

The American Catholic Church Censors the Movies

Traces the rise of the movie industry from its raffish nickelodeon roots in the late nineteenth century to enormous popularity in the first half of the twentieth century. Self-censorship by the movie industry to satisfy its moralist critics having failed, Hollywood found it in its interests to use Catholics to censor those motion pictures the Church judged dangerous to souls. That effort was a double-barreled one: Faced with having to comply with expensive and diverse demands from city and state censorship boards to delete scenes, in 1930 the movie industry accepted an elaborate prescriptive film code, written by a Jesuit monsignor, describing what could and could not be shown and said. For the first four years enforcement was lacking, but by 1934, the Production Code Administration (PCA), led by an energetic Catholic layman and his staff, was empowered to scrutinize a film's theme, script, language, costuming, etc., at every step of the process. Movie producers had to negotiate with the PCA to earn a Seal, evidence that the movies would not undermine the morals of its patrons.

The second barrel was the Legion of Decency, in which a group of Catholic women in New York, members of the International Federation of Catholic Alumnae, (IFCA), led by a priest, served as a second jury with its own processes; it identified films acceptable for all audiences from children to adult, with the morally objectionable for particular groups identified and those unsuitable for any audience condemned. A special feature of the Legion's influence was the widespread practice of the laity's yearly recitation of a pledge at Mass promising to avoid all condemned movies and the theaters which showed them, a promise which many laity believed, mistakenly, that to disobey constituted a mortal sin.

The heyday of the effectiveness of the PCA and the Legion lasted from 1934 to the mid-1950s when movie producers and the movie audience began to resist. By 1949, Hollywood, facing an existential threat from television, had to provide what "the box" could not--blockbuster epics, technicolor, 3-Dimensional, drive-in theaters--all would be tried, but the quickest path to successfully compete was more boundary-breaking motion pictures, especially sex and crime. Television was only one of the industry's problems. Inevitably, for good reasons and bad, what the public wanted affected the social mores and were reflected on the movie screen. Whatever the 1950s may have lacked, the American people were more sophisticated and confident than the Great Depression generation had been, and the movie audience for more realistic, cerebral, and artistic movie fare had grown.

Two Catholic movie critics are featured: the convert, William H. Mooring, syndicated columnist for Tidings, the Los Angeles archdiocesan newspaper, and James W. Arnold, syndicated in the Indianapolis archdiocesan paper, Marquette University associate professor in journalism, and self-described "movie nut." Mooring, the older man, was especially wary about the dangers of communism in the movies and in

real life in postwar World War II America, while Arnold's habit was to find reasons to praise the films of the 1960s and 1970's he reviewed.

To illustrate the issues involved and the changes over time in the PCA and Legion of Decency rulings, a number of films are given extended discussion, among them, "She Done Him Wrong," 1933, "The Farmer's Daughter," 1947, "The Miracle," 1950, "The Outlaw," 1943, "The Streetcar Named Desire," 1951, "The French Line," 1953, "The Moon is Blue," 1953, "Martin Luther," 1953, "La Dolce Vita," 1960, "The Pawnbroker," 1965, "Bonnie and Clyde," 1967, and "Midnight Cowboy," 1968.

The appendices include discussions of Catholics and censorship in other media--books, the comics, political films, documentaries, television, religious films, and the stage.

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The Catholic Church Censors the Movies: The Production Code
Administration, the Lord-Quigley Code, and the Legion of Decency

Of all the tyrannies, a tyranny exercised for the good of its victims may be the most oppressive. It may be better to live under robber barons than under some omnipotent moral busybodies. The robber baron's cruelty may sometimes sleep, his cupidity may at some point be satiated; but those who torment us for our own good will torment us without end, for they do so with the approval of their consciences.

C. S. Lewis

It is almost a law of nature that censorship will always sooner or later make a fool of itself.

Sean O'Failain

Something new under the Sun appeared in 1889 when the Thomas A. Edison laboratory produced a battery-operated box for viewing moving pictures. Patented in 1893, kinetoscopes were rapidly installed in arcades everywhere. Drop a penny in the slot, peep through the viewer, turn the crank to see a show of brief seconds up to a minute or so. In Indianapolis in January 1895, the Pettis Dry Goods Store (25-39 E. Washington Street in the 1916 City Directory) advertised five Edison Kinetoscopes ("the wonder of the age"), for 10 cents a view. A week later the Indianapolis Journal observed that the machines had "created quite a sensation." By the end of the month persons who purchased something at Pettis' could view for free; otherwise children paid five cents and adults ten.¹ In 1896, Edison introduced the Vitascope, a machine for projecting pictures on a screen. Shown first publicly at a New York music hall, the audience--"stunned at first, then spellbound, applauded loudly as two young blondes did an umbrella dance, . . . screamed in fright as the angry surf rolled toward them and laughed heartily when two comedians engaged in a burlesque boxing match."² Moving pictures projected on screens in darkened rooms, like the peep shows it replaced, won immediate and immense popular approval. By 1910 some 10,000 movie theaters--"Nickelodeons"--drew 26 million people weekly; by 1927 it was 57 million; by 1930 movies with sound drew over 100 million a week. Something of the impact of the new medium is captured by President Woodrow Wilson's remark after a special White House showing of D.W. Griffith's 1915 twelve reel, two- and a half-hour racist masterpiece, "Birth of a Nation.": It was "like writing history with lightning." The N.A.A.C.P., the president of Harvard, Jane Addams of Hull House, and other

¹ Indianapolis Journal, 6, 13, 27 January 1895.

² Paul F. Boller, Jr. and Ronald L. Davis, Hollywood Anecdotes (Ballantine Books: New York, 1987, 3,4.

liberals demurred. Fearing riots and racial upheaval, some cities suppressed the film. In Indianapolis, it played at the English Theater, the city's premier theatrical house on the Circle.³

The first movie theater in Indianapolis opened in a vacant storeroom on Washington Street near Delaware in 1906. Called the "Bijou" ("Now Open. Always 5 Cents"), it showed prize fighters, horse races, and the New York City fire department rushing to a blaze.⁴ By 1912 Indianapolis had 29 motion picture theaters; two years later it had 81. North Illinois Street, with five theaters in the 100 block, became known as "Movie Lane." The Circle Theater, the city's first building constructed specifically for motion pictures, opened 30 August 1916, was considered at the time the most prestigious theater west of New York. The original board was a who's who of the Jewish community--A. L. Block (Block's Department Store), president; Robert Lieber (son of the founder of the Lieber Company and later president of First National Pictures), vice-president; Meyer Efroymsen (Real Silk, Inc.), treasurer; Arthur Strauss (Men's Clothing), Isadore Feibleman (Bamburger and Feibleman law firm), and Morris Cohen.⁵ With the cost of admission for "photo-plays" in 1915 at five cents, an estimated four-fifths of the city's 275,000 residents were moviegoers. By the 1920s a survey of Indianapolis found over 200,000 moviegoers weekly in a city of 350,000. Of its sixty-four theaters, ten had a capacity of a thousand, one-third were downtown, with the Circle theater and the Murat as opulent as any in the country.⁶

At once an industry, art form, and entrancing entertainment, from the first movies were recognized as having a huge potential to affect social mores. In 1915 the Indiana Catholic asserted that "There is no greater educator of the public in our day than the motion picture. It has covered almost every phase of life and imparted knowledge good and bad on a wholesale scale."⁷ By 1919, the bishops' National Catholic Welfare Council (NCWC) saw "the influence of motion pictures upon the lives of our people [as] greater than the combined influence of all our churches, schools, and ethical organizations."⁸ In 1929 the Jesuit, Daniel Lord, on the brink of exercising a decisive influence on what would be shown on the screen, observed that movies, "the most popular of modern arts," "appeals at once *to every class* [ital. orig.], mature, immature, developed, undeveloped, law abiding, criminal." Far more than newspapers, books, or

³ Gerald Mast, A Short History of the Movies (The Bobbs-Merrill Company: New York, 1971), 80-87.

⁴ Anton Scherrer column, Indianapolis Times, 20 September 1949, "motion picture file -1939," Indiana State Library. The Indianapolis Encyclopedia states that the Bijou was a converted vaudeville house.

⁵ For a discussion of early movie-going and theaters in Indianapolis, see Howard Caldwell's paper read before the Indianapolis Literary Club, October 6, 1997, Indiana Historical Society.

⁶ Farnesday, et al., Sacred Circles, Public Squares, 26.

⁷ Indiana Catholic, 9 July 1915, 2.

⁸ McGreevey, Catholic and American Freedom, 156.

plays, “the mobility, popularity, accessibility, emotional appeal, vividness, straightforward presentation of fact in the film makes for more intimate contact with a larger audience and for greater emotional appeal. Hence the larger moral responsibilities of the motion pictures.”⁹ “More than any other expressive art form or popular entertainment, the motion picture has had to bear the continuous scrutiny of moral watchdogs.”¹⁰ There was early proof of this: A New York play in 1896 had the romantic leads kiss at the end of the drama, and no moral outrage ensued. But when the Edison studio had the actors (John Rice and May Irwin) reprise the kiss on the big screen, “their large, projected mouths meet[ing] in lascivious embrace,” “the moralists and reformers showered the local newspapers with letters and the local politicians with petitions.”¹¹

When and where the first censorship of “moving pictures” in the U.S. took place is not clear: One version has a U.S. senator from New Jersey was shocked by a kinoscope of “Carmencita in Her Famous Butterfly Dance” at a resort parlor on 17 July 1894. He complained to the Newark mayor who ordered the peep show operator to discard the film or close his shop. Another version involves a minister in Atlantic City in 1896. Observing long lines of men waiting to get into a penny arcade, the clergyman discovered that the attraction was “Dolorita’s Passion Dance.” He took his objections to the mayor who banned it. A third source states that the movie was “Dolorita in the Passion Dance,” the year 1894, and the place the boardwalk in Atlantic City.¹² That “sex sells” movies was established early on: A filmmaker inquired about the day’s receipts at one penny arcade and was told that the kinoscope of a battleship won 25 viewers, “Rip Van Winkle,” 43 paying customers, ballet dancer, 105, and ‘Girl Climbing Apple Tree,’ 365. The filmmaker concluded that “we had better have some more of the ‘Girl-Climbing-Apple-Tree’ kind.”¹³

Early movies were often frank and lurid, with plots ranging from political corruption, the exploitation of immigrants and labor, to crime, violence, and sex. Moralists also feared the film industry’s capacity to undermine American institutions and national icons by raising doubts about the *status quo*. Its influence on the young was particularly worrisome. Clergymen and social workers, policemen and politicians, women’s clubs and civic organizations joined “in accusing the movies of inciting young boys to

⁹ Gregory D. Black, The Catholic Crusade Against the Movies, 1940-1975, (Cambridge University Press: Cambridge, England, 1998), 247.

¹⁰ James M. Skinner, The Cross and the Cinema: The Legion of Decency and the National Catholic Office for Motion Pictures, 1933-1970 (Praeger: Westport, Connecticut, 1993), 1.

¹¹ Mast, Short History of Movies, 38.

¹² The three sources, in order, are: Katz, Film Encyclopedia, 1165; Miller, Hollywood Censored, 24; Paul S. Boyer, “Censorship,” Encyclopedia of American Political History, Jack P. Greene, ed., vol. 1, 166.

¹³ Boller and Davis, Hollywood Anecdotes, 7.

crime by glorifying criminals, and of corrupting young women by romanticizing ‘illicit’ love affairs.”¹⁴ Since the silent film appealed especially to the lower classes, the non-English speaking immigrant, and the uneducated, it was essential that self-appointed moralists monitor and censor it. The “teeming millions,” already suspect in the eyes of the elite, had to be saved from their “baser instincts” and the likes of “Cupid’s Barometer,” “An Old Man’s Darling,” “Gaieties of Divorce,” “Beware, My Husband Comes,” and “The Bigamist.”¹⁵ They had to be saved as well from the political radicalism prompted by such films as “Capital vs. Labor,” “The Long Strike,” “The Girl Strike Leader,” “From the Submerged,” and “Lily of the Tenements.” The 1913 drama “Why” showed workers pleading with an indifferent boss sitting beside a bag of gold, while children labored to provide the motive power on literal treadmills. The movie ends with protesters burning down the Woolworth Building, the film hand-painted in red to depict the flames; to certain minds, this was truly inflammatory fare.¹⁶

Censorship as the answer to policing behavior and morals, had the approval of both the Catholic and Protestant traditions since the Gutenberg revolution—Catholics with the sixteenth century *Index Librorum Prohibitorum* and Protestants through “blue laws.” Thanks to the Puritans in English America there was precedent for policing morals dating from colonial times. To go no further back than the Gilded Age, in 1873, after less than an hour of debate, Congress passed the “Comstock Law,” after Anthony Comstock (1844-1915), head of the New York Society for the Suppression of Vice, founded the previous year. The law authorized postal authorities to exclude from the mails books or materials seen as “lewd,” “indecent,” “filthy,” or “obscene.” The distribution of contraceptive devices as well as information on birth control and abortion fell under the ban. (In the late nineteenth century Protestant elites were worried about falling birth rates among the native-born and rising ones among immigrants. Physicians were interested in raising their status and closing out the competition from midwives.) Appointed “special investigator” by the post office with powers of arrest, for over forty years Comstock was a law unto himself, wielding an ax and carrying a rifle, traveling the country at public expense in pursuit of purveyors of suspect materials. At the end of his life Comstock estimated that he had caused the criminal conviction of enough people to fill a passenger train of sixty-one coaches. Birth control advocate Margaret Sanger alone was indicted eight times under the law.

To fight Comstockery in the movies, in 1915 the Mutual Film Corporation argued before the U.S. Supreme Court that movies, like the press, were protected by the First Amendment. Writing for a unanimous court, Joseph McKenna, a Catholic, determined that the First Amendment’s protection of free

¹⁴ Black, *Catholic Crusade*, 6, 7.

¹⁵ Skinner, *The Cross and the Cinema*, 1, 2.

¹⁶ Boller and Davis, *Hollywood Anecdotes*, 6; Vol. 3, 1823, *Encyclopedia of Social Sciences*. 181.

speech did not apply to movies for as a “business pure and simple” they were not “part of the press” nor “organs of public opinion.” Purely an entertainment, the court did not regard movies as a vehicle for ideas and, like the theater and the circus, “they may be used for evil.”¹⁷ One of the first films to come under the Mutual decision was “Birth Control,” a film narrated by Margaret Sanger banned in New York City.

In 1907, Chicago was the first major city to enact a film censorship law, authorizing the police to deny a permit to any film judged “immoral” or obscene. Two policemen supervised a committee of political appointees--all women--which controlled film content in the Midwest. They could ban or cut a film for immorality and impose age limits. Chicago’s board also had the unique power to cut or ban racially insulting material.¹⁸ Soon, “a host of municipal and state censorship boards” appeared and by 1925 over ninety cities and more than a dozen states had similar boards.¹⁹

What was forbidden differed widely: Chicago edited out bootlegging and firearms; Kansas vetoed drinking scenes; in Ohio “only such films as are in the judgment and discretion of the board of censors of a moral, education or amusing and harmless character” could be exhibited. Judging too many punches in a prize fight as neither moral, educational, amusing, nor harmless, Ohio limited the number of blows that could be shown. Memphis excised black performers (Lena Horne, Cab Calloway), and barred the “Our Gang” comedies for integrating black and white children in school.²⁰ Maryland would not show poisonings (its chief censor was a druggist). In New York, at least in the movies, even an unsuccessful bribe could not get by the censors (for fear of giving elected officials ideas?) Pennsylvania routinely cut any reference to pregnancy, a woman could not even be shown knitting baby clothes; after all, “The movies are patronized by thousands of children who believe that babies are brought by the stork, and it would be criminal to undeceive them.”²¹

Strangely, given its overwhelming number of Protestant citizens, neither Indianapolis nor Indiana ever adopted a movie censorship law. In Indianapolis, general agreement existed between Catholic and Protestant spokesmen on the legitimacy of censoring motion pictures: In 1910, Joseph P. O’Mahony, then manager of the Indiana edition of the Catholic Columbian Record, supported film censorship because many movies (“problem plays in miniature”), dealt with the “relation of the sexes, the temptations of illicit love, with bohemian life, . . . the wild West, with stage [coach] robbery and other evidences of vice and

¹⁷ Black, Catholic Crusade, 7, 8.

¹⁸ Walsh, Sin and Censorship, 7; Miller, Hollywood Censored, 43.

¹⁹ Skinner, Cross and Cinema, 3.

²⁰ Boller and Davis, Hollywood Anecdotes, 186.

²¹ Frank Miller, Censored Hollywood: Sex, Sin & Violence on Screen (Turner Publishing: Atlanta, 1994), 42.

crime. They are sadly in need of supervision and restraint.”²² The Church Federation of Indianapolis, founded June 1912, favored movie censorship and claimed the endorsement of all the Protestant churches in the city. In 1913, it attacked theaters showing indecent movies and campaigned to stop all showings on Sunday, (a city ordinance dating from the 1870s banning Sunday theatrical performances was still on the books).

While O’Mahony favored banning indecent films and even supported the establishment of a local censorship board, he drew the line against closing movie houses all day Sunday, as the Church Federation wished. He also opposed a 1913 bill to remove all legal obstacles to theaters on Sunday, and another in 1917 that would establish a board which could ban “immoral, indecent, or licentious moving pictures” and, like the 1913 bill, also permit showings before 2:00 p.m. The Sunday closing issue gave O’Mahony the opening to tweak Protestant churches (something he took great pleasure doing), for being so poorly attended as to “wail” over the prospect of losing still more of their congregation unless Sunday showings were outlawed. Blatantly contradicting his own desire for showings after 2:00 p.m. on Sundays (so Catholics could attend after Mass), he insisted that Catholics “did not patronize the theater on Sundays anyway.” The legislature should reject the bill and no Catholic should vote for it.²³ The governor vetoed the 1917 version, winning O’Mahony’s praise.²⁴

Given Hollywood’s sensational fare--marital infidelity, “heroized crooks,” murderers, and suicides--the Indianapolis archdiocesan newspaper complained that three-fourths of the novels put on the screen were on the Index and that the movies routinely burlesqued the Church. Yet Catholics--and everyone else, trooped to the pictures, a mania the newspaper dubbed, “movieitis.” Admitting that movies were one of the great inventions of the age, the Indiana Catholic insisted that effective movie censorship was needed and “no child should attend movies more than once a fortnight.”²⁵ The reality was that salacious fare attracted the biggest audiences. In August 1918, O’Mahony complained of the “adults only” movies and the nude pictures advertising them on South Illinois Street. Yet in the absence of an ordinance creating a movie censorship board, such as Philadelphia, Chicago, and New York possessed, neither the police nor the mayor could be blamed.²⁶ In 1919 O’Mahony was still pretending in print that Catholics would not be found at the movies on the Sabbath, but many non-Catholics, he gracelessly argued, “would

²² Catholic Columbian-Record, [Columbus, Ohio], 6 May 1910, 4. Later that year, backed by five local Irish-Catholic businessmen, O’Mahony became the founding editor of the diocesan paper, the Indiana Catholic, “A home journal devoted to the interests of the Catholic clergy and laity.” (It became the Indiana Catholic and Record in 1915, and in 1960, the Criterion).

²³ Indiana Catholic, 14 February 1913, 4.

²⁴ Indiana Catholic and Record, 16 March 1917, 4.

²⁵ Indiana Catholic, 10 September 1915, 4.

²⁶ Indiana Catholic and Record, 30 August 1918, 4.

find far more edification at a good show than at 'services' at which the name of God and his gospel is rarely heard."²⁷

When the Indiana General Assembly again failed to pass a censorship bill in 1921, O'Mahony thought it a good thing, since most such laws were "framed by busybodies and fanatics." Before supporting a censorship board, he would have to know who the censors were. He favored a system proposed by the American bishops' National Catholic War Council (NCWC), and the [Protestant] Church Federation which placed on exhibitors the duty to expurgate from a film "everything offensive to public morals." Pictures to be avoided were those in which "unwholesome sex appeals, marital unfaithfulness, moral laxity, indecent dressing and undressing, crime, [and] disrespect for law, for religion and for plain morality, have been shamefully portrayed." It was up to the exhibitors to remove "everything offensive to public morals"; for failing to do so, the review board would hold the exhibitors' license forfeit.²⁸ The complexity of the issue rendered subsequent efforts to adopt legislation in 1923, 1925, and 1927 failures.²⁹

Until fall 1919, the American bishops took no official notice of movies, neither condemning the industry nor supporting Protestant demands for federal regulation. That changed when their new National Catholic Welfare Council [NCWC] announced that if the moral content of films was not improved, it would support a blue law--no Sunday movies. Two years later the NCWC's motion picture department called on Catholics to support decent pictures and oppose those in which "vice and crime are exploited, where law and patriotism and religion or its ministry are ridiculed, and where public morality is flouted."³⁰

In light of *Mutual v. Ohio's* denial, in 1915, that the cinema was protected by the First Amendment, censorship boards and insistent demands for movie entertainment fit for family viewing multiplied across the nation. Hollywood's answer the following year was industry-wide self-censorship--a thirteen-point program of the newly established National Association of the Motion Picture Industry (NAMPI), which producers were to follow. Widely ignored, Hollywood turned to the English film industry, which had established its own British Board of Film Censors (BBFC), in 1919. Having in view discouraging local government councils from independently censoring films, under a "czar" as chief censor, the BBFC

²⁷ Indiana Catholic and Record, "Good and Bad Motion Pictures," 31 January 1919, 4.

²⁸ IC&R, 4 March 1921.

²⁹ Justin E. Walsh, The Centennial History of the Indiana General Assembly, 1816-1978 (Indiana Historical Bureau: Indianapolis, 1987), 292. Charles R. Morris, American Catholic: The Saints and Sinners Who Built America's Most Powerful Church, (Random House, Inc., New York: 1997). 202.

³⁰ Walsh, Sin and Censorship, 20.

centralized the process of vetting movies and drew up a list of 22 reasons to cut or suppress films.³¹ The British board rated movies either “U” for universal audiences or “A” adult, not for children. Although it never developed a written code, the BBFC exercised considerable influence on American movies, especially in meeting its demands to cut and reshoot scenes to qualify for release in Great Britain. Even decades later, a 1938 American comedy, “The Mad Miss Manton,” showed a caretaker and his wife waking up in the same bed. The BBFC objected; to show it in England RKO had to darken the scene so that the actors could barely be seen. Prudence led U.S. producers to invent the “Hollywood” bed, twin beds with a single headboard, but the BBFC was unimpressed and forced the studio to reshoot scenes with properly separated beds at a cost to Columbia of \$30,000.³²

Two developments determined the timing of more effective movie censorship: The sense that the moral tone of society suffered after the Great War, 1914-1918, and that the decline was made manifest in the movies. Between 1918 and 1921, Cecil B. De Mille’s series of melodramas of passion and infidelity (“Old Wives for New,” “We Can’t Have Everything,” 1918; “Don’t Change Your Husband,” “For Better or Worse,” “Male and Female” 1919, “Why Change Your Wife?” 1920, “The Affairs of Anatel,” 1921), constituted one man’s research into the temptations warned against in the Sixth and Ninth commandments. In his “sex comedies” the wife kept her husband’s affection “only by beating the sexual allure of the ‘other woman’ at her own game.” Even De Mille’s later Bible epics featured bedrooms and bathtubs:³³ In “The King of Kings” (1927), Mary Magdalene, “clothed in little more than a headdress,” orders her servants to “harness my Zebras,” and sets off by chariot to meet her Savior.³⁴ In the opinion of one critic, his “racy films flirt with naughtiness and sell conventionality; his religious films flirt with righteousness and sell lewdness.”³⁵ De Mille’s was far from the only game in town: His colleagues’ films included such shockers as “Why Be Good?,” “Sinners in Silk,” “Women Who Give,” “Luring Lips,” “Her Purchase Price,” etc. Self-censorship wasn’t working.

As bad as its lurid films was the film community’s disastrous reputation: In real life Mary Pickford, after a quickie Nevada divorce in 1920, three weeks later married Douglas Fairbanks, Sr., (he, having just shed his first spouse). Such behavior was at odds with lives as memorialized in the fan magazines and it did not help that Nevada’s attorney-general tried to have Pickford’s decree overturned, which would have made “America’s Sweetheart” a bigamist. Later that year scandal struck Pickford again as her sister-in-

³¹ Matthew Sweet, Inventing the Victorians, (St. Martin’s Press: New York, 2001), 35. (In the same way, the YMCA, settlement houses, the Salvation Army, and the Boy Scout movement also originated in England).

³² Miller, Hollywood Censorship, 33.

³³ Boller and Davis, Hollywood Anecdotes, 11; Moray, Hollywood Outsiders, 108; Katz, Film Encyclopedia, 1169.

³⁴ New York Times, 15 April 2004.

³⁵ Mast, Short History of Films, 139.

law committed suicide in Paris. The next year Charlie Chaplin's first marriage (a girl of 16, he was 32) ended in divorce after only two years. Chaplin went on to major in young brides: a 16-year-old in 1924 at age 35; at age 44 with Paulette Goddard, 19, and age 54 to Oona O'Neill's 18. Then the story broke that Roscoe "Fatty" Arbuckle, the popular comedy star, paid \$100,000 in hush money to a Massachusetts district attorney after a wild party there in 1917. Far more ignominious was the charge months later that the obese Arbuckle had raped and caused the death of a young actress during a weekend orgy in San Francisco. After three "stormy trials" Arbuckle was acquitted, but his films were withdrawn, his career ruined. More bad publicity followed: in 1922, an unsolved murder of a film director (its malodorous details ended the careers of two actresses); separate suicides of an actor and an actress; and another actor committed to a sanatorium as a drug addict.³⁶

Having become conflated with Sodom and Gomorrah, with NAAMPI a failure, in 1921 the movie moguls tried again with the Motion Picture Producers and Distributors of America (MPPDA). The MPPDA's "ABC" ratings were simplicity itself: A, unobjectionable for all; B, objectionable in part for all, and C, condemned. Following baseball's example after the 1919 Black Sox scandal, for their czar Hollywood lured Indiana's Will H. Hays, in 1922. A power in the national Republican Party, Postmaster General, Presbyterian elder, and inveterate joiner of fraternal societies. At a salary of \$100,000, his task was to show that the industry could regulate itself, thereby fending off local censorship boards and federal regulation. "Clean up 'the movies,' Mr. Hays," called the Indiana Catholic and Record.³⁷ Hays began by inserting a clause in actors' contracts permitting studios to cancel for even a hint of moral turpitude. Only Rin Tin Tin's contract was said to lack the clause, (presumably, Rinny could fool around with Lassie and Asta *ad libitum*). Hays also produced a "Doom Book," a blacklist of over a hundred actors unfit for the screen because of drug addiction, illicit sex, and sundry other disreputable behaviors.

To deal with producers, the key to any real control, Hays negotiated a gentlemen's agreement of "thirteen-points" dealing with sex and crime, which grew in 1927 to twenty-five "don'ts and be carefals" drawn from the most common red flags of the censorship boards: Among the "don'ts" were prohibitions against profanity, nudity, narcotics, prostitution, venereal disease, miscegenation, child birth scenes, ridicule of the clergy or willful offense of any nation, race, or creed. The "be carefals" covered treatment of the flag, arson, use of guns, tuition in crime methods, (how to crack a safe, etc.), hangings and electrocutions, human or animal brandings, sympathy for criminals, surgical operations, drug use, lustful kissing, rape. Cried one foreign director after reading the list, "What a marvelous scenario!"³⁸ Violators

³⁶ Robert Sklar, Movie-Made America (Random House: New York, 1975), 78, 79.

³⁷ IC&R, 20 January 1922, 4.

³⁸ Boller and Davis, Hollywood Anecdotes, 183.

were threatened with expulsion from the organization. The results did not quiet the moralists because the MPDDA's producers' jury of three usually passed contested films and by January 1930, only one in five movies were being reviewed at all. The movie men, seeing no need to compromise with the censors, simply ignored the "don'ts and be carefals." The result, as Herman Mankiewicz in 1926 explained Hollywood scriptwriting to journalist Ben Hecht, "the hero, as well as the heroine, has to be a virgin. The villain can lay anybody he wants, have as much fun as he wants cheating and stealing, getting rich and whipping the servants. But you have to shoot him in the end."

Hence, nothing prevented Metro Goldwyn Mayer [MGM] from distributing "The Callahans and the Murphys," in 1927. Based on a series of short stories by Kathleen Norris, this silent film was intended as a Romeo-Juliet comedy of "two feuding slum families."³⁹ Set in an urban tenement lacking indoor plumbing (made clear by shots of a chamber pot), amid crucifixes, references to St. Patrick, multiple signings of the Cross, and a Callahan daughter having the child of a Murphy son, the eponymous families related to each other in a manner suggestive of *Finnegan's Wake*, with a donnybrook and the arrival of paddy wagons and ambulances. The son, a bootlegger, disappears; the daughter gives birth in the country, then clandestinely places the infant at her mother's door. Mother Callahan unknowingly adopts the "foundling"; (She'll discover in the recut version that the infant's "legit" after all, the couple having married secretly). At the St. Patrick's Day picnic the intoxicated matriarchs (Marie Dressler as Mrs. Callahan and Polly Moran as Mrs. Murphy) pour beer on each other. Mrs. Callahan: "This stuff makes me see double and feel single." Clearly, the film gave "willful offense" to a "nation, race or creed," and failed to "avoid" putting any nation's "religion, history, etc.," in "an unfavorable light," let alone respecting the admonishment to show "good taste" and "eliminate vulgarity."

The critics were amused, but not the Emerald Isle set. This was the 1920s, the decade of the Klan, immigration restriction, and the nativist revival. Together they had the effect of increasing self-consciousness and militancy among targeted communities, not least the Irish.⁴⁰ The bishops' National Catholic Welfare Conference (NCWC) took umbrage in that the film attributed to Irish-Catholics "the vices of drunkenness, immorality and many violations of the law." The National Catholic men's and women's groups were "called on all over the country to protest to local managers against this film."⁴¹ The Hibernians, the Knights of Columbus, and other Irish organizations responded. The Indiana Catholic and Record (IC&R), attacked the movie as a "distortion" of the novel and of having a "deliberate purpose to travesty the Irish people and to discredit the Catholic Faith." On a darker note, editor O'Mahony lamented

³⁹ John Douglas Eames, The MGM Story (Crown Publishers: New York, 1975), 41.

⁴⁰ Frank R. Walsh, "The Callahans and the Murphys; a case study of Irish-American and Catholic Church Censorship," Historical Journal of Film, Radio & Television, 1990, vol. 10.

⁴¹ America (27 August 1927), 475.

that the film contributed to the sort of bigotry and hatred that the Irish, as well as “the race which profits from this nastiness,” [a reference to the Jews who headed the studios], have suffered at the hands of the Ku Klux Klan”⁴² Real anti-Semitism erupted when a Jewish judge in New York City, faced with an Irish-American’s refusal to pay a fine for rioting against the film, was handcuffed to a Negro and sent to jail. Taken as the ultimate insult, Irish charges against Hollywood’s “Jewish Trust” erupted and aspersions were cast on the “Rebeccas” and “Marthas” of Jewish families. In the original version, Mother Callahan worries, “What if the baby is a Black Protestant?” “What if it’s a Jew?” Lifting the diaper, smiling, “It ain’t a Jew Baby.”⁴³

Flesh and blood Irish-Catholics imitated art by rioting, pelting the screens with rotten produce, ink, acid, rocks--even tear gas at one theater. City officials, police departments, and censor boards across the country pleaded with MGM to withdraw the picture and pressured local theaters not to screen it. MGM toned down its vulgarity in re-release, but nothing satisfied the critics and “The Callahans and the Murphys” was finally withdrawn, November 1927. The industry learned: In future, Hollywood would flee such risible Irish stereotypes for the manly priest, the genial cop, the feisty colleen.

When it came to what could be read or said, no other institution could claim the centuries of experience of the Catholic Church. The New Catholic Encyclopedia traces the roots of ecclesiastical censorship to the late second century when the decisions about which books to include in the New Testament were made. From the 5th to the 16th century many decrees banned particular texts, but it was after the Gutenberg revolution and the ensuing Protestant Reformation that Pope Paul IV (1555-1559), entrusted the Congregation of the Index with the task of drawing up a complete catalog of “forbidden books.” Published in 1559, it was the first document to carry the title “*Index Librum Prohibitorum*.” For the next four hundred years, in the absence of special permission, Catholics were forbidden to read listed books under pain of excommunication. While Protestant reformers had also banned books, by the 19th century the Index had become a source of ridicule and an embarrassment. The list would grow to 5,000 titles and include works by Descartes, Frances Bacon, Pascal, Voltaire, Gibbon, Hugo, Zola--books which in some way defended heresy or schism, undermined religion or morality, attacked the hierarchy, interfered with discipline, or were obscene or lascivious.⁴⁴ The real work of censorship was done by the Holy Office of the Inquisition; in theory the most powerful of Vatican congregations, in 1908 the name was changed to Congregation of the Holy Office (today, Congregation for the Doctrine of the Faith). Although Benedict XV abolished the Congregation of the Index in 1917, the

⁴² Indiana Catholic and Record, 29 July, 18 November 1927, 4.

⁴³ Walsh, Callahans and the Murphys. Apparently, the child had been circumcised.

⁴⁴ IC&R, 19 January 1951, 4.

list of prohibited books remained.⁴⁵ (The last edition of the Index appeared in 1948 and, right up to the Second Vatican Council, 1962-1965, it was used to silence such twentieth century Church notables as Yves Congar and Pierre Teilhard de Chardin.)

When it came to censoring motion pictures, the grounds for condemning a book--contrary to faith or morals or dangerous to the souls of the faithful--could be readily extended to cover the new medium. Indeed, movies were more dangerous than books: their cheapness excluded almost no one (only a nickel) their silence put the deaf on an equal footing with the hearing (even the illiterate could follow well enough), their novelty gave the cinema enormous popularity (advertised as "coming attractions"), and they left nothing to the imagination ("Dolorita in Her Passion Dance"). Drawing upon centuries of experience, the Church would be a confident censor.

Both the bishops and IFCA leaders opposed national or state government censorship, as did the Jesuits' America magazine, albeit for different reasons: America condemned the "meddlesome Matties and the Paul Prys" who wanted government involvement because it distorted the Constitution to permit government censorship "of what, in itself, is a legitimate form of expressing an opinion." Suiting its arguments to its desire, America argued that "political censorship" (meaning by governmental bodies) was "rarely effective," "uncertain," "too subject" to corruption, and "dangerous" to allow government "to interfere in human relations which normally do not concern it."⁴⁶ For the bishops, government involvement would preclude the Church's role in determining what films could be shown, denying the Church the power it sought.

The drive to clean up the film industry would not go away. The continuing attacks on movie sex and violence by the Church and others was one reason. The expense of cutting and pasting films to satisfy different censorship boards was another. Sound, which came to the movies in 1927 with the part-talkie "Jazz Singer," brought its own financial cost. The stock market crash of 1929 was worrying; would movies be Depression-proof? As the Roaring Twenties neared its end a number of factors conspired to bring Hollywood and the Catholic Church into something like partnership. In some ways, the affinity was perfectly natural: The Church regarded the moves as lawful entertainment, even on Sunday afternoons. After all, the Church did not condemn liquor out of hand, or card playing, or dancing, only their abuse. Catholics, twenty million strong, were concentrated in cities, the biggest market for films, and the laity liked them, as did most priests. Most important to the movie moguls was Catholicism's centralization--the vaunted discipline and unity of a hierarchical church blessed with an obedient laity. It meant that if the

⁴⁵ Owen Chadwick, A History of the Popes, 1830-1914, Oxford University Press: New York, 1998), 370, 371.

⁴⁶ America (November 15, 1930), 132; (April 11, 1931), 7.

Church supported Hollywood and a new code, it could deliver protection from other critics and fend off government regulation. Moreover, given the concentration of the movie industry in such few hands, the ideal of producing “a state of mind where the citizen of his own accord obeys the moral law” seemed possible. For these reasons, an alliance between the hierarchy and Hollywood promised to be effective and mutually beneficial.⁴⁷

As it happened, certain Catholics were ideally circumstanced to influence the movie industry. Of long-term significance to the Church’s role in rating movies was the International Federation of Catholic Alumnae (IFCA). Beginning in 1922, the women of the IFCA, with the help of volunteers from Catholic high schools and colleges, reviewed 11,000 films (nearly every film released in the United States--features, foreign films, documentaries, short subjects). Its “white” list rated artistic quality, suitability for Catholic school audiences, and identified films for “mature” audiences (no film with divorce could be recommended).⁴⁸ With “Let Your Theater Ticket Be Your Ballot for Better Pictures” as its slogan, the IFCA list of “endorsed motion pictures” was broadcast over ten radio stations and carried in about two dozen diocesan papers. On average, four women of its eighty “previewers” evaluated a film by majority vote. Understanding that “to point out an evil thing is to attract new audiences to it,” it rated acceptable films as “fair,” “good,” “very good,” or “excellent,” and ignored the rest. The monthly list went to Protestant ministers, YMCAs, Knight of Columbus, public libraries, churches, and the film industry itself. Reviews of “bad” films were sent to the companies, directors, and studios involved. It was not unusual for the company to make changes--new title, episodes cut, scenarios modified--to gain IFCA endorsement. While the IFCA prided itself on not taking money from the industry, the Motion Picture Producers and Directors Association (MPPDA), printed the IFCA’s “white” lists and sent them out as good cheap advertising.⁴⁹ The IFCA women’s experience and availability would be crucial were the Church and the industry ally.

Even more important, as chance would have it, the stock market crash of 1929 found a number of film companies under the control of Halsey, Stuart and Company of Chicago. Financial advisor and frequent lunch companion of George Cardinal Mundelein, the city’s archbishop, it was Mundelein who suggested that Halsey, Stuart pressure the film companies to adopt a new code. The publisher of the Motion Picture Herald, the industry’s leading trade paper, Martin J. Quigley (a son a Jesuit), asked only

⁴⁷ “A Code for Motion Pictures,” America (April 19, 1930), 32, 33.

⁴⁸ Walsh, Sin and Censorship, 32.

⁴⁹ Walsh, Sin and Censorship, 34, 51; Black, Catholic Crusade, 10. Edward S. Schwegler, “What’s Next, Legion of Decency?” Commonweal (November 16, 1934), 84-86; America (March 15, 1930), 559, 560; (November 15, 1930), 133.

that films provide wholesome family entertainment, avoid social commentary as well as nudity and any glorification of crime. Only a strict code could make that happen. To provide such a code, Quigley put Hays in touch with Fr. Daniel A. Lord, S.J., a St. Louis University professor, playwright, pamphleteer, theologian, and a consultant on 1927's "King of Kings."⁵⁰ Quigley and Chicago's Fr. FitzGeorge Dinneen, S.J., the leading figure on the Chicago film board (dominated by Catholics), had begun to develop a code. In 1930, Fr. Lord took their notes, with contributions from Wilfred Parsons, S.J., (an old friend of Quigley's and editor of America), and Hays' "don'ts and be carefults," and in three days wrote the Lord-Quigley Code.⁵¹ The Code's central principle was that while primarily entertainment, movies could either "improve" or "degrade" the audience. Its basic rule was that no picture "shall be produced that lowers the moral standards" of those who view it.

To justify the Church right to censor, Fr. Lord naturally turned to Aquinas, for whom "natural law is nothing other than the participation of eternal law in rational creatures." The "imprint of God's providential plan on man's natural reason [which has] written in the hearts of all mankind the greater underlying principles of right and justice dictated by conscience." Humans discover the natural law by employing "right reason," and thus discover how to act morally. It does not mean, however, that the dictates of one's conscience is the final arbiter for as the "custodian of divine revelation" the guidance of the Church "is necessary for an adequate knowledge of the natural law." The rational adult knows right from wrong pretty well and when there are difficulties the Church could be depended on to show the way. Knowing the truth means that the Church has an obligation to tell everyone and see that evil is shunned, for immortal souls are at stake.⁵² Q.E.D.

None of the men involved in shaping the Code was naïve: They understood that "without sex and crime pictures, there wouldn't be enough patrons to sustain a movie business." The trick was to give "fairly wide leeway in depicting behavior considered immoral by traditional standards--adultery or murder, for example--so long as some elements of 'good' in the story balanced what the code defined as evil."⁵³ "Hence the sympathy of the audience should never be thrown to the side of crime, wrongdoing, evil or sin." Sin and evil are valid subjects of drama, but evil must not be alluring, nor evil confused with good. Crime "need not always be punished, as long as the audience is made to know that it is wrong." The movies should not show the courts as unjust nor provide training in crime methods (how to crack a safe,

⁵⁰ Morris, American Catholics, 205, credits Quigley with being the moving force behind the Code and notes that he wrote the first draft of *Vigilanti Cura*, 1936.

⁵¹ Walsh, Sin and Censorship, 54-65.

⁵² New Catholic Encyclopedia, vol. 10 (The Gale Group: Farmington Hills, Michigan), 179. Mary E. Hull, Censorship in America (ABC-Clío: Santa Barbara, California, 1999).

⁵³ Sklar, Movie-Made America, 173, 174.

hiding machine guns in violin cases), and illegal drug traffic was never to be presented. Clergymen were not to be used in “comedy, as villains, or unpleasant persons.”

Used reverently, you could say “God,” “Lord,” and “Jesus,” but not as pointed profanity; you could not you say “hell,” “S.O.B.,” or “damn.” Since nations and peoples were not to be ridiculed, you could not use insulting terms for blacks, Jews, Italians, or any other group. (Despite the rule, blacks were regularly lampooned in movies of the thirties and forties.) Also impermissible was divorce as a solution to marriage breakdown, adultery as acceptable behavior when divorce was not possible, nor birth control, euthanasia, or suicide to end unendurable pain.

“Repellent subjects--hangings or electrocutions, third-degree methods, brutality, branding of people or animals, apparent cruelty to children or animals, prostitution, surgical operations--should not offend “good taste.” (How to demonstrate “good taste” by showing “apparent cruelty to children” is a poser. Long-time MPAA staffer, Jack Vizzard, had an interesting explanation for the Code’s greater emphasis on sex rather than violence by pointing out that to “the Irish [the American Church’s most influential ethnic group by far] violence was not necessarily connected with the debasing of human life,” but rather “frequently a sign of manliness.” Irish culture was infected with Jansenism, “which dreaded sex as being identified with the darker forces, but which did not fear brutality, since this was not as ‘catching’ and it contained its own remedy in that it hurt.”⁵⁴ Put simply, fighting was the proof of one’s manhood.)

The Code’s longest section dealt with sex, with the sanctity of marriage the rule. Low forms of sex relationships were not to be inferred “as the common or accepted thing.” Thus, adultery was not to be “explicitly treated,” or justified, or “attractively presented”; scenes of passion “should not stimulate the lower and baser element”; seduction and rape can “never [be] more than suggested”; “sex perversion” (homosexuality), was never to be shown, nor “white slavery,” nor miscegenation (“because immoral”);⁵⁵ Sex hygiene (including references to contraception or venereal disease), childbirth or exposure of children’s sex organs were prohibited. “Impure love” must not be made attractive or a subject of comedy, or arouse passion, or made to seem permissible. Nudity is never permitted, and brothels also ruled out. “Locations” dealt entirely with bedrooms and, in effect, established the movie custom of twin beds for married couples. (The Code did not dictate twin beds for married couples nor place time limits on kisses, but the easiest way to avoid problems were to employ both.)

⁵⁴ Vizzard, See No Evil, 129, 130.

⁵⁵ Both the PCA and the Legion of Decency regarded miscegenation as immoral; the latter opposed the 1949 film “Pinky” on that ground.

Enthused Hays, the Code was “The very thing I was looking for.” It will ensure “respect for law, respect for every religion, respect for every race, and respect for every nation.”⁵⁶ The heads of the studios duly ratified it, March 1930. Its Catholic provenance was hidden; for example, America magazine’s statement that “Mr. Hays was very instrumental in winning adoption for the Code, we are told, and his own organization gave it to the public,” was deliberately misleading. Fr. Parsons knew full well the details of the Code’s origin, as did Cardinal Mundelein, who admitted to “being intimately acquainted with the Code” Editor O’Mahony at the Indiana Catholic and Record was also probably aware of the Church’s role yet kept up the pretense by praising Hays for telling movie makers to clean up the cinema. “It seems we are in for a revolution in the movies and talkies--if Mr. Hays’ commandments are to be kept.” Ironically, hiding its Catholic source fooled some Catholic publications into attacking the Code for being insufficiently strict.⁵⁷

In fact, until 1934 the Production Code was ignored by the studios and weakly enforced by the Hays Office. During this lackadaisical enforcement period MGM released “Red Headed Woman,” 1932; it had the blond Jean Harlow in a red wig as gold digger, blackmailer, and marriage wrecker; she could shoot a lover and still end up in Paris marrying a rich, aging Frenchman with a Rolls Royce.⁵⁸ Under the Code, immorality was not supposed to prosper the immoralist.

A major effort to enlist Catholic opinion makers to support the Code was launched. The Jesuit’s America magazine had the highest hopes for success if the Catholic “molders of public opinion, from whom the world has come to expect leadership” got behind it.⁵⁹ One such leader was yet another Irish-Catholic, Joseph Ignatius Breen. A soldier enlisted in the Church militant, Breen had headed press relations for the extraordinarily successful 1926 Eucharistic Congress in Chicago. While employed by Quigley in New York, Will Hays hired him in 1931 as public relations consultant to sell the Code. An energetic man, Breen contacted three-fourths of the Catholic publications in the U.S.⁶⁰ Shifted to Hollywood, fall 1933, he handled the MPPDA’s public relations and became Hays’ assistant in charge of censoring films and scripts. Stung by the arrogance of the movie moguls, the pugnacious Breen was ready to enlist the power of the Church to bring the industry to heel. As politically conservative and

⁵⁶ Hollywood Censured: Movies, Morality and the Hollywood Production Code (WGBH, Educational Foundation, 1999).

⁵⁷ IC&R, 4 April 1930, 4. See also the summary of America’s editor, Fr. Parson. America (April 19, 1930), 32, 33; Mary Hull, Censorship in America (ABC-Clio: Santa Barbara, California, 1999), 129-140.

⁵⁸ Thomas Doherty, Pre-Code Hollywood: Sex, Immorality, and Insurrection in American Cinema, 1930-1934 (New York: Columbia University Press, 1999).

⁵⁹ America (April 19, 1930), 32, 33; (November 15, 1930), 132.

⁶⁰ Walsh, Sin and Censorship, 63.

devoutly Catholic as Quigley, Breen would prove to be the key censor of the movies. In the Production Code Administration's first fifteen months it reviewed 1,275 scripts, watched 1,440 screenings, held 1,812 consultations, and produced more than 6,000 corrective notes and comments.⁶¹

That Breen's appointment coincided with the depths of the Great Depression complicated his job. At the high point of 1920s, weekly movie attendance, which had reached 100 million, fell to 40 million in 1933, then leveled off at around 60 million a week. Close to one-third of the movie houses, (5,000 of 16,000), closed their doors.⁶² With receipts down, after 1930 the studios turned to crime and fallen women to lure audiences. Among the gangster films destined to be classics were "Little Caesar," one of nine crime films released in 1930; in 1931 there were 26, among them "The Public Enemy," (the scene where Mae Clark gets a grapefruit face rub from James Cagney was cut in Ohio and Maryland--the objection was not brutality to women, but that both actors were in pajamas), and "Scarface," 1932, one of 28 gangster films that year.⁶³

Initially, the Lord-Quigley Code had some effect; for example, adding a prologue condemning gangsters and changing the ending of "Scarface," starring Paul Muni: In the original, Muni dies courageously; a second version has him begging to live; in the third iteration, he is condemned after a trial and his execution is shown, to drive home the moral that crime does not pay, as the Code required. In "I am a Fugitive from a Chain Gang," however, also 1932, Muni is an unemployed war veteran implicated in a robbery. Unjustly sentenced to hard labor in a southern state, he escapes and prospers as an engineer, but is tricked back into chains by a false promise of early release. Thus betrayed, he escapes and lives on the run. Asked by the woman he loves how he survives, in the movies' last line he answers, contrary to the Code, "I steal." The villain is the state and the Muni character has all the sympathy of the audience. In these and other ways, the Code was ignored by the industry in the years 1930-1934. If a producer refused to make demanded cuts, the matter was appealed to a revolving group of three producers acting as a jury. Of the ten films the reviewers refused to pass, the producers' jury overturned all ten.⁶⁴

As for fallen women, there was Mae West. Credited with introducing the "shimmy" to Broadway in 1918, her 1925 play dealing with homosexuality, "Drag," could not gain a booking. In 1927 she was arrested while performing in a play titled, "Sex," a bildungsroman of a prostitute's rise from the gutter to

⁶¹ Walsh, Sin and Censorship, 137.

⁶² Doherty Pre-code Hollywood, 28; Skinner, Cross and Cinema, 16.

⁶³ Black, Catholic Crusade, 16.

⁶⁴ Miller, Hollywood Censorship, 53.

high society, complete with gunplay, knockout drops, a jewel robbery, bribery, an offstage suicide, and blackmail. The court found Mae guilty of indecency, fined her \$500, and sentenced her to ten days in the workhouse on Welfare Island. The warden, a *bon vivant*, transferred her to his house and the two boated over to Manhattan in the evenings for the nightlife.⁶⁵ The following year her new play, "Pleasure Man," was closed by the police after two performances and the cast arrested for public immorality. Fortunately, Mae did not have an acting role.⁶⁶ Her great hit, "Diamond Lil," concerning sex and crime in the Bowery, ran nine months in New York and then successfully toured the country.

When Mae West left Broadway for Hollywood in 1932, age forty, the industry knew what it was getting. In her first film, a cameo role, a hatcheck girl rhapsodized over her jewelry: "Goodness, what lovely diamonds!" In one of many lines she made classic, Mae quips, "Goodness had nothing to do with it, dearie." Her 1933 film "She Done Him Wrong" produced a cascade of sexual innuendo and off-color references: On meeting Cary Grant she asks, "Are you packin' a rod or are you just glad to see me?" and the immortal line, "Why don't you come up some time 'n' see me." As Grant stares, she adds "Aw, you can be had." Grant asks if she hasn't ever met a man who could make her happy; "Sure, lots of times." Later she remarks, "When women go wrong, men go right after them." In the picture she sings "A Guy What Takes His Time" ("I'm a fast movin' girl who likes them slow/Got no use for fancy drivin'/Want to see a guy arrivin' in low). Another song was "I Wonder Where My Easy Rider's Gone?" ("easy rider" meaning "pimp" and "ride" slang for sexual intercourse). Other Mae Westisms: "It's better to be looked over than overlooked"; "it's not the men in my life that counts; it's the life in my men"; and "When I'm good, I'm very good. But when I'm bad, I'm better."⁶⁷

Morality aside, the economics were clear: "She Done Him Wrong," which cost about \$200,000 to make, grossed \$2 million in the U.S. and another \$1 million abroad, making West an immediate box office favorite.⁶⁸ The chief censor in 1933, Joseph Wingate, realized that some would object to its "general low tone," but he did not. Mae West, held Wingate, was a comic satirist poking fun at the "small, narrow, and picayunish" people. Just as a preview audience had enjoyed it, so did secular critics who praised the movie for its honesty and "lovable vulgarity." When Fr. Lord went to Hollywood and saw "She Done Him Wrong" he was horrified, writing to Hays that he had written the Code expressly to make such a film impossible.⁶⁹

⁶⁵ Emily Wortis Leider, Becoming Mae West (Farrar, Straus and Giroux: New York, 1997), 136.

⁶⁶ New York Times, 14 February 2004, A 29.

⁶⁷ Skinner, Cross and Cinema, 16; Boller and Davis, Hollywood Anecdotes, 184, 185, 212. Sklar, Movie-Made America, 185.

⁶⁸ Miller, Hollywood Censored, 73, 74.

⁶⁹ Black, Catholic Crusade, 17.

Fr. Lord proved the better prophet than Mr. Wingate as criticism of Hollywood erupted: A 1933 study, "Our Movie-Made Children," sponsored by a pro-censorship organization, blamed the movies "for leading children to delinquency, corrupting their values, and disrupting their sleep."⁷⁰ In Indiana, the Episcopalians, a Baptist State Convention, and the Methodist Episcopal Church attacked motion pictures as, "for the most part, un-Christian, un-American, and a menace to our social and moral life." One Sunday in fall 1934, the state's Protestant ministers joined together to "alert their congregations to the evils" emanating from Hollywood.⁷¹ In 1932 and 1933, Variety reported that 352 of 440 movies had "some sex slant," with 145 having "questionable sequences, and 44 being "critically sexual."⁷² The Indiana Catholic and Record, then edited by a board of ten priests, saw movies as making "their greatest appeal to those who want filth," as the "moral value of most motion pictures is nil."⁷³ Despite a code written by a priest, the movies remained largely occasions of sin. The IC&R blamed the laity for patronage of bad films; they "will not act as a unit."⁷⁴

As a good Catholic and a good company man, Breen had the idea to pressure the major banks in California and New York to stop underwriting films the Church and others found objectionable. To drive the threat home, a scripted dinner meeting of Hays and his staff with the studio heads took place in August 1933, where a prominent lawyer with industry ties read the riot act to the movie executives. Conflating them with communists and anarchists, he accused them of "ingratitude and disloyalty to the country," reminded them of Nazi success in Germany, (Hitler had become Germany's chancellor the previous January), and threatened that if the Catholic Church were to publicly chastise the industry, their "box-office receipts might be the least of their worries." According to Breen, only an independent producer and the head of United Artists resisted the message, calling the bishops "narrow-minded bigots," and stated he would continue "to make the kind of pictures the public wanted to see."⁷⁵

It needs to be said that an important part of the Catholicism's animus against Hollywood was its "thinly veiled anti-Semitism that charged the moral deficiencies of the movies to the un-Christian Jews

⁷⁰ Miller, Hollywood Censored, 76.

⁷¹ Madison, Tradition and Change, 300.

⁷² Doherty, Pre-code Hollywood, 125.

⁷³ IC&R, 20 January 1933, 4 .

⁷⁴ Indiana Catholic and Record, 7 July 1933, 4.

⁷⁵ Frank Walsh, Sin and Censorship: The Catholic Church and the Motion Picture Industry, (Yale University Press: New Haven, Connecticut), 84, 85.

who were once again poisoning the wells of a Christian nation.”⁷⁶ While Hays himself was able to use the Code to keep Fr. Charles Coughlin, Detroit’s “radio priest,” from indicting Jewish studio heads for immoral films, Los Angeles Archbishop John J. Cantwell’s attacks on the movie industry extended to its Jewish leaders. In an article O’Mahony published in the *IC&R*, the Irish-born Cantwell, (founder of the Catholic Motion Picture Actors’ Guild of America, in 1923), bluntly asserted that the responsibility for the “debauchery of the youth of the land” lay with the seven of the eight major companies under Jewish influence (the eighth was the Nebraska Methodist, Darryl F. Zanuck. In Cantwell’s calculation, even one hour of watching an evil film “nullifies years of careful training on the part of the Church, the school, the home.” In a later article timed for the Legion of Decency campaign, “Priests and the Motion Picture Industry,” Cantwell charged that the Jewish executives could “keep the screen free from offensiveness,” but that seventy-five percent of the writers they hired were “pagans” from the Broadway stage.⁷⁷ The implication was that Jews and New Yorkers, and especially Jewish New Yorkers, could not represent a moral America.

Like Cantwell, Breen’s hostility to Hollywood was rooted in “a streak of puritanism saturated with a strong strain of anti-Semitism” founded on the notion of Jewish deicide and the supposed punishment of having to wander the world lacking their own country. Breen went further, however, sprinkling his correspondence with anti-Semitic statements and insults, not least the “K” word; Hollywood was a “den of iniquity filled with ‘perverts’ “which he blamed on lousy Jews . . . 95 percent of whom are Eastern Jews, the scum of the earth . . . whose only standard is the box office.” Members of the hierarchy, priests, and others who received such missives, many of whom shared Breen’s anti-Semitism, made no protest.⁷⁸ (In defense, the film scholar Thomas Doherty praised Breen’s hard work and talent, noting that anti-Semitic remarks disappeared from his correspondence after the Nuremberg Laws were adopted in September 1935, and that Breen also took out a mortgage on his home to help Sam Spiegel at a time of the latter’s financial difficulties.)⁷⁹

Anti-Semitism is a Christian staple, but not incurable: an interesting example of the latter is the young Jack Vizzard. Having spent “sixteen long sequestered years,” twelve of them with the Jesuits, he became a “perfectly programmed mechanism” who imagines himself a St. George slaying evil. Fleeing casuistries he was coming to despise, in 1943 he left the seminary without ordination to go right into the arms of what he was trying to escape--enforcing the Code. In his 1970 memoir Vizzard mocks his mindset

⁷⁶ Mast, *Short History*, 130; Originally published in *Ecclesiastical Review*, Cantwell’s article appeared in the *IC&R* in two parts: 18 May 1934, 4; 22 May 1934, 4.

⁷⁷ *Ecclesiastical Review* 90 (Feb 1934), 136-146. *Indiana Catholic and Record*, 15 June 1934, 1,7.

⁷⁸ Walsh, *Sin and Censorship*, chapter 4, “Disillusion.”

⁷⁹ Doherty, *Pre-code Hollywood*, 98, 327-331; selfstyled.blogspot.com, has an extended discussion of Breen *et al.* and anti-Semitism (accessed 15 September 2018).

*of those years in which "Hollywood was "the symbol of sin and entanglement in things carnal," with himself rushing "out of the theological hills to save the world from those goddamned Jews." The Jews were "the deceivers" who presented the delights of the world, a world destined to be transitory and therefore a great snare. Over time, the fact of the Holocaust, the Second Vatican Council, and "the gift of the Jews to me, from having lived among them so long," saved Vizzard from a child's world, a closed world, to one not fixed and absolute, but in flux.*⁸⁰

Believing themselves duped by Hollywood, Breen, in conference with Quigley and the bishops, hit upon the strategy of using the Church to enforce a strict code on the industry. Their weapon, a "Legion of Decency," a pressure group which began to take shape in October 1933, with Rome's appointment of a new apostolic delegate to the U. S., the Most Reverend Amleto Giovanni Cicognani. In his first public statement, (a speech to the National Conference of Catholic Charities in New York, edited and revised by Quigley and Breen), Cicognani indicted the movie industry's "incalculable influence for evil." "What a massacre of innocent youth is taking place hour by hour! How shall the crimes that have their direct source in motion pictures be measured?" Hence God, the Pope, the bishops and the priests" summoned the laity "to a united front and vigorous campaign for the purification of the cinema, which has become a deadly menace to morals."⁸¹

Thus prompted, at their annual November meeting the bishops formed the Episcopal Committee on Motion Pictures (ECMP) chaired by Cincinnati Archbishop, John T. McNicholas. Soon, the formation of a national Legion of Decency was announced to deal with "the pest hole that infects the entire country with its obscene and lascivious moving pictures." It would arouse the laity to avoid and oppose immoral motion pictures.⁸² The following March, McNicholas launched a pledge campaign in his archdiocese, with the laity signing statements in duplicate, keeping one copy for themselves and sending the other to the chancery. The Legion was formally established, 11 April 1934, and with the ECMP's approval, pledge sheets were distributed nationwide.⁸³ As evidence of the need of the Legion, in May 1934 the Detroit Legion of Decency produced a list of 63 condemned films, 43 of which had been passed by the industry's toothless Studio Relations Committee.⁸⁴

⁸⁰ Jack Vizzard, See No Evil: Life Inside a Hollywood Censor, (Simon and Shuster: New York, 1970), 13-21, passim.

⁸¹ Thomas Doherty, Pre-Code Hollywood: Sex, Immorality, and Insurrection in American Cinema, 1930-1934, (Columbia University Press: New York, 1999), 320; Skinner, Cross and Cinema, 34.

⁸² Miller, Hollywood Censorship, 79.

⁸³ Doherty, Pre-Code Hollywood, 320; Skinner, Cross and Cinema, 57.

⁸⁴ Miller, Hollywood Censorship, 82.

In June, the four ECMP bishops met at Archbishop McNicholas' home with Breen and Quigley representing the movie industry. Interrogated closely by the bishops, Breen offered the producers' a plan for self-censorship of the moral content of films and disclosed new teeth in the Production Code, among them the threat of \$25,000 fine for films released without the PCA Seal.⁸⁵ As a reminder that the movies were a business, amendments to the Code gave the financiers in New York the last word—no Seal, no loan. In the August issue of the Ecclesiastical Review and in a September radio address over the NBC network, McNicholas kept the pressure on: Practically speaking, "people must have amusement," and the "motion picture is the chief amusement of millions of our people, and especially the poor." At the same time, with film's "incalculable" influence for good or ill, the Legion of Decency makes "one demand only," "clean pictures, clean speech, and wholesome recreation for the masses"⁸⁶

Circumstances lent power to the Church's arm: Early optimism that the movie industry was depression-proof had evaporated. With the Legion in the field, the prospect of 20 million Catholics withdrawing their patronage, concentrated as they were in the major cities of the Midwest and Northeast (where the studios owned the first-run houses), meant disaster. Bishops' pastorals inveighed, priests harangued, and the laity marshalled to boycott indecent movies and the theaters which showed them. Echoed in the Catholic press and nearly a hundred diocesan newspapers, this was a serious menace to revenues. Nor was it an idle one: In a letter to be read at all the Masses, in May 1934, In Philadelphia, Cardinal Dennis J. Dougherty, always one to go his own way, persuaded that three-fourths of films dealt with sex and crime, and eschewing any distinction between decent and indecent movies, issued "a positive command to his 823,000 parishioners, binding all in conscience under the pain of sin," to boycott all movies houses in the diocese:⁸⁷ Philadelphia's theater receipts immediately fell forty percent.⁸⁸

The Motion Picture Producers and Directors Association (MPPDA), (after 1945 and still in 2019, known as the Motion Picture Association of America (MPAA), agreed to the new system in July 1934, ending the period known afterwards as "Pre-code Hollywood," 1930-1934. Only weeks after the bishops announced their intentions for the Legion, Hays named Breen head of the new Production Code Administration. The PCA would issue a seal of approval to films that satisfied the Code; no member

⁸⁵ Morris, American Catholic, 204.

⁸⁶ Mosaic of a Bishop: addresses, sermons, and correspondence of Archbishop John T. McNicholas (St. Anthony Guild Press: Paterson, New Jersey, 1957), 173-178.

⁸⁷ Indiana Catholic and Record, 11 Jan 1935, 1; Morris, American Catholics, 165 ff. Walsh, Sin and Censorship, 110-117.

⁸⁸ Walsh, Sin and Censorship, 110-117. Attendance rebounded after five months, demonstrating the strong attraction of motion pictures. Miller, Hollywood Censorship, 82.

studio could release, distribute, or exhibit a film without the Seal; to do so brought a \$25,000 fine. The banks insisted that the studios get a letter of clearance from the PCA stating that the script was “*basically* acceptable” before releasing funds for production; this was “Joe’s secret weapon.”⁸⁹ To appeal unfavorable decisions, producers had to carry their case to a New York board made up of bankers, not filmmakers. As a matter of housekeeping, movies already in release fell into three categories: those which posed no danger to the Code, could stay in release; films which did pose problems could complete contracted runs, but could not be extended; unsalvageable, immoral films, were to be withdrawn immediately. To get a problematic film released, it had to go persuade the PCA it met the Code.⁹⁰

For new films, the PCA vetted which books, plays, and stories could be bought by the studios. Every morning the staff met with Breen to discuss scripts and problems; the rest of the day the staff reviewed scripts, met with filmmakers, and drafted letters concerning the scripts’ suitability for production. All such letters carried Breen’s signature. Each script had two reviewers, with Breen brought in to settle differences. He could compel plot changes, have scenes reshot, dialogue rewritten, insist on voiceovers to draw desired lessons, affect ad campaigns and revenues, and insist on bad ends for evildoers. He could prevent films being made, completed, or released.⁹¹ Between 1934 and his retirement in 1954, Breen’s office reviewed 98 percent of the movies released in the U. S., the cull of some 7,000 submitted scripts.⁹² His influence was not wholly negative; as an employee of the movie industry much of his time was spent helping writers and directors with problems and running interference with censorship boards. For example, he supported the Church’s social justice agenda by defending “Black Fury,” a 1935 expose of organized crime’s negative effect on the coal miners. The National Coal Association objected, but Breen told Hays that the movie was fair to both sides. His stance kept both Pennsylvania’s and New York’s boards from banning the film.

In any event, the attacks of the Catholic hierarchy and “the threat of federal censorship under the new Roosevelt administration vigorously consolidating power in Washington, D.C. forced the motion picture industry in 1934 to adopt in fact what in 1930 it had adopted in name.”⁹³ Improving movie revenues followed, solidifying Breen’s standing; Pius XI’s encyclical *Vigilanti Cura*’s praise of the Legion of Decency and Hollywood for taking action also helped.

⁸⁹ Vizzard, See No Evil, 94.

⁹⁰ Miller, Hollywood Censored, 89, 92.

⁹¹ Black, Catholic Crusade, 141.

⁹² Miller, Hollywood Censored, 80.

⁹³ Doherty, Pre-code Hollywood, 320.

The second barrel in the Church's censorship shotgun, was the Legion of Decency's debut, April 1933. A confederation of dioceses funded by the bishops with a director for each (usually a priest), its success would depend on the importance the bishop attached to it, the energy of the director, the level of enthusiasm of the parish priests, and at the grass roots, the laity, the program's real target. Once a year at Mass (after 1938 on the Sunday within the Octave of the Immaculate Conception," December 8th), the laity made the sign of the Cross and recited:

I condemn all indecent and immoral motion pictures, and those which glorify crime or criminals; I promise to do all that I can to strengthen public opinion against the production of indecent and immoral films, and to unite with all who protest against them; I acknowledge my obligation to form a right conscience about pictures that are dangerous to my moral life. I pledge myself to remain away from them. I promise, further, to stay away altogether from places of amusement which show them as a matter of policy.

It was assumed—and certainly the laity's impression--that the Legion had the power to constrain which movies they should not, could not see on pain of mortal sin. As we'll see, a Ritter, a Spellman, will say or imply exactly that and so no doubt did a great many parish priests, too, yet from the Legion of Decency's founding, in 1934, that belief stood on shaky ground. Commonweal magazine was sure that the Legion's and other "guides" did not oblige any one "in conscience to follow them than we are to accept the judgments" of the secular press's ratings of a movie's quality.⁹⁴ In a 1946 article in Ecclesiastical Review, a priest at Catholic University had agreed,⁹⁵ and in the mid-1950s, a private, undated memorandum to the U.S. bishops from Fr. John C. Ford, S.J., a leading conservative moral theologian, who believed that no church law bound the laity under pain of mortal sin to stay away from films the Legion condemned. Such statements simply went unnoticed at the time or were quietly ignored as part of a general refusal to discuss the point; either way, it was the crux upon which the influence of the Legion of Decency rested.

Located in New York, near St. Patrick's Cathedral, under the guidance of a cardinal and headed by a priest, the Legion of Decency office received the early prints of finished movies which had been given the Production Code Administration's Seal, the industry's stamp of approval. After November 1935, women of the International Federation of Catholic Alumnae (IFCA) vetted films for the entire country based on their influence on morals judged "solely on the Catholic standard of morality . . ."⁹⁶ (The IFCA's Motion Picture Bureau had been advising Catholic schools since 1922. Back then it did not rate films it

⁹⁴ Commonweal, "We Are All Censors" (21 December 1934), 226.

⁹⁵ Black, Catholic Crusade, 146, 147.

⁹⁶ Skinner, Catholics and Cinema, 47.

considered bad, only a white list of recommended movies for mature audiences, graded “good,” “very good,” or “excellent, and a separate list for school showings. In 1935, the IFCA agreed to produce the New York archdiocesan evaluations and ratings—at first secretly, with Mary Looman, as head of its motion picture bureau. The bishops agreed that the IFCA would provide a national list, ending the tussles between the censorship boards in Chicago, New York, and other dioceses, who were keen to remain in the rating business. Some ten women of the forty IFCA members reviewed and rated each film. The first ratings were: A-I, general approval; A-II, approved for adults; B, unsatisfactory in part, neither recommended nor condemned; C, condemned. Its first list was issued February 1936.⁹⁷ Those the IFCA judged condemnable required consultation with a panel of six laymen and three priests. The Legion’s ratings informed the faithful which movies they could patronize in good conscience and those that they must avoid on pain of mortal sin. This was no IFCA “white list” of recommended fare as in former times, but on condition of its willingness to condemn films: “The evil films must be branded as such, and companies making them and theatres showing them must be made to suffer.”⁹⁸

Not that the business-minded producers complained much at the time: Enforcement of the Lord-Quigley Code saved Hollywood huge sums previously lost in the editing and distribution of prints formerly needed to satisfy censorship boards in the handful of states and the scores of cities which had them. Conversely, any but a condemned rating opened the nation’s theaters to all films and protected Hollywood from European filmmakers who had to meet the Legion’s standards. Early on, a C rating was a financial death sentence which confined such movies to the “art houses” in big cities.⁹⁹ Moreover, “wholesome” pictures proved box office successes, as the movie industry enjoyed a financial rebound beginning at the end of 1934.¹⁰⁰ From its first year of operation from summer 1934 to summer 1945, only three or four movies had to be condemned by the Legion, 85 to 90 percent of all “Breen-screened” films received either A-I or A-II ratings, and all the notorious pre-code films were either modified or withdrawn.

The Legion inspired incredible hopes: The lay-edited Commonweal magazine greeted it as an avatar of an apocalypse, potentially enabling the American Catholic Church “to infuse its redemptive life-force into the whole body of our society.” “By inspiring a vast multitude of Catholics to follow their leaders in one campaign, a Catholic consciousness may well be awakened which will vivify the Catholic Action [movement] of America all along the far-flung battle line. The Legion will become an army and the army will go on crusade.” More ominously, if the movie producers truly reformed, good; if not, there would be

⁹⁷ Walsh, Sin and Censorship, 137.

⁹⁸ Commonweal (29 June 1934), 225, 226.

⁹⁹ Black, Catholic Crusade, ch. 8.

¹⁰⁰ Doherty Pre-code Hollywood, 335, 336.

“such an intensification of the moral and spiritual force of the vast body of the Catholic laity that the problem of implementing that force in appropriate action will be solved completely.” How the “complete solution” would come about and what it would look like was left vague, but a Catholic ban on the movie industry was probably what the editor had in mind.¹⁰¹ That force would flow outward to other moral problems--government, war, peace, economic. Implicit in such language and such hopes, was “do as we say, or else.”

The priests-editors at the Indiana Catholic and Record were similarly apocalyptic, declaring that “Indecency upon the screen must entirely cease or the moving picture industry will be entirely crushed. We can do without the pictures There will be no compromise, no armistice, no peace treaty with the Screen save the peace of a victor.”¹⁰² From June to December 1934, every issue of the IC&R featured the Legion of Decency. According to one editorial, “Children and the Movies,” 11 million children 13 and younger attend movies weekly. Since so many dealt with sex, illicit love, and crime, parents must keep their children away from movies. Blaming the parents for years of neglect, indifference, even stupidity, the bishops and priests had had to establish the Legion.¹⁰³

Better the Legion than legislative censorship for the latter would be political not moral, public opinion being a safer guide than a federal agency.¹⁰⁴ Boycotts, picketing, and public condemnations would supply the whip that would drive movie makers to produce on the Legion’s terms.¹⁰⁵ Non-Catholics, the American Civil Liberty Union (ACLU), and producers were outraged, but could only complain. Rubbing salt into the wound, the executive secretary of the Legion, Fr. John J. McClafferty, insisted that the Legion was not a censorship body.¹⁰⁶ Bishop McNicholas likewise held that since the Legion only monitored films after they had been made it was not censorship, an admission that the Breen Office was the guilty party.¹⁰⁷ Others would claim twenty years later that “neither the Code nor the Legion impose censorship,” because the ratings were only binding on Catholics.¹⁰⁸ What these arguments forget is the Church’s role in producing the 1930 Code in the first place, its capture of the industry’s censorship board, the PCA, and the latter’s hand in glove relationship with the Legion of Decency. The new arrangements seemed to

¹⁰¹ Commonweal (17 August 1934), 375, 376.

¹⁰² IC&R, 1 February 1935, 4.

¹⁰³ IC&R, 18 May 1934, 4; 29 June 1934, 4, 7; 15 June 1934, 1, 7; 27 July 1934, 1.

¹⁰⁴ IC&R, 6 March 1936, 1.

¹⁰⁵ Skinner, Catholics and Cinema, 54.

¹⁰⁶ IC&R, 1 October 1937, 1.

¹⁰⁷ Fortin, Cincinnati Archdiocese, 279.

¹⁰⁸ Mooring, “Hollywood in Focus,” IC&R, 28 May, 3 December 1954, 6.

promise success, especially since the laity's deference and obedience to their priests and bishops at that time was assured.

Added to the millions of Catholics who signed the pledge were millions of Protestants and thousands of Jews. One estimate counted twelve million Legion members, of which four million--one in three--were non-Catholic. The Protestant Film Office of the Federal Council of Churches (FCC) cooperated. The Methodist Episcopal bishop of Chicago printed and distributed the pledge and in many major cities Protestants supported the campaign. Together, Catholics and Protestants exercised considerable control "over the information and ideas received by the American people."¹⁰⁹ Whether one signed or not, every American would be influenced by it.

Strict enforcement of the Code came just in time for Mae West's 1934, "She Done Him Wrong." Absent her usual libidinous wisecracks, her films lost their "lovable vulgarity" and she became "a sterilized, clean-scrubbed caricature of her sexuality, which in its original frankness, was a caricature of sexuality in the first place."¹¹⁰ Her popularity plummeted: "Belle of the Nineties," 1934, her first movie to be vetted by the Breen Office, underwent numerous cuts, and even though she gets religion in "Klondike Annie," 1936, Hays and Breen insisted on numerous changes, among them that West's character be a social worker and on no account confused with a "minister of religion, ordained or otherwise." At least the Legion had no reason to condemn the result.¹¹¹

If Mae West couldn't claim that the censors drove her from the screen, the cartoon sexpot Betty Boop could justly blame Breen for ending her career. Introduced in 1930, the pre-Code enforcement era, Betty usually wore a strapless dress so short it showed her garters. She paraded about in her underwear, danced the Hula in a grass skirt and Lei, and even flashed a breast in "Betty Boop's Rise to Fame." When rescued from a lecherous ringmaster she proclaimed, "He couldn't take my boop-ooop-a-doop away!" Joe Breen could: After 1934, her dress acquired a collar, sleeves, and an apron, a demure woman dealing with domestic matters. Her creators stopped making Betty Boop cartoons after 1939.¹¹²

Under the Code, gangsters also fell on hard times in the movies as in real life--Baby Face Nelson, John Dillinger, and Bonnie and Clyde all met with bad ends in the newsreels, and Al Capone and Machine Gun Kelly went off to Alcatraz. In the movies, James Cagney (Rocky Sullivan), in 1937's "Angels with Dirty Faces," was convinced by Pat O'Brien (Fr. Connolly) to act the coward on his way to his

¹⁰⁹ Commonweal (21 December 1934), 226; (29 June 1934), 225, 226.

¹¹⁰ Mast, Short History, 289, 290.

¹¹¹ Miller, Hollywood Censored, 97, 99. Although the Legion had set out to drive West from the screen, she gave generously to the Catholic Church

¹¹² Miller, Hollywood Censored, 100, 101.

execution (tabloid headline, “Rocky Dies Yellow!”), thus destroying any chance that his tough guy persona would remain a role model for the Dead-End Kids. After 1934 there was a rise of “Government-Man” films, with Cagney becoming one himself,¹¹³ in “G Man,” 1935, and “Angels with Dirty Faces,” 1938.

Flush with the influence the Church wielded over motion pictures, in 1937 the priest-editors of the Indiana Catholic and Record (IC&R) were moved to call for “Catholic” films, “Catholic in tone, pictures not only of an instructive but an amusing character which will portray Catholic faith and Catholic morals.” Because children cannot be kept from movies, “We need and must soon have, Catholic producers of films and Catholic motion picture shows.”¹¹⁴ Putting aside the anti-Semitic subtext, that proved to be unnecessary as Hollywood discovered on its own that a priest can be a useful addition to a good many pictures. Nor, after the row over the “Callahan’s and the Murphys,” could the Church complain about the way its clergy and religious were depicted during filmdom’s golden age of the ‘30s and ‘40s. Warm clerical stereotypes ranged, as the novelist Edwin O’Connor put it, from “the old Galway-born pastor (cranky but lovable, with the wisdom which seems to spring from arthritis), to the more modern native product: the quaint pipe-smoking sportsman who, but for the unfortunate fact of his ordination, might have become a fine second baseman.”¹¹⁵

Even after World War II, the priests running the Indianapolis Archdiocesan newspaper remained convinced that there was as much need for Catholic films as for the Catholic press. The IC&R wanted a studio, “Catholic in tone,” making pictures not only of an amusing character but also instructive in nature to portray Catholic faith and Catholic morals. As it was, the work of the Catholic schools was being undone by motion pictures: “We need, and must have, Catholic producers of films and Catholic motion picture shows.” Thus, the Catholic ghetto would extend beyond its parish schools, hospitals, professional organizations, charities, et al.--to motion pictures. A year later, in 1947, the IC&R pointed to recently founded Catholic Motion Picture Guild (CMPG) for the production of films of a religious, educational, and entertaining nature for schools and auditorium in the hope of influencing Hollywood movies for “good.”¹¹⁶

Little came of it because it wasn’t needed: Hollywood’s priests were real men: Spencer Tracy and Pat O’Brien could knock down hoodlums, Karl Malden outface goons; Ingrid Bergman teach boxing and drive a baseball out of the schoolyard. “San Francisco,” 1936, featuring Tracy as a priest and a leader of men, was followed by “Boys Town,” 1938, (Tracy as Fr. Edward J. Flanagan’s Nebraska boys’ orphanage). Other Catholic themed hits were “Angels with Dirty Faces,” 1938, “The Fighting 69th,” 1940,

¹¹³ Doherty, Pre-code Hollywood, 338-342.

¹¹⁴ IC&R, 9 April 1937, 4.

¹¹⁵ Edge of Sadness, 105, 106. Little, Brown and Company: Boston, 1961). Referring to Barry Fitzgerald and Bing Crosby, in “Going My Way,” respectively.

¹¹⁶ IC&R, 22 November 1946, 4; IC&R, 3 October 1947, 5.

“Song of Bernadette,” 1943, “The Fighting Sullivans,” and “Going My Way,” 1944, “Keys of the Kingdom,” and “The Bells of St. Mary’s,” 1945; “Fighting Father Dunne,” 1948, “Come to the Stable,” 1949, and 1954’s superb labor film, “On the Waterfront” put Catholicism cinematically “on the top of the world.” The five “Catholic” films made between 1943 and 1945 cited above, garnered 34 Oscar nominations, winning twelve. Unlike “The Callahans and the Murphys” these Catholic families were close-knit, God-fearing, patriotic, courageous in adversity, and respectful of the authorities, ecclesial and civil. Such films made money. As Church historian Charles R. Morris observes, “the social mirror held up by the Catholic movies . . . was one in which all Americans could find a reflection of their better selves.” Even Catholics were led “to admit that Hollywood is overdoing attention to the Church”¹¹⁷

If the Church didn’t become a player in producing films, its influence in Hollywood was such that it was tempted to throw its weight around, an instance being “Knut Rockne, All American,” (1940), another celebration of Catholicism. The president of Notre Dame University opposed using James Cagney as Rockne because during the just-ended Spanish Civil War, 1936-1939, Cagney had publicly preferred the Republican Loyalists over General Francisco Franco’s Falangists, the Vatican favorite. Warner Brothers acquiesced, and Pat O’Brien got the role. The film’s premier took place on the weekend opening the Notre Dame football season (against Amos Alonzo Stagg’s College of the Pacific). Some 9,000 residents viewed the movie at four theaters, with 30,000 more crowded into downtown South Bend. Twenty Hollywood stars, including all the leads, attended the opening, more evidence of the value the motion picture industry placed on Catholic moviegoers.¹¹⁸

The mature censorship system developed between 1933 and 1935 constituted “a Catholic coup against Hollywood.”¹¹⁹ In reality, it was an “Irish-Catholic coup.” Of the dozen or so who played a prominent role in censoring films (Lord, Quigley, Breen, Dinneen, McNicholas, Cantwell, Mundelein, Hayes, Boyle, Noll, Parsons, Mrs. Loram, and Fr. John J. McClafferty, executive-secretary of the Legion of Decency), Cantwell and McNicholas were Irish-born, Mundelein’s mother was Irish, and the rest of Irish descent. In its finished form, the studios were required to conform to a code written by a Catholic monsignor (Lord) and a Catholic movie trade publisher (Quigley), pressured to obedience by the Catholic hierarchy led by four bishops (McNicholas, Cantwell, Boyle, and Noll), with every script vetted by the Catholic head of the industry’s censorship office (Breen), whose moral judgments were supported by the

¹¹⁷ Morris, American Catholics, 196-200.

¹¹⁸ Burns, Notre Dame, vol. 2, 120; Indianapolis Star, 5 October 1940.

¹¹⁹ Black, Catholic Crusade, chapter one.

reviews of still other Catholic clergy and the phalanx of Catholic college alumnae (IFCA), chaired for over thirty years by Mrs. Mary Loram. And woe betide any film or person in the industry who fell afoul of the Catholic press. "In no other area of American culture were Catholics so deeply involved or had more opportunity to exert an influence" than motion pictures.¹²⁰

As if all that wasn't enough, in 1936 the American bishops persuaded Pius XI to write an encyclical on the motion pictures, (Martin Quigley is said to have written the first draft of *Vigilanti Cura*). "Vigilant Care" was necessary because the cinema was a two-edge sword: it speaks to multitudes in "circumstances of time and place and surroundings which are most apt to arouse universal enthusiasm for the good as well as for the bad and to conduce to that collective exaltation which . . . may assume the most morbid forms." As the most potent way of "influencing the masses," when put to evil purposes it is "pernicious and deadly . . . to morality and religion and even to the very decencies of human society." Of "universal importance among modern means of diversion," providing "vivid and concrete imagery which the mind takes in with enjoyment and without fatigue," it appeals to all minds from the most sophisticated to the simplest. As a teacher it is more effective than abstract reasoning. As an occasion of sin, it glorifies the passions, shows life in a false light, clouds ideals, destroys pure love, creates prejudice among individuals and misunderstandings among nations, social classes and races. And yet, good motion pictures can arouse noble ideals of life, impart knowledge, present truth and virtue, promote understanding among nations, social classes, and races, champion the cause of justice.¹²¹

Given its Quigley provenance, little wonder that the encyclical featured the Legion of Decency ("that holy regiment"), for having provided the "best rules and principles, conforming to the standards of natural and of Christian morality . . ." "A model to be emulated by the world's bishops, the Legion's methods would frustrate any "incentive to evil passion": The laity's yearly pledge to shun bad films and the theaters which showed them; the efforts centered on the churches and schools and publicized in the Catholic press; regular publication of the film listings according to moral content produced by persons knowledgeable about films and morals; and a commission of select diocesan officials, chosen by the bishop and guided by a priest to exercise a "severe censorship" of films in each diocese. Already in its

¹²⁰ William M. Halsey, Survival of American Innocence (University of Notre Dame, Notre Dame, Indiana, 1980), 120.

¹²¹ Morris, American Catholics, 205. Signis, "80th Anniversary of Vigilanti Cura and OCIC" (Catholic Office for Cinema). Accessed, 22 January 2019.

two-year existence the Legion had made inroads on “sin and false ideals” in motion pictures. Unfortunately, since national customs and circumstances differ, no worldwide list was possible.

What did censorship look like on the local level? Indiana’s motion picture market was not insignificant and was certainly of great importance to theater owners and managers, the ones on the frontline. Least able to stand against pressure were the theaters in small towns, especially if Catholics were a significant presence. It was hard enough to stand against angry neighbors and friends who lectured them about some film; worse was criticism from fellow members of the chamber of commerce, a lodge brother, or a local minister or priest who made no bones about instructing the laity on Sunday to boycott some or all of the films on offer locally. As one manager noted, some people like their movies “hot,” but the ones who did would not keep you in business. In the hinterland, the “staid ruled.”¹²²

Indianapolis archbishop Joseph E. Ritter’s unstinting efforts on the Legion’s behalf attracted national attention. In 1934, he made it a diocesan statute that all the faithful take the pledge, writing his pastors that the bishops “have definitely established that there is a willful propaganda being waged to wipe out Christian morality through the movies.” With its bold portrayals of “the sex question [and] crime, barnyard morality is now the rule.” While not a war on all films, the purpose of the campaign, Ritter admitted, was to make immoral films “unprofitable.”¹²³ Every pastor was to preach against indecent movies on “Legion of Decency Sunday,” in June. They were to instruct the laity on forming a “right conscience,” establish a parish committee to solicit advance notice of film programs and admonish the faithful against movies if they are “unfit for honest and wholesome recreation.” The work must be carried out in all the parochial schools, and bulletin boards with the official ratings placed in the church vestibule and in the school.¹²⁴ By July, some 37,000 parishioners of the Indianapolis archdiocese had signed the “pledge of decency.”¹²⁵ In April 1935, the local IFCA opened a central movie office to provide information on films at St. John’s Church downtown and at three high schools; IFCA film reviews appeared in the diocesan paper, two or three an issue.¹²⁶

Ritter’s letter to the theater managers in the archdiocese was less imperative, more carrot than stick: The Church was not opposed to wholesome entertainment, did not support “blue laws,” nor blame

¹²² Doherty, Pre-code Hollywood, 325.

¹²³ Ritter Papers, Box A-22, Indianapolis Catholic archives.

¹²⁴ North Vernon, Indiana, Box VI, “Legion of Decency” file, 21 November 1935.

¹²⁵ IC&R, 25 Years, 70; 200 Years of Catholic Education in Vincennes, 67; see also Ritter papers, letter from the Chancery, copy of pledge, 21 November 1935. Indianapolis Catholic Archive.

¹²⁶ IC&R, 5 April 1935, 6.

theater managers for immoral shows. The archbishop even offered to publicize wholesome movies, guaranteed to be such by the exhibitors, free of charge in the Indiana Catholic and Record, and urged them to bring the Catholic campaign to the attention of the movie producers. It was not his intention to injure the movie business, "but we do insist on decent shows and intend to do everything in our power to compel the elimination of filth and thus safeguard the youth of our country from corruption."¹²⁷

Since much of the rationale for movie censorship and the pledge-taking was to protect children, the women of the Indianapolis IFCA wanted to know how effective the Legion was in influencing youth behavior. In 1938, it anonymously surveyed 2,821 pupils in all 21 Indianapolis' Catholic grammar schools, 5th to 8th grade, and the 1,368 in the six parochial high schools. Of the grammar school pupils, eighty percent went to the movies weekly, many two or three times a week. Only three percent never went. Seventy-eight percent of high school students attended weekly, fourteen percent did so twice a week, and only one percent never attended. In testing the Legion's effectiveness in discouraging student attendance at objectionable films, it discovered that while four out of five students supported the Legion, only about half properly understood the ratings: Thirty-eight percent of the high school students mistakenly thought A-II films (adults only) were permitted them; another 14 percent also believed they could patronize B movies (objectionable in part for all). Sixty-four percent of the high schoolers reported keeping the pledge, 11 percent "usually" did so, 9 percent only "sometimes," while 11 percent never considered the pledge in deciding to attend a film, and 2 percent do not take the pledge. Even children in parish grammar schools-- a group one would think more likely than their parents to take the Legion seriously, were assiduous movie-goers, but not as devoted to "keeping the pledge."¹²⁸

Father Omer H. Eisenman, bought into the Legion's campaign. Pastor to 573 souls at St. Mary's, North Vernon, he diligently posted the movie schedules of the three North Vernon theaters (the Ritz, the Park, and the Amusu, all owned by Ritz Amusements), alongside the Legion's ratings in the church vestibule.¹²⁹ No friend to the cinema, he warned parents against the movies "because they make dreamers and dull children in all too many instances. The child mind cannot stand frequent doses of that stuff, without damage." He was also careful to note that approval of a "play means only that you are not forbidden to go (emph. orig.); it does not mean that our bishops are giving a clean bill of health to every one of these offerings and urging your attendance." "Our most Rev. Bishop" expects "a prompt return" of your pledges "to attend only clean picture shows." With only "92 pledges" in hand, "the rest of you must get busy today. We want all our people signed." Never loath to "instruct the laity," Eisenman seems to

¹²⁷ Ritter papers, Box A-22, March 1935.

¹²⁸ IC&R, 15 April 1938, 8; 26 August 1938, 1.

¹²⁹ North Vernon, Box IX, "Pulpit Announcements," 25 October 1936; 8 December 1935; 15 July 1934.

have been the kind of “old school” pastor likely to station his curate outside movie houses to “eyeball wayward communicants contemplating a date with Mae West.”¹³⁰ His letter to Mr. F. N. Houppart, the theater manager in North Vernon, was a masterpiece of clarity: He informed him that the Legion’s purpose was “to eliminate the showing of objectionable films throughout the country” and that “a vast number of our local people have pledged themselves wholeheartedly to its support.” “We should be very glad, Mr Houppart, to have your assurance” that films listed as objectionable

will be banned in your theatre, for your own protection in a business way, if for no higher motive. I would respectfully suggest that you take up the matter with your booking agency and have them accede to this request. Honest cooperation on your part will merit approval from us, and it will contribute materially to mutual good-will and the building of a healthy community spirit.¹³¹

Fr. Eisenman’s concern extended to “Birth of a Baby,” 1938, a documentary sponsored by Evansville’s Mead, Johnson and Company. While admitting that “intrinsically, the movie is moral in theme” and meritorious on medical, educational, social, and technical grounds, the Legion rightfully opposed its general circulation. The problem was that movie audiences were mixed in age and gender and theaters were neither clinics nor classrooms. Catholic censors were not the only ones with reservations about the film’s suitability: When the 11 April issue of Life magazine carried pictures from the film, many cities banned the issue from newsstands¹³² and the magazine’s editor was charged with obscenity in New York City (acquitted). When it was shown in North Vernon, Fr. Eisenman lamented the day when “the most intimate and delicate things are brazenly dragged into public view.” Movie producers and exhibitors “have little regard for the ruin of souls, it seems,” and he reminded parishioners of their pledge and the obligation to give good example. “This warning from your pastor ought to be sufficient.”¹³³

Such warnings had not worked with Mr. Albert B. Thompson, president of the corporation which owned the theater showing “Birth of a Baby.” Eisenman had written the manager of the Park Theatre in North Vernon requesting, in the name of the Catholics in the town and vicinity, that the film’s showing be cancelled. “Such action on your part will obviate a public mention of the affair and prevent embarrassment to the parties concerned. . . . May we have your kind cooperation for a decent community?”¹³⁴ Mr. Thompson regretted that he could not comply, for “it was necessary that this film be purchased in order to secure other coming headline attractions,” (a reference to the studios’ practice of block booking which

¹³⁰ Doherty, Pre-code Hollywood, 321.

¹³¹ Eisenman letter, 16 August 1934, N. Vernon, Box IX, “Legion of Decency” file. There is no reply from Mr. Houppart in the file.

¹³² IC&R, 15 April 1938, 4.

¹³³ North Vernon, Box IX, 28 August 1938, “Pulpit Announcements.”

¹³⁴ North Vernon, Box IX, 19 August 1938, “Legion of Decency” file.

prevented theater managers from choosing which films they would screen). With ammunition supplied by the movie industry, Thompson pointed out that the theater editor of the official newspaper of the Ohio and Kentucky Knights of Columbus had supported its recent showing in Cleveland, and went on to list other respectable organizations that had endorsed the film--the YWCA, Federal Council of Churches, Ohio Board of Censors, the Red Cross, Boy Scouts of St. Paul, Minnesota, the Camp Fire Girls of Des Moines, Iowa, the editor of Parents Magazine, a Lutheran society, a Jewish society, and "Eleanor Roosevelt, wife of President Roosevelt." (Mrs. Roosevelt had argued it should be a matter for individuals to decide.)¹³⁵ Claiming the endorsement of "practically all religious denominations, medical societies, government agencies, etc., we feel that the citizens of North Vernon and Jennings County are entitled to an opportunity of witnessing 'The Birth of a Baby'."¹³⁶

Three years later, Mr. Thompson was more amenable regarding "Two-Faced Woman," 1941, starring Greta Garbo in her last film in the dual role of identical twins. The movie revolves around the seduction of the unwitting husband by his sister-in-law. Breen had left the PCA temporarily and in his absence, despite the salacious incestuous story line, a wild rhumba, a bathing suit scene, and an extremely low-cut dress, the movie was the first film given a PCA Seal to be condemned by the Legion of Decency (for its "immoral and un-Christian attitude towards marriage and its obligations," "suggestive scenes, dialogue, situations [and] suggestive costumes").¹³⁷ Fr. Eisenman, learning that "Two-Faced Woman" had been condemned by the Legion of Decency, wanted answers: Thompson pled ignorance, it had not been his intention "to show an objectionable picture nor one that was offensive to any group of people."¹³⁸ He informed the priest that he had learned recently that the movie, in response to New York Archbishop Spellman's condemnation, would be withdrawn by MGM from circulation. Since, a movie condemned by the Legion was still "a box-office death sentence," the studio immediately began rebuilding sets for reshoots and retakes for the stars. In appreciation of the "cooperation" of the studio, the Legion changed its C to B, morally objectionable in part for all. In another case, the Indianapolis Legion asked that "Strange Cargo," 1941, be withdrawn from the Fountain Square theater; the manager complied.¹³⁹

No businessman relishes falling out with local religious leaders and the president of Ritz Amusements, Inc., was no exception. To build good will theater managers were in the habit of sending notices to parish priests when "Catholic pictures" were showing, such as "Going My Way" or "Boys Town,"

¹³⁵ IC&R 22 April 1938, 1.

¹³⁶ North Vernon, Box IX, 22 August 1938, "Legion of Decency" file.

¹³⁷ Miller, Hollywood Censored, 120.

¹³⁸ Typed note on The Plain Dealer stationery to Fr. Eisenman from "Mary Cassin," N. Vernon, Box VIII, "Motion Pictures (Local Movie Theatre)" file, 12 December 1941.

¹³⁹ IC&R, 19 December 1941, 1; 24 May 1940, 1.

and sometimes enclosed free passes. In 1952, the same motive prompted Warner Brothers to privately screen "The Miracle of Fatima" for Indianapolis Archbishop Paul C. Schulte. Schulte praised its "reverent treatment" and arranged for the religious sisters of the city to attend a special showing five days before it opened at the Keith's. When the "March of Time" company produced a twenty-minute feature on the Vatican, the president of Ritz Amusements informed Fr. Eisenman of its show dates, expressing the hope he would pass the word to his congregation. Thompson similarly informed Eisenman of the dates for "Going My Way," at the Park and the Ritz theaters, a film of particular "appeal to the members of your church." He would appreciate any publicity the priest would give it and wanted to "assure you of our continuing co-operation." Eisenman duly alerted his congregation at Mass.¹⁴⁰

When the Ritz scheduled "Keys of the Kingdom" (1945), Thompson again drew the priest's attention to a "story very definitely aligned with your church." As "an important Catholic picture," the manager appreciated "any publicity you may give this showing as we have held up showing this picture till the conclusion of Lent (It was the policy at St. Mary's not to post the Legion's list during Lent, "because good Catholics do not go to [movies] during this season of penance"). But even Fr. Eisenman found "The Song of Bernadette" "appropriate for Lenten attendance," and would show such religious movies in the parish hall at no charge, except for a free will offering: "The Ten Commandments," "King of Kings," "The Fugitive," (the latter the life of a Mexican priest persecuted by the secular revolutionary government in that country), were three such titles shown at St. Mary's. The idea was to provide edifying films and keep parishioners from regular movie fare during Lent.¹⁴¹

The Legion of Decency's effectiveness in its early years cannot be gainsaid; from 1936 to 1939, the percentage of B films, "morally objectionable for all," averaged only seven percent and "condemned" C films were one percent or less.¹⁴² Unappeased, the priest-editors at Indiana Catholic and Record still wanted to know why Hollywood, the nation's largest industry, was permitted to "debauch its patrons." Believing the Legion of Decency too lenient, the IC&R was certain that "The moving picture industry will be reformed completely, or it will be destroyed." "Twenty-five million American Catholics cannot be

¹⁴⁰ Schulte Papers, Box 29.

¹⁴¹ North Vernon, Box VIII, "Motion Pictures (Local Movie Theater)" file, 16 April 1940; Box VIII, Motion Pictures (Local Movie Theatre), October 1944; Box IX, "Pulpit Announcements," 8 October 1944; Box VIII, "Motion Pictures (Local Movie Theater)" file, March 26th, 1945; Box IX, 6 March 1938, "Pulpit Announcements."; Box IX 19 March 1944, "Pulpit Announcements."; Box IX, 27 March 1955, "Pulpit Announcements."

¹⁴² IC&R, 16 October 1936, 7; 31 Dec 1937, 1; 24 March 1938, 1; 24 Nov 1939, 1; Skinner, Catholics and Cinema, 57.

wrong.”¹⁴³ Archbishop Ritter had believed that the Legion had improved the “moral character of the movies in general,” but in December 1941, he noticed a reversion to the old ways, citing a particular C picture without naming it (probably Greta Garbo’s “Two-Faced Woman”). Sure enough, by 1941 and through the war years, B and C films combined grew to represent more than ten percent of the releases.¹⁴⁴

Matters worsened; 1945 counted an unprecedented 102 B movies, and 22 C films. The editors of the Indiana Catholic and Record, seeing a causal relationship between the commonplace of divorce in Hollywood and the kind of movies produced, became increasingly exercised and even criticized the Legion of Decency; it was “evident that the moving pictures must be made clean or that the whole industry must be destroyed.”¹⁴⁵ North Vernon’s Fr. Eisenman remarked on Hollywood’s moral backsliding by reminding the parents of the obligation to avoid “proximate occasions of sin.” In 1947, he compared “the movies of today” to sewers which empty their pollution into the stream of American life, and a lot of careless Catholics who “like to swim near those sewer openings. For many of our little ones it is first, baptismal water, and [then] sewer water.”¹⁴⁶ With more than a thousand movie theaters in the archdiocese’s thirty-eight counties, there were a lot of sewers. Lapsing into hysteria, the IC&R declared, “We have an obligation to save our neighbors . . . from [evil] movies even more than saving Europe from starvation. We must promise to stay away from B pictures.”¹⁴⁷

Hollywood failed to cooperate: From 1946 to 1955, the percentage of B films produced more than doubled from 15.35% to 33.45%, the largest number for all films in the Legion’s history and clear evidence of the erosion of standards.¹⁴⁸ Of 275 films reviewed, 82 (29.82%), were found A-I (morally unobjectionable for general patronage); 97 (35.27%), were A-II, (morally unobjectionable for adults); 92 (33.45%), were B, (morally objectionable in part for all); and 4 films were condemned.¹⁴⁹ Disappointed by the data, the bishops determined to launch an effort to revivify the Legion by rousing the laity to vigorously protest at the rising tide of immoral pictures.

¹⁴³ IC&R, 29 December 1939, 4.

¹⁴⁴ IC&R, 21 November 1941, 1; Ritter papers, Pastoral Letter, 1 December 1941.

¹⁴⁵ IC&R, 24 August 1945, 4.

¹⁴⁶ North Vernon, Box IX, 9 December 1945, Parish Announcements.

¹⁴⁷ IC&R, 12 December 1947, 4.

¹⁴⁸ IC&R, 2 December 1955, 6.

¹⁴⁹ IC&R, 25 Nov 1955, 1.

The problematic nature of the hierarchy's effort to injure the box office of films deemed unsatisfactory was demonstrated by the public's reception of "The Outlaw." Jane Russell, a buxom starlet who had never acted before, was a sensation. Given a PCA seal in 1941, it was not shown until 1943, in San Francisco, where the local Legion of Decency condemned it. While the New York headquarters never received a print and could not rate it, sex and a lurid ad campaign turned a bad movie into the eleventh grossing film of the 1940s. Re-released in 1947, the critics judged the film silly, tedious, and amateurish, but it made record amounts of money wherever it played, including Indianapolis. Msgr. Henry F. Dugan, the archdiocesan director of the Legion, asked Mayor Robert Tyndall (1943-1947) to ban the film. The mayor dutifully watched it, concluded that from a moral point of view he'd seen worse, regarded his two hours wasted, and refused to issue a ban. The best the archdiocese could do was encourage pastors to discourage attendance.¹⁵⁰ As a measure of its prurient appeal, in upholding Maryland's ban of the film, the judge observed that Russell's "breasts hung like a thunderstorm over a summer landscape. . . . vigorously threaten[ing] to burst forth at any moment."¹⁵¹ The Legion limited its vocabulary to "indecent in costuming" and gave it a C. The film was again withdrawn until a 1946 release in Chicago, then across the country, again with lurid advertising, but without the PCA Seal. (Howard Hughes, the multi-millionaire producer, simply failed to submit the ads to the Motion Pictures Association of America (MPAA). After extensive negotiations with the PCA, the seal was restored, and the Legion gave the sanitized, re-cut version a B which played throughout the country in 1949.

Each weekday morning in fall 1949 a car full of high school freshmen was driven by the father of one of the boys from Broadview, a Chicago suburb, into the city to the all-boy St. Philip High School at Jackson and Kedzie. Their route took them past a billboard advertising "The Outlaw," with Jane Russell leaning forward wearing a low-cut blouse. At thirty-five miles per hour it was impossible to get more than a fleeting look and, with a parent driving, turning around to view the fast-disappearing image wasn't on either, nor, under the circumstances, any remark on Russell's achievements. Five mornings a week this occasion of sin was passed in silence--the parent and the boys pretending to be engrossed in Don McNeil's "Breakfast Club" on the radio. Nor could the Church's capacity to inculcate sexual shame be excised, even when one was alone and anonymous in public. So, if you were traveling on the Chicago "EL" intending to transfer to the subway north to Evanston, you got off at Wabash in the Loop; descending to street level, before reaching the stairs to the underground, there was "Minsky's," the gold standard of American burlesque houses. Could a teenage boy approach the photographs of the nearly naked women displayed and stare at one's leisure? Close enough for a good view of the glossies? Not this one.

¹⁵⁰ IC&R, 3 May 1946.

¹⁵¹ Miller, Hollywood Censored, 129.

Far from basking in unalloyed self-congratulation as the leader of the free world and reveling in the enjoyments of prosperity and consumerism, the post-World War II era featured a fearsome, worldwide struggle for ideological mastery between the United States and the Soviet Union. The Vatican was an early participant in the struggle. Rome has never forgotten the French Revolution or the Paris Commune, nor would the American bishops have any truck with endangering property rights. Having opposed Roosevelt's recognition of Russia in 1933 and FDR's efforts to build peaceful cooperation with Stalin, in 1941 the bishops declared that "there can be no compromise with Communism."¹⁵² On the domestic front the nightmare of communist subversion had given birth in 1938 to the House Un American Activities Committee (HUAC), to investigate private citizens and public employees for fascist or communist ties. Fascism having been defeated, in 1947 HUAC, (made a permanent standing committee in 1945), turned its attention to communist influence in Hollywood. Aware of the danger to its reputation and its profits, in 1947 the industry established the "Motion Picture Alliance for the Preservation of American Ideals." Co-founded by Walt Disney, the Alliance's advice to movie producers was specific: Don't "smear free-enterprise," "industrialists," "wealth," or the "profit motive," "don't glorify the collective" or "deify the 'common man'," and avoid "communist touches."

William H. Mooring, a widely syndicated movie columnist for Tidings, the Los Angeles Archdiocesan newspaper, needed no prodding; Mooring "approached anything related to the church" with the zeal of the convert he was, seeing matters as the Church and Disney's Motion Picture Alliance did.¹⁵³ Most remarkable was his ability to espy the presence of the "Communist menace" when even the most red, white, and blue patriot could not. Any criticism of the Code or the Legion of Decency, in his view, played into the hands of "the Hollywood Reds."¹⁵⁴ Any hint that the United States exhibited serious faults was unpatriotic and false. Such predispositions led him to attack Loretta Young, (a devout Catholic and friend of a Los Angeles auxiliary bishop), for supposed subliminal communist sympathies in the 1947 film, "The Farmer's Daughter." "Katy for Communism," was how Mooring put it.

The movie begins with Katrin leaving her Swedish immigrant parents, her three strapping brothers, and the family farm for the university in the big city to become a nurse. Given a ride by "Adolph," a ne'er-do-well, repellent barn painter, he steals the money intended for her living expenses and tuition. Imbued with her family's values of self-reliance, rather than return home a failure, Katrin finds work as a maid for the Morleys, a politically connected, upper middle-class, Republican household. The son (Joseph Cotton),

¹⁵² Hugh J. Nolan, ed., Pastoral Letters of the United States Catholic Bishops (Washington D. C. Catholic University of America Press, 1948: United States Catholic Conference, 1984), I: 41.

¹⁵³ Walsh, Sin and Censorship, 195. 195.

¹⁵⁴ Walsh, Sin and Censorship, 280.

is a congressman, his mother, (Ethel Barrymore), the widowed matriarch of a household which doubles as the political center and meeting place of the local GOP party organization.

A death opens a seat in the U. S. House of Representatives. Finley, the man selected, is shown by the well-informed Katy to have opposed breadlines and wanted apple sellers licensed during the Great Depression. The Democrats, learning of Katy's views—the need for a living wage, the politicians' duty to represent all the people, not just those who give them money, free and honest elections--want her to run on their ticket. Adolph shows up and Finley gives him \$500 to spread stories to blacken Katy's reputation. It's learned, however, that Finley is a member of a secret "Organization," made up of 100% "pure" Americans--white, Protestant, and native-born. (The Ku Klux Klan is not named but there is a reference to Finley's "hood.") The movie's references to racism, nativism, unscrupulous and corrupt politicians raised questions about "the viability of the American democratic system,"¹⁵⁵ Mooring saw as disloyalty--giving ammunition to the Reds. In the end, both parties endorse Katy. She wins election as does Congressman Morley and they go to Washington as man and wife.

Two other movies, "Born Yesterday," 1950, and "High Noon," 1952, with quite different storylines from "The Farmer's Daughter" and each other, Mooring found equally subversive: He faulted "Born Yesterday" for violating every one of the Motion Picture Alliance's check list of "don'ts, making it just more "Communist propaganda," "a clever film satire strictly from [Karl] Marx." His hostile review (which appeared before the movie's release), charged it with mis-appropriating the nation's treasured symbols in stone--the Jefferson Memorial, the Capitol Building, Statuary Hall, and its founding documents— Declaration of Independence, Constitution, Gettysburg Address: "Never have human symbols been more subtly molded to carry destructive comment through disarming comedy."

Thus prompted, the Catholic War Veterans picketed the film because both Judy Holliday, who starred, and Garson Kanin, who wrote the stage play, were affiliated with groups cited on the U.S. Attorney-General's list of subversive organizations. Added to that, Broderick Crawford's "Harry Brock," chews the scenery as an uncouth, junkyard millionaire-capitalist of limited vocabulary. Visiting Washington, D.C., he's accompanied by his mistress, the dumb blond, "Billie Dawn," and a crooked lawyer to bribe a willing congressman. Realizing that Billie isn't up to the mark socially, (unaware of the plank in his own eye), Harry hires "Paul Verrall," (always truthful?) William Holden as her tutor. Billie works hard and, "ignited by education," emerges as a smart and independent woman. (The truly radical idea for 1950, which Mooring and most males missed, women have untapped mental resources.) In

¹⁵⁵ David Manning White and Richard Averson, The Celluloid Weapon: Social Comment in the American Film (Beacon Press: Boston, Massachusetts 1972), 116.

today's parlance, the new Billie has "agency." Angered by her independence, at one point, Harry strikes her. Fortunately, hoisted on his own petard, the crooked lawyer had transferred much of Harry's holdings to Billie to hide them from the IRS, which Billie and Paul use as leverage to gain her independence.¹⁵⁶ The movie was a hit and remains highly regarded. Nominated for writing and directing, Holliday won the Oscar for best actress.

In "High Noon," a newly married Will Kane, (Gary Cooper), the marshal of a small western town, is due to retire when he learns that Frank Miller, an outlaw he's put in prison has been released and will arrive on the Noon train to exact revenge. Miller's gang--a brother and two others--await his arrival. Kane's wife Amy (Grace Kelly), a Quaker, issues an ultimatum: if Kane stays to face Miller, she'll leave him. Kane's attempts to raise a posse among the tavern habitués and at the church fail either out of fear or anger at the marshal for cleaning up what had been a lawless town. Even his friends can't or won't help. Kane writes his will and waits in the street as the train arrives. He guns down two of the gang but falls wounded. Hearing the gunfire, Amy had left the train and ran to Kane's office for a gun; she shoots the third man in the back, leaving only Frank Miller to be shot dead by Kane. As the townspeople gather around him, Kane throws his marshal's badge in the dirt and steps on it, a scene John Wayne called, "the most un-American thing I've ever seen in my whole life."¹⁵⁷ For Mooring, having Americans show weakness, made "High Noon" just another commie tainted film; the congregation's failure to support the lawman followed the Marxist line that religion, as the opiate of the people, ["prevents] people from working against social injustice."¹⁵⁸

What happened to "High Noon's" scriptwriter, Carl Foreman, is more instructive of the Second Red Scare of the 1950s than Mooring's dismissive gloss. Chicago-born to working class Russian Jewish parents, Foreman, a World War II veteran, was engaged in writing the "High Noon" script when HUAC called him to testify in 1951 about his communist connections. Foreman admitted being a member of the Communist Party from 1938 to 1942, when he became disillusioned and left the CPUSA. Refusing to name names, he was labelled an "uncooperative witness" and blacklisted. He responded by turning his script into an allegory of the Red Scare, with himself as the marshal, HUAC as his would-be killers, and the movie moguls and their hangers-on as the cowardly townspeople who ended his Hollywood career. He left the United States for England in 1952 and didn't return except for brief periods. The State

¹⁵⁶ Walsh, Sin and Censorship, 299.

¹⁵⁷ Foreman served in the Signal Corps in World War II, a common assignment for people with his skills, while John Wayne, as is well-known, received numerous exemptions from military service.

¹⁵⁸ White and Averson, Celluloid Weapon, 168.

Department's harassment began by taking his passport away in 1953, but had to restore it in 1956, having failed to provide him a hearing. In his years in England Foreman was honored with service on a number of distinguished motion picture boards, as a writer-producer of his own films, and as a Commander of the Order of the British Empire, C.B.E. Since he and another scriptwriter for "The Bridge on the River Kwai" were blacklisted and fled to England, (the other was Michael Wilson), neither received writing credit nor the Oscar. (Pierre Boule did, author of the book the film was based on who spoke no English). Foreman returned to California in 1984 and the day before he died was told he would receive his Oscar.

Nineteen-thirties Hollywood had been a huge, highly profitable, safe industry producing ninety-minutes of make believe; leaving out the very young, the very old, the ill, and the institutionalized, three-fourths of the rest of the population went to movies weekly, with the popularity of motion pictures peaking in 1946. Thereafter movie attendance and receipts fell. The immediate reason may have been the baby boom, 1946-1964, which left young marrieds less time for movie-going. Additionally, the European movie industry revived and with college education booming in the U.S. the audience for its films grew. But the main threat came from television. In 1949, with 46.2 percent of family households owning a television set, movie attendance dropped to half what it had been in 1946. Television had many advantages, among them that sponsors paid the cost of the programming, while movies were like book publishing--you could never tell if the product would cover costs. For theater owners profit margins were thin: According to a 1953 survey, about one-third of theaters were profitable from admissions alone, plus another 38 percent thanks to food sales, leaving about 30 percent in the red. From 1946 to 1956, more than 4,000 theaters closed their doors.¹⁵⁹

Some of the movie industry's post-1945 problems were self-inflicted: In October 1947, ten writers and directors, believing their First Amendment rights constituted an adequate defense, resisted the call of the House Un-American Committee (HUAC) to testify regarding membership in the Communist Party. The studios quickly announced that they would not knowingly hire communists. All of the "Hollywood Ten" went to prison for contempt of Congress, some for up to a year. In all, from the late 1940s to the mid-1960s--the height of the Cold War, the blacklist of suspected communists rose to more than 200 names. Actors had to get clearance from the American Legion or HUAC by repudiating liberal views or publicly naming former communists.

¹⁵⁹ Sklar, Movie-Made America, 269, 272, 274, 278.

More generally, the experience of a second helping of total war so soon after the “Great War” of 1914-1918--its dislocations, shortages, uprooting of populations, trauma, women in the workforce, latchkey children, casualties and deaths, accompanied by such novelties as a Holocaust and Atom Bombs, was bound to bring many things into question. After years of censorship, war patriotism, and propaganda, “wasn’t it time, finally, to produce serious, mature films of real artistry deserving of a wide audience or would too much “real life” be reason to limit its audience?” Out of the Italian experience, which was hardly that of a “good war,” came “Open City,” 1946; The first of a series of postwar gritty European motion pictures, it was not as technically adept nor expensively produced as movies in the United States, but it had a refreshing quality of realism. Lacking money for lavish sets, Europe’s filmmakers used what remained of the pre-war built environment. Of greater importance was that Europe’s movie makers, their audience, even the Vatican, were less puritanical when it came to story lines, costuming, sex, and everyday natural functions than the clergy and laity of the PCA and the Legion.

Featuring the mostly communist-led Italian resistance against the Nazi Germans and home-grown fascists, the movie begins with the wedding of a pregnant bride and a communist as the leader of the anti-fascist Italians, “the partisans.” There’s a drug-addicted mistress, frank sexuality, lesbianism, unrelievedly brutal torture scenes, and a priest is executed. Could its artistry trump the immorality it realistically depicted? Despite his reservation that the film was communist propaganda, the pioneer film critic, James Agee, admired it as “the best movie of its year and one of the best and most heartening in many years.”¹⁶⁰ The Holy See thought so, too; it loved the film--“one of the most sympathetic portrayals of the Catholic Church ever seen on the screen,” and requested a copy for the Vatican Library.¹⁶¹ Despite deceitfulness being seen as a positive, plus “excessive gruesomeness, suggestive costume,” . . . and use of narcotics,” the Legion gave it a B, equivalent to “adults only,” for its sympathetic depiction of a heroic anti-Nazi priest. In the U.S., European art films normally played in “import houses” without the PCA Seal; if they were popular, the distributor applied for a seal from the Motion Picture Association’s New York office. In order to qualify, “Open City” had to make a few cuts, among them, a child shown using a chamber pot.¹⁶² ¹⁶³

The first weakening in the Church’s grip on Hollywood’s output appeared in 1947, when a Gallup poll revealed that only five percent of moviegoers were willing to stay away from films condemned by the Legion.¹⁶⁴ The following year, in *United States v. Paramount Pictures, Inc.*, the U.S. Supreme Court delivered a second blow declaring the industry’s vertical integration of movie production, distribution, and

¹⁶⁰ Agee on Film, vol. 1, (Grosset & Dunlap: New York, 1969), 236.

¹⁶¹ Black, Catholic Crusade, 77.

¹⁶² Miller, Hollywood Censored, 140.

¹⁶³ Doherty, Hollywood Censor, 282, n5. CHECK 161, 162 F,N.

¹⁶⁴ Black, Catholic Crusade, 243, 244.

exhibition constituted a monopoly. Ordered to sell off their theaters, in a little over a decade the studios divested themselves of their first-run theater chains. This seriously reduced the Church's influence for it meant that the industry could not enforce the Code as successfully as previously, whether it wanted to or not.¹⁶⁵ Moreover, one of the justices in the Paramount case had observed that the court had no doubt that movies had First Amendment rights just as much as newspapers and radio. That threat was fulfilled in a 1952 Supreme Court case, *Burtsyn v. Wilson*.

Burtsyn v. Wilson arose out of a controversy over a forty-minute Italian import screened in a small art theater in New York City, December 1950. In Roberto Rossellini's "The Miracle," a simpleminded Italian goatherd (Anna Magnani), meets a bearded stranger dressed in a cloak and carrying a staff. She believes he's St Joseph come to take her to heaven and pleads with him to do so. He gives her wine. Awakening later, she is assured by a monk she meets that saints still appear on earth and so believes the stranger was really St. Joseph. As her pregnancy becomes apparent, convinced she has conceived immaculately, she is ridiculed by the villagers, especially the young, who, in a mock procession singing hymns to the Virgin cruelly "crown" her with a bucket. She delivers the child in a deserted church outside the village with only a goat for a companion.

"The Miracle" sparked an uproar in the U.S., which meant that it did better than expected business. Devout Christians saw it as an unacceptable satire, a denial of the Incarnation, a mockery of Christ. Martin Quigley's Motion Picture Herald espied the hand of communism. For others, critics and moviegoers, Catholic and non-Catholic, there was no consensus. The New York Times carried a Janus review: The Anna Magnani character could be fairly seen as either "a symbol of deep and simple faith, horribly abused and tormented by a cold and insensitive world or . . . as an open mockery of faith and religious fervor."¹⁶⁶ The Vatican and Italy's Legion of Decency condemned it, while some clerics defended it, as did the pro-Vatican newspaper of the Christian Democratic Party, which found it "a beautiful thing, humbly felt, alive, true and without religious profanation."¹⁶⁷ In the U.S., Commonweal magazine opposed suppressing a film which had won the New York Film Critics award as the best foreign film of 1950. New York's Francis Cardinal Spellman, in a letter read at Mass in all 400 parishes of the archdiocese, called the movie an insult to Christian faith and Italian womanhood, and an "atheistic Communism" plot. (Actually, the Kremlin banned it as "pro-Catholic propaganda.") The theater involved was subjected to bomb scares and picketing by large, vocal crowds of whom few had seen the picture.¹⁶⁸

¹⁶⁵ Black, Catholic Crusade, 66-71.

¹⁶⁶ Black, Catholic Crusade, 93, 94.

¹⁶⁷ Miller, Hollywood Censorship, 149.

¹⁶⁸ Black, Catholic Crusade, 95, 96.

The New York Regents granted the film a license, then bowed to pressure by revoking it on the grounds that it was sacrilegious and violated the religious freedom of Christians. On appeal in 1952, a unanimous U.S. Supreme Court, *Burtsyn v. Wilson*, finding that it was “not the business of government . . . to suppress real or imagined attacks upon a particular religious doctrine,” reversed the Regents.¹⁶⁹ In overturning *Mutual v. Ohio*, 1915, the court declared motion pictures “a significant medium for the communication of ideas,” and therefore entitled to First Amendment protection. As a result of *Burtsyn*, state censorship laws were voided in Ohio (1954), Massachusetts (1955), and Pennsylvania (1956).¹⁷⁰

Initially, the Indiana Catholic and Record denominated “The Miracle” “blasphemous,” “tawdry,” and “sheer filth,” yet the next year found the Supreme Court decision “hard to dispute.” Its editor since 1947, Msgr. Ray Bosler, supported the decision: it was better to insult religious feelings than accept prior restraint. In any case, the Legion of Decency was not affected, so, good.¹⁷¹ Yet there was a cost: the Legion’s claim that it was not a censorship board, merely a rating service for Catholics employing Christian standards of morality was exploded. The boycotts, picketing, bomb scares, the crude red-baiting--all efforts to keep non-Catholics from seeing the movie--repelled many Catholics and many more non-Catholics. A Notre Dame University English professor labeled the campaign “semi-ecclesiastical McCarthyism.”¹⁷² Similarly, another 1952 Supreme Court opinion overturned a Texas conviction of a man for screening “Pinky,” which featured a white actress, Jeanne Crain, as a mulatto in a film centering on miscegenation, racial prejudice, and Jim Crow in the American South. Justice Felix Frankfurter held that requiring a license to show a movie “offends” the due process of the Fourteenth Amendment. Justice William O. Douglas, citing both *Near v. Minnesota* (283, U.S. 697) and *Burtsyn*, saw the “evil of prior restraint” present “in flagrant form.” Censorship boards defeat the “great purpose of the First Amendment to keep uncontrolled the freedom of expression”¹⁷³

A more ham-handed misuse of the Legion’s power was “Streetcar Named Desire,” 1951. Taken from the stage play by Tennessee Williams and directed by Elia Kazan, it received the PCA Seal only after being forced to tone down the play’s themes of homosexuality, pedophilia, nymphomania, and rape. On the Broadway stage, wife Stella prefers to believe that husband Stanley has not raped her sister Blanche. At the end, Blanche, having been driven insane, is taken away to an asylum. The rape is key for it breaks through Blanche’s fantasy world. Stella, still sexually besotted with Stanley (and he with her), turns to him at the curtain. Rapist rewarded with stronger marriage!? For the movie version Breen

¹⁶⁹ Cooney, Spellman: American Pope, 196-202.

¹⁷⁰ Miller, Hollywood Censored, 151.

¹⁷¹ IC&R, 30 May 1952, 1. The harsh condemnation was probably Fr. Courtney’s, the associate editor.

¹⁷² Black, Catholic Crusade, 101.

¹⁷³ Black, Catholic Crusade, 116.

demanded that there be no rape because it was made to seem justified.¹⁷⁴ Blanche is more troubled mentally and less sexually omnivorous; scenes showing Stella's seductiveness are absent and Stanley is made to appear as Blanche sees him--boorish, sweaty, crude--an uncaring animal. The moral universe is restored as an enraged Stella carries her baby upstairs to a neighbor's apartment and announces she is never going back to her animalistic husband. Stanley, in despair, cries out for Stella. Roll credits.

Despite the changes, the PCA-approved version of "Streetcar" still shocked industry leaders with its "raw and lustful carnality." Warner Brothers secretly hired Martin Quigley to re-edit the picture for the Legion, agreeing that he might remove objectionable dialogue and scenes. Kazan fought the changes, but the Legion refused to admit that it did anything more than classify films. Since he had been employed by the studio to do a job, Quigley told Kazan that he had no influence with him. Quigley's Stella is a "decent girl who is attracted to her husband the way any 'decent' girl might be." What was important was "the preeminence of the moral order over artistic considerations," nine words summarizing the Church's position that moral claims trump the artist's intentions. When Kazan questioned the right of the Catholic Church to impose its moral values on others, Quigley's response, as summarized by the Indiana Catholic and Record, was pinched and puritanical: "The Christian purpose of art is to aid the spiritual and moral well-being of man. It is not for the purpose of effecting intellectual or sensory delight." Artistic or cultural values "are relatively unimportant." "The supreme obligation of films [is] to avoid being a harmful influence upon the moral life of its patrons." As for the Code, based on the Ten Commandments it is "sensible, practicable."¹⁷⁵ Kazan's request that the original version be shown at the Venice Film Festival was refused; if "Streetcar" was screened anywhere in the world, he was warned, the Legion would condemn it."¹⁷⁶

The IC&R reflected editor Bosler's liberal position), carried John Cogley's comments in Commonweal: Quoting Aquinas, "beauty is that which when seen, pleases," Cogley characterized Quigley's views as "pious philistinism." The artist's work, whose "purposes are his own," should not be judged "as apologetics, propaganda, or sermonizing."¹⁷⁷

Nearly forty years on the episode still rankled Kazan: he recalled that it was then that he first "became aware of the similarity of the Catholic Church to the Communist Party, particularly in the 'underground' nature of their operation." At the time, he had complained to the New York Times that his picture was cut

¹⁷⁴ Miller, Hollywood Censored, 155.

¹⁷⁵ IC&R, 13 March 1953, 1.

¹⁷⁶ Black, Catholic Crusade, 113, 114. Warner Brothers restored Kazan's version in 1993.

¹⁷⁷ IC&R, 10 April 1953, 1.

to meet a code that was not his code, nor the code of the movie industry, nor that of “the great majority of the audience.” Warner Brothers cared nothing for beauty or art--“They didn’t want anything in the picture that might keep anyone away. At the same time, they wanted it dirty enough to pull people in.”¹⁷⁸

A movie dirty enough “to pull people in” describes “The French Line.” Produced by Howard Hughes in 1953, like “The Outlaw” “The French Line” again featured Jane Russell’s mammaries, this time “leaping out at the audience in 3-D” and ballyhooed in another prurient ad campaign. In an effort to reach a compromise between the Code and Hughes’ decided vulgarity, the PCA viewed the film five times. Determined to exploit Russell’s endowments, Hughes opened it in St. Louis, December 1953, without the PCA Seal or bothering with the Legion of Decency. After viewing a print the Legion’s staff publicly condemned the film “for suggestive dialogue, costumes, and dance routines.”¹⁷⁹ Geoffrey Shurlock, now *de facto* head of the PCA, agreed with Legion’s assessment.

Breen sent PCA staffer Jack Vizzard to St. Louis to rally its archbishop, Joseph E. Ritter, against the film. When the city’s Protestants and Jews declined to cooperate and the police department refused to seize the film, for want of something better, Ritter instructed his priests to check the religion of the film’s exhibitors in their area and, if Catholic, deny them the sacraments. In his letter read at all the Masses, St. Louis Catholics were told they must make “a concerted effort on a nation-wide scale to ruin the box-office receipts of this picture.” No Catholic could see it under penalty of mortal sin and Ritter imposed a “grave obligation” within the archdiocese to boycott any theater, now or in the future, that showed the movie.¹⁸⁰ For his part, Breen levied the \$25,000 fine for MPAA members who released a film without the Seal. When some major theater chains refused to book it, Hughes agreed to make cuts and was given a Seal and taken off the Legion’s condemned list.¹⁸¹ While the fight cost Hughes \$1million, the expected gross was \$3 million in the U.S. and \$2 million abroad.

“The French Line” opened in Indianapolis at six theaters in May 1954. Following Ritter’s St. Louis policy, the IC&R listed the local movie houses and drive-ins screenings, as well as those in Evansville, Princeton, Bedford, Bloomington, New Castle, Seeleyville, and Richmond. Readers were asked to call the theater managers involved to express their “displeasure.”¹⁸² The newspaper wanted a six-month boycott imposed, which would likely put the erring theaters out of business. Otherwise, Hughes would succeed in destroying the Code and bring on censorship, which “none of us wants.” By December the list of banned

¹⁷⁸ Black, Catholic Crusade, 115.

¹⁷⁹ Walsh, Sin and Censorship, 264.

¹⁸⁰ Black, Catholic Crusade, 138, 139. The Chicago and Boston censorship boards also banned “The French Line.” IC&R, 5 Feb 1954, 1.

¹⁸¹ Vizzard, See No Evil, 174, 175.

¹⁸² IC&R, 21 May 1954, 1.

theaters in Indiana had grown to seventeen.¹⁸³ Such bans, however, were increasingly futile, in that the publicity increased interest, (Ritter learned the lesson and never issued another interdict). A perfectly awful film with terrible acting, it would have been better to publicize that, rather than draw attention to Russell's chest. Ranked "as one of the worst movies ever made,"¹⁸⁴ critics and moviegoers passed the word and the film died.

Most damaging to the PCA and the Legion was their handling of the 1953 comedy of manners, "The Moon is Blue." Produced and directed by Otto Preminger for United Artists, its heroine, "Patty Reilly," (Maggie McNamara), age 22, is anxious to get on with life, which to her means marriage and sex. An aspiring actress, proto-feminist, naïve but game, she flirts with 40ish "Don Gresham" (William Holden), on the Empire State Building's observation deck. He's a successful, unencumbered architect and she agrees to dine with him at his expensive apartment. There she meets Don's friend, "David Slater," (David Niven), another resident of the upscale building, mid-forties, rich, divorced, an aging roue up to no good. Patty cooks dinner for three. Later that evening, alone with David, he offers Patty the \$600 he's won from Don on a bet which, after some hesitation, she takes. What, if anything, will be exacted from her is left unexpressed.

A Noel Coward-type comedy of manners, "The Moon is Blue" shows its origin as a stage play: its limited time frame—early evening to late morning the next day, limited locations—the Empire State's observation deck bookends the film, with all the other action taking place in or around Don's and David's apartments, and its never-ending talkiness, mostly from Patty—"Do you have a mistress?" "Is she pregnant?" "Are you going to seduce me?" "Don't you want to?" ("mistress," "pregnant," "seduce," all red flags for the Legion, as is "virgin."). Patty overhears Cynthia, (David's daughter and Don's ex-girlfriend), call her "a professional virgin," and Patty wonders why. Don explains that such women want "to sell themselves" and therefore, "hold out." It was the kind of repartee that violated the Code's canon that a movie must not infer that "low forms of sex relationship are the accepted or common thing."¹⁸⁵ Patty's insistence that she's a virgin is made to seem merely oddball.

David shows up half-drunk and Don goes to bed. (In both apartments the drinks cart is heavily in use, with the men constantly refreshing large balloon glasses with generous amounts of some pale liquor, gin or vodka. In one scene, (by my count), David refreshed his drink ten times; Don was more abstemious. Patty, fed up with "being a professional virgin," takes a drink and smokes a cigarette. David, realizing that she prefers Don, suggests that she seduce him, and leaves. Patty knocks on Don's door but

¹⁸³ IC&R, 21 May 1954, 1; 3 December 1954, 5.

¹⁸⁴ Black, Catholic Crusade, 136.

¹⁸⁵ Vizzard, See No Evil, 153.

before he has time to open it, she runs out of the apartment. Each, thinking of the other, return separately to the Empire State Building's observation deck. They kiss. He proposes. They'll marry.

At the Legion's office in New York, Msgr. Thomas Little and his assistant, Fr. Paul Hayes, watched the film alongside Mrs. Mary Loram and a group of her reviewers and were scandalized when the women gave it a "B" classification (morally objectionable in part for all), a rating that by 1953 carried little weight even with practicing Catholics. But two priests could outvote any number of women and they issued "The Moon is Blue" a C.¹⁸⁶ Msgr. Little argued that the sympathetic portrayal of seduction put Patty and the women in the audience on a slippery slope—first she smokes, then takes a drink, which led her to knock on the bedroom door thereby "accomplish[ing]" her "moral degeneration."¹⁸⁷ That she didn't actually "fall," was immaterial.

Seeking to make it a test case of its power and to support its C rating, the Legion succeeded in limiting the number of screens "The Moon is Blue" played. Msgr. Little rallied support from Cardinal Spellman and Bishop McIntyre, who dutifully called attendance at the film a "near occasion of sin." The Legion supplied the bishops with sermons for their parish priests to rouse them and the laity to attack the theater owners. Thanks to such pressure, the Jersey City Police Department seized copies as obscene and arrested the theater manager; Chicago limited attendance to "adults only"; an El Paso priest reported he "had put the hate" on local exhibitors of the film; an upstate New York priest gathered more than 4,000 signatures unsuccessfully petitioning for an ordinance to ban immoral films like "The Moon is Blue"; San Francisco's Junior Chamber of Commerce canceled a showing "in the interest of good taste." Kansas, Ohio, and Maryland banned the movie, but United Artists fought such bans and thanks to "The Miracle" precedent won all ten state and local court censorship cases.¹⁸⁸

In Los Angeles, the PCA's Geoffrey Shurlock saw the movie as a light-hearted comedy about a girl who preserves her virtue and wins an engagement ring, too, but Joe Breen overruled him, denying it a Seal for its "tone of lecherous prurience."¹⁸⁹ The only "light" Breen saw was an "unacceptably light attitude toward seduction," added to the use of words such as "pregnant," "seduce," "mistress," and "professional virgin," which Breen found offensive. He also objected to Patty's statement to David: "You are shallow, cynical, selfish, immoral, and I like you"--the idea being that immoral people could be likeable violated a basic premise of the Code that evil not be shown as attractive.¹⁹⁰ On appeal, the Motion Picture

¹⁸⁶ Black, Catholic Crusade, 125.

¹⁸⁷ Walsh, Sin and Censorship, 259.

¹⁸⁸ Walsh, Sin and Censorship, 259, 260.

¹⁸⁹ Doherty, Hollywood's Censor, 307.

¹⁹⁰ Walsh, Sin and Censorship, 258.

Association of America (MPAA) upheld Breen. Since the PCA had demanded too many changes, Preminger released the film anyway, the first time a major studio had done so; United Artists had to resign from the MPAA and pay the \$25,000 fine. Advertised as “adults only,” the film made \$4 million the first year, the 15th most in gross receipts, and Ms. McNamara was nominated for best actress.

The movie enjoyed wide popularity: St. Joseph Magazine (“America’s Catholic Family Monthly”), at one with majority of opinion, praised it as “a parable of the pure of heart.” An amusing, sophisticated film, in Indianapolis it ran for twenty-eight weeks straight at the Esquire Theater. A year after its release, it reached St. Mary’s parish in North Vernon and received a different reception: Fr. Eisenman, without the benefit of seeing it, but a good soldier enrolled in the Church militant, announced that “occasionally our local theatre books a movie that is outright bad. Such a movie is THE MOON IS BLUE [emph. orig.], coming on next Wednesday and Thursday. Stay away. Don’t commit a mortal sin.”¹⁹¹

While the intramural Catholic controversy over the ban helped the box office, many felt Breen had overstepped and a Catholic backlash against the Legion ensued—for the first time a significant number of clergy and laity complained about a C rating. Many who saw it, Catholic and non-Catholic, finding it an argument against promiscuity, came away bewildered and wondering what all the fuss was about. The knee jerk support of religious leaders, Catholic and non-Catholic, heretofore habitual among municipal officials, Catholic and non-Catholic, would no longer be so common or so widespread in future. In the long run, “The Moon is Blue” was a major turning point and more hurtful than “The Miracle.” Msgr. Little lamented that the controversy sold tickets and that the Legion could no longer count on the laity’s automatic support.¹⁹² Its condemnation seemed so pointless and in 1961 the PCA gave it a Seal and the Legion lifted the C rating for showing on television.

A different sort of questionable censorship was posed by the 1953 movie, “Martin Luther,” a straightforward Lutheran version of their founder’s role in the Reformation (one now long accepted by historians, Catholic and Protestant alike). It received Oscar nominations for art direction and cinematography as well. While the Breen office approved it without reservation, the Legion of Decency could not stomach it. Since the movie contained no sex or violence, the Legion could not give it a C; instead, it invented the “separate classification” and attacked it for “theological and historical references and interpretations which are unacceptable to Roman Catholics”—that is, for its unflattering depiction of the Catholic Church in the early 1500s, an abuse which did not go unnoticed.¹⁹³

¹⁹¹ North Vernon, Box IX, 30 May 1954.

¹⁹² Walsh, Sin and Censorship, 260, 261.

¹⁹³ Black, Catholic Crusade, 125-127, 130.

Just as the Jewish community was upset with Alec Guinness' unflattering depiction of Fagan in "Oliver Twist," so, too, many Catholics reviled "Luther" for its admiring treatment of the founder of the Lutheran Church. Starting in January 1954, the Indiana Catholic and Record began a highly critical seven-part series on the picture. The abuse was compounded when Catholic media hysterically denounced the film: The national Catholic weekly, Our Sunday Visitor, decried it as "unhistorical, unbiblical, and unfair," and published a thirty-page booklet explaining why the film was heretical.¹⁹⁴ Canada's Quebec Province banned public screenings of "Luther" and Chicago Catholics successfully forced WGN-TV to cancel a planned broadcast in 1956.¹⁹⁵ William H. Mooring, a Catholic convert whose syndicated column "Hollywood in Focus" appeared each week in the IC&R, gave neither quarter nor charity: Luther was a "tyrant," "apostate heretic," "angry, foul-mouthed and unbalanced," and the movie "vitriolic," a "slanted, parody of history."

Having second thoughts on "Martin Luther," the IC&R refused to support a ban on its showing on television, and in 1974, editor Msgr. Raymond Bosler was calling Luther a hero. True, the film was an oversimplification, and Protestant histories were partisan and triumphal, but so, too, had been Catholic histories.¹⁹⁶ Truth to tell, "Martin Luther" is a good film and unexpectedly popular. The Catholic campaign of vilification not only drove away Protestant support from the Legion but exposed the myth that it was concerned only with Christian morality.

Weakening both the MPAA's Classification and Ratings Administration (CARA), and the Legion's ability to hold the line, were the unpopularity of some censorship decisions, growing public support for adult themes, and a box office down by about a quarter from its immediate postwar height. The studios' forced sale of their theaters after 1948 meant the loss of an assured market for their pictures. Other factors included the decline of the studio system and a commensurate rise of independent filmmakers, an influx of foreign films, and the "film as art" movement. Of the greatest importance was the wholly new challenge of television: In 1948, one million television sets were sold in the U.S., (just in time for the widely watched House Un-American Committee (HUAC) investigations into communists in Hollywood).¹⁹⁷ Consequently, in the 1950s and the 1960s "the Code was questioned, challenged, and ignored,"¹⁹⁸ as the industry hurried to offer racier fare in compensation.

¹⁹⁴ Black, Catholic Crusade, 131, 132.

¹⁹⁵ Bredeck, Imperfect Apostles, 184, 185; IC&R, 27 March 1959, 4.

¹⁹⁶ Criterion, 12 July 1974, 7.

¹⁹⁷ Boller and Davis, Hollywood Anecdotes, 375-378.

¹⁹⁸ Doherty, Pre-code Hollywood, 343.

The balance of power between Hollywood and the Catholic Church shifted in the mid-1950s from the initial “compromise, capitulation, and abject fear” on Hollywood’s part of the 1922 “do’s and don’ts,” toward “resistance, defiance, and cynical exploitation” in its dealings with the Church’s censors, the PCA and the Legion.¹⁹⁹ It was not mere coincidence that 1954 saw Will Hays’ death, Joseph Breen’s retirement, and Fr. Daniel A. Lord’s retirement the next year. In his first full year running the PCA, Breen’s replacement, the Episcopalian Geoffrey Shurlock, presided over an 11 percent increase in B films (objectionable in part for all). The Legion could still get many requested cuts, but it was harder to do and less satisfactory; the studios were less willing to cut a B film to get an A-II rating, because a B no longer damaged the box office.²⁰⁰

Missteps like “The Moon is Blue” and “Martin Luther” took their toll, as the Production Code Administration and the Legion of Decency passed the apogee of their influence. The bishops’ own 1956 National Catholic Welfare Conference study showed that the laity did not take the Legion seriously; worse, half of the Legion’s local directors were not even filing reports.²⁰¹ On the one hand, boredom had set in; on the other, people felt patronized. In July 1954 the Indiana Catholic and Record was a bell whether of the change: Editor Bosler began asking, “Is Anyone Else Tired of Taking the Pledge?” Claiming not to be opposed to the Legion as such, but rather “the mass-pressure way in which it is often administered encourages hypocrisy or insincerity. Why stand and recite aloud?” People resent being “sand-bagged,” it is self-defeating;²⁰² This was followed in November 1955 with a page one article and an editorial citing the Legion’s “uncomfortable custom of public pledges.” It treats people like children, “and not very bright children at that.” It is a “carry-over from some highly suspect religious strong-arming of grade-school days.”²⁰³ In April 1957, the IC&R abandoned the Church’s basic premise in stating that Catholics had a right to censor books and movies for themselves, but not for others. We live “in a pluralistic society, with no agreement on moral and religious convictions,” not even among Catholics on such matters.²⁰⁴ In December 1959, bothered by the administration of the pledge “to docile and unheeding congregations” appropriate to “third graders,” it will not “be taken seriously by many modern adults.” Instead of the Legion, it would be best to adopt a legally enforceable age classification system. Left unsaid, such a system would get the Church out of the film censorship business.²⁰⁵

¹⁹⁹ Doherty, Hollywood’s Censor, 327.

²⁰⁰ Walsh, Sin and Censorship, 267.

²⁰¹ Walsh, Sin and Censorship, 285.

²⁰² IC&R, 30 July 1954, 4.

²⁰³ IC&R, 25 November 1955, 1.

²⁰⁴ IC&R, 26 April 1957, 4.

²⁰⁵ IC&R, 11 December 1959, 1.

Then there were films--“Tea and Sympathy,” 1956, was one--where the PCA and the Legion fell out: the problems were its homosexual theme, attempted suicide, adultery, and divorce. (It did not run in the main theaters in Indianapolis.) While the PCA gave it a Seal, the Legion condemned it for in “dwell[ing] upon carnal suggestiveness” it lowered audience morals, disregarded correct standards of life, and undermined natural and human law.²⁰⁶ New York’s Francis Cardinal Spellman took the unusual step of personally denouncing it from the St. Patrick’s pulpit, rather than a letter read at all the Masses. Responding to the cardinal’s pulpit denunciation, in a reprise of “The Miracle’s” reception, over a thousand Catholics picketed the New York theater, intimidated patrons, and issued bomb threats.²⁰⁷ In the revised version the housemaster’s wife who had “cured” a boy of his fears that he was homosexual by seducing him, wrote him to show the “wrong” they had done to others, especially her husband--the divorce, her husband’s life ruined, etc., driving the point home for the boy and the movie audience that sin is sin. Re-rated by forty new Legion viewers, including 16 priests and a bishop, ranged from A-II (morally unobjectionable for adults and adolescents), to C, condemned; the film was given a B.

The Legion’s basic problem was that a better educated laity very different from the pre-war years was not as likely to accept either clerical direction or the parochialism of the past. What had seemed to many--categorizing movies as to whether they were a danger to souls--as perfectly straightforward and clear, was no longer so. Certainly, Catholic movie critics differed: There was William Mooring proselytizing Catholic members of the Motion Picture Academy to refrain from voting Oscars for B films, while Walter Kerr, drama critic of the New York Tribune and member of Catholic University’s Drama Department, worried that the Legion’s concerns about morality were so all-encompassing as to neglect any real consideration of motion picture art. Kerr burlesqued the process in venturing that “A film featuring a Saint is a film of majestic technical excellence, . . . a nun driving a jeep is a superbly made comedy,” one with a “jolly priest, a self-sacrificing Catholic mother and an anti-Communist message must be defended.” By then, the Bishops Committee on Motion Pictures itself wanted the Legion to be more positive, to recognize A-I films that supported Christian values, but also wanted cinema of artistic merit recognized. The push to do that came from Rome by way of Havana, Cuba.

Sponsored by the Church’s International Catholic Film Office (ICFO), In January 1957 Catholic delegates from thirty-one countries met in Havana, Cuba. The Vatican letter to the delegates stated that the ICFO “is not a form of censorship imposed from outside but an integral part of the judgement of a well-formed Christian.” “Through her judgment [the Church] shapes the conscience of the faithful, directs their choice and promotes the success of worthy films.” Where the Lord-Quigley Code was designed so that no movie would lower the morals of its audience, the ICFO existed to safeguard youth from adult

²⁰⁶ Walsh, Sin and Censorship,? 275.

²⁰⁷ Black, Catholic Crusade, 91-102.

fare, foster the education of adults with regard to quality films, and bring about an enlightened Catholic response to movies as a serious art.²⁰⁸ Like the Legion of Decency's home-grown critics, the ICFO wanted moviegoers educated to appreciate the films produced by serious artists.

Unfortunately, for the Americans the Havana meeting was a disaster for Msgr. Little, serving as chairman of the English language section. His "slightly triumphalistic" remarks emphasized the pope's praise for the American model--the working alliance between the PCA and the Legion in America for ensuring the presence of a "voice for morality" and for "compensating moral values." This was angrily derided by the other delegations already resentful at America's dominance of movie making. Beyond resentment, the serious point of the critics was the assumption that morals and art lent themselves to such easy categorization. It was all too easy and simple; so efficient, so American; and so childish and superficial. Attacked in the discussion which followed, the next day Little resigned his chairmanship of English section.²⁰⁹

The American bishops indicated that they had gotten the message; while still defending the Legion of Decency, they declared it must become "more affirmative" in future. It was in the context of looking to affirm as well as to critique cinema that Martin Quigley suggested to Cardinal Spellman that a Jesuit be appointed to the Legion as a way to quiet the open criticism of the Legion by a number of prominent Jesuits. The order's New York provincial complied and Fr. Patrick Sullivan, S.J., S.T.D. (Gregorian University), was brought on board as Little's assistant. The irony was that while Quigley and Spellman were worried that the Legion needed to hold the line against immoral films, Sullivan was being tasked by the bishops with breathing new life into it; to Sullivan that meant change or die. Besides tracking better with the contemporary *zeitgeist*, he was to avoid such past gaffes as the condemnation of "The Moon is Blue." True, imposing Catholic values on motion pictures in a pluralistic society had been the Legion's reason for existence, but Sullivan and many others shared the reservations of his fellow Jesuit, John Courtney Murray, about the right of the Church "to impose its values on non-Catholics."²¹⁰

Exactly a week after Sullivan's arrival at the Legion, Pius XII issued the encyclical, *Miranda Prorsus*, "remarkable technical inventions." In wanting state censorship, a Catholic rating system in every country, and in forbidding Catholic theater owners to screen films contrary to Catholic morals, *Miranda Prorsus* was at one with Pius XI's encyclical on cinema, *Vigilanti Cura*, 1936. Yet it differed substantially

²⁰⁸ IC&R, 11 January 1957, 1.

²⁰⁹ Vizzard, See No Evil, 252-256.

²¹⁰ Walsh, Sin and Censorship, 288.

from the earlier statement's warning against movies as a "a school of corruption." Instead, Pius XII praised motion pictures as one of the "most important discoveries of our times" and enjoined Catholics to undertake "deep and prolonged study" of them in schools on every level so that they could judge what they were being presented and therefore understand which were in accord with "religion and the moral law" and follow the instructions issued by the Ecclesiastical offices. Yet much like Pius XI's *Vigilanti Cura*, *Miranda Proruss* paid homage to the power and scope of the media—radio, television, and motion pictures--for their potential social benefits in providing news, education, and entertainment. They make life easier, faster, more comfortable; help reveal the mysteries of Earth; as forms of art, they are gifts of God. Of course, man must direct their use for God's greater glory and mankind's good for they can also be used for evil.

What was most salient to Sullivan was the pope's expressed desire that "the applause and approval of the general public will not be wanting as a prize for really worthwhile films";²¹¹ meaning, not only did the Legion need to be more positive about motion pictures, it needed to exhibit greater acceptance of realistic films on serious subjects. Sullivan saw the encyclical as a way to put the bishops' "feet to the fire," helping him by supporting Legion reforms. At their annual November meeting, the bishops took on the problem of the B film--the otherwise good film negated by immoral baggage. The category was simply too broad in that some B movies were "lights," of possible danger to adolescents and others, while "heavy" B films, were borderline C films. The hope was that the evolving B designation, "those . . . which can be a moral danger to spectators," would in future be few and limited to the truly objectionable. The bishops' solution was to expand the A ratings into A-I, "morally unobjectionable for general patronage," A-II, "morally unobjectionable for adults and adolescents," with a new category, A-III, "morally unobjectionable for adults," that is, the average adult would not ordinarily be in moral jeopardy in seeing the movie. The A-III was to substitute for the heretofore "light" B films, "morally objectionable in part for all."

As it turned out, the A-III was simply a relabeling, a public relations exercise; movies previously B were now either A-II or A-III. Absent the latter, there would be more B ratings. Conservatives were not mollified as many thought the new B's should have been C's. As for the A-III, the laity wanted to know how the Legion could recommend "Peyton Place," 1957, for "adult viewing" with its unending intramural sexual hijinks in a New England town? In a letter to one such objector, Sullivan defended the producer for removing the objectionable parts of the novel and adding mini-speeches on the "difference between love and lust," the "proper role of the educator in our society," that teaching about sex was the parent's

²¹¹ Walsh, Sin and Censorship, 289.

responsibility, and “abortion as an offense against God and the law.” Did hearing such exhortations sufficiently balance the immorality displayed on the screen, was the question.²¹²

Realizing that there was real confusion over the A-III rating, Sullivan turned to using the “separate class” for movies “legitimately moral, although some elements were beyond the capacity of some adults.” Such a film was “Anatomy of a Murder,” 1959, one of the first mainstream Hollywood releases to deal with graphic sex and rape, one still highly regarded as a complex courtroom drama and for the sensitivity of its treatment of the victim. An army officer beats the murder rap for murdering the man who raped his wife. Its manifold sexual references were problematic, but the PCA issued its Seal when some were eliminated and others reduced. The Legion agreed that the film might shock the “sensitive” or “impressionable,” but it was not immoral in theme or treatment and used the “separate category” to avoid condemning it.²¹³

When a literal flood threatens to sweep away the dikes protecting the city, practical wisdom dictates that some of the over surge be released to lessen the pressure; so, too, in the late fifties through the sixties and seventies the PCA and the Legion responded to criticism of their censorious ways by substituting a certain permissiveness for past rigor. Thus, from time to time, the MPAA board reluctantly amended the 1930 Code in small matters and large. For example, neither suicide nor euthanasia being named in the 1930 Code, in 1951 the former was added (never to be “justified or glorified or used to defeat the due process of law”); euthanasia, it was agreed, would not be named but understood to be unusable as a story line. Abortion, also absent from the Code as obviously contrary to natural law, now appeared as “Abortion, sex hygiene, and venereal disease are not proper subjects for theatrical motion pictures.” The ban against “miscegenation,” the sexual mixing of the races, had been taken directly from Hays’ 1927 “Don’ts and Be Carefuls” to placate theater owners in the Jim Crow South. Put in the section prohibiting sex perversions, in 1952 Breen, never happy with its inclusion, moved it to a new category of “special subjects”--“actual hangings, electrocutions, third degree methods, sale of women, surgical operations, and liquor and drinking, all to be “treated within the careful limits of good taste.”²¹⁴

Anything to do with illegal drugs was contentious: Since even an anti-drug plot “kindles the curiosity of the susceptible,” the 1946 permission for drug trafficking scenarios was withdrawn and replaced with “Neither the illegal drug traffic, nor drug addiction, must ever be presented.”²¹⁵ However, the superlative 1955 film, “The Man with the Golden Arm,” spared audiences neither the process of shooting up nor the consequences of addiction. Otto Preminger released it without a Seal and was rewarded at the

²¹² Walsh, Sin and Censorship, 290, 291.

²¹³ Walsh, Sin and Censorship, 292, 293.

²¹⁴ Doherty, Hollywood’s Censor, 355.

²¹⁵ Doherty, Hollywood’s Censor, 298-301.

box office and praise from the critics.²¹⁶ Understanding that the public would not support a C rating for the Frank Sinatra vehicle, once again the Legion of Decency and the PCA differed: The twenty-five Legion raters' grades ran from C to A-II, with the majority giving it a B. In a major overhaul in December 1956, the Code was changed to allow broader treatment of the narcotics trade and other taboo subjects. (Of the four "drug" films that followed between 1956 and 1959, "A Hatful of Rain," 1957, a sophisticated treatment of the medical, familial, and social evils of drug addiction, stood out, winning a gold medal from the International Catholic Film Office. (Another instance of how mismatched Europe and the United States were regarding permissible themes and treatment).

Still forbidden in the 1956 Code revisions were nudity, sex perversion, open-mouth kissing, and venereal diseases, while abortion, child birth, white slavery, kidnapping, and drug addiction were no longer banned, yet "discouraged," "never more than suggested" and when referred to, "shall be condemned."²¹⁷ Restrictions on crime scenes were tightened, as was incitement of bigotry toward races, religions, or national origins, complete with a list of specific slurs to "be avoided" for Jews, Italians, Chinese, French, Hungarian, blacks, and Hispanics.²¹⁸ Subject matter had widened and the question became not what, but how a subject was presented.²¹⁹ By the time "Easy Rider" was released in 1969, drugs were depicted "as a necessary accouterment" of the "hipster."²²⁰

Modifications and changes in emphasis continued: As a result of the climate set by *Miranda Prorsus*, in 1957 the Legion revised the A-II to permit adolescents to view them by creating an A-III for adults only, leaving B and C still to be avoided as occasions of sin. Two years later, it announced a campaign for good films; it would promote family fare by name, increase the number of its male reviewers, and encourage adult discussion of films and film clubs. Said the Legion's Executive Secretary Msgr. Thomas Little, in 1959, "Our aim now is to promote better films produced . . . through our approval rather than fear of our disapproval."²²¹

"Suddenly Last Summer," 1959, presented its own challenges: In one critic's summary, "for a single admission," the moviegoer got "a practicing homosexual, a psychotic heroine, a procuress-mother, [and] a cannibalistic orgy." Nevertheless, the MPAA appeals board gave it a Seal over the PCA's objections, while the Legion set off a barrage criticism in the Catholic press by again using the separate classification. Liberal or conservative, few were happy with the judgement of the PCA or the Legion or

²¹⁶ Doherty, Hollywood's Censor, 298-301.

²¹⁷ Doherty, Hollywood's Censor, 324, 318-322; Walsh, Sin and Censorship, 281.

²¹⁸ Doherty, Hollywood's Censor, 324, 325.

²¹⁹ Getlein and Gardiner, S.J., Movies, Morals and Art), 121, 140, 141, 169, 170.

²²⁰ Celluloid Weapon, 233.

²²¹ IC&R, 20 March 1959, 7.

with Hollywood: “Some Like It Hot,” (transvestitism), 1959; “Room at the Top” (immoral hustler goes unpunished), 1959; “Never on Sunday” (principled Greek prostitute), 1960; “Splendor in the Grass,” 1961, (it’s healthier to satisfy one’s sexual needs). After “The Children’s Hour,” (putative lesbianism), 1961, based on the play by Lillian Hellman, the Code was amended “in keeping with the culture, the mores and the values of our time, homosexuality and other sexual aberrations may now be treated with care, discretion and restraint.”²²² Then there was “Lolita,” 1961, (older man’s sexual obsession with nymphet), in which Martin Quigley, of all people, interceded and helped win it the PCA Seal. The Legion of Decency gave it a separate classification, stipulating that only persons over 18 could see it. (Sue Lyons was “Lolita,” age 14 when filming started and 15 when it was released). The Criterion explained the Legion’s tergiversations between 1958 and 1962 as due to its willingness to consider all morally unobjectionable films for endorsement, reasoning that adult Catholics were now sufficiently educated to make their own choices.²²³ In 1969, even the American bishops dropped their blanket condemnation of nudity in movies.²²⁴

In his 1970 memoir, Jack Vizzard, assistant director of the PCA under Geoffrey Shurlock, offered a different explanation: The studio “Elephants”—the MGM’s, the Columbias, the Paramounts—had entered a new era of the independent filmmaker--the result of new tax laws in which “individual performers and creators” were lured away from the corporations, “where they were salaried and governable contractees, and into private ventures, where they could take advantage of the capital gains loopholes.” The studios, which had been structured “monarchies” “devoted to production-line mass turnout of films,” hung on to be “bullied by the new masters,” Otto Preminger and his ilk. But as the authority of the studios drained away, so did the Code’s, like “the sands in an hourglass.”²²⁵

Believing that the public pledge was an obstacle to reform, in 1959, Fr. Sullivan had proposed rewriting it to urge that rather than blind obedience to the Legion, the laity take individual responsibility, a step on the way to drop taking the pledge *en masse* at Sunday Mass; specifically, to replace “condemn indecent and immoral pictures,” with “promote by word and deed what is morally and artistically good in entertainment,” and substitute for “unite with all those who protest against . . . indecent pictures,” (language which had ignited many an unseemly boycott), with work against such films through “good example and always in a responsible and civic-minded manner.”²²⁶ This was too soon for most bishops, who, in November 1961, voted 93-60 against the changes.

²²² Black, Catholic Crusade, 191, 192. The word “aberrations” is key; for a time, homosexuality in films would be treated as freakish.

²²³ Criterion, 18 May 1962, 8.

²²⁴ Walsh, Sin and Censorship, 323, 329

²²⁵ Vizzard, See No Evil, 210, 211.

²²⁶ Walsh, Sin and Censorship, 310.

In late 1963, however, the dike grew weaker: Citing the work of Vatican II, Msgr. Little himself harshly turned against the pledge as having become “an object of criticism, dissatisfaction, indifference, and even hostility.” In view of the ecumenical nature of the times, the laity viewed the pledge as “a pathetic anachronism,” creating the “image of the church as a patroness of boycotts.”²²⁷ The new pledge urged Catholics to promote good films and work against bad ones “in a responsible and civic-minded manner.”²²⁸ The hostile picketing, boycotts, and bomb threats heretofore employed, were costing the Legion public support and the bishops knew it. The new wording was finally adopted in 1964 and the pledge published on page one.²²⁹ By then, however, only three dioceses still favored the old pledge, and half the local Legion directors failed to file yearly reports. In most places the pledge had faded away.²³⁰

Even so, there were holdouts: As late as December 1968, Indianapolis Archbishop Paul C. Schulte was still reminding priests to administer the pledge at Mass.²³¹ Well he might: Of 111 films reviewed and rated from January to May 1969 by the MPAA, almost one-third exhibited gross involvement of sex and violence, with less than one-quarter found suitable for family viewing and teenagers and only 11 films rated “general audience.” The situation led NCOMP to declare the MPAA code a “gigantic hoax.” The X rating was a come-on, as many theaters did not enforce the ratings, letting anyone with a ticket enter.²³²

To get down to cases during the Sullivan years at the Legion: “La Dolce Vita, “1960, directed by Federico Fellini, was put in a “separate class,” too important as art and intention to condemn, but dangerous to all save those of the strongest character. Gossip columnist “Marcello Rubini,” (Marcello Mastroianni), undertakes a decadent weeklong tour of Rome’s nightclubs, cafés, beach houses, luxury homes, and castles. In Roger Ebert’s summary, the film “chronicles the sweet life of fading aristocrats, second-rate movie stars, aging playboys, and women of commerce.”

Marcello himself, pursues and is pursued by a beautiful rich Italian heiress, a rich American artist, a dancer, a voluptuous movie star (Anita Ekberg), a trio of bikini-clad girls, a waitress, etc. There’s a

²²⁷ Walsh, Sin and Censorship, 310.

²²⁸ Black, Catholic Crusade, 210.

²²⁹ Criterion, 11 Dec 1964, 1.

²³⁰ Walsh, Sin and Censorship, 313, puts the end of road for both CARA and the Legion in 1964.

²³¹ Indianapolis Catholic Archives, Schulte papers, Box 31.

²³² Criterion, 16 May 1969, 11.

“sighting” of the Madonna by two children. Taken to be a “miracle,” the media’s presence gathers a crowd, which ends in a melee and the trampling to death of a sick boy brought by his parents in hope of a cure. There’s a failed suicide and a murder-suicide, the latter perpetrated by Marcello’s cultured friend, Steiner, an apparently happy family man who inexplicably murders his two children and then himself while his wife is out shopping. Marcello’s salesman-father arrives from the country (they were never close), and meets Marcello and Fanny, the dancer and his son’s ex-lover. They go to a cabaret and the Dad drinks and dances with Fanny. She takes the old man home, where he has a heart attack, suggesting either recent physical exertions or too much champagne.²³³

A group of party-goers, led by Marcello, loath to have the evening end, break into a luxurious beach house at an early morning hour; the prevailing atmosphere is a sort of cruel bitchiness. Looking older, but not wiser, a drunken Marcello calls a woman unsexy, pulls her hair and throws water in her face. He rides another woman around the room like a horse, hitting her with a pillow and throwing the feathers around the room, thoroughly disgracing himself and giving the lie to movie’s title, “The Sweet Life.” Shocking to many for a 1960 movie is the presence of homosexuals, cross-dressers, drug use, and an amateur strip tease. The owner arrives and evicts them. Its dawn; washed up on the beach is a huge, repellent fish, caught in a net, dead on the beach. Some suggest the carcass might be worth selling. What it signifies is left to the viewer; likewise, Marcello sees a girl some distance away on a spit of land but is unable to communicate with her. Roll credits.

A massive hit in Italy (13 million admissions), and France (3 million), Roger Ebert called “La Dolce Vita” Fellini’s best. New York Times critic, Bosley Crowther, praised it as “an awesome picture licentious in content, but moral and vastly sophisticated in what it says.” James Arnold, the Criterion’s movie critic, commended the movie for showing the “repulsiveness of sin,”²³⁴ citing a priest-expert in drama who praised the picture as a classic example of how a Christian artist should handle the problem of evil. The Vatican newspaper, *L’Osservatore Romano*, condemned it as a parody of Christ’s Second Coming (the movie famously begins with a helicopter carrying a statue of Christ high over Rome), and for being pornographic. (Much worse for the Church in this writer’s eyes was the travesty Fellini made of the “miracle” of the Madonna’s “appearance” to the children, an episode that ends with the mob’s attack on the “miracle tree” where she appeared, stripping it of its branches and leaves for personal relics.)

²³³ La Dolce Vita, <rogerebert.com> Daily Illini, October 4, 1961; 5 January 1997. Accessed April 14, 2017.

²³⁴ Criterion, 20 October 1961, 8.

The practical minded Arnold wondered in how many parish halls could “La Dolce Vita” be shown,²³⁵ (one of the considerations for the Church’s approval specified in *Miranda Prorsus*). It was emphatically not for children: At 174 minutes it’s too long, too difficult to follow, and as a catalog of adult misbehavior—drugs, drunkenness, a dishabille woman bathing in a fountain— unsuitable for those of tender years. Oddly, for a movie depicting moral decadence, behavior of a sexual nature is almost entirely absent. Granted, when Ekberg jumps into the Trevi Fountain her spectacular décolletage is on display, but she keeps her clothes on. Even when Marcello and the rich Roman heiress, Maddalena, are shown in bed sleeping in each other’s arms there’s nothing prurient about it. Lots of sin but remarkably little skin, even in the strip tease.

To rate the film, Sullivan gathered 95 viewers—diocesan priests, seminary professors, eight film critics, an editor of a Catholic publishing house, a judge, a television producer, and the few IFCA holdovers remaining. The subjectivity of the ratings process showed: 23 voted for A-III; 22 for B; 22 for C; and 28 (including 14 priests) for “separate classification.” Sullivan made the best of it, pointing out that 73 of the 95, (including 38 of the 44 priests), voted against a C. It was also true, he noted, that it would be shown no matter what the Legion said, thanks to recent court rulings against censorship bodies. The Legion got the distributor to limit audiences to adults, to use subtitles rather than dubbing in English, and to refrain from exploiting the pictures’ sordid aspects in its advertising. For the rest, the Legion warned of the serious moral problems the movie posed for the “immature and intellectually passive viewer.” Its saving graces were its “bitter attack upon . . . a hedonistic society of leisure and abundance,” “its salutary recognition of evil as evil and sin as sin.”²³⁶

There were other signs of growing resistance: The Legion’s 1960 annual report admitted “widespread apathy and indifference” to its ratings. Up to about 1960, the Legion could influence what was shown in movie houses, acting as a sort of “revising chamber or upper house” for the Production Code Administration (PCA), but not afterward. Filmmakers and distributors no longer cared what the Legion said because few moviegoers did.²³⁷ Harold C. Gardner, S.J., co-author of Movies, Morals, and Art, 1961, observed that as a matter of common sense some “good” movies will cause moral problems for some and some “bad” ones won’t. He was willing to leave the decision to attend a “mature” film “to one’s conscience and judgment,”²³⁸ a very Vatican II thing to say *avant la lettre*. In 1964, if few were listening, the Legion hadn’t given up: As a substitute for the “separate classification,” the A-IV category was invented for pictures which, “while not morally offensive in themselves,” require explanations as a

²³⁵ Criterion, 21 December 1962, 7.

²³⁶ Walsh, Sin and Censorship, 296, 297.

²³⁷ Black, Hollywood Censored, 213; Black, Catholic Crusade, 220.

²³⁸ Frank Getlein and Harold C. Gardiner, S.J., Movies, Morals, and Art, (Sheed and Ward, New York, 1961), 142, 148.

protection against false conclusions. Of the 270 films the Legion classified that year, only 52 were A-I, acceptable for family viewing, the fewest in its thirty-year history.²³⁹

Some Catholic conservatives blamed Communist influence for the liberalizing trend. Mooring called out Sullivan's "ultra-sophisticated staff" for having "an un-Catholic tolerance for immoral movies." The Legion had lost its way by subordinating moral standards to cultural and artistic considerations. Granted, the mores had changed, but Sullivan had backed down.²⁴⁰ Quigley, worried about Sullivan's subordination of "moral standards to cultural and artistic considerations," blamed the Jesuits: The staff was forgetting that their job was to "provide moral guidance for young and less sophisticated moviegoers." Quigley's solution--to give the ratings the force of church law (making violations a mortal sin), was always a non-starter. Decades after its release most influential critics concur that "La Dolce Vita" is a landmark film, a consensus top ten motion picture of all time. The opening of the Second Vatican Council the next year would make for an entirely different climate going forward.

One small sign of such change was the Criterion's replacement of Mooring in 1961 with an anti-Mooring movie critic, James W. Arnold, M. A. An associate professor of journalism at Marquette University, Arnold was aware of the pressure on moviemakers to make films whose treatment and subject matter is suitable for children, adolescents, and adults, but also knew that the competition from television necessitated that Hollywood offer something that television could not. The difficulty was that superior films, that "something better," didn't always pay off at the box office. Teenagers, the core audience, wanted horror movies and Elvis Presley.²⁴¹ As Arnold saw it, the problem with the Legion was using ratings as guides to good movies, when its "purpose is to point out occasions of sin." In consequence, "we see a lot of bad movies and the makers of good movies lose money." "Perhaps we make moral judgments too much in terms of sex and not enough in terms of artistic quality, combined with meaning and ultimate values. We seem to think too little of exposing children or ourselves of shabbiness of the spirit."²⁴²

A self-described "movie nut," Arnold found films of the 1960s and early 1970s "more exciting, more creative, and [for having] attracted the most talented people" to work in the industry. "Never in the history of art has creative work found such a large, eager audience cutting across all social, educational and national backgrounds." Precisely because many Catholics did not see what he saw, the more necessary to write "chiefly for people troubled by the new trends in movies and their social moral implications." In his blunt assessment, the average Catholic found "sophisticated movies" morally problematic because they'd

²³⁹ Walsh, Sin and Censorship, 313, 314.

²⁴⁰ Walsh, Sin and Censorship, 307, 308.

²⁴¹ Criterion, 21 December 1962, 7.

²⁴² Criterion, 4 October 1963, 8.

been rendered ill-equipped by the dated set of standards of the 1930s, '40s, and '50s, and by a parochial school education "in the tradition of the Legion of Decency."²⁴³ What saves Arnold from damnation as an unapologetic elitist is that he saw the job as raising the audience's capacity to appreciate complex, quality work.

A case in point is 1965's "The Pawnbroker." Director Sidney Lumet's film was the first motion picture released in the U. S. to deal with the Holocaust in any depth. Challenging the censors as neither the importance of its subject nor its artistry could be questioned, it opens on an idyllic family outing in the countryside, the Sun shining, the wheat ready for harvest. Mother supervises the food, father plays with the children, a happy boy and girl, and grandma and grandpa look on. We can see that the wife is beautiful, and we'll learn that the father is an intellectual, a university professor. Suddenly, Nazi troops intrude on the pastoral scene and warplanes are in the sky. It's Poland, 1 September 1939; World War II has begun. The scene abruptly shifts to postwar New York City, to Harlem, a cauldron of poverty, dirty streets, noisy and violent, populated with grifters, addicts, and the confused. The "pawnbroker," Sol Nazerman, services a clientele of small-time crooks, prostitutes, down and outs of every color hocking their belongings, whatnots, and stolen goods.

Without faith or affect, Sol is tortured by his concentration camp memories as a *sonderkommando* ("special unit"), a prisoner forced to dispose of the remains of the gas chamber's victims. Bereft of hope, he shuns any who tries to befriend him. A widowed retired social worker who seeks to draw him out, he tells her, "I've escaped from all the emotions." "Mind your own business," "stay out of my life." Jesus Ortiz, his Puerto Rican apprentice, eager to learn the business and become someone, introduces a hopeful note. But Sol tells him that he, Sol, does not "believe in God, or art, or science, or newspapers, or politics, or philosophy, [only] "money." Jesus' black girlfriend Mabel (a prostitute), worries that Jesus will fall back into petty crime and bad company. To get money to pay his debts and keep him on the straight path, she uses what she has--youth, beauty, and a whore's knowledge of men. Asking the pawnbroker to "look at something pretty" and promising greater delights to come, she exposes her breasts. The effect on Sol is to spark flashbacks of the nude and semi-nude women of the Nazi officers' camp brothel, among them, his deceased wife. Deeply moved, in despair, Sol covers the young woman with a shawl.

The pawnshop is actually a money-laundering operation run by Rodriquez, a black crime boss, whose other money-making interests include bowling alleys, tenements, and brothels—from which Sol gets his cut, a truth the pawnbroker can't face. Refusing to sign some papers that Rodriquez requires,

²⁴³ James W. Arnold "Seen any good dirty movies lately?: A Christian critic looks at contemporary films," (St. Anthony Messenger Press, 1972, 6. 2, 10, a collection of his articles, movie reviews, and lectures, 1962-1972,

he's summoned to Rodriguez's luxury apartment where the crime boss recounts some home truths; namely, that the money Nazerman uses to support the separate households of a sister and an aunt on suburban Long Island, and an apartment for his mistress and her dying father are the wages of sin. It's "money from filth," says Sol. Rodriguez counters, "You're living right in the middle of a whorehouse"; "You give me a front and I give you money. Sign the papers." Overcome by shame, Sol signs.

Back at the shop Sol is a broken man. Jesus tries to help, but the pawnbroker wants none of it. He tells Jesus "people are scum." The meaning of life? "Money is the whole thing." Rebuking his assistant's enthusiasm, Sol tells him, "You're nothing to me. Go, leave me alone." Hurt by the contemptuous dismissal, Ortiz runs out of the shop and recruits a gang to rob the pawnshop safe; he insists that there be no guns, "no shooting." Of course, it all goes wrong; one of the gang threatens to shoot Sol when he refuses to open the safe--Sol doesn't care whether he lives or dies. Jesus cares: Rushing to shield his employer, he takes a fatal bullet, crawls outside, and dies on the sidewalk. The echoes of Christ's crucifixion are plain: Shaken by Jesus' sacrifice, Sol, distraught, his face twisted in a silent scream, cradles Jesus' head, getting blood on his hands in a new *pieta*. The police come, an ambulance, a crowd gathers. To punish himself and to feel something at last, he impales his palm on the spike of the pawnshop's ticket spindle, recalling Christ's wound in his side, the nails in his hands and feet hammered into his flesh. The film ends with Sol walking through the dispersing crowd alone, still isolated.²⁴⁴

At first, the Production Code Administration and the Legion of Decency agreed that the nudity in "The Pawnbroker" violated the Code. But Allied Artists, the producer, appealed to the MPAA Board in New York which overruled Shurlock and issued a Seal conditional on reducing the length of the two nude scenes—Nazerman's wife in the camp and Jesus' girlfriend's breasts; the associate producer cut a few frames and the PCA passed it. With the Seal, Allied Artists released the film in New York in April 1965. This "sole exception" was to be seen as a "special and unique case," in no way precedent setting. But "unique" cases almost never appear but once. As Variety put it, it was a first for screen nudity in which the PCA recognized that "good taste and artistic merit with which a subject is treated" was important, too, and not just whether it hewed to "current standards" of the Code.²⁴⁵

"The Pawnbroker" was a harder problem for the Legion: Like PCA's Shurlock, both Fr. Sullivan and Msgr. Little appreciated the artistry employed, but the Episcopal Committee on Motion Pictures had

²⁴⁴ At least in the DVD version I saw. Jay Boyer saw a different film in which, at its end, Sol "can confront life with a better understanding of himself, and a renewed desire to live." Sidney Lumet, (Twayne Publishers: New York, 1993), 20.

²⁴⁵ Doherty, Hollywood Censor, 331; Criterion 12 May 1972, 10.

recently mandated that any film nudity would earn an automatic C; according to the Legion, in 1964 and 1965 the no nudity policy had been applied to thirty-four films, forcing producers to eliminate such scenes.²⁴⁶ Clearly, "The Pawnbroker" was in no way exploitive of sex, but for the Legion nudity was still never an "indispensable means to achieve dramatic effect."²⁴⁷ Hence the C rating. Critics scorned the decision. The movie's critical success—it was chosen to represent the United States at the 1965 Berlin Film Festival and made many reviewers' "top ten" list--came at the cost of the Legion's reputation.

For his own review of "The Pawnbroker," Arnold adopted the persona of an "Uncle George" who, in a jokey letter, passed on his comments. Representing the average adult moviegoer, an unsophisticated "tyro" taking a whack at movie reviewing, he tells nephew Arnold that since the Legion condemned it, the film "has been staggering slowly around the art-house circuit, clanking its chains." The movie itself—the story of a bitter Jew's "utter lack of compassion," is "unquestionably morbid" and "depressing," yet the viewer "has to be dead not to feel for these people." Jesus' sacrifice shatters Sol's defenses "against love and involvement," as shown when he impales his hand on the pawnshop's ticket spike, "a moment that exults you through the roof," (because Sol at last feels something?). As for the movie's swift flashbacks, Uncle George found them "artsy craftsy," a "labored tactic" that drags as did the endless shots of Sol's broodings. Despite its C rating the "thrill seeker" had to be disappointed with the "spicy tidbits," but the real shocks were "dramatic not sexual." Dropping the persona, in his own voice Arnold says of the woman's topless scene that "he was never so powerfully impressed by the evil and degradation of prostitution." He admits to qualms: where will pushing the boundaries end? Some Catholics, "reacting purely by instinct, are protesting the ads for 'that immoral picture'."²⁴⁸

Lumet's "The Pawnbroker" questioned anew the Church's role as censor. The PCA cited a producer who pointed out that the Legion's ratings "override months or years of work by creators without discussion, arbitration, [or] exchange of thoughts"; this is not all to the good as it "violates" the artist's work and risks enormous sums of the investors' money. No other art is subject to such constraints, which is a "danger in a free society." Defenders of the Legion argued that its pressure only comes into play once a film is released. Producers have to take their chances with the critics and the marketplace. Yet Arnold conceded that the Legion's economic threat can influence an artistic product before its release, and that he wouldn't be happy if it was the Methodist Church in the driver's seat. Still, an artist has to stick to his guns. After all, he's not [merely] a businessman.²⁴⁹

²⁴⁶ Walsh, Sin and Censorship, 317.

²⁴⁷ Miller, Hollywood's Censorship, 198.

²⁴⁸ Criterion, 5 November 1965, 8.

²⁴⁹ Criterion, 5 February 1965, 8.

The old guard was well and truly passing: Martin Quigley died in 1964 and Joseph Breen followed, 5 December 1965. Three days later the chairman of the Episcopal Committee, Philadelphia Archbishop John J. Krol, worn down by criticism, announced that the “Legion of Decency,” had become the “National Catholic Office for Motion Pictures” (NCOMP); the “for” in the new name was to signify the more positive approach the Legion had taken in recent years, and not as a mark of reduced concern for decency in motion pictures, but to educate the movie audience to reflect the changing mores. Msgr. Thomas Little retired in 1966 and his assistant, Fr. Patrick Sullivan took the helm at NCOMP.

To liberalize its verdicts, Fr. Sullivan added priests, teachers, businessmen, even students, to the IFCA’s bank of reviewers. As a result, in 1967, when NCOMP gave “Who’s Afraid of Virginia Woolf” to 85 reviewers (66 new consultants and the 19 remaining IFCA staff) only 10 percent of the consultants gave it a C, versus 58 percent of the holdovers.²⁵⁰ In the end, it received an A-IV, (morally objectionable for adults, with reservations”), which meant if an adult was of sufficiently strong character, said adult would not suffer morally. In keeping with the spirit of Vatican II, Sullivan brought in a layman to edit the National Catholic Film Newsletter providing subscribers with its own sophisticated reviews of major films. The newsletter showed which way the wind was blowing when it declared that “closed gates” and “taboos in subject matter” no longer existed. The IFCA, reduced to a minor role, ended its connection with NCOMP in 1969, as did Mrs. Mary Loomer in 1970, when she retired after 34 years of service to the Church.

Arnold was pleased that “Legion” was dropped, a word he regarded as indelibly linked to “Victorian hypocrisy,” which, “to a generation less certain of absolute rules of conduct and of the moral benefits of force, [was] at best incongruous, at worst obscene.” In addition, the Catholic Film Office would identify rules for prize films, ones which would be not only “good,” but “embody authentic human values.” He did wonder if the “values” have to be always expressed positively? For instance, could the “The Pawnbroker” contend for such a prize? It was certainly of merit, but might its strong values and similar films fail to overcome the presence of evil realistically treated?²⁵¹

In its first annual report NCOMP acknowledged the “legitimacy of responsible adult films,” and declared that “if the film apostolate in the U.S. aspires to leadership in influencing both the artist and his audience, it must accept responsibility in welcoming the appearance of every good film, whether it is meant for the few or the many.”²⁵² The Criterion (after October 1960, the new name of the Indianapolis

²⁵⁰ Walsh, Sin and Censorship, 321.

²⁵¹ Criterion, 24 December 1965, 8. The idea that NCOMP would issue its own “Oscars” never came to much.

²⁵² Skinner, Catholics and Cinema, 154.

archdiocesan newspaper), welcomed the change: it had seen the Legion develop from the “billy club of a censorious policeman” to the standard of Christian humanism after the 1957 Havana meeting. James Arnold was glad of the name change, having viewed “legion” and “decency” as a reference to war and “blue nose hypocrisy,” respectively.²⁵³

Overdue for its own makeover, in 1966 Jack Valenti, became president of the PCA’s parent organization, the Motion Picture Association of America (MPAA). A decorated bomber pilot who flew 51 missions in World War II and Harvard M.B.A., he was drawn from a career in public relations, advertising, and political consulting. At the time, Valenti was special assistant to President Lyndon B. Johnson. Like Will Hays, it was his political connections that brought Valenti to Hollywood’s attention, Even more so was his M.B.A. at a time when over half of Hollywood’s business problems involved overseas taxes, import quotas, and impounded profits.²⁵⁴ Publicly announcing that he would not “preside over a feckless Code,” privately, he sensed about it an “odious smell of censorship” and was “determined to junk it at the first opportune moment.”²⁵⁵

The problem that Valenti and the industry faced was the box office: the weekly postwar movie audience--90 million in 1946, fell to 60 million in 1950, to 45 million in 1954,²⁵⁶ and to only 15 million in 1969.²⁵⁷ According to a 1967 study, only a small percentage of people over 40 attended movies; of the under 40s, the majority were aged 16 to 24, while the under 30s saw an average of 39 films a year as Mom and Dad stayed home watching television.²⁵⁸

The trend continued into the seventies: From accounting for 20 percent of the nation’s recreational spending and 82 percent of all spectator amusement expenditures in 1946, by 1970, moviegoing was only 3 percent of the recreational spending and 47 percent of spectator expenditures, despite huge increases in movie ticket prices.²⁵⁹ Valenti hoped to spur movie attendance and expand creative freedom while remaining sensitive to societal standards.

His first effort at code revision was to substitute “suggested for mature audiences,” for previously unacceptable films, leaving it up to the ticket taker to judge whether the punter qualified as mature. “Who’s Afraid of Virginia Woolf?,” 1966, marked by four-letter words and a new permissiveness for sex

²⁵³ Criterion, 17 December 1965, 4; 24 December 1965, 8.

²⁵⁴ Vizzard, See No Evil, 318.

²⁵⁵ Doherty, Hollywood’s Censor, 330.

²⁵⁶ Doherty, Hollywood’s Censor, 292.

²⁵⁷ Criterion, 12 June 1970, 4.

²⁵⁸ White and Averson, Celluloid Weapon), 224, 225.

²⁵⁹ Celluloid Weapon, 224.

and violence was part of a growing wave of films with adult content. Based on the Edward Albee play, a history professor and his wife, (the daughter of the college president), return home with a young couple from a bibulous faculty party for a nightcap. As the liquor flows, a “savage honesty” leads to unlovely revelations and betrayals. The movie had been denied a PCA Seal for blunt sexual references, and coarse and sometimes vulgar language. In hope of exempting the film from the Code, Valenti got Warner Brothers to promise to limit audiences to “adults only” and to drop “screw you,” and the euphemism “friggin,” (although “God damn,” “son of a bitch,” and “hump the hostess” remained). In its favor, Warner Brothers had \$7.5 million at risk, (keep in mind that the PCA Code enforcers were employees of the studios through the MPAA), the play had won the 1963 Drama Critics Award, and had been seen by thousands on stage without undue alarm. Warner Brothers advertised the film as “Suggested for Mature Audiences (no one under 18 unless accompanied by a parent) putting the burden on the theater owners to enforce the policy.”²⁶⁰ For the long term, the movie proved the catalyst for MPAA’s change to age classification.

While the MPAA’s “Woolf” appeal was pending, NCOMP weighed in: To rate “Woolf,” Sullivan gathered 85 reviewers—business people, film teachers, movie reviewers, academics, and graduate students—and the 19 IFCA reviewers he’d inherited: of the IFCA raters, 58 percent wanted it condemned versus only 10 percent of the 66 consultants he had chosen. Impressed by the film’s provenance and its perceived quality, NCOMP gave “Woolf” an A-IV, despite the spoken vulgarities. The immediate reaction of the NCOMP’s A-IV rating inspired the greatest number of protest letters in Legion and NCOMP history.²⁶¹ A few weeks later, over at the MPAA, Valenti eased restrictions on treatment of nudity, drugs, profanity, and abortion to meet the increasing sex and violence on television.²⁶²

NCOMP’s report for 1970 found the movies more offensive than ever: of the 332 films reviewed, only 32 rated A-1, with a record 59 “C” films, compared to 40 the year before. Only 23 movies were seen as suitable for adolescents, 122 for adults (A-III), and 38 (A-IV) for adults with reservations.²⁶³ The MPAA’s “GP” rating, (general patronage), promised family fare, but often did not. For example, in 1971, when Metro Goldwyn Mayor, unwilling to accept an “R” (restricted) rating for “Ryan’s Daughter,” threatened to withdraw from the MPAA, the association backed down.²⁶⁴ NCOMP and the Broadcasting

²⁶⁰ Vizzard, See No Evil, 320, 321.

²⁶¹ Walsh, Sin and Censorship, 322.

²⁶² Skinner, Cross and Cinema, 172, 173.

²⁶³ Criterion, 22 Jan 1971, 4, 11.

²⁶⁴ Criterion, 28 May 1971, 4.

and Film Commission of the National Council of Churches responded by withdrawing their support from the MPAA movie ratings as neither reliable nor realistic. Theater owners also criticized the ratings as too permissive and for further fragmenting the audience.

“Bonnie and Clyde,” 1967, set in the Depression 1930s, in featuring that subset of people who, after three decades had still not recovered from the Great Depression, called to mind both “The Grapes of Wrath” and the contemporaneous Vietnam War. The eponymous *naifs* mixed violence, blood, and humor. Their abbreviated Robin Hood populist syllogism ran simply “Banks are bad, why not rob them?” But with the contemporaneous five day 1967 racial uprising in Detroit clearly in mind (43 dead, 342 injured, 7,000 arrested, 1,400 buildings burned, 5,000 homeless, \$50 million in property damages), James Arnold warned that in any “brutality contest” society would win over the outlaws.²⁶⁵ Scorn for police and property rights, he noted, was contrasted in the film by the poor sharing what little they have with the fugitives—no questions asked. Finding it “an expert moral fable on violence,” he put it on his ten-best list). NCOMP went further, naming it “Best Adult Film of 1967.”

Arnold interpreted NCOMP’s shift as an effort to overcome thirty years of faulty education by the Legion of Decency by emphasizing the value of film style over content.²⁶⁶ The picture was “a ballad” glamorizing criminal behavior and law-breaking. Faye Dunaway and Warren Beattie, as the eponymous couple, delight in their press clippings and, in suffering and dying in exchange for “freedom and immortality,” become heroes to others like themselves. Arnold suggested that the film’s moral points helped the NCOMP rating, the futility and horror of violence, perhaps the film’s best aspect. Its structure is classic legend--Hill Folk against the Establishment, common people versus their oppressors, they’re symbols of revolution, a word, he noted, heavily featured in the 1960s. In its lightheartedness, the banjo playing, the jokiness, all designed to display the principals’ cluelessness amid the violence and tragedy, Arnold found a “remarkable film, with a unique style and a beautiful unity,” although its “effects on a mass audience may be at least partially pernicious.”²⁶⁷

The new dispensation clarified nothing and satisfied few, and in November 1968, Valenti abandoned the Lord-Quigley Code. He had persuaded the year-old National Association of Theater Owners to partner with the MPAA’s age-related classifications according to adult content (nudity, four-letter words, explicit violence, etc.), to be enforced at the box office. “All we do,” said Valenti, is give advance cautionary warnings and say this is what we think is in this movie.”²⁶⁸ Shurlock and Vizzard

²⁶⁵ Arnold “Seen any good dirty movies lately?”

²⁶⁶ Criterion, 26 April 1968, 11.

²⁶⁷ Arnold “Seen any good dirty movies lately?”, 76.

²⁶⁸ Doherty, Hollywood’s Censor, 332; Miller, Hollywood Censored, 210.

having retired, the PCA was supplanted by the Code and Rating Administration (CARA). As before, non-MPAA members could submit their films and many did, while foreign and independent producers often did not, nor art houses or adult films. Fee costs depended on production costs and the size and resources of the film organization. Keeping “in closer harmony with the mores, the culture, and the moral sense and the expectations of our society,” the anonymous raters would not have any particular movie expertise, just eight to fifteen anonymous parents as the “final arbiters of family conduct.”²⁶⁹ Serving for seven years with, ideally, children of five to fifteen years old at home, the parents rated two or three films each day and would leave the board when their last child turned 21. There would be four senior raters not held to the above standards.²⁷⁰

(CARA’s classifications were and are readily available in the newspaper movie ads—G, general audience; M, mature audience; R, restricted; and X, adults only. Over time, the system morphed into what we have today: G, general audience; PG, parental guidance suggested; PG-13, parents strongly cautioned was added in 1984, some material may be inappropriate for pre-teenagers; R, restricted, under 17 requires accompanying parent or adult guardian; and the X rating gave way in 1990 to NC-17, no child under 17 admitted. Since teenagers make up the largest audience for movies, NC-17 was a rating to be avoided at all cost. Beginning in 1990 the ratings were accompanied by brief explanations, such as “sexual content,” “explicit violence,” “brief nudity,” “language.”)

In scoring a thematic trifecta of nudity, prostitution, and homosexuality, “Midnight Cowboy,” 1969, was emphatically “pernicious” and certainly not in the tradition of the Legion. Joe Buck, (Jon Voight), a dishwasher from small town Texas, buys a cowboy outfit and heads to New York City, confident he will be able to gigolo his way to a life of luxury. There he meets Ratso Rizzo (Dustin Hoffman), a con artist with a bad limp and a worse cough, street smart in ways Buck can’t imagine they become comrades. But Joe fails to prosper and as Ratso’s health deteriorates he wants to go to Florida for its warmth. The money problem is solved when Joe reacts with shocking brutality to an older man’s homosexual advance and steals twenty dollars from him for two bus tickets to Miami. *En route*, Ratso dies in Joe’s arms, another *pieta*.

²⁶⁹ Doherty, *Hollywood’s Censor*, 332, 333.

²⁷⁰ The secrecy of the process was breached by the 2006 documentary, “This film is not yet rated,” which unmasked the raters’ names and revealed that some raters’ children were over age or had no children, and sundry other departures from the ideal; for example, of the ten raters in 2018, five were married, two divorced, one separated, one widow, and a porn star. As a group, the raters had six children over 15, and two children under 15. “50 year Report of the Motion Picture Association of America, 1968-2018.”

The critics loved the film and the principals' performances. It won Academy Awards for best picture, direction, and screenplay, nominations for best actor for both Voight and Hoffman, and numerous other "bests" and nominations from the Golden Globes and similar critics' awards and nominations in the U.S. and abroad. CARA gave it an X rating, the first and perhaps still the last X-rated film to win an Academy Award for Best Picture (in 1971 its X became an R). NCOMP gave it an A-IV, for "by exposing the dark shadow of the human heart" revealed "the loneliness and alienation of our times." Roger Ebert called it "one of a handful of films that stay in our memory after the others have evaporated." Arnold praised it for in having gone far beyond voyeurism it justified the new freedom of the screen. In 1994, the Library of Congress included it in its permanent archives as a "culturally, historically or aesthetically significant" film, and a case study of how the mores change.

In 1974 James Arnold found that since the abandonment of the Code, the percentage of "G" films had declined from one in three to one in five; and while "X" films declined from 9 percent to about 4 percent, this was misleading in that X rated films were now showing in better theaters and were more widely distributed. The only real choice was between PG and R and few could tell the difference; similarly, there was little difference between R and X. Arnold regarded the MPAA's CARA ratings as "utterly incomprehensible," with most of the target film audience the 17 to 24 cohort.²⁷¹

With the C having become an attractive come-on by the early 1970s, studios were not interested in negotiating with NCOMP to avoid it. NCOMP complained that the new freedom of the MPAA's age classification system did not so much encourage more quality mature pictures as for delivering protection for "the kiddies," while "anything goes" for the rest. In response, in May 1971, NCOMP withdrew its support from the MPAA's Code and Rating Administration and joined the Broadcasting and Film Commission of the National Council of Churches. In trying to hold the line by itself, NCOMP condemned one of every five 1971 films,²⁷² movies that regularly showed up on the "ten best" lists of Catholic movie critics.

Indicative of the shift was Arnold's praise for a series of 1971 releases: "Klute" featured a call-girl; reflective of the anti-Vietnam War mood, "Johnny Got His Gun," a World War I soldier is rendered a quadriplegic and nearly completely unable to communicate due to horrendous facial wounds wants to be euthanized; "Carnal Knowledge," the emptiness of promiscuous sex without committed love; and "Summer of '42," a beautiful young woman, learning that her husband has been killed in action, takes a teenage boy into her bed.²⁷³ Such choices attracted Criterion readers' ire: One detractor, "sick and tired"

²⁷¹ Criterion, 11 October 1974, 8.

²⁷² Walsh, Sin and Censorship, 327

²⁷³ Criterion, 29 October 1971, 10.

of Arnold's complacency, argued that in praising B pictures (objectionable in part for all) and even condemned films, he undermined the National Catholic Film Office. Readers expected the Criterion to support the NCFO. If he continued as in the past, the archdiocese should reconsider the paper's status "as the official voice of the Catholic community in our area."²⁷⁴

Unmoved, believing that parental fears about their children's movie fare were exaggerated, Arnold defended the movies of the 1970s for being, on average, better than those twenty to forty years ago; many as wholesome as any in the past, more realistic, and deal more with the tragedy of life which is a good thing; in some so-called "bad films" the good outweighs the bad. As for their effect on children, even for some bad films it is very slight. As for bad immoral films, for his own children Arnold preferred gradual confrontation, with the purpose of "introducing 'the obscenity' in our midst,"²⁷⁵ (what might be called, the gradual inoculation method).

At long last, and not before time, in 1980 the decreasing numbers of diocesan subscribers led the bishops to end NCOMP's subsidies; the Church's ability to tell the laity what movies to shun and have them follow its lead had ended years before. Its last movie evaluations appeared that September. In his valedictory Fr. Sullivan reminisced over Catholicism's nearly half-century of "clout" in Hollywood, especially 1934 through the mid-1950s, a time when "motion pictures were a family entertainment." In all, 16,251 feature films were previewed and rated.²⁷⁶ (The United States Catholic Conference still issues film ratings to the diocesan press; the A-I through A-IV survives, while B and C gave way to O, in 1982, for "morally objectionable" films that denied God's existence, ridiculed religious faith, . . . contradict scriptural values and Church teaching on . . . euthanasia, abortion, suicide, adultery, homosexual activity or vigilante killing and revenge," as well as excessive, gratuitous or, for no artistically valid reason, non-stop vulgarity.)

It is often claimed that the Lord/Quigley Code and the Legion of Decency "forced writers not only to be cleaner but to be cleverer," in that "Explicit sex, gory violence . . . demand no mental exertion on the part of the writer. . . . In the proper dramatic context, a touch of the hand, a simple look, could be far more

²⁷⁴ Criterion, 5 April 1974, 4. If memory serves all movie reviews were soon dropped from the paper.

²⁷⁵ "Seen any good dirty movies lately?" 30.

²⁷⁶ Walsh, Sin and Censorship, 328. According to one source, Reprobate Press, accessed 22 March 2019, 290 were C pictures, a little over 6.1 per year. In six of those years—1935, 1944, 1946, 1970, 1974, 1975—there were no C films. The condemned list includes 1933 (22) and 1934 (30) respectively, but the numbers reflect retrospective condemnations since the Legion was not up and running until 1936.

erotic than any of today's explicit tumbles in the hay."²⁷⁷ Of course, "greater erotic charges" were not what the Church had in mind. It may be true that "it's an ill wind that blows no good," but that's not an argument for either censorship or totalitarian regimes based on the claim that great art has been produced under both. Still, many believe that the Breen era, 1934-1954, when censorship was most stringent, was Hollywood's great period, when "the most vivid and compelling motion pictures--glorious as art, momentous as texts--were created" ²⁷⁸

Walter Kerr, a Catholic movie critic of the New York Herald Tribune, did not subscribe to the thesis that censorship, by itself, made for film artistry. The Legion's real effect, he thought, was to place a ceiling beyond which Catholic taste in motion pictures could not rise, while also serving to discredit the Catholic intellectual tradition. For example, Kerr judged "Quo Vadis," (a film which won the Christopher Award in 1952),²⁷⁹ as an "essay in calculated vulgarity." It was deemed of merit, on the ground that since its "intention is virtuous, the execution must therefore not be called into question, . . ." In this way, Catholic taste is "frozen at the unobjectionable," "purity-with-popcorn" level, a level which would have raised questions of every literary or dramatic masterpiece ever produced. Certain works of Catholic writers-- Claudel, Bernanos, Graham Greene--would have failed the test. The Legion's insistence that in the movies sin must always be punished was far from good Catholic dogma and it opened the Church to both ridicule and hostility. In short, the Legion was a pressure group wielding "an economic weapon," with a production code "written under the standing fear of boycott."²⁸⁰ As for the Legion's effect on film artistry, of all the "Catholic" movies featuring priests as heroes, only "On the Waterfront," 1954, is counted among the 100 best American films as selected in 1998 by the American Film Institute.

What bedeviled ratings based on morals is that what constitutes morality over time is subject to change. In the end, what are we to make of the Church's efforts as moral censor to the nation? As one student of the subject wrote, "Given a free choice, sincere, intelligent Catholics, clerical and lay, could no more agree on what was moral entertainment than could any other segment of the population."²⁸¹

²⁷⁷ Philip Dunne, son of the gifted journalist Peter Finley Dunne, quoted in Arthur Meier Schlesinger, Jr., A Life in the 20th Century: Innocent Beginnings, 1917-1950, 153.

²⁷⁸ Doherty, chapter 12, "Classical Hollywood Cinema," Pre-code Hollywood, 345.

²⁷⁹ Founded in 1945 by Maryknoll priest, James Keller, it offered awards in a variety of categories— books, movies, leadership, television specials, plays which "raise the human spirit."

²⁸⁰ Walter Kerr, "Movies," 209-217, in Catholicism in America (Harcourt, Brace and Company: New York, 1954), a book of articles from Commonweal magazine.

²⁸¹ Black, Catholic Crusade, 198.

Appendices

Censoring Indecent Literature

The movies were not the only target of Catholic censorship in the 1930s; The Church also went after “indecent literature,” and in Indianapolis, and for a time, it scored a notable success. At their November 1932 meeting the U.S. bishops resolved to move against indecent texts and pictures in books, magazines, and newspapers. The meeting was doubtless the inspiration for Archbishop Ritter’s February 1933 pastoral letter: “In a society which neither knows nor fears God [immoral literature] takes a heavy toll.” “A strong, vigorous Catholic press, providing true, wholesome, Christian thought can supply” a needed antidote.²⁸² A few years on, the clergy-edited diocesan newspaper wanted the civil authorities to censor the stage, vaudeville, lending libraries, drug and cigar stores (which often doubled as bookie joints and a sources of pornography and condoms), as well as advertisements for coming attractions in magazines and newspapers--themselves often occasions of sin. In short, thanks to the Legion of Decency, the bishops were happy over the improvement of the tone of movies and hoped to replicate it in the print world.²⁸³

In April 1938, Ft. Wayne Bishop John Noll succeeded in establishing the National Organization for Decent Literature (NODL), a mirror-image of the movie code.²⁸⁴ Newsstand operators in Indianapolis became worried when the local federal prosecutor, Val Nolan, won a conviction of a man for distributing obscene material. (When the Klan arrived in Evansville, in 1920, Nolan, a Catholic and a Democrat, had been driven from his Evansville law firm by his Protestant partners.) The venders had hoped that the prosecutor would warn them of which publications were suspect so they could pull them and avoid prosecution; Nolan apprised them that he could not ban magazines, only bring distributors to trial where a jury would decide. Loath to live in such uncertainty, local magazine distributors and newsstand owners agreed to cooperate with the prosecutor in determining which magazines were obscene; fortified with Nolan’s advisory opinion of the threat of prosecution, they could refuse to accept questionable magazines from the national distributors.

But which magazines were objectionable? Nolan and the head of the local distributors’ association could agree on many of the magazines, but some cases were doubtful. The “solution” chosen was to farm out that judgment to the chancellor of the diocese, Fr. Henry F. Dugan, the head of the archdiocesan Legion of Decency! As the Indiana Catholic told the story: “Both Mr. [Val] Nolan and the distributor [Harry

²⁸² Schneider, Ritter, Life and Times, 55.

²⁸³ IC&R, 13 December 1936, 1.

²⁸⁴ IC&R, 1 April 1955, 1. Headquartered in Chicago, Noll served as chairman, 1938-1954.

R. DeWolf (religion unknown, president of a local magazine distributors agency, promised Fr. Dugan] their cooperation in stopping the flow of magazines which [Chancellor Dugan] considered objectionable.” This is shocking: Not only did the Church exercise significant influence over which movies would be exhibited nationally, it determined which magazines would be read in Indianapolis and its environs. Not surprisingly, the editorial board of the Criterion thought this “Indianapolis Plan” should be made permanent and become national in scope.²⁸⁵ To launch such an effort, in February 1939, Archbishop Ritter directed all parishes to combat the “evil of unclean literature” in newsstands and drug stores.²⁸⁶ Most dioceses did establish local committees on decent literature, but few could claim the influence wielded by the Indianapolis diocesan chancellor.

Censoring comic books

Contemporaneous and parallel to the motion picture and decent literature crusades of the 1930s, was the agitation among educators, church, and civic groups to regulate comic books. The perceived dangers to children were the same as those provided by prurient books and movies—sex, violence, crime, horror, evil triumphing over good—subjects and themes entirely inappropriate for children. Thus, Bishop John Noll’s NODL included the comics as an area to be evaluated. In 1954, public attention was aroused by a book by New York psychiatrist Dr. Fredric Wertham, “Seduction of the Innocent.” Which argued that certain comics—especially horror comics--desensitized children to violence and led to juvenile delinquency. Wertham wanted no comic books sold to children under 16. The resultant controversy gave birth to the Comics Magazine Association of America’s (CMAA) and its Comics Code Authority (CCA), its motto, “Good shall triumph over evil.” Like the movie industry, the CMMA was the industry’s defense against government regulation.

The CCA mimicked the Lord-Quigley Code’s numerous provisions in covering sex, violence, and demanding respect for government and existing institutions—police, clergy, and especially parental authority. And like the MPPA, the comic book industry hired as its own czar, a former New York City magistrate judge and a specialist in juvenile delinquency, Charles F. Murphy. The Catholic Murphy announced that acceptable comics would carry a seal of approval on the cover of the magazine. More so than the movies, it was quite effective for half a century as distributors would not handle comics without the seal. In its first four months, the five women who screened the comics from October 1954 to January 1955, changed 5,656 drawings and rejected 128 stories. More than a quarter of the rejected drawings involved the curves and clothing of women. Facial distortions, knives and bullets, and showing how crimes were committed were other censorable material.²⁸⁷ As mores changed, beginning in the 1970s

²⁸⁵ IC&R, 29 April 1938, 1, 2.

²⁸⁶ IC&R, 3 February 1939, 1; 15 December 1939, 1.

²⁸⁷ IC&R, 1 October 1954, 4; 14 January 1955, 10.

comic book censorship became less rigid. By the 1980s only four publishers were still active in the CMAA, and more distributors and retailers were willing to handle comic books without the seal. By 2001 only three major publishers remained CMAA members and in 2010 it became defunct.

In the 1950s, the campaign against indecent publications took an interesting turn in Indianapolis: Under the auspices of the Citizens for Decent Literature (CDL), the county prosecutor, police chief, sheriff, a councilman, and three hundred others gathered in August 1958 at the Indiana War Memorial auditorium to hear Cincinnati Charles H. Keating²⁸⁸ call for the application of existing laws against smut. The IC&R approved, arguing that the goal was “not to extend Catholic censorship or impose Catholic moral standards on those who do not want them, but rather to create a climate of public opinion hostile to indecent literature.”²⁸⁹ Within a year, the IC&R was praising Sheriff Robert O’Neill, a Catholic, for the arrests of seventeen newsagents for selling indecent literature. When the daily newspapers charged that the sheriff used a list of 75 magazines provided by the CDL, O’Neill insisted he had his own list.²⁹⁰

Censoring political films

Liberal ideology was also a target of the Church: In 1938, Walter Wanger produced “Blockade,” a film about the Spanish Civil War. Intended as a pro-Loyalist, anti-Franco piece, most of the politics was cut; even so, the film was boycotted by Catholic organizations. Wanger, deciding to fight “outsiders who keep [Hollywood] from making pictures the public wants because of the evil restrictions of a small group,” organized a “Conference on Freedom of the Screen.” For the IC&R the lesson for Wanger was to keep the Motion Picture Code and there would be no censorship. The priests at the IC&R asserted that they would have protested if “Blockade” had been pro-Franco, a claim which few believed. Movies were not just entertainment but “a powerful medium for influencing public behavior and public opinion. They should not be used either to induce wrong public behavior or to sway public opinion on controversial issues of the day.”²⁹¹

Censoring government documentaries

²⁸⁸ Later the face of the 1980s savings and loan scandal, Keating was a convicted felon and homophobe who served more than four years in prison for various financial crimes.

²⁸⁹ IC&R, 15 August 1958, 1; 26 September 1958, 4.

²⁹⁰ IC&R, 19 June, 4; 26 June, 4; 3 July 1959, 4.

²⁹¹ IC&R, 5 August 1938, 1; Katz, Film Encyclopedia, 1173, sees both James Hogan’s “The Last Train from Madrid (1937) and William Dieterle’s “Blockade” as “equally neutral.”

The Public Health Service, the War Department, and the Office of War Information supported the government documentary, "To the People of the U.S.," an educational film on venereal diseases for the men and women in the military. In 1941, the surgeon-general, a Catholic, withdrew support he had given for its theatrical release, the result of opposition and pressure by the Legion of Decency.²⁹² Sex hygiene films designed for the military were also beyond the pale. As chairman of the bishops' committee on motion pictures, Archbishop McNicholas regarded "sex instruction" as not coming within the function of the film industry. It was a matter for parents upon consultation with priests and doctors.²⁹³

Censoring Television

In November 1972, the Columbia Broadcasting System (CBS) ran a two-part program dealing with abortion on the sitcom, "Maude." Pregnant at age 47, Maude ponders having an abortion, while her husband considers a vasectomy. It is implied that she does abort, but he does not have the operation. The Knights of Columbus and the Catholic bishops registered strong complaints when it aired.²⁹⁴ The following August, as CBS scheduled re-runs of the abortion episodes, thirty-eight affiliates refused to carry the programs, five moved them to later in the evening, and one provided prime time for an opposing view. All but one national advertiser refused to run ads on the program.²⁹⁵ Locally, in a long letter to the general manager of WISH-TV, Archdiocesan Communications Director, Charles Schisla, objected to the station carrying a program with explicit sex scenes, for the abortion episode on "Maude," and lumped "All in the Family" with "Maude" as being unsuitable for children. In the spirit of the Lord-Quigley Code, Schisla argued that the media had a responsibility "to improve the entire scope of values which have a direct bearing on the preservation of human dignity and the human decencies."²⁹⁶ It worked: WISH-TV did not show the re-runs. By contrast, the movie, "Deep Throat," which featured fellatio, played Indianapolis at least nine weeks, from January to March 1973.²⁹⁷

There was a national *contretemps* with a local aspect over ABC's series, "Nothing Sacred," which premiered 18 September 1997 in prime time. Set in a Los Angeles parish, the main character a young priest, it dramatized issues of morality, celibacy, and the post Vatican II intramural tensions between liberal and conservative Catholics, in general. The Jesuit magazine America called it "brilliant," the "best television series ever produced about the rich and often complicated lives of American Catholics." And while Cardinal Mahoney of Los Angeles very publicly supported the actor playing the young priest,

²⁹² Walsh, Sin and Censorship, 178, 181.

²⁹³ Indiana Catholic and Record, 12 September 1941, 1.

²⁹⁴ Criterion, 1 December 1972, 1.

²⁹⁵ Criterion, 2 November 1973, 5.

²⁹⁶ 26 April 1973, Biskup Box 27, "Catholic Communications" file.

²⁹⁷ Criterion, 9 March 1973, 4.

Cardinal Hickey of Washington D. C., criticized it, as did the New York based “Catholic League for Religious and Civil Rights,” a self-described Catholic anti-defamation league.

The Catholic League, claiming a membership of 350,000, attacked the series before it premiered and reportedly prompted Du Pont and Kmart to pull ads and other advertisers to avoid the program.²⁹⁸ The League condemned the program as “fostering the most negative stereotypes of those who remain loyal to the church” while embracing the “trendy positions of dissenting Catholics.” In response, 117 Catholic priests and nuns, and four bishops, took a full page ad in Advertising Trade defending “Nothing Sacred” as a “wonderful show unfairly maligned.” ** Indianapolis Star, 22 November 1997, B5; “Catholics Speak Out,” November 17, 1997.** The Vicar-general, Father Joseph F. Schaedel, weighed in for the archdiocese in the Criterion: Quoting the League’s assessment that “Nothing Sacred” was a “frontal assault on Roman Catholicism,” Schaedel revealed that the NCCB had reviewed the series pilot and in an internal memorandum had counselled the bishops to avoid public protest which would only increase its television ratings. He believed that the Disney Corporation, whose production it was, was looking to controversy to boost ratings. The archdiocese sent an advisory in August indicating its unhappiness with the program, which the vicar-general summarized as “a superficial ‘Hollywood’ treatment of Catholic beliefs, traditions and spiritual principles.” The show secularizes Catholicism and “therefore distort[s] . . . Church teachings and practices” “Don’t watch it.”²⁹⁹

Part of the animus toward the Disney corporation was its role as distributor of the Miramax theater film “Priest,” in 1995. Rather than a rectory conflict between a young, “with it” Bing Crosby curate and a cranky but lovable Barry Fitzgerald-curmudgeon-pastor, it featured a cold autocratic bishop, an alcoholic ex-pastor, a pastor sleeping with his attractive black housekeeper, and a young homosexual curate. New York’s John Cardinal O’Connor blasted the movie “as viciously anti-Catholic as anything that has ever rotted on the silver screen.” O’Connor called on all Serra Club members to write in protest to Roy Disney and quoted film critic Roy Medved who had labeled “Priest” “blatantly anti-Catholic.”³⁰⁰ But the matter is more complicated; as Art, few if any Catholic film critics now would judge “Priest” inferior to “Going My Way,” and many would give it far higher marks.³⁰¹ In any case, it was not produced in a vacuum, but made possible by the continuing run of the Church’s clergy pedophile scandals from 1980.

Two priests of the archdiocese publicly supported “Nothing Sacred”: Franciscan Father Kent Biergans of Mount St. Francis, Indiana, like America magazine and the many priests and religious who

²⁹⁸ Indianapolis Star, 22 November 1997, B5; Its president, William Donohue, took credit for the show’s low rating of 94th (it aired opposite “Friends,” a highly rated show).

²⁹⁹ Criterion, October 3, 1997, 5.

³⁰⁰ Buechlein papers, Box 12, Serra Club file.

³⁰¹ Morris, American Catholics, 291.

were seconded by having seen most of the series, denied it was anti-Catholic. "If anything, it presents a very positive view of the struggle of the human dimension of the church" and he encouraged people to watch it. Fr. Bernard Head of St. Mary of the Woods, Terre Haute, agreed that it was a good program about "the triumph of grace over human weakness" and "a message of hope for all of us." With some asperity, Fr. Head suggested that the networks institute a new ratings category; "For Religiously Mature Audiences Only."³⁰² The successor to the Legion of Decency, the Bishops Office of Film and Broadcast of the United States Catholic Conference (USCC), did not oppose the program, but William Donohue of the Catholic Anti-Defamation League vowed to "kill it" by boycott, pressure, and reprisals on advertisers; the Eternal Word Television Network of Mother Angelica (EWTN), agreed with Donohue.³⁰³ Whether the quality of the program was too high for general popularity (as Fr. Head implied) or the stiff competition in its time slot, the attacks by some Catholics had their effect as eleven sponsors announced their intentions not to advertise on the show. For whatever reason—had Catholicism lost its ability to fascinate non-Catholics? Catholics no longer feeling the need to support the home team by watching a series concerning its own clergy?-- "Nothing Sacred" did not attract a sufficient audience and it was cancelled.³⁰⁴

Censoring religious films

"The Last Temptation of Christ," 1988, Michael Scorsese, director, is based on Nikos Kazantzakis' 1948 novel of the same name. The book appealed to many readers appreciative of its emphasis on Christ's humanity, yet the Greek Orthodox Church threatened to excommunicate the author and at Kazantzakis' death denied him a Christian funeral. Translated into English in 1960, libraries were pressured to ban the book. When Scorsese announced in 1983 he was going to film it for Paramount, fundamentalist opposition and the expected limited audience it would attract made it difficult to find financing. Universal Studios supported a low budget effort and it reached the screen in 1988. The United States Catholic Conference gave the motion picture a morally objectionable rating but did not encourage picketing. Controversy over the film made for sold-out theaters in the nine selected cities where it opened. Fr. Andrew Greeley argued that opponents of the film were heretics--docetists--denying Jesus' dual nature as human as well as divine. The Catholic bishops decried the fundamentalists' anti-Semitism.³⁰⁵

Just as Mel Gibson was to do with "The Passion of the Christ," 2004, Universal Studios arranged a viewing of the rough cut for religious groups in New York, but fundamentalist leaders refused to attend. At the July screening some Catholics found the film offensive, moderate Protestant clergy slid over more

³⁰² Criterion, 24 October—21 November 1997.

³⁰³ National Catholic Reporter, 10 October 1997, 5.

³⁰⁴ Gillis, Roman Catholicism, 231.

³⁰⁵ Walsh, Sin and Censorship. 329-334.

problematical elements to emphasize the film's "expression of faith,"³⁰⁶ and the fundamentalists were outraged. Some 7,500 chanting fundamentalist Protestant picketers outdid anything that Catholics had ever mounted. The protests led General Cinema, the fourth biggest chain, not to book it. Threats were such that the police checked bags of patrons entering the Washington D.C. Odeon theater.

Bishop Anthony G. Bosco, the Greensburg diocese, Pennsylvania (1987-2004), in his role as a member of the Bishops' Committee on Communications and a varied group of other religious communicators attended the screening. In a memorandum sent to his fellow bishops, Bosco noted that the novel and the film deal with "a Christological discussion which is of great interest today," namely, "to probe more deeply the question of the humanity of Christ." In Bosco's summary, the "last temptation" of the title is the devil in the form of an angel (a young girl), who "shows Christ what His life might be if he refuses crucifixion" and instead grows old "peacefully as a husband and father" and to die "a natural death." Christ seems to rebel against "His call to be the Messiah, but eventually with great certainty asserts that He is the Son of God." For Bosco, that is the key point: Christ does reject "this temptation" and "freely accepts His death on the cross in order to redeem humanity." As for other matters which people might find offensive: Bishop Bosco described the sex with Mary Magdalene as "probably rather subdued" by movie standards, but "objectionable" to many "even if the Christ-figure were not involved." Christ also implies that at times he had done wrong and states that he has not been a good son. Whether the film was blasphemous, Bosco concluded, was a "judgment call." In addition to some of the sex, there "is also a great deal of blood and violence, the director's "trademark." The bishop praised the notion of a last temptation as theologically "fascinating," but felt that Scorsese's treatment had not been equal to the concept. Therefore, the film was "flawed both as theology and as cinema."

Well aware that "interest in the film will increase in direct proportion to the amount of noise we make about it," Bosco thought the best thing was to have the Communication Department make a statement critical of the movie and "let the matter drop."³⁰⁷ As he recognized, ultimately each bishop would decide for his diocese how to respond. Most bishops followed Bosco's counsel and let it die in silence. Others urged efforts to prevent the movie's release--Bernard Cardinal Law of Boston, for example, urged a boycott.³⁰⁸ In the end, the Church rated the film "O" ("morally offensive"), the most objectionable rating available, but for the most part avoided any noisy protest.

³⁰⁶ Miller, Hollywood Censored, 233.

³⁰⁷ Bishop Anthony G. Bosco memorandum, 15 July 1988. Indianapolis Catholic Archives, "Catholic Communications," Box 1.

³⁰⁸ Criterion, 26 August 1988, 1, 10.

Depending on one's bias, the release date of "The Last Temptation of Christ" was moved up to August from September either to take advantage of the protests or to cut them short. Days before release a demonstration at Universal Studios drew protestors variously numbered from 7,500 to 25,000; but there was no vandalism and with the studio charging \$3 to park it collected \$4,500. Released nationally on a limited basis in only the nine cities and under tight security, the controversy made the cover of Time Magazine and brought a better box office than such a long, serious film of otherwise limited appeal would have enjoyed. Richard H. Hirsch, former head of the USCC Office for Film and Broadcasting (who had attended the screening with Bishop Bosco), would later decry the publicity: "Shrill, media-directed campaigns against material offensive to one group or another more often than not tend to backfire in a society conscious of the First Amendment."³⁰⁹ In Indianapolis protests were spearheaded by Baptist minister Greg Dixon. No Indianapolis movie theater would show it and Blockbuster refused to carry the video. A year after its release the Indiana Film Society finally screened it in the city.³¹⁰

In comparing the rough-cut screenings for clergy and religious leaders for "The Last Temptation of Christ," 1988, with the controversial 2004 Mel Gibson film, "The Passion of the Christ," in Scorsese's case he attended one screening to quiet fears and explain his intentions in making the film. Gibson's screenings in various cities seemed to be designed to whet the appetite for his film, particularly among conservative Christians. The screenings may also have been intended to incite controversy for marketing purposes. Whatever the intentions, both films benefitted from the controversy. Catholics were (and continue to be) divided over both films with the rank and file and many priests embracing "The Passion" and rejecting "Last Temptation." Catholic academics and intellectuals took the opposite stand. At the time, mainline Protestants were often supportive of Scorsese's movie, but tended to be enthusiastically so for Gibson's. The same Christian fundamentalists who refused an invitation to see Scorsese's film were ecstatic about Gibson's, seeing it as the greatest "come to Jesus" evangelical tool of the age.

When "Last Temptation" was released, Criterion editor John Fink observed that the worst thing about the movie was the anti-Semitism it evoked:³¹¹ In one instance, a Baptist minister led 250 of his Los Angeles church to picket the home of Lew Wasserman, chairman of Universal's parent company. The demonstration featured an actor dressed as Christ, who is mistreated and "nailed" to the cross by an actor presented as Wasserman. A news photo of the same demonstration showed the business-suited "Jewish businessman" kicking a fallen Christ. The Jewish community saw Gibson's film as extremely anti-Semitic and many Christians agree, including elite critics; rank and file Catholics and Protestants deny it.

³⁰⁹ Criterion, 8 June 1989; Miller, Hollywood Censored, 232-237.

³¹⁰ Indianapolis Star, September 25, 1989.

³¹¹ Criterion, 12 September 1988.

In light of the tremendous violence and brutality of “The Passion,” it is noteworthy that Henry Herx of the U.S. Catholic Conference’s Department of Communication criticized “Last Temptation” on its release for its “motif of blood-letting.” “This wrong-headed insistence on gore and brutality is compounded by the movie’s preoccupation with sexual rather than spiritual love.”³¹² In defense of Scorsese, as Bishop Bosco understood, Christ’s humanity and therefore his sexuality is fundamental to his film.” There is no sex to debate in “The Passion of the Christ”; there is debate over whether the lesson driven home by its violence has anything to do with spiritual love.

Censoring the stage

The Indianapolis Archdiocesan Catholic Center learned in the summer of 1985 that “St. Mary Ignatius Explains It All for You,” a play satirizing Catholic education, nuns, and the Church’s sexual Jansenism, would open in December at the Indiana Repertory Theater. Archbishop O’Meara, perhaps in simple weariness over the whole censorship business, wisely refused to attack it, believing that a negative approach “would assure packed houses for the performances.”³¹³ That refusal was the product of a lesson learned two years earlier; in 1983 O’Meara had been incensed by a four-part story on WRTV alleging that Catholic schools in the city were evading taxes through a subterfuge permitting parents to treat tuition costs as a charity donation. In his 12 October 1983 reply to “Tuition in Disguise” the archbishop charged the station with the “violation of our sanctuaries by reporters entering under false pretenses!” and professed that Orwell’s 1984 “is already here!” The archdiocese held workshops on taxes, he said, to ensure that it was meeting the law.³¹⁴ In this O’Meara reflected the view of many in the hierarchy that there were people “out to get” the Church, and an admission, too, that Catholicism’s clout was not what it used to be, either with the movie industry, the media, or with Catholics themselves.

In 1983 the ABC network ran a mini-series based on the popular Australian novel, “The Thorn Birds,” featuring a hypocritical and failed celibate priest. Far more serious was the Canadian Public television film shown in selected American theaters in 1994, The Boys of St. Vincent’s, the true story of sexual abuse in a Catholic orphanage.

³¹² Criterion, September 12, 1988.

³¹³ June 4, 1985, O’Meara papers.

³¹⁴ O’Meara pastoral letters, 1982, 1983.

