
Morality and the Movies Week 6.

Andrew Graves

Joseph Breen (1888-1965)

- Was recruited by Hays to head up the Production Code Administration (PCA)
- Unlike earlier attempts at censorship, decisions by the PCA became binding
- No picture could be shown without the PCA stamp of approval
- Producers attempting to do this could be fined \$25,000

The Post War Period

- World War II comes to an end
- The troops return home – often to wives they barely recognise
- The birth rate sky rocketed

The Kinsey Report

- Suggested half of America's men had sex with women other than their wives
- Changing attitudes to sex meant the (Will Hays) Motion Picture Production Code seemed increasingly out of step
- Will Hays was made redundant in 1945 (\$1.5 million)
- The code remained in operation under director Joe Breen

The Motion Picture Production Code

- Writers and directors become increasingly frustrated by the MPPC
- Several films come along to directly challenge the code
- *Notorious (1946)* - the longest screen embrace
- *The Postman Always Rings Twice (1946)*
- The birth of the American Arthouse – introduced a new era of motion picture expression - Scandinavian and Italian neo realism.
- Stromboli/Bergman scandal
- Movie attendance plummeted, the golden age was over
- More blame placed on the MPPC for Hollywood's slump
- Gimmicks – sex – *A Street Car Named Desire*
- The film proved that an adult picture could be profitable – despite what the MPPC and the Legion of Decency had to say
- Joe Breen – stepped down 1953

The Miracle (1952) Court Case

- In 1951 "The Miracle" in particular sparked widespread moral outrage, and was criticized as "vile, harmful and blasphemous."
- Three members of the New York State Board of Regents were subsequently ordered to examine the film; they concluded that "The Miracle" was "sacrilegious"
- The hearing determined that the film indeed constituted religious bigotry and on February 16, 1951, the Commissioner of Education was ordered to rescind the picture's license.

The Appeal

- Film distributor Joseph Burstyn appealed to the Supreme Court
- The appeal was successful and became a landmark decision
- It determined that provisions of the New York Education Law which allowed a censor to forbid the commercial showing of a motion picture film it deemed to be "sacrilegious" was a "restraint on freedom of speech" and thereby a violation of the First Amendment.
- In doing this it was recognizing that a film was an artistic medium entitled to protection under the First Amendment
- Motion pictures were protected by the American Constitution
- Joe Breen stepped down in 1953

The Moon is Blue (1953)

- Though essentially a tame film by later standards
- It does feature a woman openly talking about her own virginity
- This element was considered too strong by the Production Code
- However, the film was released without the approval of the Production Code
- The Code had outlived its commercial usefulness

The Demise of the code

- In 1968, the Production Code gave way to the ratings system

The Ratings System

- Rated G: Suggested for general audiences.
- Rated M: Suggested for mature audiences - Parental discretion advised.
- Rated R: Restricted – Persons under 16 not admitted, unless accompanied by parent or adult guardian.
- Rated X: Persons under 16 not admitted.

"[the 70s and 80s] was a time when filmmakers and studios were testing what and how much they could get away with within a new rating system and with a moral and commercial marketplace which had been changed by pornography, but also was charged by a number of repressive forces. Including Regan era conservatism, and anti—porn, anti-sex work feminism. Forces that should have been ideologically opposed but sometimes seemed to be working to the same ends." - **Karina Longworth**

Sex and American Cinema

- Before directors felt able to show more explicit content they began ushering in films which were at least addressing the idea of sex - if most of it was via conversation

Porno Chic

- The mixture of the erotic and the thrilling
- The mix of the artistic and the sensational

Deep Throat (1972)

- *Deep Throat* officially premiered at the World Theater in New York on June 12, 1972
- When it opened, it did reasonable business – nothing special
- However, a subsequent ban by the mayor of New York led to a surge in interest
- This led to an obscenity trial in 1973
- Everyone wanted to see what the fuss was about
- It's headline news stories were the ultimate free publicity

“Going to see *Deep Throat* became something that people of all professions, ages, income levels, all walks of life felt they had or wanted to do in order to be part of a conversation.” – **Karina Longworth**

- In 1974 Richard C. Dexter, theatre operator at Fiesta Theatre, San Antonio was accused of misdemeanor, commercial obscenity and felony possession of a criminal instrument — the 16-mm movie projector.
- Later in a high publicity trial which featured the showing of the film to the courthouse, Dexter was convicted after 35 minutes of deliberations on the obscenity charge.
- He was sentenced to 90 days in jail and fined \$750, but the verdict was reversed on appeal.

“Federal judges ruled that the multiple arrests on the felony charge were unconstitutional, bad-faith harassment by police and prosecutors. The U.S. Supreme Court awarded legal fees to Dexter's defense, and the district attorney who prosecuted Dexter lost out on a federal judicial appointment.” – **San Antonio Express News**

- The government decided to prosecute *Deep Throat* in 1976
- Despite many celebrities throwing their weight behind ‘the cause’ the court proceedings went on
- The case had two main targets
- The Peraino mafia family behind the production
- Harry Reems ‘actor’ in *Deep Throat*
- Ultimately, eight men, including Reems were convicted of obscenity
- Reems’ conviction was later overturned
- Linda Lovelace AKA Linda Boreman was given immunity in exchange for giving evidence in court, in the end though she was never called to trial

Last Tango in Paris (1973)

“They only told me about it before we had to film the scene and I was so angry. I should have called my agent or had my lawyer come to the set because you can't force someone to do something that isn't in the script, but at the time, I didn't know that. Marlon said to me: 'Maria, don't worry, it's just a movie', but during the scene, even though what Marlon was doing wasn't real, I was crying real tears. I felt humiliated and to be honest, I felt a little raped, both by Marlon and by Bertolucci. After the scene, Marlon didn't console me or apologize. Thankfully, there was just one take.” - **Maria Schneider**



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- While Deep Throat had been an unashamedly 'pornographic' presentation
 - Last Tango in Paris, directed by esteemed filmmaker Bernardo Bertolucci was intended as an art piece
 - However, it's marketing really sought to tap into the same sensationalism which had been employed to 'sell' Deep Throat