

The hays code in film noir



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The Hays Code in Film Noir The Motion Picture Production Code, commonly known as the Hays Code, was adopted in March 1930, though it was not truly enforced until four years later in 1934. This set of rules had tremendously influenced the way Hollywood movies were made for a number of years. This code was based on the ethics and norms of that time. There were three main principals of the Hays Code. The first was no picture shall be produced that will lower the moral standard of those who see it.

What was meant by this was that sympathy should not be portrayed towards crimes, wrongdoings, evil or sins. The second stated that only a correct standard of living could be presented that are only subject to the requirements of drama and entertainment. Lastly, was that the law could not be ridiculed whether it be natural or human and if so it should not create sympathy in spite of it. In addition to the general principles there were twelve particular applications of the code. Both had additional reasoning supporting the preamble of the code as well.

The first five applications that I feel were the most influential on film noir in regards to meeting the standard, touch on the subjects of crimes against the law, sex, vulgarity, obscenity and profanity. Many feel that The Hays Code had a negative impact on movies made under its authority at the time. Part of this is because it restricted audiences from coming up with their own interpretation of the films and did not give the option for people to reject suggestions made by movies and directors.

The goal of the writers of the code was to use the power of social influence to provide a common morality for society as a whole, in turn reaching a mass

amount of individuals. The rationality behind this seems as if the intention was good but in reality it presented a sort of propaganda of the time. Not only did this play a role in movie making but politics as well. Examples that can be looked at as similar in conception to The Hays Code include those of Hitler and Marx. All three refer to a crowd's experience as a whole and praise the idea of influence of mass suggestion.

Hitler only allowed selective information to be conveyed to people under his power in order to reinforce his beliefs which ultimately inhibited people from the ability to think or know otherwise. Parallel to Hitler's practices, the writers of the Hays Code were worried that viewers were going to make a connection between what movies seemed to do to people and the potential threat of mass riots resulting from that. This partly had to do with the fear of communism at that time in the United States and the potential for movies to create powerful collective emotions.

By banning anything that would possibly give society to think outside of the box they felt that they were protecting not only the country as a whole but the people too. Film noir in particular was affected by the Hays code in many ways. The films by nature are set up to be dark and corrupt where the characters are greedy driven by sexual gains. With the ethical code in place it made it difficult for film noir directors to create their hardboiled stories. Often the characters and storylines of many of the movies deviate from the code and had to make readjustments.

It was common for directors to have to omit scenes from their films that contained unacceptable acts of crime, violence or sexual innuendos in

regards to the code. Elaborating a little more on the link to Hitler, an important influence on the genre as a whole was German expressionism. This was due to with the German disconnect with society and government of that era. Under the Hays Code it was near impossible to portray this discontent attitude in a film. There are numerous examples of the Hays Code in movies such as *The Maltese Falcon*, *Double Indemnity* and *Kiss Me Deadly*.

By simply watching these films it may not be apparent to the average viewer where the code had an impact but with further research I was able to find instances in all three films where changes were made. *The Maltese Falcon* was one of the first noir movies that had to be changed in order to comply with the Hays Code. One of the main things they had to work around was that there could be no implicit sex between Brigid and Spade. This restriction has to do with the second application which regulates the presents of sex. It was required that the sanctity of the institution of marriage and the home should be upheld.

Since the two were not married, the code restricted them from inferring that any sort of sex relationship was a common and an accepted practice. Spade's relationship with Effie, his secretary, needed to be kept to a level that would not imply that he had any sort of sexual relationship with her as well.

Although the Hays code acknowledges that adultery type situations are acceptable only if they are necessary to the plot material, it should in no way be explicitly treated, justified, or presented in an attractive way.

All the regulations regarding sex in the Hays Code, made it extremely difficult for film noir since one of the main themes of film noir involves sexual

motivation. In particular it held back the notorious femme fatale from exuding her sexuality upon men with the intent of making her own personal gains. One of the staples of the film noir is the hardboiled detective that is utterly out of control in many aspects of his life. Several elements of Spade's character had to be altered to meet the code consequently and ultimately weakened his character.

His drinking had to be kept to a minimum so it would not be inferred he was a drunk and it also had to be controlled so it did not convey the thought that it had a negative impact on his life. Spade's profanity had to be altered as well, in one scene the script originally had him say "By God" however this line had to be changed to "By Gad" since the use of the word God was forbidden unless used reverently. This little change made it compliant with the Hays code yet the viewer still could interoperate that the phrase was referring to the word God nonetheless. Spade's attitude towards the police and lawyers had to be stifled as well.

It was not accepted under the Hays Code to show sympathy towards a character that was associated with a crime against the law. The idea was if they showed Spade challenging the authorities or treated them with disrespect, viewers would see it and interoperate as something socially acceptable. Watching *The Maltese Falcon* on film and reading the book provided a much different experience since the content was so different. People of the time were intrigued by these new and bizarre storylines of hardboiled fiction that was riveting and entertaining. In the film, it was much more difficult to do this because of the restrictive guidelines.

If people wanted to get a grittier version of the story they would have to read the book since there was not such a code that controlled certain content in books at this time. An example of this could compare the difference in the portrayal of Brigid in the book and the film. Brigid plays a key role as the femme fatale in the storyline and adds to the plot by using her sexual persuasion to get what she wants. Many feel that her femme fatale personality was conveyed better in the book than in on the movie screen since there were so many restrictions in regards to sexual behavior.

The film *Double Indemnity* was also created from a book's original story. For the most part the film does a good job in representing the book's plot and events. The one major difference that had to be changed due to the Hays Code was the ending. In the very last scene of the film, Walter and Phyllis die from each other's gunshot wounds rather than in the book where the two commit suicide. At first it was questionable as to what application this tied into but concluded that it was most likely religion. Since many faiths do not condone the act of suicide it would be violating the rule that no film may throw ridicule on any religion's faith.

Since this film was made in the 1940's, the rules of the Hays Code were much less strict. A lot more sexual innuendos occur that are much riskier than any that occurred in *The Maltese Falcon*. An example of this can be seen in the staircase scene where Phyllis comes out in a revealing silk robe to greet Walter, who is not only a guest but a stranger at the time. *Double Indemnity* could be looked at as breaking ground for films to begin to deviate even more from the code. The treatment of sex and violence at times created sympathy for the adulterous and murdering duo.

Rather than frowning upon the two criminals the viewer is almost rooting for them to get away with their intricate scheme. The last of the three films to be examined is *Kiss Me Deadly*. In the scene where Christina is being brutally tortured all the viewer can see is her lower legs as well as the feet of the murderers. The inability to see the violent act makes the scene acceptable under the Hays Code because it follows all the parameters for presenting a murder in a film. The scene was tolerable because the technique of torture and murder was never shown and it did not present anything that could inspire imitation.

This scene also presents an interesting case where The Hays Code might have actually worked as an advantage to a film. By leaving much of the event up to the viewer's imagination, the painful screams and shadowing struggles provoke an even more frightening situation than movies today that would not. *Kiss Me Deadly* was created at the end of the noir era and at a time where the Hays Code was even less restrictive than ever. Since there were not as many rules in place as with *The Maltese Falcon* and *Double Indemnity*, there was less room for them to be broken.

It also might be a thought that by this time the producers of films were more accustomed to abiding by the code so they were less likely to deviate from them in the first place. Over the years Hollywood films began to break the rules of the Hays Code more and more. In the late 60's it became nearly impossible to enforce the code and the Motion Picture Production code was officially abandoned in 1968. It was replaced by the MPAA rating system on November 1st of that year which is still in place today. The Hays Code had a great impact on the way movies were made for a large piece of time.

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It particularly left its mark on film noir in many ways throughout its era.

Although many of the code's influences are viewed as to have held back the films from their full potential, these films still managed to push the boundaries and move ahead of their time. Without the Hays Code film noir would not be what it is today. Works Cited Marko, Matthew. Criterion Cuts: "Kiss Me Deadly". 19 September 2011. December 2011 . Muller, Eddie. Hays Code and Film Noir. February 2010. December 2011 . O. , Steve. Noir of the Week: Double Indemnity. 26 December 2007. . Skwire, Daniel D. Insurance in Film Noir. June 2008. December 2011 .