

**Censorship & Morality Clauses**

DEFINE:

**Censorship:**

**Morality Clause:**

**Censorship in the 21st century**

Books: can you think of any books that are censored today?

Radio: what words can NOT be said by djs on radio stations?

TV: what do you not hear/see on network (not cable/streaming) television?

Internet: what limits, if any, are placed on the internet for you as a minor?

## Censorship in Hollywood in the 1920s & 1930s

A censor, traditionally, is an official whose job it is to examine literature, movies, or other forms of creative expression and to remove or ban anything she considers unsuitable. In the 1920s, Hollywood chose to censor itself because they didn't want the government involved in censoring film.

In the early 1920s, the film industry formed the Motion Picture Producers and Distributors of America (MPPDA), promising to bring morality to the silver screen. They published a blacklist of actors and workers studios should not hire, inserted moral clauses into actors' contracts, and published an informal list of suggested guidelines for film producers. Actors with partying reputations were fired, but Hollywood movies were still criticized for their lack of morals.

When the Catholic Church formed its Legion of Decency and threatened nationwide boycotts, the MPPDA put in place a formal production code, called the Production Code. Hollywood film studios granted the MPPDA full authority to enforce the Production Code on all studios, which led to a strict regime of self-censorship which existed for decades.

What did Hollywood studios do to "fix" the movies and change their bad image?

### Excerpts of the Production Code:

#### General Principles

1. No picture shall be produced which will lower the moral standards of those who see it. Hence the sympathy of the audience should never be thrown to the side of crime, wrongdoing, evil or sin.

**I—Crimes Against the Law:** These shall never be presented in such a way as to throw sympathy with the crime as against law and justice or to inspire others with a desire for imitation.

1. Murder: The technique of murder must be presented in a way that will not inspire imitation. Brutal killings are not to be presented in detail. Revenge in modern times shall not be justified.
2. Methods of Crime should not be explicitly presented.
  - a. Theft, robbery, safe-cracking, and dynamiting of trains, mines, buildings, etc., should not be detailed in method.
  - b. Arson must be subject to the same safeguards.
  - c. The use of firearms should be restricted to essentials.
  - d. Methods of smuggling should not be presented.
3. Illegal drug traffic must never be presented.
4. The use of liquor in American life, when not required by the plot or for proper characterization will not be shown.

**II—Sex:** The sanctity of the institution of marriage and the home shall be upheld. [Films] shall not infer that low forms of sex relationship are the accepted or common thing.

1. Adultery, sometimes necessary plot material, must not be explicitly treated, or justified, or presented attractively.
2. Scenes of Passion
  - a. They should not be introduced when not essential to the plot.
  - b. Excessive and lustful kissing, lustful embraces, suggestive postures and gestures, are not to be shown.
  - c. In general passion should so be treated that these scenes do not stimulate the lower and baser element.
3. Seduction or Rape: They are never the proper subject for comedy.
5. White-slavery shall not be treated.
6. [Sex relationships between the white and black races] is forbidden.
8. Scenes of actual child birth, in fact or in silhouette, are never to be presented.
9. Children's sex organs are never to be exposed.

**IV—Obscenity:** Obscenity in word, gesture, reference, song, joke, or by suggestion is forbidden.

**V—Profanity:** Pointed profanity (this includes the words, God, Lord, Jesus, Christ—unless used reverently—Hell, S.O.B. damn, Gawd), or every other profane or vulgar expression, however used, is forbidden.

**VI—Costume**

1. Complete nudity is never permitted. This includes nudity in fact or in silhouette.
2. Undressing scenes should be avoided, and never used save where essential to the plot.
3. Indecent or undue exposure is forbidden.
4. Dancing costumes intended to permit undue exposure or indecent movements in the dance are forbidden.

**VII—Dances**

1. Dances suggesting or representing sexual actions or indecent passion are forbidden.
2. Dances which emphasize indecent movements are to be regarded as obscene.

**VIII—Religion:** No film or episode may throw ridicule on any religious faith. Ministers of religion in their character as ministers of religion should not be used as comic characters or as villains.

**IX—Locations:** The treatment of bedrooms must be governed by good taste and delicacy.

**X—National Feelings:** The use of the Flag shall be consistently respectful.

Source: The Motion Picture Production Code of 1930; as quoted in Leonard J. Jeff and Jerold Simmons, eds., *The Dame in the Kimono: Hollywood, Censorship, and the Production Code from the 1920s to the 1960s* (New York: Grove Wiedenfeld, 1990), 283–286.

1. What types of things are banned from movies under the Code? (LIST)

2. Which of these restrictions do you think make sense and why?

3. Which of these restrictions do you think should NOT be on this list? Why?

## Morality clauses in the 21st century

### **EXAMPLE #1: Disney contracts**

Being a Disney channel star seems like the best job in the world. You get to be famous and have everyone adore you. But does the fame come at a price?

Have you ever wondered why sometimes you don't see your favorite stars on very many shows? That is because some stars have it written in their Disney contracts that they aren't allowed to appear on anything else while the show is running. Whether it's the way they talk, the way they dress or even what they say, there are rules about almost everything a Disney star does.

VIDEO: <https://screenrant.com/video/10-strict-rules-disney-channel-stars-must-follow/>

WHAT ARE 2 EXAMPLES OF DISNEY'S RULES?

### **EXAMPLE #2: Sports contracts**

NFL player Antonio Brown and MLB pitcher Felipe Vazquez are the latest in a long line of professional athletes whose misdeeds have been exposed to the glare of public scrutiny and debate on whether they should be terminated or suspended due to their conduct away from the playing field.

The Patriots have issued a statement regarding the sexual assault and rape lawsuit filed against receiver **Antonio Brown**. And the statement says plenty about the NFL's response to the situation.

"We are aware of the civil lawsuit that was filed earlier today against Antonio Brown, as well as the response by Antonio's representatives," the Patriots said. "We take these allegations very seriously. Under no circumstance does this organization condone sexual violence or assault. The league has informed us that they will be investigating. We will have no further comment while that investigation takes place."



### Pirates closer Vázquez arrested on child sex charges

By WILL GRAVES September 17, 2019



The conversation and debate called into question what the “right” response is for a professional sports league and/or team is when the off-field misdeeds of their players is an issue. Do they have a contractual right to terminate or suspend players under the “morals clauses” of the league and individual playing contracts?

“Morals clauses” date back to 1920s Hollywood contracts and have become common in both athletic playing contracts and endorsement agreements. Each of the four major team sports leagues in North America have “morals clauses” in the standard player contracts. Section 11 of the NFL standard player contract, for instance, provides that “if Player has engaged in personal conduct reasonably judged by Club to adversely affect or reflect on Club, then Club may terminate this contract.”

**What does that mean? What power does the NFL/teams have?**

The NFL Personal Conduct Policy gives the NFL Commissioner the power “to impose discipline as warranted” when a player fails to conduct himself “in a way that is responsible, promotes the values upon which the League is based, and is lawful . . . even where the conduct itself does not result in conviction of a crime.”

Endorsement contracts between players and corporations also typically include a “morals clause” which may be less broad than is found in the typical playing contract. A carefully drafted “moral clause” is today seen as a necessity for corporations—as well as leagues and teams—who invest huge sums of money in the performance and reputation of players. Their behavior off the field of play has significant economic impact.

**There is a reason both player contracts and endorsement deals include “morals clauses.” What impact can a player’s behavior have on a team or company’s ability to earn money?**

## Morality Clauses in Hollywood in the 1920s & 1930s

### **"Morality Clause" To Be Required by Movie Men**

**Arbuckle Case Leads Large Producing Corporation to  
Make All Contracts Insure Good  
Behavior.**

New York, Sept. 21.—A "morality clause," pledging actors and actresses to "conduct themselves with due regard to public convention," on penalty of forfeiting their position with five days notice, will be immediately inserted in all contracts of a large film producing corporation, it was announced today by its counsel. The action was taken, a statement by the attorney said, as a direct result of the Arbuckle case in San Francisco, although it was emphasized that the company had no direct interest in that case, or any similar one.

The attorneys pointed out that as contracts have been drawn, a company was liable not only to continue to pay the salary of an actor or actress "who forfeits the respect of the public," but has to bear the obloquy of still having them in its employ.

What is ONE example of a 1920s morality clause?