

SEDUCTION INCARNATE: PRE-PRODUCTION CODE HOLLYWOOD AND POSSESSIVE SPECTATORSHIP

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Early in *The Cheat* (1931), troubled socialite Elsa (played by Tallulah Bankhead) visits the home of wealthy art collector Livingstone (Irving Pichel). While touring his mansion, Elsa finds herself isolated with her host in a chamber of Oriental *objets*, sliding doors, and mysterious cabinets — one of which contains a number of doll-size effigies representing Livingstone’s former conquests. It is, as the sinister *roué* proclaims, a “gallery of ghosts” preserving the memory of “lovely women who were *kind* to me.” After Elsa discovers a crest etched into the pedestals beneath the dolls, Livingstone clarifies its meaning: “I brand all my belongings with it. It means, ‘I possess’.”

A disturbing exchange that foreshadows Elsa’s eventual debt to Livingstone and his own brutal branding of her, the moment resonates even beyond *The Cheat* to illustrate several concerns central to other films of the time — that is, the movies released in Hollywood’s pre-Production Code era. Livingstone’s past escapades and unapologetic lust for Elsa, braless in a figure-hugging gown, reflect the sexual energy that would characterize many of those films made before the Code’s strict enforcement in 1934; and the Orientalist *mise en scène* speaks to a broader film-historical fascination with exotic sensuality, as well as to the allure of privilege so foreign to mass audiences during the Depression.¹ Considering certain theoretical issues with which scholars have recently engaged, the significance of the scene extends further to film studies itself: how male desire may reduce women to icons,

objects for visual consumption; cinema's capacity to preserve a fleeting past and revive a "gallery of ghosts"; and, perhaps most topical, how spectators seek — and technologies of new media allow them — to "possess" the film itself. Indeed, decades before Laura Mulvey conceived of the term, *The Cheat* would evoke notions of "possessive spectatorship."

In her work *Death 24x a Second*, Mulvey examines the balance between animation and stasis, life and death that haunts cinema, placing the star him/herself within a context of "uncanny fusion between the [...] human body and the machine."² Analyzing new-media viewing practices and their implications for the audience's relationship to the cinematic body, Mulvey states that the ability to control (pause, replay, fast-forward) the flow of the film leads to a possessive spectatorship; a domination of the filmic form and its star (whether male or female), the motivation for which lies in the viewer's fetishistic fascination.³ In a related analysis of early cinema, Jennifer M. Barker explores the historical tradition — and embodied stakes — of these cinematic starts and stops: She proposes that the mechanics of early viewing machines, in which audiences would turn a handle in order to propel images forward and pause them at will, parallel cinema's broader "titillating and terrifying" interplay between motion and stillness.⁴ To unite Mulvey and Barker's discussions, then, the desire for control over the filmic body and its stars coexists with a dread of their *inanimation*; and while stimulating, this very uncertainty undermines the spectator's sense of definitive "possession."

As glimpsed in *The Cheat*, such questions of embodied visibility, sexual tension, and film history recall the visual culture of 1930s Hollywood and pre-Production Code cinema. Once available only in archives, these movies have found new audiences through their release in collections like Turner Classic Movies' *Forbidden Hollywood* box-sets, as well as through their online streaming on sites like YouTube. Belonging to both cinema's past and present, the classic works have been

remediated (following Jay David Bolter and Richard Grusin's terms) into today's modes of possessive spectatorship as analyzed by Mulvey, even as they directly descend from traditions of early cine-eroticism. With this in mind, this article proposes that Mulvey and Barker's discussions provide a framework within which to consider pre-Code movies – not only because of their sensual nature, but also because the very elements of momentum and stillness, elusiveness and possession examined by the theorists are incorporated into the filmic bodies themselves.

Ultimately, the sensual subjectivities of these films contribute their own dramas of revelation and concealment to the process of possessive spectatorship: Self-reflexive dialogue, for example, imbues the intimate tableaux with a coquettish performativity that deliberately courts the off-screen audience; close-ups of the female form cede to suggestive fade-outs; and elliptical montages depict the consequences of real-time seductions. Through close readings of movies like *Red-Headed Woman* (1932), *The Divorcée* (1930), *Three on a Match* (1932), *Baby Face* (1933), and *The Cheat* — as well as a concluding consideration of their contemporary remediation — the following suggests that the bodies of pre-Code films invite the intimate visuality enabled by contemporary viewing practices, even as they assert the autonomy of their cine-subjectivities. No longer forbidden but still provocative, these films continue to engage their viewers in a flirtatious visual pleasure: promising possession while eluding its grasp.

PRE-CODE HOLLYWOOD IN CONTEXT

The understanding of the filmic body employed in the subsequent analyses follows the phenomenological terms set forth by Vivian Sobchack. Outlining the subjective capacities of the cinematic form, Sobchack has written: "Perceptive, [film] has the

capacity for experience; and expressive, it has the ability to signify.”⁵ She reconciles the autonomy of this subjectivity with the agency of the spectator who “shares cinematic space with the film” and, in so doing, “negotiate[s].., contribute[s] to and perform[s] the constitution of its experiential significance.”⁶ This embodied approach, then, demands an understanding of film as what Sobchack calls a “viewing-view” as well as “viewed-view.”⁷ Certainly, as evidenced by Barker and Mulvey’s respective discussions, the dialogical perspectives of movie and spectator — as well as the conditions of their engagement — have evolved over time: from nickelodeons featuring a pre-/ non-narrative “cinema of attractions” (to employ Tom Gunning’s term) to talking pictures exhibited in movie palaces; and now to televisions and computers, as well as iPhone and iPad screens. Where the historical spectator had to invest, as Barker notes, both monetarily and bodily through the motion of dropping a coin into the slot of the viewing machine,⁸ today only the click of a mouse or touch of a screen opens a virtual window and brings a film to life.

Yet even in considering the technological sophistication of contemporary audiences, the spectator of early cinematic works contributed to a foundational revolution in literally *social* media. As Janet Staiger has explored in her study of sexuality in early cinema, the diverse range of ethnicities and classes attending motion-picture venues (including amusement parks and vaudeville houses) introduced “an element of social danger” to the very act of cinema-going.⁹ Women also contributed to the radical quality of this spectatorship: Entering the workplace at the turn-of-the-century and so becoming active consumers, they joined the crowds, bought their tickets, and invested a portion of their income in the burgeoning film industry.¹⁰ The sensual nature of many early moving pictures imbues this female spectatorship with a further sensationalism. As Gunning has commented, erotic and exhibitionist tendencies characterized much of the cinema of attractions, featuring images that highlighted the female body and actors that

deliberately returned the gaze of the viewer.¹¹ In this way, women engaged with these motion pictures as, to borrow Staiger's terms, "both subject [of the film] and spectator."¹²

Transposing this experience to the context of embodied visibility, then, the continually-forming constellations of contact — between spectator, viewing machine, and the film itself; and between the many patrons who frequented the venues — suggest that the conditions of early movie-going made material Sobchack's concept of "sharing the space of the film." As Barker sets forth, films of the era presented a "kinetic thrill" kindred to that of the often-adjacent roller coasters and park rides; and in more basic, even intimate, terms, "without the motion of the viewer depositing the coin, there could be no 'motion pictures'."¹³ The sheer "kinetic thrill" of films at the time was, however, monitored by a National Board of Review. Founded by theatre owners in 1909 in an effort to prevent government-imposed censorship, the Board allowed the inclusion of sensational material — provided that it was a realist element essential to the plot, motivated by the demands of the narrative, and/or introduced an educational component.¹⁴ With these relative inhibitions as a guide, the silent film industry of the 'teens and 'twenties drew from the eroticism of early motion pictures to offer audiences evolving incarnations of the "new woman" of modern times: worldly flappers like Clara Bow and Joan Crawford; vamps including Theda Bara, Nita Naldi, and Pola Negri; and continental "woman of the world" Greta Garbo.

Yet as a series of star-scandals in the early twenties proved, titillation and pleasure-seeking were not confined to diegetic worlds. In 1922, responding to public dismay over Hollywood's alleged hedonism, the industry formed the Motion Picture Producers and Distributors of America organization in order to monitor the content of films. As Mulvey has pointed out, the invention of talking pictures at the close of the 1920s imbued these questions of morality and industry-

influence with a further urgency. Tales of sex and crime could, she remarks, “now not only be shown but spoken”; as Mulvey quotes from a comment of the time, “Now sexy starlets could rationalize their criminal behavior.”¹⁵ Accordingly, in 1930, the MPPDA — headed by Will Hays — adopted the official Production Code, a document composed by a Jesuit priest and Catholic publisher.¹⁶ In an attempt to control the moral tone of Hollywood films, the Code included the decree that “the sympathy of the audience should never be thrown to the side of crime, wrongdoing, or sin”; and it also set forth that “scenes of passion [...] must *not* be *explicit* in action nor vivid in method, e.g. by handling of the body, by lustful or prolonged kissing.” Ultimately, the Code intoned, “where essential to the plot, scenes of passion should *not* be presented in such a way as to *arouse or excite the passions of the ordinary spectator*.”¹⁷

Film historian Thomas Doherty maintains, however, that the studios’ “compliance with the Code was a verbal agreement that...wasn’t worth the paper it was written on” until the 1934 formation of the Production Code Administration, an enforcement organization created to appease the continued indignation (and threatened boycott) of reform groups.¹⁸ Up to that juncture, as Doherty outlines, a variety of factors impelled the continued production of risqué, socially-relevant films: the national trauma of the Depression, which unsettled cultural mores and inspired the provocative narratives that, in turn, drew disillusioned audiences; the rise of talkies themselves, presenting characters now able to articulate sensational dialogue; and Hollywood’s attention to the “rumblings in the theaters,” or the audience’s positive or negative reactions to particular diegetic themes.¹⁹ Among the most popular were films from what Lea Jacobs has termed “the fallen woman” genre, featuring (as in several of the movies discussed here) the dramatic, sometimes darkly comic tales of women straying from moral conventions in their pursuit of sexual fulfillment and/or material wealth.

Aware that in appealing to audiences, it risked alienating state censor-boards that could omit entire sequences and even prevent exhibition, the MPPDA practiced what Jacobs has termed “self-regulation”: That is, preemptive alterations to plots and the cutting of images and/or dialogue that may have been considered offensive.²⁰ Rather than attempt explicit imagery, then, the pre-Code production process favored subtle tricks of camerawork and editing, knowing dialogue, and evocative *mise en scène* to recount its tales of vice and amorality. Further, as Jacobs has noted, studios included conclusions that “domesticated” the fallen woman through the triumph of the traditional couple – but only after she received a punishment for her actions.²¹ Recalling (or rather presaging) the possessive spectatorship that would, as Mulvey has remarked, allow contemporary audiences to alter the cinematic form, the industry itself modified each movie’s “viewing-view” of the modern age. In this way, the impetus of pre-Code Hollywood — focused on the attraction of audiences and avoidance of censure — fostered a generation of cinematic bodies that, like many of their diegetic heroines, offered a conditional pleasure.

Today, certainly, audiences may engage with these films in a more direct manner: collecting VHS or DVD box-sets, streaming the movies online, or watching them on cable classic-movie channels. Yet rather than entirely align the notion of possessive spectatorship with the new-media viewer, Mulvey has noted that early products like film stills, pin-ups, and posters granted the historical audience a sense of intensive proximity to the star. These supplements to the movie crafted what Mulvey calls “a bridge between the irretrievable spectacle and the individual’s imagination,” or the material trace of an ephemeral experience.²² Yet with the advent of home-viewing, the “irretrievable” evolved into not only the instantly-accessible, but also the instantly-controllable; she cites DVD menus, for instance, as a tool of new technologies that allows “non-linear access” to the film and immediate

engagement with favorite images.²³ Through starting and stopping, or fast-forwarding and rewinding the film at will, the spectator is brought closer to the body of the star — only, as Mulvey argues, to uncover the inherently stylized gestures and poses that render it akin to a cinematic automaton.²⁴ Though the viewer finds that “the Medusa effect is transformed into the pleasure of Pygmalion” under his/her command, s/he also becomes aware that, in fact, the “rhythm” of this flux between stasis and animation “is already inscribed into the style of the film itself.”²⁵

In Mulvey’s theorization of possessive spectatorship, then, the viewer’s proximity to the star yields disillusion, the realization of a performative process rather than a spontaneous existence. Further, the spectator’s manipulation of the film represents “an act of violence,” expressing a “sadistic instinct” and “will to power.”²⁶ Yet even in exploring the *inorganic*, sometimes sinister qualities of cinema and the viewing experience, Mulvey nonetheless calls attention to the spectator’s utterly organic response to film: the elemental desire, that is, for “a heightened relation to the human body” as figured in the star and extending to his/her cinematic world.²⁷ Certainly the spectre of stasis, with its evocation of what Mulvey describes as “the human body’s mutation from animate to inanimate,”²⁸ speaks to an uncanny aura of death in cinema; it is, however, that very flux between movement and stillness, life and death, that encapsulates the vicissitudes of the lived experience itself. In so relating Mulvey’s concept to an embodied approach to visuality — and, more specifically, to films of the pre-Code era — one could then paraphrase her above statement to suggest that these rhythms of existence are already inscribed into the *bodies* of the films, and viewers, themselves.

“CAN YOU SEE THROUGH THIS?”:

REFLEXIVITY IN *RED-HEADED WOMAN*

In the opening sequence of *Red-Headed Woman*, gold-digger Lil, played by Jean Harlow, readies herself for the conquest of her married boss, Bill (Chester Morris). The brief montage of Lil's *toilette* — dyeing her hair, choosing her clothes (according to whether one “can [...] see through” her backlit skirt), placing Bill's picture in her garter — would be fairly unremarkable, but for the line of dialogue that begins the film. As Lil/Harlow reclines in medium close-up, burnished hair flowing, she grins, “So gentlemen prefer blondes, do they?” All but winking at the camera, Harlow-as-Lil references not only screenwriter Anita Loos' 1925 bestselling novel *Gentlemen Prefer Blondes*, but also the audience's association with her own “blonde bombshell” persona. Here, the line establishes the reflexive, even coquettish, tone of a film that goes on to engage with its own extra-diegetic context and performative nature: Lil/Harlow describes her tryst with Bill/Morris as “like an uncensored movie”; the eponymous theme song is showcased in a later scene, opening with a shot of the sheet music with title emblazoned; and the red-headed woman herself conveys her attraction to her boss in terms of a fan-star dynamic. “You're all I've been able to think about for years,” Lil relates, “I've been crazy about you from a distance, ever since I was a kid.”

A box-office success in 1932 (though banned in parts of Canada and cut by state censors), *Red-Headed Woman* managed, as Richard Maltby sets forth, to make “comedy out of what had previously been [...] the material for melodrama” — that is, the story of the fallen woman.²⁹ Though not an outright satire, Loos' glib treatment of the genre imbued the production with a self-awareness that complements the reflexive gestures of other films of the era. Michael Curtiz's *Female* (1933), for example, plays upon the deliberate reversal of patriarchal conventions (with Ruth Chatterton portraying an industry magnate and rapacious pursuer of young lovers) to contemplate representations of the ideal feminine; while, as

Doherty notes, Mae West's *I'm No Angel* (1933) places its star in a carnival context that references her own extra-diegetic sensationalism.³⁰ Harlow herself would go on to star as a star in *Bombshell* (1933), Victor Fleming's screwball comedy about the machinery of the film industry. Even as these films diverge in their narrative concerns, their shared reflexive subjectivity suggests that they – and not only the contemporary viewer – may access “the pleasure of Pygmalion” in creating *themselves*.

This intersection between Pygmalion and Galatea arguably gives rise to Narcissus, and certainly the characterization of Lil includes narcissistic elements: a preoccupation with her appearance and sensual impact, and a perception of others as expendable in her drive to fulfill sexual and/or material desires. Yet Lil *shares* with the filmic body this pleasure in and for the self, that reflexive existential stance that actively flirts with the spectator's own desire to possess the seductive cinematic being. Highlighting this sensibility is the turning-point sequence in *Red-Headed Woman*, in which Bill becomes definitively entangled with Lil. After he comes to her apartment to break off the dalliance and pay her to leave town, Lil locks herself into her bedroom with him and refuses to surrender the key. After a furious Bill smacks her — only to have Lil enthuse that she “likes it” — there is a cut to Lil's equally-stimulated roommate, Sally (Una Merkel), listening to the sounds of a charged scuffle emerging from the bedroom. A cut back to the disheveled couple reveals Lil lying on the floor, feigning distress. Penitent, Bill carries her to the bed and asks her again to give him the key; and the scene ends as the sniffling Lil recovers enough to slide the key down her blouse. The following sequence presents, logically enough, the dissolution of Bill's marriage in divorce court.

No straightforward depiction of a battle between Bill's (alleged) virtue and Lil's vice, the sequence is — as one character describes the red-headed woman herself — “strictly on the level, like a flight of stairs.” Indeed, just as Lil demands

Bill's acknowledgement of his lust for her, the film itself insists upon the audience's awareness of the performance in play: Lil virtually narrates Bill's conflict — "Now you're afraid; you're afraid of yourself because you know you love me. You're afraid you're going to take me in your arms. You're afraid you're going to kiss me"; while following the ostensibly discreet cut, Sally acts as a titillated "audience" to the proceedings. With quasi-orgasmic sighs, she eagerly comments, "She's locked him in!" The camera also takes part in this overt seduction of the spectator: panning forward to frame Lil and Bill in intimate two-shot as she describes her effect on him, then pulling back slightly and reframing to capture the spastic jolt of Bill smacking her. After Bill throws Lil away from him and out of the frame, the teasing cut to the closed-door renders this sado-masochistic exchange an *off-screen* spectacle performed within the consciousness of the viewer and Sally, his/her on-screen proxy.

Even if the sado-masochistic interplay between Bill and Lil alternately entices and eludes the possessive gaze of the spectator, the conclusion of the sequence offers still another sensational *ménage*. As Lil lies prone in medium close-up and slides the key down her blouse, the radiance of the lighting — imbuing her hair, skin, and clothing with a near-pearlescent quality — gradually cedes to dusky gray as Bill's shadow heralds his approach. Finally the dark mass of Bill's back is visible to the right of the frame, its darkness moving to the left and ultimately concealing Lil as he literally blacks-out the shot to access her body. Doherty has characterized such pre-Code effects as techniques of "figurative literalness," or "timely detour[s] [...] [that] could infuse the onscreen narrative with otherwise censorable material...for the imagination."³¹ The corporeal gravity to the image, however, suggests a figurative *materiality*: the merging of Bill's body with the film's, an act that simultaneously signals and conceals his merging with Lil's. With both Lil's coquettish self-awareness and Bill's fleshly desire literally incorporated into the

filmic body, the material of the movie renders explicit the *implicit* carnality of the scene.

With this in mind, a censor's 1932 description of Lil as "a common little creature from over the tracks who steals other women's husbands and who uses her sex attractiveness to do it"³² belies not simply the comedic subtlety of *Red-Headed Woman* but also the sex appeal of its very filmic form. For it is not only the adult content or glimpses of the female body that render pre-Code films so sensational, but the intertwining of these with a sensual cinematic body. Courting the gaze as surely as the diegetic "fallen woman" pursues her conquest, the film lures its audience with promises of visual consumption — only to evade consummation and, ultimately, call attention to this teasing process itself. At the beginning of the scene, Bill angrily tells Lil, "You've only got one filthy idea in your whole rotten make-up"; to which Lil retorts, "Well, if I have, then don't try to fool yourself that you don't share it." As the closing shot reveals, the carnality of which Bill accuses Lil is shared not only by him, but by the "make-up" of the film itself.

URBAN DISSOLVES IN *THE DIVORCÉE* AND *THREE ON A MATCH*

In her study of "Cinema and the Modern Woman," Veronica Pravadelli discusses the pre-Code evolution of Gunning's cinema of attractions. Suggesting that the female-focused films of the 1930s offered a "gendered" attraction for audiences, Pravadelli cites two techniques that recalled early cinema's affect even as they materialized the conditions of modernity: the exhibition of the female body and the "urban dissolve."³³ Films like *Red-Headed Woman* and *Female* undoubtedly engage in the former through their inclusion of images that highlight the allure of the stars' bodies; whereas *The Divorcée* and *Three on a Match* incorporate the urban dissolve —

a montage of streets, cars, shops, and city-dwellers that creates “pure movement and energy”³⁴ — to evoke the kinetic sexuality of their heroines. As mentioned earlier, Barker has proposed that the crank handle of early viewing machines granted the spectator a sense of control over the cinema of attractions, allowing him/her to slow down the images at their most provocative in the longing to glimpse the unseen and “tame the relentless movements of” the film and its subject.³⁵ The modern cine-attraction of the urban dissolve, however, simultaneously acknowledged and undermined this inherent desire for possession of cinematic time-space — countering contemplative shots of the female body, for instance, or sly ellipses with a burst of motion that exceeded the visual “grasp” of the viewer. As erotically-charged as the women themselves, the urban dissolves in these two films materialize the condition of the urban *dissolute*.

A comedic drama that explores (double) standards of fidelity between man and wife, *The Divorcée* begins with Ted’s (Chester Morris) proposal to Jerry (Norma Shearer). She charms him with her assertion of what he calls “a man’s point-of-view”: Forgiving Ted his past, Jerry remarks, “You’re just human, and so am I.” But on her third wedding anniversary, she learns that her beloved husband has had an affair; and in an effort “to hold,” as Jerry explains, “onto the marvelous latitude of a man’s point-of-view,” she herself has a dalliance — for which Ted divorces her. Jerry proceeds to carry on a number of high-society romances, until she realizes her enduring love for Ted and pursues a reconciliation.

Until the climactic scenes in which Jerry and Ted’s marriage collapses, the film proceeds at a near-theatrical pace with long takes in (for the most part) stage-like interior sets. The sequence following their divorce, however, introduces the frenetic energy of the urban dissolve. Though admittedly the montage does not take place on a city street, it nonetheless captures the nightclub environs so intrinsic to what Jerry wryly calls “the sweet, pure air of 42nd Street and Broadway.” The scene

features Jerry-as-divorcée at a New Year's Eve party, and opens with a long establishing shot of the dancing masses before cutting to a closer shot of the crowds. Overlaying this image are shots of the various musicians and instruments that produce the raucous jazz music of the soundtrack. After a brief exchange between Jerry and Ted, she is swept away by the revelers — her image replaced by a literally kaleidoscopic dissolve that rotates shots of dancers, balloons, and streamers. Pravadelli has noted that the urban dissolve represents ideas of “movement and metamorphosis”³⁶ in the modern age; and on a diegetic level, this montage channels the fragmenting momentum of events that have redefined Jerry's identity as wife and woman.

The association of Jerry's escapades and a “man's point-of-view” does, however, complicate the narrative significance of this montage. Recalling Mulvey's seminal concept of the woman's “to-be-looked-at-ness,” it could be argued that the dissolve makes a spectacle out of Jerry own newfound identity as sensual spectacle; her radical perspective always already usurped by the extra-diegetic patriarchal gaze. Yet introducing these series of shots is Jerry's reluctant divorce-court determination to “take all of the hurdles, see all the scenery, and listen to the band play.” With the frenzied dissolve of the party immediately following this declaration, the film itself expressly assumes Jerry's pleasure-seeking point-of-view — employing a figurative materiality to transform “the marvelous latitude” of the male outlook into the quasi-vertiginous, sometimes-disjointed experience of a woman realizing her sexual freedom. Carnavalesque in its marking of the metamorphosis, the merging of these two subjectivities parallels Mulvey's recent contention that the new-media viewer's fragmentation of a film both “wounds” its “integrity” and “opens it up to new kinds of relations and revelations.”³⁷

Where *The Divorcée's* montage of dissoluteness materializes the fragmentation of convention as well as the myriad “relations and revelations” of a

liberated woman, *Three on a Match* at first employs a more traditional mode of urban dissolve. Tracing the intertwining lives of friends Mary (Joan Blondell), Ruth (a young Bette Davis), and Vivian (Ann Dvorak) from their 1909 childhood to adulthood in 1930, the film explores issues of class, sexuality, and even drug addiction. Pravadelli cites the film's use of montage (intercuts of newsreel footage and newspapers encapsulating the events of the day) as a means of anchoring the diegesis in a historical context³⁸; and intersecting this "fast-forwarding" through time is the momentum of the sequence in which Vivian begins her fateful affair with a small-time crook and leaves her husband. The former perceives in Vivian "all the works that make a woman want to go, and live, and love" — and indeed, the filmic body here channels its kinetic impulse to share in the woman's seduction and, at the same time, share it with the viewer.

Even as the most privileged of the three women, Vivian experiences an *ennui* that renders marriage and motherhood utterly unfulfilling: "Somehow, the things that make other people happy leave me cold." She decides to travel to Europe with her young son, only to meet the handsome Loftus (Lyle Talbot) on the ship before the voyage even begins. As cuts to a clock mark the half-hours from 10:30pm (the time of their meeting) to five minutes before midnight (the time of the ship's departure), the couple drinks, dance, and eventually leave the boat together. To paraphrase Barker, the film does not tame, but *frame*, the relentless movements of this sexual attraction within the near-episodic structure of the preceding urban dissolves; assuming, in this way, the urgency of Vivian's desire to be sexually possessed. With this rushed liaison taking place in only about four minutes of screen time, the film further demands that the spectator occupy the couple's charged present. Indeed, when at first Vivian protests that they have only met that night, Loftus exalts the fast-forwarding of their romance. "Tonight or an hour or ten years, what's the difference," he declares. "It's now that matters."

Yet the allure of the “now” soon cedes to a life of poverty and drug-addiction for Vivian. After Loftus kidnaps her son from the custody of her ex-husband, Vivian finds herself the prisoner of gangsters who hold the child for ransom in her squalid apartment. Realizing that they plan to kill her son and escape the encroaching police, Vivian desperately scrawls the child’s location on her nightgown in lipstick and throws herself from the window. The visceral impact of the scene – with Vivian shattering the glass, and a subsequent bird’s-eye shot framing her body as she flies through the air and smashes through a skylight — offers a tragic corporeal release countering the glamorous *frisson* of the shipboard seduction. Furthermore, it redirects the energy of the urban dissolve from the film’s body to Vivian’s own. Once only glimpsed in the rushing images of the montages or brief exterior shots, the modern metropolis now settles definitively into a diegetic territory anchored by Vivian’s body as it lies on the pavement. Hers is, ultimately, an urban dissolve.

The capacities of new media technology could, of course, render even the elusive urban dissolve an object of the Medusa/Pygmalion effect. The kaleidoscopes of Jerry’s “debut” and Vivian’s first meeting with Loftus could be isolated from their respective cinematic bodies and released as YouTube clips for a cinephilic visual pleasure; or a viewer might re-edit the montages entirely, dissolving the original dissolve. Yet the very presence of the urban dissolve in these films attests to their own inherently possessive impulses. For the montages of *The Divorcée* and *Three on a Match* pursue “unexpected links” unto themselves, to return to Mulvey’s terms — whether making material the radical pursuit of sexual satisfaction and unsettling of convention, or laying claim to time and space itself.

ONE BODY FOR ANOTHER:

MODES OF EXCHANGE IN *THE CHEAT* AND *BABY FACE*

In her discussion of *Baby Face*, Lea Jacobs comments upon its “emphasis on the idea of exchange,” noting how camera movements, musical cues, and *mise en scène* stand in place of explicit representation and thus parallel the narrative’s own focus on the exchange of sex for status and or /security.³⁹ Certainly other films of the pre-Code era share this notion of exchange — *Red-Headed Woman*’s own use of figurative materiality, for instance, or the creation of a montage that trades the union of time and space for a spectacle. Further, a parallel economy occurs in the process of possessive spectatorship itself: the interchange between human and cinematic form, motion and stillness; and, as Barker points out, the trade of the early spectator’s motion (inserting of a coin) for the motion picture itself. Exemplifying these registers of interplay, intrinsic to both pre-Code film and the possessive spectator, are *The Cheat* and, indeed, *Baby Face*. As these cine-subjectivities incorporate a diegetic preoccupation with sex-as-commodity, they illuminate not simply the replacement of explicit for implicit imagery, but the exchange of one filmic body for another – whether in terms of an internal “transaction,” as in *The Cheat*, or the contemporary remediation of *Baby Face*.⁴⁰

As a remake of Cecil B. DeMille’s 1915 film of the same title, *The Cheat* is inherently aligned with notions of exchange – one cast and director for another; a “double” for an original work; and a narrative that itself centres on questions of economic and sexual trade. (Certainly the scene discussed in the introduction highlights this effect, with its eerie construction of the doll-for-lover interchange.) A socialite with a gambling problem that she conceals from her husband, Elsa must clandestinely borrow money from the sinister Livingstone with the understanding that she will repay him with sexual favors. When Elsa attempts to clear the debt monetarily, Livingstone attacks and literally brands her with his crest; and in self-defense, she shoots him. The exchange motif recurs when Elsa’s husband pretends that he committed the crime, only to be cleared at his trial when she confesses.

Contributing to the troubled economies of the narrative is the filmic body itself, with its own vacillation between theatrical interior sequences and scenes taking place in exterior settings — trading internally, as it were, the decadent aestheticism of high society for nature itself. *The Cheat* insists, moreover, that Elsa/Bankhead share in this existential duality: She knowingly, if desperately, enters Livingstone's *demi-monde* and agrees to its conditions; yet an early outdoor sequence aligns her with utterly natural elements. As she stands on a pier with her husband (after her first visit to Livingstone's home), Elsa proclaims, "I'm mad about living! Things that go 'round — I love them. Ferris wheels, train wheels, roulette wheels." Gesturing exuberantly, throwing her head back, Elsa's *joie de vivre* matches the gusts of wind that blow her hair and dress, and even compete with her voice in the aural register of the soundtrack. Though Elsa's provocative dress reveals the shape of her breasts and curve of her back, the moment serves not to exhibit her body so much as the very humanity that is so antithetical to the dolls in Livingstone's cabinet. In the pre-Code tradition of what Molly Haskell has called "sensualists without guilt,"⁴¹ Elsa revels in her vitality — an organic animation that is nonetheless traded, as she herself alludes, for the mechanical and material pleasures of the roulette wheel.

The Cheat evokes, then, a *mise en abyme* of exchanges predicated on the promise of possession: between Elsa's body and Livingstone's money; the expansive thrill of (human) nature and the confines of pleasure-seeking; and, finally, the ambiguous viewing-view of the film and the spectator's own embodied investment. In this way, the scene of Elsa's branding presents not only a narrative climax, but one in the possessive impulse of the film itself. Though Livingstone has made a doll of Elsa to mark their affair, her refusal to carry out the original terms of the agreement enrages him. Smashing the effigy, he lays claim to her body with a branding that, in fact, stands in place of rape. Yet Livingstone's perverse autonomy is undercut by the *intercutting* of exterior shots showing Elsa's oblivious husband

approaching the house; and silhouettes of Elsa and Livingstone evoke rather than exhibit the brutal act itself, thus eluding the gaze of the spectator. Emerging from the limbo of these shadows, in which she existed as neither Livingstone's doll nor the natural presence on the pier, Elsa revives her wounded form and returns her attacker's violence with her own.

Just as the trauma of Elsa's branding takes place beyond the vision of the audience, however, the enactment of her revenge remains off the screen: Elsa pulls the trigger in medium shot and watches Livingstone's collapse, while the spectator watches only her reaction. Alluding to rather than displaying this settling of accounts, *The Cheat* ultimately returns the spectator's pursuit of possession with an awareness of its impossibility. Though the contemporary viewer may exercise the prerogative of digital technology and attempt to "brand" the filmic body itself, the latter withholds the pleasure of total revelation.

Sharing *The Cheat*'s understanding of sex-as-commodity, but diverging from the lushness of its pleasure-seeking, *Baby Face* is a realist drama tracing the impoverished Lily / Barbara Stanwyck's rise to wealth through a virtual career of sexual liaisons. A series of transactions characterizes *Baby Face*: the diegetic trade of sex for status; the filmic exchange of explicit for implicit imagery highlighted by Jacobs; and, furthermore, the contemporary interplay between two versions of the film, a dialogue recently enabled by the remediation of the work(s) on DVD. Indeed, *Baby Face* was from its very inception the subject of fraught negotiations. Maltby has documented the tightening of censorship restrictions in 1933 that led to the modifying of the original version of the film, most notably its ending. In the original, uncut version, amoral Lily finally marries a conquest only to learn that he has lost his fortune, and subsequently abandons him. Soon she realizes her love and returns to her husband; and though he has attempted suicide, the conclusion suggests that he will live through the crisis with a redeemed (if impoverished) Lily.

As Hays prepared to impose the strictures of the Production Code, however, the ending was revised to state that following the suicide attempt, the couple returned to the desolate steel-mill community from which Lily had escaped long-ago — here exacting what Maltby calls “a more [...] perverse form of patriarchal revenge” on her transgressions than the original punishing loss of wealth and status.⁴²

If the dual filmic bodies of *Baby Face* stand, as Maltby suggests, as material connections between a more relaxed approach to censorship and the rigid enforcement to come with the Production Code Administration, then their current incarnations also relate the cine-historical era to the contemporary mediascape. For available in the *Forbidden Hollywood* DVD box-set is the “lost,” original version of *Baby Face*, long-languishing in archives. With the two works featured on the same disc, there is here a doubling of the cinematic entity that allows — even encourages — the spectator to compare the dialogue, images, and conclusions in such a way that would have been virtually impossible upon *Baby Face*’s release. Through this process of reincarnation through remediation, then, modern-day viewers may exchange one filmic body for another; and recalling Mulvey’s terms, such a mode of exhibition renders the film(s) open to links and associations that defy narrative linearity and exalt the pursuit of possession.

Indeed, Bolter and Grusin have described such classic films as currently “caught in the logic of hypermediacy” so prevalent in today’s visual culture, wherein their original celluloid forms cede to the now far-more accessible DVD formats, cable-channel showings, and online clips that have been edited by fans.⁴³ Climactic scenes from *Baby Face* and *Red-Headed Woman*, for instance, are available on YouTube, and so belong to what Henry Jenkins calls “a media archive [for] amateur curators” of the moving image.⁴⁴ It could be argued that the crank handle of early cinema has found its modern-day counterpart in the control-panel of the YouTube screen: Today, the viewer presses play, waits for the media to load, and may pause, fast-forward, and

replay (or “loop”) at will.⁴⁵ Certainly sites like YouTube foster an evolution from possessive spectatorship to possessive *production*, enabling fans to construct and disseminate — or, to paraphrase Jenkins, produce, select, and distribute⁴⁶ — images of a personal or cinephilic significance. In a variation on Livingstone’s branding of Elsa in *The Cheat*, each YouTube URL implicitly declares the fan/editor’s possession of a particular element of a given film.

There are, of course, limits to the possessive capacities of new media. In a recent article discussing the release of pre-Code films for home-viewing, Gwendolyn Audrey Foster has noted that “it is doubly ironic that so many [...] remain essentially censored by their unavailability on DVD.”⁴⁷ Yet for those movies that are available, their contemporary channels of exhibition cultivate an alluring intersection between past and present visual culture. Appealing to a home-viewing audience, for example, box-sets characterize the era in terms of glamour — *Forbidden Hollywood*’s sleek packaging that features images of movie posters, as well as shots of various stars’ (faceless) bodies – and, as in the case of the *Universal Backlot Series*, a more gimmicky sensationalism. In the latter’s *Pre-Code Hollywood Collection*, a page of the Production Code provides the backdrop-image for the DVD menus, and the icon of a red, “rubber-stamped” X serves as the indicator arrow. The provocative packaging even includes a copy of the Code in period typeface, concealed in a mock manila envelope. Such an overt nexus between Hollywood’s history and modern-day commercial interest exemplifies Barbara Klinger’s assertion that the idea of a “classic film” is “not born” but “made by various media, educational, and other agencies interested in revitalizing old properties within contemporary taste markets.”⁴⁸

Leaving aside their current market value, as it were, the pre-Code films themselves bear a kind of timeless appeal. Simultaneously, the bodies reference the sensuality of their early-cinema antecedents, capture the mores of an America in flux, and presage the more explicit sexuality of later filmmaking; and their forms —

comprised of self-reflexive and suggestive camera work, coy fade-outs and dissolves — flirt with the possessive impulse that has shaded spectatorship from nickelodeons to movie theatres, and now even to computer and mobile-phone screens. Like the kinetic montages they often feature, these entities resist the constraints of a definitive chronology and exist, instead, both of and ahead of their time. To paraphrase Foster's above statement, then, it could be said that these films remain essentially *elusive* to the possessive visuality they have courted since their inception. Though today played on televisions or iPad screens, or re-edited by DVD menus and YouTube loops, the films themselves always already convey gestures of attraction that anticipate a possessive spectator and techniques of deflection that challenge his/her dominance. Undoubtedly, the historical era's strictures demanded such effects of revelation and concealment; yet once incorporated, they imbued the filmic bodies with an erotic impulse that both materialized that of the diegetic worlds and hinted at future representations of sexuality. Modes of production and exhibition have shifted since the original release of pre-Code motion pictures, but what endures is the seductive agency of their cine-subjectivities.

NOTES

1. It should be noted that *The Cheat* was originally made in 1915 by Cecil B. DeMille, and also featured the elements of overt sensuality and Orientalism that characterized the 1931 version. For an illuminating analysis of studio-era Hollywood's use of the Orientalist aesthetic, see pages 44 – 74 of Homay King's *Lost in Translation: Orientalism, Cinema, and the Enigmatic Signifier* (Durham: Duke University Press, 2010).

2. Laura Mulvey, *Death 24x a Second: Stillness and the Moving Image* (London: Reaktion Books, 2006), 171.

3. *Ibid.*, 166.

4. Jennifer M. Barker, *The Tactile Eye: Touch and the Cinematic Experience* (Berkeley: University of California Press, 2009), 135.

5. Vivian Sobchack, *The Address of the Eye: A Phenomenology of Film Experience* (Princeton: Princeton University Press, 1992), 11.

6. *Ibid.*, 10.

7. *Ibid.*, 202 (emphasis mine).

8. Barker, *The Tactile Eye*, 134.

9. Janet Staiger, *Bad Women: Regulating Sexuality in Early American Cinema* (Minneapolis: University of Minnesota Press, 1995), 8.

10. *Ibid.*, 11.

11. Tom Gunning, "The Cinema of Attractions," in *Early Cinema: Space, Frame, Narrative*, ed. Thomas Elsaesser (London: BFI Publishing, 1990), 57.
12. Staiger, *Bad Women*, 11.
13. Barker, *The Tactile Eye*, 132 and 134.
14. Staiger, *Bad Women*, 106.
15. Mulvey, *Fetishism and Curiosity* (Bloomington: Indiana University Press, 1996), 44.
16. Thomas Doherty, *Pre-Code Hollywood: Sex, Immorality, and Insurrection in American Cinema, 1930 – 1934* (New York: Columbia University Press, 1999), 2.
17. *Ibid.*, 352 and 354.
18. *Ibid.*, 2.
19. *Ibid.*, 16-19.
20. Lea Jacobs, *The Wages of Sin: Censorship and the Fallen Woman Film 1928-1942* (Berkeley: University of California Press, 1997), 20 and 23-24.
21. *Ibid.*, 41.
22. Mulvey, *Death 24x a Second*, 161.
23. *Ibid.*, 27.
24. *Ibid.*, 170.
25. *Ibid.*, 167 and 176.
26. *Ibid.*, 171.
27. *Ibid.*, 161.
28. *Ibid.*, 176.
29. Richard Maltby, "'Baby Face' or How Joe Breen Made Barbara Stanwyck Atone for Causing the Wall Street Crash," *Screen* 27:2 (1986): 37 and 31.
30. Doherty, *Pre-Code Hollywood*, 184-85.
31. *Ibid.*, 119.
32. In Jacobs, *The Wages of Sin*, 18.
33. Veronica Pravadelli, "Cinema and the Modern Woman," in *The Wiley-Blackwell History of American Film*, ed. Cynthia Lucia, Roy Grundmann, and Art Simon, <http://onlinelibrary.wiley.com/doi/10.1002/9780470671153.wbhaf033/full>.
34. *Ibid.*, 7.
35. Barker, *The Tactile Eye*, 135.
36. Pravadelli, "Cinema and the Modern Woman," 7.
37. Mulvey, *Death 24x a Second*, 179.
38. Pravadelli, "Cinema and the Modern Woman," 14.
39. Jacobs, *The Wages of Sin*, 70.
40. For a related discussion, see Mulvey's analysis of the "image of woman" as "commodity spectacle" in *Fetishism and Curiosity* (1996, 43).
41. Molly Haskell, *From Reverence to Rape: The Treatment of Women in the Movies* (2nd edition) (Chicago: University of Chicago Press, 1987), 91.
42. Maltby, "'Baby Face'," 41 and 43.
43. Jay David Bolter and Richard Grusin, *Remediation: Understanding New Media* (Cambridge: The MIT Press, 2000), 82.
44. Henry Jenkins, *Convergence Culture: Where Old and New Media Collide* (New York: New York University Press, 2008), 275.
45. Indeed, Lev Manovich has traced the similarities between early cinema and the loop of new media: see *The Language of New Media* (Cambridge: The MIT Press, 2001), 315-16.
46. Jenkins, *Convergence*, 275.
47. Gwendolyn Audrey Foster, "The Dark Horse," *Quarterly Review of Film and Video* 27:5 (2010): 388.
48. Barbara Klinger, *Beyond the Multiplex: Cinema, New Technologies, and the Home* (Berkeley: University of California Press, 2006), 94.