

# **“We Do Not Ask You to Condone This”: How the Blacklist Saved Hollywood**

*by Jon Lewis*

*The Hollywood blacklist evolved out of and impacted on a complex set of economic conditions. This essay focuses on the ways in which certain collusive strategies put in place to control the industry workforce in 1947 enabled the studios to regain control over the entertainment marketplace after the Second World War.*

The blacklist was back in the news again recently. The March 21, 1999, Academy Awards telecast saw to that. On that night, Elia Kazan, a director who named names in the early fifties, received his Lifetime Achievement Award, and a huge international audience got a quick glance at the still-evolving legacy of Hollywood's Cold War.

When Kazan took the stage, the television cameras panned the audience. Warren Beatty stood up and applauded. Nick Nolte and Ed Harris sat on their hands. Martin Scorsese and Robert DeNiro—both of whom appeared nervous—accepted Kazan's embrace on stage. These new Hollywood players will all have to live with what they did in those few minutes. Fifty years after the fact, the blacklist continues to force the Hollywood community to take sides. And it continues to take names.

This essay may well strike some readers as subjective, even polemical. That's fine with me. I have gone where the story, where the evidence, has taken me. The documents one comes across when studying the blacklist appeal so successfully and so intentionally to the emotions that objectivity—the supposed hallmark of historical inquiry—is, frankly, inappropriate. Much of the history of the blacklist is cast in the first person, and many of the stories are tragic. History, these texts remind us, consists of stories told by survivors. I see no reason to cheapen these stories by pretending to be unmoved.

My project here involves (re)contextualizing the blacklist as it evolved out of and affected economic conditions. I am interested in the ways in which the blacklist helped foreground the new Hollywood, the ways in which collusive strategies put in place to control the industry workforce in 1947 enabled the studios to regain control over the entertainment marketplace after the Second World War. It is a complex story and one that at times results in a subjective account of the material. To signal *my* stake in this in advance, let me point out that I come to this subject with a certain amount of baggage, a predisposition to find sympathy for those who were blacklisted. For those readers who like to know such things, I am

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Jewish. My father, who is now retired, worked with and then for the Teamsters. My mother's brother is a union man as well, an electrician who worked on skyscrapers in New York. And although no one in my family ever worked in the film business, my mother's cousin, the first in our family to get a college education, was fired by Columbia University in the late 1940s for refusing to sign a loyalty oath and subsequently was blacklisted out of academia. Perhaps these details help explain my personal bias.

But my bias is not really the issue. How much it guides my account I leave up to the reader. My scholarly contention—and I am convinced that the evidence bears this out—is that the blacklist saved Hollywood. My essay details how and why.

**HUAC.** The U.S. House Committee on Un-American Activities (HUAC) first convened in the fall of 1947 and served most of its subpoenas on September 23, 1947.<sup>1</sup> At the time, the film industry was on the verge of some very big changes. Three coincident events—the shift in population out of the big cities (prompting a decrease in revenues at the studios' first-run deluxe theaters), the Justice Department's rekindled interest in breaking up the studio trusts,<sup>2</sup> and the development of a competitive audiovisual pop culture on television—severely threatened the stability and profitability of the theatrical motion picture exhibition. In addition, the business of producing and distributing motion pictures was becoming increasingly expensive and complicated as talent agents exploited movie stars' growing independence from the contract system and various industry guilds and unions threatened job actions. Relationships between the studios and exhibitors and between the studios and the industry workforce had become profoundly unstable and adversarial.

Beginning in 1947, HUAC provided the studios with lists of unionized writers, actors, and directors who, despite National Labor Relations Board (NLRB) protections, could be fired without cause, without severance, and, in a number of cases, without concern for previously earned wages or option fees. In doing so, HUAC helped the studios better manage the uncertain labor situation and, moreover, helped them cut expenses and payrolls in preparation for a widely predicted postwar box-office decline. The so-called free market got much less free during the blacklist era as the studios discovered that if they just learned to work better together, they could circumvent the various antitrust decrees, keep production costs down, and control the industry guilds. The new Hollywood we see in place today—a new Hollywood that rates and censors its own and everyone else's films and flaunts its disregard for antitrust legislation and federal communications and trade guidelines—is very much the product and the still-evolving legacy of the blacklist.

To fully understand its complex history, it is necessary to stop viewing the blacklist as primarily an ideological struggle. Of course, the Red Scare was political, but in Hollywood it is difficult to separate the ideological from the industrial. The studios' cooperation with HUAC featured ample anti-Communist rhetoric. At the same time, the industry blacklist was designed as, or evolved into, a complex and collusive business strategy that diminished the threat of further federal regulation of the movie business and of film censorship. The blacklist may well

have reflected shifting political alliances among studio ownership, management, and the industry's celebrity workforce, but it also enabled the studios to establish a new way of doing business that solved several larger long-term problems.

As we begin to look at the blacklist as a first move toward a new Hollywood, two parallel dramas emerge. The first involves a residual, pervasive, postwar anti-Semitism that got HUAC interested in (Jewish) Hollywood in the first place. The committee's efforts to clean up the film business focused in large part on the industry's workforce, in which American Jews were well represented at the time. That the committee also set in motion larger changes in the management of the industry—in which Jews were also well represented—was a bonus. The New York corporate offices of the studios exploited postwar anti-Semitism not only to combat the unions but also to force out the first-generation Jewish studio moguls. In so doing, they put an end to an entrepreneurial system run by charismatic but inefficient self-made businessmen, a system that seemed suddenly out of step with postwar American capitalism.

Thus, the blacklist was a first step in a larger transformation of the film industry from its roots in entrepreneurial capital to a more corporatist, conglomerate mode. Impending deregulation—and what can only be characterized as industry-wide panic in response—prompted change that the Red Scare made not only possible but easy. In the final analysis, the blacklist did not save America from films promoting Communism, liberalism, or humanitarianism. Instead, it encouraged studio owners to develop and adopt a corporate model more suited to a future new Hollywood, one in which, despite market deregulation and stricter self-regulation of film content, studio owners would maintain profitability and control.

The shift from the entrepreneurial model of the moguls to the more anonymous conglomerate model that is in evidence today involved a complex assimilation. The Paramount decision put an end to the contract system that supported the entrepreneurial model. The blacklist enabled the Motion Picture Association of America (MPAA) to establish in its place a system far better suited for business in postindustrial, postwar America and far more suitable ethnically and politically for doing business with the federal government in the 1940s and 1950s.

A second story involves the MPAA, which allied with the Thomas Committee seemingly against its own best interests, only to emerge from the fray as a powerful industry gatekeeper. In 1947, the MPAA was little more than a new name for the old and fraying Motion Pictures Producers and Distributors Association (MPPDA). The MPAA got its charter in 1945, at the very moment the Justice Department resumed its antitrust suit against the studios. The studio membership of the MPAA used the 1947 Waldorf Statement (which made public its intention to cooperate with HUAC) to establish an identity and, moreover, to assert studio unity in the face of a seeming ideological and very real fiscal crisis. Over the years, the MPAA has downplayed its roots in the Red Scare, but its power today owes much to right-wing congressional support at its inception and the collusive strategies it developed during the late 1940s and 1950s.

The Hollywood guilds and unions that gained so much power and influence in the thirties and forties lost their momentum during the blacklist and never

recovered. In the new Hollywood, the guilds are so weak that strikes afford little hope for even celebrity talent. For example, in 1980, a strike by the Screen Actors Guild (SAG) was organized to establish residual pay scales for films exhibited in the home box-office market, including videocassette sales/rentals and cable television. The studios responded by locking out the entire union workforce. Universal announced in the trades that it intended to invoke the force majeure clause in its contracts with talent, effectively suspending all film and television projects. Other studios were likely to follow suit. SAG leadership, which had timed the strike to coincide with the beginning of the fall television season, underestimated the extent of studio collusion and also misunderstood how little filmmaking mattered in the new Hollywood.<sup>3</sup> What the guild members discovered in 1980 was that the studios no longer needed to make movies or TV shows to make money; such is the legacy of the Red Scare in Hollywood.

Concurrent with the decline in the effectiveness of the industry guilds, there has been dramatic growth at the MPAA. The very antitrust regulations that promised to break up the studios in the midforties are no longer enforced: witness Time/Warner/Turner, Disney/Capital Cities/ABC, and Viacom/Paramount. The regulation of film content, formerly complicated by grassroots organizations (like the Catholic Legion of Decency), state and local censorship boards, and, during the blacklist, the House Committee, is now wholly supervised by the MPAA. Through its ratings system (G, PG, PG-13, R, and NC-17), first adopted in 1968, the MPAA not only self-regulates its various product lines but also monitors any and all participation in the theatrical and home box-office markets.

The operative roots of the MPAA ratings system lay in the various industry codes of self-regulation that preceded it. The Production Code Administration (PCA), its industry predecessor, was, like the blacklist, rooted in anti-Semitic assumptions about (the dangers of) movies and the men who made them. Joseph Breen, one of the cofounders of the PCA and its chief censor for much of its existence, was a Catholic procensorship activist before he became an industry player. His mission to regulate Hollywood cinema can be traced in large part to his dislike and distrust of the Jews who seemed to run the business. "These Jews seem to think of nothing but money making and sexual indulgence," Breen wrote in a letter to a fellow Catholic activist. "They are, probably, the scum of the scum of the earth."<sup>4</sup>

As a business practice, the ratings system dates most directly to 1947, when the studio membership of the MPAA began to understand and exploit the complex relationship between censorship and other forms of industrial regulation. What the studios discovered was that self-regulation in compliance with HUAC and grassroots pressure to make less political, less meaningful films enabled them to better control the industry workforce and to exploit the increasingly international postwar theatrical marketplace.

**The Hollywood Ten.** When HUAC made its recommendation to indict Alvah Bessie, Herbert Biberman, Lester Cole, Edward Dmytryk, Ring Lardner, Jr., John Howard Lawson, Albert Maltz, Samuel Ornitz, Adrian Scott, and Dalton Trumbo (the so-called Hollywood Ten) for contempt of Congress, the MPAA assured those



Figure 1. The Hollywood Ten. Courtesy of The Museum of Modern Art, New York.

under investigation that it would oppose government regulation.<sup>5</sup> “Tell the boys not to worry,” MPAA president Eric Johnston remarked on October 18, 1947. “There’ll never be a blacklist. We’re not going to go totalitarian to please this committee.”<sup>6</sup>

But just twelve days later—five days before the full House was scheduled to vote on the contempt citations—Johnston issued a stunning public reversal: “We did not defend them. We do not defend them now. On the contrary, we believe they have done a tremendous disservice to the industry which has given them so much material rewards and an opportunity to exercise their talents.”<sup>7</sup> Indictments, incarcerations, and an industry-wide blacklist followed, all with the cooperation and under the supervision of the MPAA.

The sudden change in policy at the MPAA was a source of considerable speculation at the time.<sup>8</sup> The hearings were a public relations nightmare, but capitulation was neither the only nor the most fiscally prudent way for the studios to deal with the situation. Reliable polls revealed that public opinion was split, especially about the way the committee treated the unfriendly witnesses. The results of a Gallup Poll were released on November 29, 1947. The poll highlighted two questions, the first of which focused on the conduct of the committee: “What is your opinion of the investigation—do you approve or disapprove of the way it was handled?” Thirty-seven percent approved, 36 percent disapproved, and 27 percent had no opinion. The second question was: “Do you think the Hollywood writers who refused to say whether

or not they were members of the Communist Party should be punished or not?" Forty-seven percent said that they should be punished, 39 percent that they should not be punished, and 14 percent had no opinion.

Gallup's Audience Research Institute (ARI), a unit formed to perform market research for the studios, produced data that complicated matters further. It too revealed that the moviegoing public was evenly split over the conduct of HUAC and found that only 10 percent of those polled believed that there were all that many Communists in the film business. The majority of those who believed the committee's contention that Communism posed a significant threat were older than thirty and stridently anti-Communist. They were also, as the ARI survey revealed, not regular moviegoers before or during the Red Scare.<sup>9</sup>

Several big-city newspapers, including the *New York Times* and the *Washington Post*, openly criticized the way the committee conducted the hearings.<sup>10</sup> While skirting the central ideological issues (anti-Communism, patriotism, anti-Semitism, anti-unionism), editorials in major newspapers across the nation highlighted HUAC's disregard for due process and apparent disinterest in the civil rights of the unfriendly witnesses.

Gordon Kahn, one of the original nineteen, attempted to explain the MPAA reversal by alleging that the Ten were sacrificed as part of a complicated deal between the Feds and studio owners.<sup>11</sup> "[The MPAA's] surrender was the result of a deal," Kahn wrote in 1948 in *Hollywood on Trial*. "They would immolate on the altar of hysteria and reaction. . . . They would purge other writers, directors, producers and actors from the industry . . . . In return for all of this, Thomas would promise to call off any further investigation of Hollywood."<sup>12</sup> Attractive as Kahn's theory was at the time, no such conspiracy ever existed, and no such bargain was ever struck. Thomas and others continued to investigate and terrorize the liberal and radical Left in Hollywood until the end of the 1950s,<sup>13</sup> but Kahn was right about the industry-wide panic, the roots of which lay not, as is commonly assumed, solely or even primarily in the politics of patriotism.

In the fall of 1947, studio executives had something bigger than the Thomas Committee to worry about: *U.S. v. Paramount Pictures, Inc.*, the antitrust case before the Supreme Court. The government's eventual victory in the case in 1948 put an end to the distribution/exhibition guarantees that supported the old studio system. The Thomas Committee benefited from and capitalized on studio panic over the impending and inevitable decision by offering a means by which the studios could continue to control their workforce (despite divestiture and the unions). The working relationship between the MPAA and the committee was less a concession vis-à-vis control of a product line than a strategy on the part of the studio establishment to regain control over the marketplace, itself in the process of postwar privatization.

When HUAC began its investigation of the movie industry, a new Hollywood seemed imminent. In concert with the forthcoming Paramount decision, this new Hollywood promised (or threatened) to be a place where talent, suddenly organized, seemingly radicalized, and soon to be further empowered by the free market engendered by divestiture, held significant power. It was therefore in the best

interests of studio managers to find a way to control the industry workforce before it controlled them.

**The Jews.** The hearings revealed a tendency on the part of HUAC and those who shared its politics to conflate Communism with unionism and antiracism. Since the union and civil rights movements were, in the committee's view of things, Jewish causes, they further conflated Communism with Jewishness. The Thomas Committee steadfastly refused to view films or review screenplays, claiming that Communists (and, by association, Jews) were smart and insidious and that the political messages they inserted into films were thus very difficult (for non-Jews and non-Communists) to discern.<sup>14</sup> The logical extension of such an argument—that the mass audience would be unable to recognize such subtle political content and were thus unlikely to be poisoned by such propaganda—never seemed to cross their minds. Or maybe it did. The committee could not explicitly set out to ban films with civil libertarian leanings; it could not legally prohibit or call for the censorship of films about unions, Jews, or African Americans. What made the blacklist so effective was that it offered a means by which the government (or, by proxy, the MPAA) could censor film content without ever reading a script or viewing a movie.

Six of the Hollywood Ten were Jewish: Lawson, Maltz, Bessie, Ornitz, Biberman, and Cole. Of the four who were not, two (Scott and Dmytryk) were responsible (as producer and director) for *Crossfire* (1947), an antiracist, anti-anti-Semitic film nominated for Best Picture, Best Director, and Best Screenplay Oscars. *Crossfire* was an important Hollywood film for a number of reasons: it was a provocative and political movie, and it struck a lot of people on the right as a harbinger of things to come.

*Crossfire* proved to be the film that most interested HUAC, but its development was quick and untroubled, and its production posed few problems for the industry censors. RKO production chief Dore Schary took the screenplay to Joe Breen, head of the PCA, which censored films at the time. Breen, a political conservative and an anti-Semite, did not express a single concern about the picture's politics. In a memo to Schary, he requested the usual changes: minimize the drinking, be careful not to condone prostitution (Ginny, a principal character in the screenplay, is the prototypical whore with a heart of gold), and insert a speech by an army major noting that the killer (a serviceman named Monty) is not typical of army personnel. Otherwise, Breen gave the film his okay.

*Crossfire* tells the story of a vicious, racist serviceman who murders a Jew in what today would be termed a hate crime. In a 1946 memo to RKO studio executives William Dozier and Charles Korner, Adrian Scott pitched *The Brick Foxhole*, later retitled *Crossfire*, as a modest-budget suspense picture prepackaged with "A" talent (screenwriter John Paxton and director Edward Dmytryk). After presenting the package to Dozier and Korner, Scott moved on to describe some key changes from story to screenplay: "This is a story of personal fascism as opposed to organized fascism. . . . In the book Monty hates fairies, Negroes, Jews and foreigners. In the book Monty murders a fairy. He could have murdered a foreigner or a Jew. It would have been the same thing. In the picture he murders a Jew."<sup>15</sup>