

# The Motion Picture Production Code of 1930 (Hays Code)

If motion pictures present stories that will affect lives for the better, they can become the most powerful force for the improvement of mankind

A Code to Govern the Making of Talking, Synchronized and Silent Motion Pictures. Formulated and formally adopted by The Association of Motion Picture Producers, Inc. and The Motion Picture Producers and Distributors of America, Inc. in March 1930.

Motion picture producers recognize the high trust and confidence which have been placed in them by the people of the world and which have made motion pictures a universal form of entertainment.

They recognize their responsibility to the public because of this trust and because entertainment and art are important influences in the life of a nation.

Hence, though regarding motion pictures primarily as entertainment without any explicit purpose of teaching or propaganda, they know that the motion picture within its own field of entertainment may be directly responsible for spiritual or moral progress, for higher types of social life, and for much correct thinking.

During the rapid transition from silent to talking pictures they have realized the necessity and the opportunity of subscribing to a Code to govern the production of talking pictures and of re-acknowledging this responsibility.

On their part, they ask from the public and from public leaders a sympathetic understanding of their purposes and problems and a spirit of cooperation that will allow them the freedom and opportunity necessary to bring the motion picture to a still higher level of wholesome entertainment for all the people.

## General Principles

1. No picture shall be produced that 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.
2. Correct standards of life, subject only to the requirements of drama and entertainment, shall be presented.
3. Law, natural or human, shall not be ridiculed, nor shall sympathy be created for its violation.

## Particular Applications

### 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

- a. The technique of murder must be presented in a way that will not inspire imitation.
- b. Brutal killings are not to be presented in detail.
- c. 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 subject to the same safeguards.
- c. The use of firearms should be restricted to the 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. Pictures 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

a. They should never be more than suggested, and only when essential for the plot, and even then, never shown by explicit method.

- b. They are never the proper subject for comedy.
4. Sex perversion or any inference to it is forbidden.
5. White slavery shall not be treated.
6. Miscegenation (sex relationships between the white and black races) is forbidden.
7. Sex hygiene and venereal diseases are not subjects for motion pictures.
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.

### **III. Vulgarity**

The treatment of low, disgusting, unpleasant, though not necessarily evil, subjects should always be subject to the dictates of good taste and a regard for the sensibilities of the audience.

### **IV. Obscenity**

Obscenity in word, gesture, reference, song, joke, or by suggestion (even when likely to be understood only by part of the audience) 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, or any lecherous or licentious notice thereof by other characters in the picture.
2. Undressing scenes should be avoided, and never used save where essential to the plot.
3. Indecent or undue exposure is forbidden.
4. Dancing or 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 passions are forbidden.
2. Dances which emphasize indecent movements are to be regarded as obscene.

### **VIII. Religion**

1. No film or episode may throw ridicule on any religious faith.

2. Ministers of religion in their character as ministers of religion should not be used as comic characters or as villains.

3. Ceremonies of any definite religion should be carefully and respectfully handled.

#### **IX. Locations**

The treatment of bedrooms must be governed by good taste and delicacy.

#### **X. National Feelings**

1. The use of the Flag shall be consistently respectful.

2. The history, institutions, prominent people and citizenry of other nations shall be represented fairly.

#### **XI. Titles**

Salacious, indecent, or obscene titles shall not be used.

#### **XII. Repellent Subjects**

The following subjects must be treated within the careful limits of good taste:

1. Actual hangings or electrocutions as legal punishments for crime.
2. Third degree methods.
3. Brutality and possible gruesomeness.
4. Branding of people or animals.
5. Apparent cruelty to children or animals.
6. The sale of women, or a woman selling her virtue.
7. Surgical operations.

### **Reasons Supporting the Preamble of the Code**

I. Theatrical motion pictures, that is, pictures intended for the theatre as distinct from pictures intended for churches, schools, lecture halls, educational movements, social reform movements, etc., are primarily to be regarded as ENTERTAINMENT.

Mankind has always recognized the importance of entertainment and its value in rebuilding the bodies and souls of human beings.

But it has always recognized that entertainment can be a character either HELPFUL or HARMFUL to the human race, and in consequence has clearly distinguished between:

- a. Entertainment which tends to improve the race, or at least to re-create and rebuild human beings exhausted with the realities of life; and
- b. Entertainment which tends to degrade human beings, or to lower their standards of life and living.

Hence the MORAL IMPORTANCE of entertainment is something which has been universally recognized. It enters intimately into the lives of men and women and affects them closely; it occupies their minds and affections during leisure hours; and ultimately touches the whole of their lives. A man may be judged by his standard of entertainment as easily as by the standard of his work.

So correct entertainment raises the whole standard of a nation.

Wrong entertainment lowers the whole living conditions and moral ideals of a race.

Note, for example, the healthy reactions to healthful sports, like baseball, golf; the unhealthy reactions to sports like cockfighting, bullfighting, bear baiting, etc.

Note, too, the effect on ancient nations of gladiatorial combats, the obscene plays of Roman times, etc.

II. Motion pictures are very important as ART.

Though a new art, possibly a combination art, it has the same object as the other arts, the presentation of human thought, emotion, and experience, in terms of an appeal to the soul through the senses.

Here, as in entertainment,

Art enters intimately into the lives of human beings.

Art can be morally good, lifting men to higher levels. This has been done through good music, great painting, authentic fiction, poetry, drama.

Art can be morally evil in its effects. This is the case clearly enough with unclean art, indecent books, suggestive drama. The effect on the lives of men and women are obvious.

Note: It has often been argued that art itself is unmoral, neither good nor bad. This is true of the THING which is music, painting, poetry, etc. But the THING is the PRODUCT of some person's mind, and the intention of that mind was either good or bad morally when it produced the thing. Besides, the thing has its EFFECT upon those who come into contact with it. In both these ways, that is, as a product of a mind and as the cause of definite effects, it has a deep moral significance and unmistakable moral quality.

Hence: The motion pictures, which are the most popular of modern arts for the masses, have their moral quality from the intention of the minds which produce them and from their effects on the moral lives and reactions of their audiences. This gives them a most important morality.

1. They reproduce the morality of the men who use the pictures as a medium for the expression of their ideas and ideals.

2. They affect the moral standards of those who, through the screen, take in these ideas and ideals.

In the case of motion pictures, the effect may be particularly emphasized because no art has so quick and so widespread an appeal to the masses. It has become in an incredibly short period the art of the multitudes.

III. The motion picture, because of its importance as entertainment and because of the trust placed in it by the peoples of the world, has special MORAL OBLIGATIONS:

A. Most arts appeal to the mature. This art appeals at once to every class, mature, immature, developed, undeveloped, law abiding, criminal. Music has its grades for different classes; so has literature and drama. This art of the motion picture, combining as it does the two fundamental appeals of looking at a picture and listening to a story, at once reaches every class of society.

B. By reason of the mobility of film and the ease of picture distribution, and because the possibility of duplicating positives in large quantities, this art reaches places unpenetrated by other forms of art.

C. Because of these two facts, it is difficult to produce films intended for only certain classes of people. The exhibitors' theatres are built for the masses, for the cultivated and the rude, the mature and the immature, the self-respecting and the criminal. Films, unlike books and music, can with difficulty be confined to certain selected groups.

D. The latitude given to film material cannot, in consequence, be as wide as the latitude given to book material. In addition:

a. A book describes; a film vividly presents. One presents on a cold page; the other by apparently living people.

b. A book reaches the mind through words merely; a film reaches the eyes and ears through the reproduction of actual events.

c. The reaction of a reader to a book depends largely on the keenness of the reader's imagination; the reaction to a film depends on the vividness of presentation.

Hence many things which might be described or suggested in a book could not possibly be presented in a film.

E. This is also true when comparing the film with the newspaper.

a. Newspapers present by description, films by actual presentation.

b. Newspapers are after the fact and present things as having taken place; the film gives the events in the process of enactment and with apparent reality of life.

F. Everything possible in a play is not possible in a film:

- a. Because of the larger audience of the film, and its consequential mixed character. Psychologically, the larger the audience, the lower the moral mass resistance to suggestion.
- b. Because through light, enlargement of character, presentation, scenic emphasis, etc., the screen story is brought closer to the audience than the play.
- c. The enthusiasm for and interest in the film actors and actresses, developed beyond anything of the sort in history, makes the audience largely sympathetic toward the characters they portray and the stories in which they figure. Hence the audience is more ready to confuse actor and actress and the characters they portray, and it is most receptive of the emotions and ideals presented by the favorite stars.

G. Small communities, remote from sophistication and from the hardening process which often takes place in the ethical and moral standards of larger cities, are easily and readily reached by any sort of film.

H. The grandeur of mass settings, large action, spectacular features, etc., affects and arouses more intensely the emotional side of the audience.

In general, the mobility, popularity, accessibility, emotional appeal, vividness, and straightforward presentation of fact in the film make for more intimate contact with a larger audience and for greater emotional appeal.

Hence the larger moral responsibilities of the motion pictures.

### **Reasons Underlying the General Principles**

I. 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, wrong-doing, evil or sin.

This is done:

1. When evil is made to appear attractive and alluring, and good is made to appear unattractive.
2. When the sympathy of the audience is thrown on the side of crime, wrongdoing, evil, sin. The same is true of a film that would throw sympathy against goodness, honor, innocence, purity or honesty.

Note: Sympathy with a person who sins is not the same as sympathy with the sin or crime of which he is guilty. We may feel sorry for the plight of the murderer or even understand the circumstances which led him to his crime: we may not feel sympathy with the wrong which he has done. The presentation of evil is often essential for art or fiction or drama. This in itself is not wrong provided:

a. That evil is not presented alluringly. Even if later in the film the evil is condemned or punished, it must not be allowed to appear so attractive that the audience's emotions are drawn to desire or approve so strongly that later the condemnation is forgotten and only the apparent joy of sin is remembered.

b. That throughout, the audience feels sure that evil is wrong and good is right.

II. Correct standards of life shall, as far as possible, be presented.

A wide knowledge of life and of living is made possible through the film. When right standards are consistently presented, the motion picture exercises the most powerful influences. It builds character, develops right ideals, inculcates correct principles, and all this in attractive story form.

If motion pictures consistently hold up for admiration high types of characters and present stories that will affect lives for the better, they can become the most powerful force for the improvement of mankind.

III. Law, natural or human, shall not be ridiculed, nor shall sympathy be created for its violation.

By natural law is understood the law which is written in the hearts of all mankind, the greater underlying principles of right and justice dictated by conscience.

By human law is understood the law written by civilized nations.

1. The presentation of crimes against the law is often necessary for the carrying out of the plot. But the presentation must not throw sympathy with the crime as against the law nor with the criminal as against those who punish him.

2. The courts of the land should not be presented as unjust. This does not mean that a single court may not be presented as unjust, much less that a single court official must not be presented this way. But the court system of the country must not suffer as a result of this presentation.

## **Reasons Underlying the Particular Applications**

I. Sin and evil enter into the story of human beings and hence in themselves are valid dramatic material.

II. In the use of this material, it must be distinguished between sin which repels by its very nature, and sins which often attract.

a. In the first class come murder, most theft, many legal crimes, lying, hypocrisy, cruelty, etc.

b. In the second class come sex sins, sins and crimes of apparent heroism, such as banditry, daring thefts, leadership in evil, organized crime, revenge, etc.

The first class needs less care in treatment, as sins and crimes of this class are naturally unattractive. The audience instinctively condemns all such and is repelled.

Hence the important objective must be to avoid the hardening of the audience, especially of those who are young and impressionable, to the thought and fact of crime. People can become accustomed even to murder, cruelty, brutality, and repellent crimes, if these are too frequently repeated.

The second class needs great care in handling, as the response of human nature to their appeal is obvious. This is treated more fully below.

III. A careful distinction can be made between films intended for general distribution, and films intended for use in theatres restricted to a limited audience. Themes and plots quite appropriate for the latter would be altogether out of place and dangerous in the former.

Note: The practice of using a general theatre and limiting its patronage to "Adults Only" is not completely satisfactory and is only partially effective.

However, maturer minds may easily understand and accept without harm subject matter in plots which do younger people positive harm.

Hence: If there should be created a special type of theatre, catering exclusively to an adult audience, for plays of this character (plays with problem themes, difficult discussions and maturer treatment) it would seem to afford an outlet, which does not now exist, for pictures unsuitable for general distribution but permissible for exhibitions to a restricted audience.

#### I. Crimes Against the Law

The treatment of crimes against the law must not:

1. Teach methods of crime.
2. Inspire potential criminals with a desire for imitation.
3. Make criminals seem heroic and justified.

Revenge in modern times shall not be justified. In lands and ages of less developed civilization and moral principles, revenge may sometimes be presented. This would be the case especially in places where no law exists to cover the crime because of which revenge is committed.

Because of its evil consequences, the drug traffic should not be presented in any form. The existence of the trade should not be brought to the attention of audiences.

The use of liquor should never be excessively presented. In scenes from American life, the necessities of plot and proper characterization alone justify its use. And in this case, it should be shown with moderation.

#### II. Sex

Out of a regard for the sanctity of marriage and the home, the triangle, that is, the love of a third party for one already married, needs careful handling. The treatment should not throw sympathy against marriage as an institution.

Scenes of passion must be treated with an honest acknowledgement of human nature and its normal reactions. Many scenes cannot be presented without arousing dangerous emotions on the part of the immature, the young or the criminal classes.

Even within the limits of pure love, certain facts have been universally regarded by lawmakers as outside the limits of safe presentation.

In the case of impure love, the love which society has always regarded as wrong and which has been banned by divine law, the following are important:

1. Impure love must not be presented as attractive and beautiful.
2. It must not be the subject of comedy or farce, or treated as material for laughter.
3. It must not be presented in such a way to arouse passion or morbid curiosity on the part of the audience.
4. It must not be made to seem right and permissible.
5. It general, it must not be detailed in method and manner.

III. Vulgarity; IV. Obscenity; V. Profanity; hardly need further explanation than is contained in the Code.

#### VI. Costume

##### General Principles:

1. The effect of nudity or semi-nudity upon the normal man or woman, and much more upon the young and upon immature persons, has been honestly recognized by all lawmakers and moralists.
2. Hence the fact that the nude or semi-nude body may be beautiful does not make its use in the film's moral. For, in addition to its beauty, the effect of the nude or semi-nude body on the normal individual must be taken into consideration.
3. Nudity or semi-nudity used simply to put a "punch" into a picture comes under the head of immoral actions. It is immoral in its effect on the average audience.
4. Nudity can never be permitted as being necessary for the plot. Semi-nudity must not result in undue or indecent exposures.

5. Transparent or translucent materials and silhouette are frequently more suggestive than actual exposure.

#### VII. Dances

Dancing in general is recognized as an art and as a beautiful form of expressing human emotions.

But dances which suggest or represent sexual actions, whether performed solo or with two or more; dances intended to excite the emotional reaction of an audience; dances with movement of the breasts, excessive body movements while the feet are stationary, violate decency and are wrong.

#### VIII. Religion

The reason why ministers of religion may not be comic characters or villains is simply because the attitude taken toward them may easily become the attitude taken toward religion in general. Religion is lowered in the minds of the audience because of the lowering of the audience's respect for a minister.

#### IX. Locations

Certain places are so closely and thoroughly associated with sexual life or with sexual sin that their use must be carefully limited.

#### X. National Feelings

The just rights, history, and feelings of any nation are entitled to most careful consideration and respectful treatment.

#### XI. Titles

As the title of a picture is the brand on that particular type of goods, it must conform to the ethical practices of all such honest business.

#### XII. Repellent Subjects

Such subjects are occasionally necessary for the plot. Their treatment must never offend good taste nor injure the sensibilities of an audience.