code, rather than feminism itself.

Part III: The Compensating Moral Values of Pre-Code Hollywood

Pre-Code cinema may be historically defined by its flagrant disregard for the rules, but the spectre of the Code was never entirely absent. Make no mistake, the films of Pre-Code still faced Code-inspired censorship (Hamilton 1996: 187-188; Maltby 2012: 237-240). One crucial strategy would be the inclusion of compensating moral values, in which certain Code transgressions could occur on-screen provided they were framed as immoral and trumped by a better way by film's end. Though this specific phrase would not come to be coined until Joseph Breen and the PCA took control in 1934, the concept itself was at work in Pre-Code (Hamilton 1996: 203-204; McGregor 2013: 64; Wittern-Keller 2008: 55). A common strategy was the use of a wedding to justify a romance. *A Farewell to Arms* and *Scarface* (both released in 1932) for example, forcibly inserted marriage sequences so as to legitimize the romantic relationship between characters (McGregor 2013: 88). This very strategy is used in *Baby Face*, with Barbara Stanwyck's path through so many men ultimately leading to a marriage. A similarly monogamous streak runs through the Dietrich films, *Morocco*, *Shanghai Express*, and *Blonde Venus*, with Dietrich's promiscuity and flirtations ultimately falling away as Dietrich settles on

one loving partner. The compensating moral value is a part of the character's arc, where a woman of dubious morals ultimately abandons such deviance by film's end.

Marriage and monogamy were one such strategy for diffusing sexual transgressions, but another was simply the way an act was morally framed. *Baby Face* sees Stanwyck use her sexuality to dupe and take advantage of men in order to enrich herself, but the climax sees her recant this lifestyle. As her actions drive her husband near to death, Stanwyck abandons "her wanton life and loses her wealth and reputation in one fell swoop" (ibid: 83; Vieira 2019: 205). Thus, Stanwyck is punished for her transgressions against men, and the Code-approved morality has been restored. At least in theory. In practice, how effective such compensation was in undoing the moral transgressions of the rest of the film is debatable. The narrative of *Baby Face* is still predicated on Stanwyck using her sexuality for her own ends, while the last-minute moralization of the film's climax is clearly tacked on and not reflective of the rest of the film (Jacobs 1991: 77-80). Essentially, the film offered 60 minutes that gloriously celebrated Stanwyck for her sexual prowess and independence, and then a ten-minute half-hearted nudge toward the notion that such sexuality is actually deviant and worthy of punishment. These final minutes of the film were a forced concession to the Production Code, and it shows.

Regardless of the efficacy of such moralizing, these efforts are nonetheless worth noting. Similar efforts are taken in von Sternberg and Dietrich's collaborations. *Morocco* ends with Dietrich forgoing her own independence to follow Gary Cooper; *Dishonored*'s defiant climax nonetheless sees Dietrich violently killed; the drama of *Shanghai Express* hinges on Dietrich's boyfriend's forgiveness, which is ultimately granted in the film's final scene; *Blonde Venus* ends with a reconciliation of the traditional family unit. Each film ends either with Dietrich being punished in some capacity, or with her return to a traditional patriarchal status quo. This extends

in Pre-Code moralizations of sex, and particularly prostitution. *Faithless* (1932) is shockingly upfront about Tallulah Bankhead's work as a prostitute, but the film is also clear to contextualize this act. The film maintains the act to be a horrid sin, but stresses that Bankhead only engaged in such indecency to pay for her husband's medical expenses during the Depression. Furthermore, the act itself clearly brings her no joy, and is in fact a hardship she must endure. That is, until a benevolent police officer grants Bankhead an honest job, and ultimately all is forgiven.

Compensating moral values: a woman can work as a prostitute, but only if she is appropriately shamed for her transgressions and the status quo is ultimately reset.

Highlighting this moralization is important, not only for providing an honest account of Pre-Code Hollywood, but also for establishing the environment that made Mae West so exceptional. While West was by no means the only sex symbol of Pre-Code Hollywood, nor the only woman to show such independence, the degree of her freedom remains staggering. West was not judged and constrained in her expressions. She did not recant her sinful ways, she did not give up her independence to serve the man she loved, and her sexual promiscuity was not to serve some altruistic goal, but because she derived great pleasure from sex. In other words, West was not subject to the same level of moral scrubbing as her contemporaries. At least not at first.

Chapter Three

She Done Him Wrong – The Subversive Proto-Feminism of Mae West

“She alone, out of an enormous and dull catalogue of heroines, does not get married at the end of the film, does not die, does not take the road to exile, does not gaze sadly at her declining youth in a silver-framed mirror in the worst possible taste; and she alone does not experience the bitterness of the abandoned ‘older woman’” (Colette 1984: 62-63).

Though a general survey of the Pre-Code landscape is useful, fully understanding the proto-feminism of the era – and the ways in which such themes were hindered by the Code enforcement of the Production Code Administration (PCA) – requires analysis of a specific figure. Mae West is among the most prominent figures in the history of Code negotiations, particularly regarding gender and sexuality. Though West’s struggles with censorship offices have been well-documented in film literature, little attention has been paid to how such negotiations spoke to broader questions of feminist cinema. This is the intervention this chapter is attempting to make. Though West was always censored, her earliest films do represent a proto-feminist vision that depicts proactive and independent female protagonists, appeals to a female spectator, and does foreground female desires. This is not to suggest these films do not also reify aspects of the male gaze and patriarchal cinema as they certainly do, but ultimately, West’s earliest films are transgressive efforts that disrupt the patriarchal cinematic apparatus they were created within. This transgression would gradually be reduced as Code censorship became stricter, with later West characters becoming increasingly submissive and sexually diffused as

censorship standards tightened. This arc is reflected in the real experiences of West, who started in Hollywood with a high degree of creative freedom, but whose agency was diminished as the Code became more strictly enforced (Hamilton 1996: 187-188, 203; Petersen 2014: 106-107). The Code, then, not only repressed and restrained women on-screen, but off-screen as well.

This chapter is divided in two sections. Part I provides a brief outline of West's career in Hollywood, with a summary of West's censorship negotiations and the gradual decline of her film career in the late 1930s and early 1940s. Part II offers a textual analysis of West's films rooted in feminist film theory, principally the work of Laura Mulvey, Mary Ann Doane, and Teresa de Lauretis. This section considers the representation of West's protagonists, both narratively and cinematically, through frameworks such as the male gaze, the female spectator, and feminist cinema. Though none of the works in question speaks to what these second-wave feminists would likely consider a feminist vision, the strands of feminine agency and alternative forms of spectatorship of West's early works do suggest a proto-feminism that challenged aspects of the patriarchal environment they were produced in. Seeing this proto-feminism be swiftly silenced under the PCA is also useful from an academic perspective, as it provides a demonstrable example of how female agency can be cinematically diminished.

The West films foregrounded consist of the following: *She Done Him Wrong* (1933), *I'm No Angel* (1933), *Belle of the Nineties* (1934), *Goin' to Town* (1935), *Klondike Annie* (1936), *Go West, Young Man* (1936); *Every Day's a Holiday* (1937), and *My Little Chickadee* (1940). *She Done Him Wrong* and *I'm No Angel* are West's first films and her most transgressive. Both films were still censored, but are far more sexually explicit than West's later works, in turn depicting a form of femininity that both conformed to, and contrasted with, aspects of the Production Code. Comparatively, from *Belle of the Nineties* on, West's films were met with more strict censorship

standards and in turn reflect more conservative gendered representations. Though specifics of West's films post-1934 are highlighted, it is the overriding trends found in this portion of her filmography (and how they challenge aspects of West's Pre-Code work) that are the focus. This chapter also considers West's first screen appearance, *Night After Night* (1932), albeit in far less detail, given West only plays a supporting role that is largely tangential to the rest of the film. Furthermore, West's final Code-era film, *The Heat's On* (1943), is only briefly referred to given West had no creative control over the work and her on-screen role is minimal at best (Ward 1989: 35). Finally, West's final films, *Myra Breckinridge* (1970) and *Sextette* (1978) are not explored in great depth. Though the two works offer a fitting cap to West's career and film legacy more broadly, they were also produced well after the collapse of the Production Code and furthermore, in an era where West's sexual agency lacked the transgressive qualities it held in the 1930s (ibid: 45-47). The focus of this chapter is more strictly on the films West had the most creative control over, and the ones produced in direct relation to the Code. In analyzing this body of work, and specifically contrasting West's first two films with that which followed highlights the impact the Production Code had on the gendered representations in West's work.

Part I: Hollywood Goes West

While MPPDA head Will Hays's power rose in the 1920s, so too did Mae West's. As a Broadway writer and performer, West found considerable success with a series of sexually charged plays, such as *The Captive*, *Diamond Lil*, and the bluntly titled *Sex* (Robertson 1996: 46-47). Had West remained bound to the stage, she likely would have remained a theatrical curiosity rather than a cultural icon (Ward 1989: 22). Transgressive, to be sure, but with her influence tied to the locality of theater rather than on a global stage. West was a Broadway sensation, and that sort of money-making success quickly grabbed Hollywood's attention. Knowing full well the

ensorship difficulties West would bring, Hays actively fought against her arrival, but such efforts only made her more alluring for film studios intrigued by her box-office potential (Leff and Simmons 1990: 20; Robertson 1996: 47). With the coming of sound cinema in the late 1920s and early 30s, Hollywood was faced with a new set of challenges and sought performers who had experience working with such elements as dialogue and music. Such requirements led to Hollywood's acquisition of major vaudeville talent such as the Marx Brothers, W.C. Fields, and of course, Mae West (Balio 2012: 216).

West's first screen appearance would be a supporting role in *Night After Night* (1932). Though initially uninterested in the role, West agreed when she was granted authority to write her own scenes and dialogue (Ward 1989: 23). West's role is largely irrelevant to the plot of the film – were her scenes cut they would likely have no bearing on the main story. Instead, the story largely stops for West to indulge in her sexually charged persona and innuendo-laced dialogue. Even this early in her career and in such a small role, West's screen presence seems fully formed, completely dominating the frame with her exaggerated hip sways and suggestive glances. But it was not just West's body on-screen; it was also her voice, the sharp-tongue that could make even the most mundane of suggestions seem dripping with provocation. In *Night After Night*, West dropped what would become among her most iconic lines. When a woman eyeing West's diamonds (implied to be a gift from male suitors) exclaims, "Goodness, what beautiful diamonds," West amusingly quips back, "Goodness had nothing to do with it, dearie". A sly understatement of transgression that effectively serves as a summary of West's entire filmic legacy. West no doubt recognized this, as she titled her auto-biography *Goodness Had Nothing to Do With It* many years later.

Allegedly, director Archie Mayo disliked West and her “established sexual persona” (Ward 1989: 23). If this is true, it does not show in the final product. Shots with West are often designed around the actress as the focal point of the image as audience eyes naturally gravitate towards her. West is also the driving voice in all her dialogue scenes and even has the last line in the film. Mayo may have disliked her, but West fought for scenes and dialogue that played to her strengths (Vieira 2019: 176). Her role may have been tangential to the plot, but West’s presence breathes life into what is otherwise a fairly routine gangster picture (ibid; Leff and Simmons 1990: 21; Leonard 1991: 112). *Night After Night* was a financial success, and critics were especially impressed by West (Leonard 1991: 112; Ward 1989: 24). Writing for film magazine *Photoplay*, Leonard Hall claimed that “the theatre has never sent Hollywood a more fascinating, spectacular and useful figure than Bounding Mae West, queen of the big-hearted, bad girls of show business”, adding West “was like a blast of fresh air in the smokey atmosphere of Raft’s swell speakeasy” (1933: 46). What would follow is Mae West’s greatest year in Hollywood. Nineteen thirty-three brought the one-two punch of *She Done Him Wrong* and *I’m No Angel*, where West not only played the lead roles in each, but both were also written by West and based on her own plays. If West was able to add her voice to *Night After Night*, with *She Done Him Wrong* and *I’m No Angel*, West imbued her voice in the very foundations of the work (Vieira 2019: 180). Where West’s presence in *Night After Night* is a compelling digression in an otherwise routine crime narrative, the one-two punch of *She Done Him Wrong* and *I’m No Angel* brought such a woman to the forefront, complete with a comedic style built around wordplay and an exploration of sexual desire from the perspective of a sexually liberated woman.

Responsibility for censoring these early West films fell to the SRC, whose adherence to the overall message of a film allowed West to inject a large degree of risqué material provided

certain conditions were met. This history has largely contributed to the misconception that West's early films were entirely uncensored (Hamilton 1996: 187-188). The SRC did object to some of the more "salacious" pieces of dialogue, but for the most part, the SRC's handling of West's material dealt more in issues of tone (Petersen 2014: 98-99). Films that explored sex and sexuality were infused "with a high degree of ambiguity" (Hamilton 1996: 191). Indeed, sex is not only never depicted in West's classical Hollywood films, but it is never even discussed, at least not overtly. Though innuendo-laced dialogue and West's suggestive delivery imply a sexuality, it is not stated outright. Thus, the SRC did not remove sexuality in West's films, but they did make efforts to deemphasize it. The other key deemphasizing strategy was humour. Fearing the potential influence West's sexual agency might have on impressionable female viewers, the SRC sought to inject comedy in West's films, so as to infuse "such exaggerated qualities as automatically to take care of possible offensiveness" (ibid). Such an approach allowed for West's sexuality to still exist on-screen despite being curtailed to appease the Code.

Both *She Done Him Wrong* and *I'm No Angel* proved massive financial successes, catapulting West to superstardom, and being often credited with saving Paramount Pictures from bankruptcy (Petersen 2014: 95, 99-100; Vieira 2019: 176). This success did not, however, translate to universal acceptance. Journalist Malcolm D. Phillips wrote a scathing article in film magazine *Picturegoer*, arguing that the glorification of Mae West's type of woman is "one of the most disturbing factors of the present Hollywood revolt against previous standards" (Leonard 1991: 125). Indeed, despite West's successes, the abolishment of the SRC and the foundation of the PCA in 1934 meant fundamental changes for West and her films. The previous shield of humour that West and Paramount used to defend their work would no longer suffice, with Breen and the PCA adhering to the details of the Code (Hamilton 1996: 200, 203; Sova 2001: 42). This

act of compliance and having to “clean up her image and dialogue” has been called an act of “professional suicide” (Haskell 1987: 118). Indeed, West’s films under the PCA were severely compromised, lacking the sharp humour and sexuality of West’s prior efforts, proving increasingly less successful commercially and artistically. By the time of 1937’s *Every Day’s Holiday*, West had so internalized the censorship efforts against her work that the script she proposed to the PCA was passed with only two line alterations (Ward 1989: 33). The financial failure of *Every Day’s a Holiday* was the final straw for Paramount, who dropped Mae West (ibid: 34). West would not make another film until 1940’s *My Little Chickadee*, a collaboration with fellow vaudeville entertainer turned Hollywood comic W.C. Fields. An inspired pairing, but the humour styles of the two clashed and while the film was something of a financial comeback for West, it was not a project she found creatively satisfying (Foot 2014; ibid: 33-34). By this point, West had soured on Hollywood, and vice versa. In 1940, leading film critic for the New York Times Bosley Crowther described West as “excess baggage” (Crowther 1940). Her last film in classic Hollywood would be *The Heat’s On* (1943), a work she claimed no writing credit on and was more cast for the funding her star persona could secure rather than for any creative contributions (Ward 1989: 35). She would not make another film until 1970.

Certainly, the films West made under PCA rule do maintain many of her major elements: the main character is usually a performer of sorts, the tension stems from West’s resistance to a status quo, and West’s performance exudes intelligence and sly humour. But while these films know the words, so to speak, they do not know the music. So diffused was West’s voice that her films lost their transgressive qualities, while the rebellious spirit and sexually active woman audiences were enraptured with faded away. This process of diffusion is foregrounded in Part II of this chapter. With the censorship Mae West faced and the overall arc of her career established,

it is now possible to engage in a more detailed analysis of the films themselves, and specifically, the representations of gender negotiated by West and the SRC/PCA.

Part II: Mae West and Feminist Film Theory

In her essay “Rethinking Women’s Cinema”, feminist film theorist Teresa de Lauretis questions whether any “formal, stylistic, or thematic markers point to a female presence behind the camera”, and, more generally, the extent to which a feminist cinema can emerge in a predominately masculine cinematic apparatus (2010: 318-321). Though never credited as director, West can be understood as a principal author of her films. West wrote all her own dialogue and was often the credited screenwriter of her films (Robertson 1996: 30). Moreover, West’s films were often explicitly based on the plays she had written, and all four of the films analyzed here feature a special credit that simply states, “By Mae West”, signaling her as author.

West’s creative stamp can also be seen across all of her films produced from 1933 to 1940 (though admittedly less so in *My Little Chickadee* given sharing screentime and writing credits with Fields), despite differences produced by SRC versus PCA censorship standards and the fact that each film has a different (male) director. The template of every West movie can be found in *She Done Him Wrong* (Rosen 1974: 160). All of her films center on a woman (played by West) who works as a stage performer of sorts – a nightclub singer, a circus performer, a famous actress, or a singer in an old West saloon. As with Dietrich in *Blonde Venus* (1932), the role of performer not only allows space for West to engage in song and dance within the film, but also serves as analogous for prostitution, with West engaging in paid work that involves sexually satisfying her largely male clientele (Doherty 1999: 123; Vieira 2019: 182). This implication transcends the realm of analogy in *She Done Him Wrong*, where it is strongly implied that West is in fact working as a prostitute, though this of course is never stated outright.

In each of these films, West must juggle a collection of potential male suitors while a low-key crime scheme and police investigation usually unfolds in the background (the only major exception to this is *Every Day's a Holiday*, which forgoes the usual crime drama in favour of Hollywood satire). The films typically focus on West's innuendo-laced comedic dialogue, flirtations, and musical performances rather than plot. In other words, West's films are driven by her own star persona and character rather than the specifics of the story. These enduring patterns demonstrate how important West, the one consistent creative element across these eight films, is as an author of these works.

Of course, being a female author does not itself indicate if a work is feminist. In her definition of a feminist aesthetic, De Lauretis resists any attempt to characterize feminist cinema as a set of clearly definable and essentializing traits (2010: 320). Furthermore, De Lauretis moves away from a feminist perspective that seeks positive images of women, and considers whether the film addresses the spectator as female (ibid: 324). Applying this to Mae West, the question of whether West's characters are positive images of femininity or good role models is largely irrelevant. What matters is how the film addresses its audience. This is a complicated question to answer regarding West, whose films often depict a powerful woman as the identifiable protagonist whose motivations are central to the story while simultaneously reaffirming a male gaze and patriarchy. The question becomes yet more complicated when also considering the role the Code played in shaping these gendered representations. Though West's SRC-censored films are full of contradictions in terms of gendered representations, both films ultimately do address a female spectator despite the limitations of a masculine-dominated cinematic apparatus. This is accomplished through foregrounding alternative forms of desire and framing female sexuality through the prism of feminine empowerment rather than masculine

pleasure. With the coming of the PCA, however, West's transgressive qualities were largely stamped out, as censorship reorganized her films to address a (hetero) male spectator, as the very strategies previously used to undercut a male gaze were eliminated.

For the purposes of simplicity, the protagonist of each film will simply be referred to as Mae West in this analysis. Subsequent statements pertaining to West the filmmaker and performer will be clearly distinguished from descriptions of character. Similarly, Cary Grant plays largely the same role in both *She Done Him Wrong* and *I'm No Angel*, and as such will be simply referred to as Cary Grant here. All other characters will be noted by their character name.

The history of cinema is “a history which inscribes women as subordinate”, particularly when we consider the patriarchal domination of mainstream Hollywood (Doane 1991d: 165). In this regard, Mae West was an exceptional figure, on-screen and off. As Marjorie Rosen said, “Never before, and never since, has a woman in films been so thoroughly in control of her destiny” (1974: 162). Not only did West have a large degree of creative influence over her films, but that power also extends to her characters; larger than life figures, self-sufficient, and with a great degree of agency in pursuing their own professional and personal desires. In *She Done Him Wrong*, West is a nightclub performer who is highly respected and valued by her professional associates. Before she is introduced, the character is described with a sense of awe. While much of that description does focus on her body, there is nonetheless a sense of respect and an implication that the club could not survive without West. The character's dominance is further emphasized in a scene where a young woman faints and it is West who takes charge of the moment, ordering the men around and being obeyed without question. Furthermore, a crucial subplot has West hearing that an ex-lover, who is now in prison, is planning to cause her harm. West goes to confront him, and though she is accompanied through the prison by a male escort,

West is the driving force of the scene, walking in the center of the frame with confidence as the tracking camera matches her assured energy.

West's narrative power is extended by how she is shot. While scenes in *She Done Him Wrong* and *I'm No Angel* that only feature the male characters tend to be characterized by flat medium shots, a lack of camera movement, and basic shot-reverse shot editing patterns, West's scenes are far more cinematic. Her introduction in *She Done Him Wrong* consists of an elaborate camera movement, which begins with a long shot looking down on West in a carriage, before pushing into a medium close-up to reveal West in full. Such an extravagant entrance firmly establishes the character's importance, particularly compared to the rather basic coverage afforded to West's co-stars. Later scenes in both *She Done Him Wrong* and *I'm No Angel* follow a similar pattern where the cinematography for the supporting cast is basic and uninspired, while West is shot glamorously.

Of course, there is another dimension to this style of visuals independent of trying to establish or reaffirm West's agency. In Laura Mulvey's "Visual Pleasure and Narrative Cinema", Mulvey asserts that film form has been unconsciously structured by patriarchal society, leading to sexual difference in film being represented through "erotic ways of looking, and spectacle" (2010: 483). These elements are certainly emphasized in Mae West, who not only is dressed in eroticized costumes, but who is also filmed as the center of a spectacular image. In this regard, though West is an active protagonist who frequently transgresses gendered norms, her screen presence still embodies aspects of a patriarchal male gaze. That said, it is important to note the ways in which West undercuts aspects of the male gaze even while simultaneously enabling it. Key to the male gaze is voyeuristic pleasure, the notion that the male spectator can watch the female character from a distance and objectify her (Doane 1987: 12; Doane 1991d: 165-166;

ibid: 485). This notion of a safe distance between spectator and object is challenged by West. Though West is frequently gazed upon by men in both *She Done Him Wrong* and *I'm No Angel*, she is never a distant, unknowing object. A reoccurring scene in West's work is the stage performance, where West engages in song and dance for a largely male audience. Though this performance is rooted in an eroticism which appeals to the (hetero) male spectator, it is West who controls this representation. West is not being unknowingly sexualized by a distant audience but is engaged in a deliberate and knowing performance where she is in control of the space.

Cinematically, the power dynamics of this scene template are somewhat contradictory. These scenes are shot somewhat from the audience's perspective, which seemingly endorses the male viewer's agency, but such a perspective results in low-angle shots looking up toward a triumphant West, illuminated by stage lights. Comparatively, the reaction shots to the performance usually depict an unexceptional and unattractive horde of old male faces. This tactic is comparable to Dorothy Arzner's *Dance, Girl, Dance* (1940), which also juxtaposes the imagery of sexually explicit female dancers against the horde of "lecherous" male faces watching the performance as a means to unsettle the male gaze while simultaneously playing within it (Haskell 1987: 146-147; Malone 2017: 49). The visual depiction of men in *She Done Him Wrong* is far less incendiary, but a similar grammar is utilized, one which contrasts the sex appeal of the female figure performing with the less pleasant aesthetics of the old men enjoying her performance. Such a choice reemphasizes West's beauty and that she is the figure to be desired, but it also reaffirms her power and presence within the scene and the film. In short, while West's stage performances in *She Done Him Wrong* and *I'm No Angel* do appease elements of the male gaze, they do so in a way which still emphasizes the agency and importance of its female lead.

It is also important to consider the scenes wherein West is not performing on a stage, but still behaves in a sexualized manner through her bodily movements and provocative dialogue. One might argue that such scenes play into voyeuristic pleasure, but this too is undercut by performativity. Though West's characters identify as sexualized women, there is also an exaggerated quality to West's characters that crosses into parody (Robertson 1996: 34). West's hip sways are so broad, her innuendos delivered with such scene-chewing revelry, that they become comical. This ultimately serves to reinforce West's agency (both as a character and a performer), as she reinterprets the role of a sexualized woman and comedically alters it, rather than merely conform to it. Ironically, this sense of freedom is partially the result of the SRC, who sought exaggerated comedy to diffuse the sexual transgression of the Production Code.

This combination of sexuality and humour allows for a different type of identification for a female audience. In the typical conventions of Hollywood cinema, Mary Ann Doane has argued that, in order to identify with a female character, the female spectator "must adopt a passive or masochistic position" wherein they either accept the character's objectification, or masquerade as a male viewer in order to derive pleasure from this objectification (2010: 501-502). With *She Done Him Wrong* and *I'm No Angel*, however, such extreme approaches are not necessary for female identification. West does not accept objectification after all, so neither must the viewer. Furthermore, West's humour and exaggerated attitude towards her sexuality allow for identification based on a shared understanding towards how female sexuality is valued in society. Indeed, for as much as West was marketed as a sex symbol in the 1930s, West always had female fans who could "sympathetically identify with West as a woman not unlike themselves" (Robertson 1996: 49). West's mixture of sex and comedy also made her a pioneer in camp, a style of entertainment known for representation and critical discourse surrounding

women, as well as LGBTQ+ culture (ibid: 3, 25). In interviews, West is very conscious of a spectator beyond the presumed male spectator. Drawing from her experience as a night club performer, West referred to how clubs always catered to the whims and fancies of what men wanted to see, with West stressing she “was going to give the women something to look at” (West 1970: 247-248). This stresses how *She Done Him Wrong* and *I’m No Angel* resist the rigid identification of a strictly (hetero) male spectator, and instead allow alternative forms of identification.

Finally, it is important to note that while West is sexualized in *She Done Him Wrong* and *I’m No Angel*, it is not the desire *for* West which is foregrounded. While both films do show legions of men adoring West, it is West’s desires which are at the forefront in driving the stories of both films. In *She Done Him Wrong*, West immediately shows a sexual interest in Sergei, the first man she meets. The two share the frame as West eyes the young man from top to bottom, sighing with pleasure while delivering her dialogue with a sexually charged emphasis. This scene template reoccurs throughout *She Done Him Wrong* and *I’m No Angel*, with West showing a similarly intense desire to multiple men across both works, while delivering suggestive lines, such as the infamous, “Why don’t you come up sometime and see me”. Furthermore, while most Hollywood films typically depict men as the active agent in pursuing desire, while women are largely passive, *She Done Him Wrong* and *I’m No Angel* take the opposite approach (Mulvey 2010: 483-484; Rosen 1974: 169). West is the active agent in pursuing her sexual desires, both within the central narrative and the backstory. Not only do the films frequently depict West in following her desires, but each also emphasizes her previous conquests. The prison scene in *She Done Him Wrong* shows West on very familiar terms with a large collection of male inmates, the implication being that they are former lovers. Later, Grant asks if West has ever met a man that

could make her happy, to which she responds, “Sure, lots of times”. *I’m No Angel* is even more explicit in depicting a sexual background, with West keeping a collection of photos of former lovers, emphasizing her active role in controlling her sex life.

Doane has described women’s relationship to cinematic desire as, “at best a mediated one” (1987: 12). Indeed, while *She Done Him Wrong* and *I’m No Angel* foreground female desire in atypical ways, this desire does remain mediated. While both films may foreground West’s desires narratively, this is never fully reflected visually. Consider again the first scene between West and Sergei in *She Done Him Wrong*. Though West’s acting and the dialogue make her desire clear, the camera never commits to her perspective. Most of the scene is shot with medium two-shots of West and Sergei, with West in the center of the frame. As their conversation ends, West begins to walk up a flight of stairs. A low-angle shot looking up at West is used to emphasize Sergei’s perspective, before cutting to a shot of Sergei from the other side. Though the cutting here resembles shot-reverse shot patterns and would seemingly emphasize West’s perspective, the second shot is not a point of view. Rather than using a high angle looking down on Sergei, as West’s position in the space would indicate, instead a flat, medium close-up of Sergei is used. The result is a coherent scene that does communicate West’s desires, but does not emphasize it fully, as it is ultimately the look of the camera which is the most powerful. A later scene sees West performing a song, about yearning for a lover, entitled “I Wonder Where My Easy Rider’s Gone”. As West finishes, the film cuts to Grant in the audience watching West’s performance. Like the last scene, this cut suggests that Grant is the object of West’s desire, but the shot used does not reflect West’s perspective. Furthermore, while the cut may emphasize West’s desire, the shot of Grant watching emphasizes his gaze, not hers.

In terms of depicting female desire, both *She Done Him Wrong* and *I'm No Angel* are fraught with contradictions. This is true more generally of the films as works of feminist cinema. Though both films present a female lead who has a great degree of autonomy, personally and professionally, both films also serve to reify the male gaze and still visually conform to patriarchal film language. Despite these concessions, *She Done Him Wrong* and *I'm No Angel* do ultimately present a proto-feminist vision. Not only do both films feature an unapologetically sexual woman who is a figure of power rather than shame, but both also encourage a female spectator to identify with the film without having to compromise their femininity, while simultaneously disrupting aspects of a voyeuristic male spectator's identification. And though it is impossible to determine how much West intended to appeal to an LGBTQ+ audience, her legacy as a camp icon do show that her films expand beyond the conventionally assumed Hollywood spectator: male, straight, and cis. Of course, it is worth noting that feminist film critics like Doane and Mulvey might challenge this reading. Indeed, both have been critical of whether it is possible to create a truly feminist film within the confines of a largely masculine cinematic apparatus (Doane 1991c: 42; Mulvey 2010: 492-494). West was certainly working within not just a masculine film industry, but also a Production Code which was written and enforced primarily by men. That must be considered when assessing the feminist qualities of West's work. West herself was no doubt aware of the patriarchal system she was working within, and even alludes to it in *She Done Him Wrong*, where her character states life is a "men's game, I happen to be smart enough to play it their way". In playing "it their way", West was able to create films that appeased the standards of the SRC and gave a hetero male audience the sexual thrills they were looking for, while simultaneously creating female characters who were proactive and independent, creating a space for female identification. *She Done Him Wrong* and

I'm No Angel are too compromised to be unambiguously feminist, but the ways in which the works foreground female agency and appeal to alternative forms of spectatorship do demonstrate a proto-feminist vision.

This feminist streak in West's work would be stamped out as the SRC was abolished and the more rigid PCA was formed. In her introduction to *Femme Fatales*, Doane discusses the "threat of the woman," which is often conceptualized in film, and it is also seen in the real world (1991b: 1-2). Indeed, West was always viewed, at least to some extent, as a threat (Jacobs 1991: 68-69; Malone 2017: 50; Ward 1989: 28). The likes of Will Hays feared the influence she might have on female audience members and society more broadly, thus making her a problem to be solved. The SRC tried humour to diffuse her sexuality, which in practice only compounded to threat West posed, as it offered a tool to more easily transgress the Production Code while simultaneously disrupting voyeuristic pleasure of the (hetero) male spectator. It is often speculated that the SRC's failure with West played a substantial role in the forming of the PCA (Giannetti 2016: 197). Certainly, the Legion of Decency, the organization which spurred the dissolution of the SRC and the birth of the PCA, was formed "a mere six months after *She Done Him Wrong* premiered – and the pressure groups made no secret that Mae was a chief reason for the Legion's genesis" (Rosen 1974: 160). This is not to suggest that West was singlehandedly responsible for the PCA, but she was a catalyst for its formation, and, more pertinently, the harmful effects the PCA had on West's work is clear.

West's first film to be censored by the PCA was 1934's *Belle of the Nineties*. The title alone is suggestive of a more rigid censorship standard. Whereas titles like *She Done Him Wrong* and *I'm No Angel* carry a sense of sexuality and mystique, *Belle of the Nineties* is much safer and less threatening. The title could just as easily refer to an Oliva de Havilland vehicle as it does a

sexy Mae West romp.² In fact, the original title of the film was to be *It Ain't No Sin*, which Breen objected, claiming it “sacrilegious” (Sova 2001: 42). The very characterization of West was a point of contention with the PCA, who felt that West’s promiscuity was “certain to throw the sympathy of the audience with sin” (ibid). As a result, references to West’s previous lovers are suspiciously absent in *Belle of the Nineties*. Furthermore, while previous West heroines entertained the possibility of multiple lovers, West only shows desire for one man in *Belle*. Even after the characters separate, West remains loyal to her ex-lover and does not pursue anyone else. Rather than a proactive and independent woman who acts on her desires, the West of *Belle of the Nineties* is instead a passive figure to be won by her lover. This lack of agency is also visually enforced during the film’s opening musical number. Though it is technically West who is performing, she is not actually singing and any dancing from her has been cut. Instead, the performance sees West paraded on stage in a variety of outfits set to music. Rather than being an active performer, West is merely an object within the scene, completely lacking any sense of agency or identity. Such awkward cutting stems from the PCA’s insistence on re-cutting certain scenes so West’s body would not be so sexually suggestive (ibid: 42-43). Consequently, the focus of the scene is not West herself, but her boyfriend, who is in the audience watching the performance. In fact, there are more shots of West’s boyfriend watching West on stage than there are of West herself, affirming that it is his gaze and desire that matter, not hers. This emphasis on male agency and importance also comes through in films *Klondike Annie*, *Go West*, *Young Man*; and *My Little Chickadee*. Unlike *Belle of the Nineties*, West actively pursues two different lovers in these films, but whereas the West of the Pre-Code era would follow her own passions, this

² Author’s Note: This statement is in no way meant to disparage Oliva de Havilland, who is one of the greatest screen talents of her era. Rather, it is merely to articulate the vast difference in screen persona between her and Mae West, and furthermore, to emphasize how inherently mismatched a title like *Belle of the Nineties* is to West.

West ultimately chooses based on what is best for the men involved, rather than herself. In terms of narrative and character, then, male desires and needs are put ahead of female desires.

The PCA sought to change West in her characters not just through desexualisation, but also with compensating moral values. With *Belle of the Nineties*, this meant reshoots, which added a wedding scene between West and her boyfriend to legitimize their relationship (ibid; Leff and Simmons 1990: 50). While marriage had always been a part of West films, it had never been taken particularly seriously. At the end of *She Done Him Wrong*, Grant slips a wedding ring on West's finger, but rather than joy, West responds with disparaging sarcasm. She ultimately does accept and the film ends on a fade of the two kissing, but the tone is still glib. As the two come together, Grant calls West a "bad girl", with West responding, "You'll find out". Though the ending does show the two coming together, there is a strong implication that West has not changed. Similarly, marriage is proposed in *I'm No Angel* between West and Grant, and while that film does end with the two together, the prospect of marriage is still ambiguous at best. Both films do speak to aspects of monogamy, but West refuses to fully conform to the institution of marriage. In *Belle of the Nineties*, however, West earnestly accepts marriage, sincerely professing her love as saccharine music underscores the scene. While the West of *She Done Him Wrong* and *I'm No Angel* was free to pursue her own pleasures, the West of *Belle of the Nineties* is loyally committed to her male lover and is ultimately made legitimate through their marriage. West's follow-up to *Belle*, *Goin' to Town*, also ends with West enjoying the blissful comfort of marriage, with the film ending on West singing triumphantly that she has finally "got" her man.

This trend of moralization continues even when West does not marry. *Klondike Annie* is more open about West's promiscuity but compensates by depicting West's salvation through religion. The plot revolves around West going on the run from the law, where she eventually

befriends a kind nun who imparts sage advice to the deviant West. Though West does juggle two potential lovers throughout the narrative, she is ultimately redeemed by her burgeoning faith, emphasized in a scene where West performs religious melodies like “It’s Better to Give Than to Receive”, and preaches about how the Church taught her that it *is* possible to live a fun and exciting life while simultaneously living as a good person. Though Mae West biographer Carol M. Ward has described *Klondike Annie* as West’s sincere attempt “to investigate a fairly complex character”, Molly Haskell describes the film as West’s “recantation” for the sinful characters of her Pre-Code days (Haskell 1987: 118; Ward 1989: 31). In analyzing the film, Haskell’s perspective is more convincing, given the film explicitly positions the Church as an agent who redeems West’s sinful past of pleasure-pursuing.

A similar redemption comes for West in *Every Day’s a Holiday*, which in its first act establishes West as a conwoman of dubious morals who could be a good person if she simply applied her intelligence to something more noble. This claim comes from a young detective, and, sure enough, in the third act the pair work together to get the detective elected mayor and to oust the corrupt leader currently holding office. West finds her redemption in public service rather than religion, but in both cases the character abandons her sexually deviant past to pursue a higher calling. Finally, *Go West, Young Man* is structured as a morality play, with West playing an actress famous for her highly sexual persona who insists she really is a “good girl” deep in her heart. No large institution provides West’s redemption per se, but she is shamed by her manager for trying to seduce a young mechanic, in the process nearly breaking up his romance with a young farm girl. In the film’s climax, West abandons her sexual pursuit, proving she really is wholesome and pure.

From a feminist perspective, the problem is not that West accepts marriage, finds God, becomes a public servant, or chooses selflessness and redemption. The problem is that these moral institutions are depicted as saintly interventions that save West from her own immorality and deviance. Where Pre-Code West wholeheartedly rejected such conservative judgements and relished in her own freedom, the West of the PCA era internalizes the demands that she behaves, sacrificing her own agency to act accordingly. Carol M. Ward refers to this act flippantly when comparing the censoring of West to that of gangster films, stating, “The tragic gangster had to die to pay for his presumptions; West only had to get married to finalize the transition” (1989: 72). This comparison gets to the heart of how West’s sexual deviance was perceived as a moral threat at least on par with the criminality of Rico Bandello or Tony Camonte, but it also ignores why getting married (or indeed, redeemed through the church, public service, or shame) so thoroughly dismantled her on-screen agency. Where such redemption for West was predicated on the abandonment of all that made her special, this is not so with the gangster’s death. The prerequisite death of the gangster, from *The Doorway to Hell* (1930) to *White Heat* (1949), is a further expression of the anti-authority rebellion that made the gangster so alluring to audiences. Take the ending of *The Roaring Twenties* (1939), where criminal Eddie Bartlett is shot by rival gangsters, slowly lumbering to church steps before collapsing. Eddie is cradled by old friend Panama Smith, as a police officer looks on, with the imagery of Eddie’s lifeless body in Panama’s arms echoing the *Pietà* sculpture (Scorsese and Wilson 1995). Such an ending does show the gangster torn down and defeated in relation to church and state, but it also emphasizes the gangster as a tragic figure. Too big for society, the gangster goes down in a blaze of glory which reaffirms his legacy as independent rebel who never yielded to societal expectations. This

is fundamentally the same rebellion that fuels Marlene Dietrich's sacrifice at the end of *Dishonored* (1931). Death is a punishment for transgressions made, but also a symbol of refusal.

Such a refusal is not possible with the endings imposed on Mae West. The redemptions offered in marriage, religion, or public service all require the sacrifice of West's sexual agency and independence. To remove these elements is to diffuse the very core which made West transgressive in the first place. While her innuendo and sexy flirtations were certainly problematic for the PCA and other comparable groups, this is merely the surface of West's rebellion. What truly made West objectionable was a combination of her agency in pursuing her sexual desires and the sheer pleasure she derived from sex. Leff and Simmons speculate that "the censors feared the independence and freedom of Mae West more than the sexual explicitness" (1990: 40). This assertion echoes Rosen, who claims in regard to West: "For her boldness – *not* for her innuendo – she was punished" (1974: 162). And that punishment was marriage, finding God, and deferring to altruism. Punishment, because each represent a scenario which is placed upon West, rather than something she chooses. Punishment, because each emerges as a response to the deviance and amorality of West's sexual liberation. And punishment, finally, because this new box is one in which the West persona is expected to reside, and in turn, prevent her from acting on her sexuality and desires again. Each end stomped out the agency and pleasure that made West so bold, transforming an independent and active pleasure-seeker into a shallow woman who is shown a purportedly better path.

Though not the explicit goal of the PCA, its censorship efforts greatly reduced the potential for female spectatorship with West's work. As West's own agency was diminished on-screen, so too was the space for female desires to be represented on-screen. Instead, a full-fledged return to the male gaze occurred, with West being far more objectified than before

despite her desexualisation. West may have always been a sex symbol, but in the era of the SRC, she was at least able to control her sexuality and pursue her own desires. Furthermore, the didactic moralizing of the PCA diminished a female audience's identity to relate to West. While *She Done Him Wrong* and *I'm No Angel* offered sexually active and independent women a version of themselves without judgement or scorn, West's PCA films insisted said women can find true salvation and happiness through the bonds of matrimony, the generosity of the Church, the altruism of public service, and in overcoming their own internal indecency. In summary, the notion of female spectatorship that made West's early work so challenging was swiftly reduced thanks to the efforts of the PCA.

The impacts of the PCA on West were immediately apparent, with *Belle of the Nineties* opening to substantially lower box-office returns just a year after the smash hits of *She Done Him Wrong* and *I'm No Angel* (Petersen 2014: 107). These diminishing returns would continue for West with her film career puttering out in 1943 (ibid). It is certainly possible that West's films would have seen a similar decline even without the intervention of the PCA. West's films all follow the same formula in terms of story and humour, with the filmmaking leaning closer to competent rather than exceptional. As such, it is unclear if West could have maintained a longstanding film career with such a simple formula. Nevertheless, the sharp decline from the SRC-censored *She Done Him Wrong* and *I'm No Angel* to the PCA-censored *Belle of the Nineties* is reflective of how West's agency in Hollywood was tangibly harmed by the PCA. Indeed, this constraint of women is reflected in the treatment of women in West films. Not only were West's characters stripped of their agency and judged for their behaviour, but the elements of female spectatorship present in *She Done Him Wrong* and *I'm No Angel* were also eliminated as a result. To focus solely on the erasure of feminist values by the PCA, however, is to lose

sight of West's extraordinary accomplishments. For all the ways her later works were diminished, *She Done Him Wrong* and *I'm No Angel* remain compelling examples of how a proto-feminist vision, even a compromised one, can indeed exist within the patriarchal apparatus of Hollywood cinema.

Conclusion

“To study the process of self-regulation, then, is to restore some sense of the difficulties which the representation of sexuality posed within the institutional matrix defined by the relations between external agencies, film producers, and industry censors” (Jacobs 1991: 153).

Pre-Code cinema offered a space for proto-feminist texts through the subversion of gendered norms embedded in Hollywood’s Production Code. With the Code’s rules only being applied haphazardly by the Screen Relations Committee, filmmakers were able to put forth representations of women who were in full control of their sexuality and who pursued their own desires, rather than existing only to serve the needs and pleasures of men. That is to say, the men within the film, the men behind the camera, and the men watching from a darkened theater. The epitome of this defiance is Mae West, who embraced sexual pleasures and independence on-screen, while enjoying a great degree of agency in shaping female representations off-screen as well. These transgressive works were short-lived, as the coming of the PCA in 1934 brought more diligent censorship efforts that largely quelled the defiant streak of West’s films.

Chapter One of this thesis outlines a historical account of the Hollywood Production Code. Itself the product of a long history of censorship efforts, the Code represented a compromise between the film industry and the American Catholic Church. Desperate to appease the various reformer groups and state censorship boards, Hollywood sought a centralized authority which would satisfy censorship demands while simultaneously allowing them a measure of control over their business. The Catholic Church, meanwhile, feared its own place in American culture was in jeopardy, with changing sexual mores and a growing secular attitude,

and sought means to reinforce Catholic values. The Code solved both organizations' problems. Crucial to this censorship history, from the 1890s through to the concerns of the Catholic Church was the controlling of female bodies, with a fear that sexuality would influence poor morals in impressionable female viewers.

Chapter Two takes a feminist perspective on Pre-Code Hollywood, when the Code existed but enforcement was generally weak, and considers the gendered politics of the era. Though Pre-Code saw all manner of misogyny and racism, there also existed a proto-feminist space where women were depicted with agency and independence, and were often in control of their own sexuality. Such representations were made possible precisely through defying the moral norms of the Code. It was not just that women like Marlene Dietrich or Barbara Stanwyck were unambiguously sexually active (and outside of the bonds of marriage no less), but that such women also had agency within the narrative, and that they followed their own desires and passions rather than simply being subservient to men. Efforts at moralizing, whether through marriage, punishment, or shame, were utilized to offset any "offensive" material and to appease the Screen Relations Committee, but the efficacy of such methods is dubious. Such efforts at diffusion are important and worth noting, but they do not themselves erase the proto-feminism inherent in texts like *Morocco* or *Baby Face*.

Chapter Three foregrounds Mae West, and specifically the subversive proto-feminism of her body of work. West both belonged to a wave of sexually charged screen sirens (others include Dietrich, Clara Bow, and Jean Harlow) and simultaneously elevated this persona. Unlike her peers, West was the principal creative voice of her films, which were not only vehicles built around her star persona, but were also written by West and based on her own plays. Thus, West possessed an added layer of agency in shaping representations of female sexuality. Though

West's early films do still reify aspects of patriarchal cinema like the male gaze, they are also proto-feminist efforts which disrupt the masculine cinematic apparatus. Through her pursuit of desires, sexually charged innuendo, and performative femininity, West shattered the voyeuristic illusion of the male gaze. Furthermore, in resisting the moralization of a good woman and refusing to play into strictly male-centric desires, West opened up space for alternative forms of spectatorship.

This was not to last, of course. With the coming of the Production Code Administration in 1934, the Code could suddenly be enforced with real authority. The resulting censorship wreaked havoc on West's work. Without the ability to transgress social norms pertaining to female identity and sexuality, West films had lost the power which had made them so biting. In the space of Pre-Code, however, films like *She Done Him Wrong* and *I'm No Angel* do demonstrate how a proto-feminist cinema could exist within a largely masculine industry.

But so what? Mae West has been dead for almost forty years. The Production Code was abolished in 1968 and replaced with the ratings system, which, a few modifications aside, remains intact today (Pramaggiore and Wallis 2011: 315). Certainly, the Motion Picture Association of America (MPAA), which enforces the ratings system does not possess the same level of authority and censorship powers in shaping films on such a fundamental level that the PCA did. But the spectre of the Code still lingers over the morals and values of the MPAA's ratings system. In particular, the strict focus on (and fear of) sexuality that pervaded over the language and enforcement of the Code can still be seen in the modern ratings system. For decades, the MPAA has been criticized for being hypocritical in objecting to sex in film, while being far more lenient when it comes to violence. Consequently, movies that depict sex and sexuality are often rated R or NC-17, while movies which depict violence rarely transcend past

R, and are often in fact given PG-13 ratings (Leone 2004: 68-69). The structure of censoring cinema may have changed, but the fundamental fear and cultural trepidation in terms of sexuality remains at the root. Consequently, the proto-feminism of Pre-Code, and West in particular, remains invaluable. Such representations point to an alternative way of conceptualizing sexuality, not as something immoral or harmful, but a liberating force that promotes agency and identity, rather than internalized judgement and scorn.

Perhaps more crucially, the proto-feminist films outlined in this thesis, and the early works of Mae West in particular, remain transgressive in a modern context. That might seem unbelievable at first. Pre-Code ended more than 80 years ago after all. West slyly proposing a man “come up sometime and see [her]” may have been provocative in 1933, but surely by 2019 such a line is more silly than sinful. Maybe so, but it is not the details of her innuendo which made West objectionable, it was her attitude (Rosen 1974: 162). West put forth women who were not merely vulgar, but who were sexually independent and proactive in pursuing their desires. Though West’s on-screen romances were strictly heterosexual, they were nonetheless free from the typically male-centric, normative mode of relationships. Such an attitude remains provocative. Consider the critical reception to the *Fifty Shades of Grey* book trilogy and subsequent film adaptations. Both versions, which depict an erotic romance steeped in BDSM and explicit sex, were major financial successes which received a venomous critical reception. The series has been described as “perverted”, “pornographic”, “crude”, sickening, indecent, encouraging “sexual deviance”, and “poisonous garbage” (Grady 2015: 8). This same article calls for the protection of women in response to *Fifty Shades* (ibid). Both the language used to describe the work and the efforts to protect vulnerable groups from harmful influence are virtually identical to that of Code-era Hollywood.

To be sure, much of the criticism of *Fifty Shades of Grey* was fair and in good faith, not only concerning the source's literary qualities, but also regarding the story's potential feminist qualities, misogyny, and violence (Al-Mahadin 2013: 568-569; van Reenen 2014: 223-226). But in the hostile response to *Fifty Shades of Grey*, we see the same thinly veiled misogyny and discomfort with female sexuality that drove reformer disdain for Mae West. The very label "mommy porn" is telling; a demeaning phrase that dismisses *Fifty Shades* on the basis that its sexual pleasure is aimed at women – and middle-aged women at that – rather than men. This reflects a larger critical attitude towards women's texts, particularly those created by and for women. Such works are often dismissed as being lesser works of art and are met with both snobbish mockery, and a dismissive judgement that women should do better (Hunter 2013: 971). West's struggles over her art then, struggles best embodied by her battles against the censorship of the Code, are part of a larger historical lineage, which remains a profound reality.

Of course, sexism and misogyny are not merely limited to the reception of art, but also its inception. Statistics regarding the lack of women in key creative roles in Hollywood are not particularly new, but the recent developments of the #MeToo movement reveal a disturbing deeper layer to the film industry's treatment of women. The #MeToo movement came to prominence in October of 2017, as several women came forward with allegations of sexual harassment and assault from film producer and chairman of The Weinstein Company, Harvey Weinstein (North 2018). Underpinning these allegations is a consistent trend wherein Weinstein used his position of power within the film industry to coerce women into non-consensual sex acts (BBC News 2019; *ibid*). Following Weinstein, a string of subsequent assault allegations emerged against powerful male figures in Hollywood (North 2018). This pattern of sexual abuse reveals the degree to which the film industry is not just unwelcoming to female voices, but also

openly hostile, to the point of being dangerous. This problem is not unique to Hollywood. The #MeToo movement has helped to expose abuse in all industries, with abuses within politics being among the most high-profile (ibid). Nonetheless, the degree to which abuse against women still thrives within the film industry further demonstrates the urgency in understanding how to foster a feminist space within a largely inhospitable environment, as well as how central the controlling of female bodies continues to be within Hollywood.

Lea Jacobs also addressed the “so what?” question in *The Wages of Sin*. After 150 pages analyzing the fallen woman film, Jacobs states this:

In the face of the continual process of dispute and negotiation which the fallen woman cycle brought into play, we can begin to envision femininity as a construct that was at once tenuous and overdetermined in highly complicated ways. We must take account of this process, I would maintain, if we are to fairly gauge the possibilities of resistance within the confines of the studio system, and within the parameters of the classical text. By looking at the arena in which battles were lost, and sometimes won, we can begin to imagine how things might have happened otherwise (1991: 153).

This statement is equally applicable to the study of proto-feminism in Pre-Code Hollywood. Studying how figures like Mae West were able to subvert the norms and values of the Code and create a proto-feminist space demonstrates the ways in which a transgressive cinema can exist within the studio system. This knowledge is useful, not only for understanding the cinematic legacy of the Code, but also for understanding contemporary representations of

women and female sexuality in cinema. The proto-feminism of Pre-Code Hollywood reveals the ways in which gendered identities are constructed on-screen, while the struggles over the representation of female sexuality speak to a deep-rooted discomfort with feminine agency and desire that falls outside a male-centric norm. Despite the many decades that have passed since the Production Code was last enforced, the values and ideals that underpin its construction and implementation remain common in modern American cinema. Understanding this era, then, helps conceptualize what a feminist cinema might look like, and how it might thrive even in a largely male-dominated film industry.

Bibliography

- Al-Mahadin, Salam. 2013. "Is Christian a Sadist? 'Fifty Shades of Grey' in Popular Imagination." *Feminist Media Studies* 13 (3): 566-570.
- Balio, Tino. 2012. "Selling Stars: The Economic Imperative." Pp. 209-225 in *The Classical Hollywood Reader*, edited by S. Neale. New York, NY: Routledge.
- BBC News*. 2019. "Harvey Weinstein Timeline: How the Scandal Unfolded." January 10. Retrieved April 10, 2019 (<https://www.bbc.com/news/entertainment-arts-41594672>).
- Colette, Sidonie-Gabrielle. 1980. *Colette at the Movies*. New York, NY: Frederick Ungar.
- Corrigan, Timothy and Patricia Wright. 2015. *The Film Experience: An Introduction*. Boston, MA: Bedford/St. Martin's.
- Couvares, Francis G. 1996. "Hollywood, Main Street, and the Church: Trying to Censor the Movies Before the Production Code." Pp. 129-158 in *Movie Censorship and American Culture*, edited by F.G. Couvares. Washington, DC: Smithsonian Institution Press.
- The Criterion Collection. 2018a. "Dietrich Icon." *Dishonored*. Blu-Ray.
- The Criterion Collection. 2018b. "Weimar on the Pacific." *Morocco*. Blu-Ray.
- Crowther, Bosley, 1940. "THE SCREEN; W.C. Fields, the Great, Hits His Stride Again in 'The Bank Dick,' at the Palace," *The New York Times*, December 13.
- De Lauretis, Teresa. 2010. "Rethinking Women's Cinema: Aesthetics and Feminist Theory." Pp. 317-336 in *Film and Theory: An Anthology*, edited by R. Stam and T. Miller. Malden,

MA: Blackwell Publishing.

Doane, Mary Ann. 1987. *The Desire to Desire: The Woman's Films of the 1940s*. Bloomington, IN: Indiana University Press.

Doane, Mary Ann. 1991a. "Dark Continents: Epistemologies of Racial and Sexual Difference in Psychoanalysis and the Cinema. Pp. 209-248 in *Femmes Fatales: Feminism, Film Theory, Psychoanalysis*. New York, NY: Routledge.

Doane, Mary Ann. 1991b. "Introduction: Deadly Women, Epistemology, and Film Theory." Pp. 1-14 in *Femmes Fatales: Feminism, Film Theory, Psychoanalysis*. New York, NY: Routledge.

Doane, Mary Ann. 1991c. "Masquerade Reconsidered: Further Thoughts on the Female Spectator." Pp. 33-43 in *Femmes Fatales: Feminism, Film Theory, Psychoanalysis*. New York, NY: Routledge.

Doane, Mary Ann. 1991d. "Woman's Stake: Filming the Female Body." Pp. 165-177 in *Femmes Fatales: Feminism, Film Theory, Psychoanalysis*. New York, NY: Routledge.

Doane, Mary Ann. 2010. "Film and the Masquerade: Theorizing the Female Spectator." Pp. 495-509 in *Film and Theory: An Anthology*, edited by R. Stam and T. Miller. Malden, MA: Blackwell Publishing.

Doherty, Thomas. 1999. *Pre-Code Hollywood: Sex, Immorality, and Insurrection in American Cinema, 1930-1934*. New York, NY: Columbia University Press.

Foot, Lisle. 2014. *Buster Keaton's Crew: The Team Behind His Silent Films*. Jefferson, NC: McFarland & Company.

- Giannetti, Louis. 2016. *Understanding Movies*. Boston, MA: Pearson.
- Grady, J. Lee. 2015. "Let's Call 'Fifty Shades of Grey' What it is: Perverted." *Indian Life* 35 (5): 8.
- Hall, Leonard. 1933. "Look Out! Here's Mae West!" Pp. 46 in *Photoplay*, January.
- Hamilton, Marybeth. 1996. "Goodness Had Nothing to Do with It: Censoring Mae West." Pp. 187-211 in *Movie Censorship and American Culture*, edited by F.G. Couvares. Washington, DC: Smithsonian Institution Press.
- Haskell, Molly. 1987. *From Reverence to Rape: The Treatment of Women in the Movies*. Chicago, IL: The University of Chicago.
- Hunter, I.Q. 2013. "Pre-Reading and Failing to Read Fifty Shades of Grey." *Sexualities* 16 (8): 969-973.
- Jacobs, Lea. 1991. *The Wages of Sin: Censorship and the Fallen Woman Film 1928-1942*. Madison, WI: The University of Wisconsin Press.
- Jacobs, Lea. 1999. "Industry Self-Regulation and the Problem of Textual Determination." Pp. 87-101 in *Controlling Hollywood: Censorship and Regulation in the Studio Era*, edited by M. Bernstein. New Brunswick, NJ: Rutgers University Press.
- Jowett, Garth. 1976. *Film: The Democratic Art*. Toronto, ON: Little Brown and Company.
- Koppes, Clayton R. and Gregory D. Black. 1999. "Blacks, Loyalty, and Motion Picture Propaganda in World War II." Pp. 130-156 in *Controlling Hollywood: Censorship and Regulation in the Studio Era*, edited by M. Bernstein. New Brunswick, NJ: Rutgers

University Press.

- Leff, Leonard J. and Jerold L. Simmons. 1990. *The Dame in the Kimono: Hollywood, Censorship, and the Production Code from the 1920s to the 1960s*. New York, NY: Grove Weidenfeld.
- Leonard, Maurice. 1991. *Mae West: Empress of Sex*. Hammersmith, London: Harper Collins.
- Leone, Ron. 2004. "Rated Sex: An Analysis of the MPAA's Use of the R and NC-17 Ratings." *Communication Research Reports* 21 (1): 68-74.
- Malone, Alicia. 2017. *Backwards and in Heels: The Past, Present and Future of Women Working in Film*. Coral Gables, FL: Mango Publishing Group.
- Maltby, Richard. 1996. "To Prevent the Prevalent Type of Book." Pp. 97-128 in *Movie Censorship and American Culture*, edited by F.G. Couvares. Washington, DC: Smithsonian Institution Press.
- Maltby, Richard. 2012. "The Production Code and the Mythologies of 'Pre-Code' Hollywood." Pp. 237-248 in *The Classical Hollywood Reader*, edited by S. Neale. New York, NY: Routledge.
- Marubbio, M. Elise. 2006. *Killing the Indian Maiden: Images of Native American Women in Film*. Lexington, KY: The University Press of Kentucky.
- Mast, Gerald. 1982. *The Movies in Our Midst: Documents in the Cultural History of Film in America*. Chicago, IL: Chicago University Press.
- McGregor, Alexander. 2013. *The Catholic Church and Hollywood: Censorship and Morality in 1930s Cinema*. New York, NY: I.B. Tauris.

Mulvey, Laura. "Visual Pleasure and Narrative Cinema". Pp. 483-494 in *Film and Theory: An Anthology*, edited by R. Stam and T. Miller. Malden, MA: Blackwell Publishing.

North, Anna. 2018. "The #MeToo Movement and Its Evolution, Explained." *Vox*, October 11. Retrieved April 10, 2019 (<https://www.vox.com/identities/2018/10/9/17933746/me-too-movement-metoo-brett-kavanaugh-weinstein>).

Peck, Raoul. 2016. *I Am Not Your Negro*. Blu-Ray. ARTE France and Velvet Film.

Petersen, Anne Helen. 2014. *Scandals of Classic Hollywood: Sex, Deviance, and Drama from the Golden Age of American Cinema*. New York, NY: Plume Publishing.

Pramaggiore, Maria and Tom Wallis. 2011. *Film: A Critical Introduction*. London, England: Laurence King Publishing.

Regester, Charlene. 1996. "Black Films, White Censors." Pp. 159-186 in *Movie Censorship and American Culture*, edited by F.G. Couvares. Washington, DC: Smithsonian Institution Press.

Robertson, Pamela. 1996. *Guilty Pleasures: Feminist Camp from Mae West to Madonna*. Durham, NC: Duke University Press.

Rosen, Marjorie. 1974. *Popcorn Venus: Women, Movies and the American Dream*. New York, NY: Avon Books.

Patail, Vrushali. 2011. "Gender Oppression." Pp. 250-251 in *The Concise Encyclopedia of Sociology*, edited by G. Ritzer and J.M. Ryan. Chichester, UK: Wiley Blackwell.

- Scorsese, Martin and Michael Henry Wilson. 1995. *A Personal Journey with Martin Scorsese Through American Movies*. DVD. Arte and The British Film Institute.
- Shohat, Ella and Robert Stam. 1994. "The Imperial Imaginary." Pp. 100-136 in *Unthinking Eurocentrism: Multiculturalism and the Media*. London, England: Routledge.
- Sova, Dawn B. 2001. *Forbidden Films: Censorship Histories of 125 Motion Pictures*. New York, NY: Checkmark Books.
- Van Reenen, Dionne. 2014. "Is This Really What Women Want? An Analysis of 'Fifty Shades of Grey' and Modern Feminist Thought." *South African Journal of Philosophy* 33 (2): 223-233.
- Vasey, Ruth. 1999. "Beyond Sex and Violence: 'Industry Policy' and the Regulation of Hollywood Movies, 1922-1939." Pp. 102-129 in *Controlling Hollywood: Censorship and Regulation in the Studio Era*, edited by M. Bernstein. New Brunswick, NJ: Rutgers University Press.
- Vieira, Mark A. 2019. *Forbidden Hollywood – The Pre-Code Era (1930-1934): When Sin Ruled the Movies*. New York, NY: Running Press.
- Ward, Carol M. 1989. *Mae West: A Bio Bibliography*. Westport, CT: Greenwood Press.
- West, Mae. 1970. *Goodness Had Nothing to Do With It: The Autobiography of Mae West*. New York, NY: MacFadden-Bartell.
- Weekes, Karen. 2011. *Women Know Everything!* Philadelphia, PA: Quirk Books.
- Wittern-Keller, Laura. 2008. *Freedom of the Screen: Legal Challenges to State Film Censorship*,

1915-1981. Lexington, KY: The University Press of Kentucky.

Films Referenced

- Anna Karenina (Clarence Brown, 1935): 30-31
- Baby Face (Alfred E. Green, 1933): 4, 7, 28, 37-41, 47, 49-50, 77
- Bachelor Mother (Garson Kanin, 1939): 33
- Bed of Roses (Gregory La Cava, 1933): 28, 38
- Belle of the Nineties (Leo McCarey, 1934): 29, 53, 68-70, 74,
- Blonde Venus (Josef von Sternberg, 1932): 40, 42, 46, 49-50, 59
- Carmencita (William K.L. Dickson, 1894): 12, 16
- Dance, Girl, Dance (Dorothy Arzner, 1940): 63
- Dishonored (Josef von Sternberg, 1931): 40, 42-43, 50, 73
- The Doorway to Hell (Archie Mayo, 1930): 72
- Dracula (Ted Browning, 1931): 45
- Every Day's a Holiday (A. Edward Sutherland, 1937): 53, 57, 59, 71
- Faithless (Harry Beaumont, 1932): 7, 44, 51
- A Farewell to Arms (Frank Borzage, 1932): 49
- Fifty Shades of Grey (Sam Taylor-Johnson, 2015): 79-80
- Frankenstein (James Whale, 1931): 45
- Go West, Young Man (Henry Hathaway, 1936): 53, 69, 71

Goin' to Town (Alexander Hall, 1935): 53, 70

Gold Diggers of 1933 (Mervyn LeRoy, 1933): 33

Gone with the Wind (Victor Fleming, 1939): 47

The Heat's On (Gregory Ratoff, 1943): 54, 58

I'm No Angel (Wesley Ruggles, 1933): 26, 53, 56-57, 61-68, 70, 74-75, 78

King Kong (Merian C. Cooper and Ernest B. Schoedsack, 1933): 45

Klondike Annie (Raoul Walsh, 1936): 53, 69-71

Little Caesar (Mervyn LeRoy, 1931): 25-26, 43

Manhattan (R.H. Burnside, 1924): 19

Morocco (Josef von Sternberg, 1930): 40-41, 46-47, 49-50, 77

The Mummy (Karl Freund, 1932): 45

My Little Chickadee (Edward F. Cline, 1940): 53, 58, 59, 69

Myra Breckinridge (Michael Sarne, 1970): 54

Mystery of the Wax Museum (Michael Curtiz, 1933): 45

Night After Night (Archie Mayo, 1932): 9, 54-56

Possessed (Clarence Brown, 1931): 28, 38

The Public Enemy (William A. Wellman, 1931): 25-26, 43

Red-Headed Woman (Jack Conway, 1932): 38

The Roaring Twenties (Raoul Walsh, 1939): 72

Scarface (Howard Hawks, 1932): 25-26, 43, 49

The Scarlet Empress (Josef von Sternberg, 1934): 40

Sextette (Ken Hughes, 1978): 54

Shanghai Express (Josef von Sternberg, 1932): 40-42, 49-50

She Done Him Wrong (Lowell Sherman, 1933): 26, 52-53, 56-57, 59, 61-68, 70, 74-75, 78

She Had to Say Yes (George Amy and Busby Berkeley, 1933): 7, 44

The Squaw Man (Cecil B. DeMille, 1931): 48

Tarzan the Ape Man (W.S. Van Dyke, 1932): 7, 33, 45-46

Upper World (Roy Del Ruth, 1934): 33

White Heat (Raoul Walsh, 1949): 72