Ethics in Screenwriting
New Perspectives

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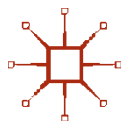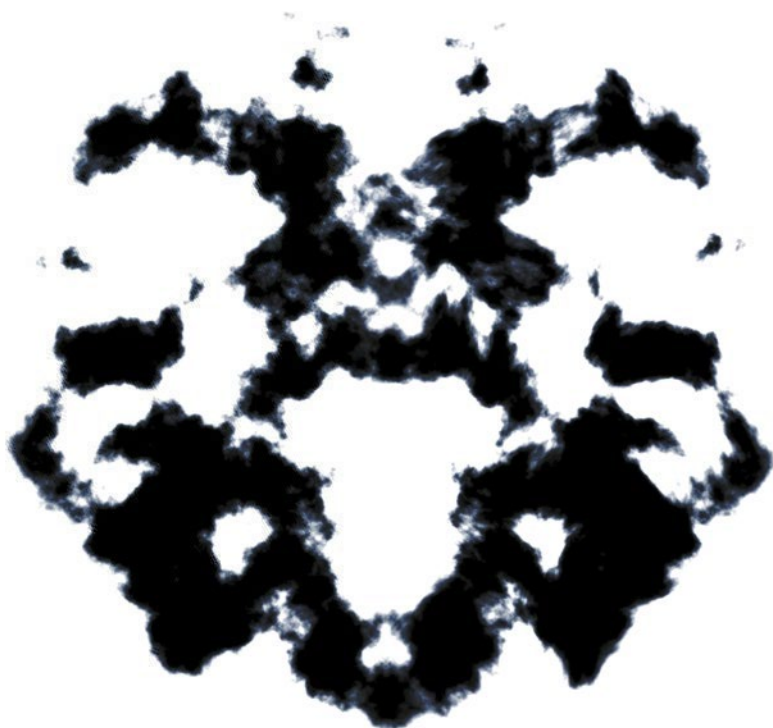
Palgrave Studies in Screenwriting

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Editor

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Preface

This collection of essays and interviews on ethics in screenwriting seeks to open up new perspectives on a topic that is of interest to academics, writers, as well as readers/viewers of film, television and their scripts. Rather than cast final judgement on what is good or bad screenwriting, or declare the secret to *virtuous* screenwriting, the essays presented here do something different. They investigate ethics in screenwriting as an area or problem-domain that can be approached in different ways. Issues of good and bad screenwriting are certainly considered, but in a way that recognizes that competing ideas of right and wrong can emerge out of ethics, and that reflective ethical judgement is required to work through a range of potentially conflicting loyalties and responsibilities. While many of the essays broach philosophical ideas and perspectives, these are grounded in particular practical problems to do with screenwriting or narrative technique.

All of the essays in this volume seek to go beyond a more general discussion of ethics and media, literature or film to engage with specific aspects of screenwriting and story practice. At the same time, each chapter seeks to consider the question of ethics specifically; that is, to go beyond a mention of ethics to consider what kind of ethics is in play, or can be put into play, in certain contexts. The essays range widely across different aspects of screenwriting practice, from questions of actuality and disclosure to character creation and narrative form. They also move from discussion of particular scripts to a more general discussion of storytelling and narrative technique, in the belief that a critical perspective on 'story' and 'storytelling' can help guide our understanding of what ethical or responsible narrative practice might look like.

Resisting a sharp distinction between theorists and practitioners, the audience for this collection ranges from screenwriters to scholars with an interest in screenwriting research and media ethics more widely. Increasingly, the distinction between these two groups has become permeable, with many practitioners taking an interest in theoretical perspectives, and many scholars establishing themselves in academia as working screenwriters and image-makers. Ethics is a vital area of interest to a range of researchers working at different points along this continuum of theory and practice, and the collection caters for readers with different interests. Philosophically minded readers may be drawn to the discussion of the ethical philosophy of figures such as C. S. Peirce or Emmanuel Levinas, while other readers may be drawn to case studies such as that of double storytelling in Danish television, or the work of screenwriter Jean-Claude Carrière, to mention just a few examples (see the more detailed chapter summary below). The inclusion of two interviews—with Indigenous Australian screenwriter and cinematographer Warwick Thornton, and UK screenwriter Jimmy McGovern—actively soliciting the views of pre-eminent screenwriters on questions of ethics enhances a practitioner focus.

This collection emerges out of a particular research context, which explains its shape and character, and of which I offer this brief sketch. First, in relation to my own work, after presenting an overview of research trajectories in screenwriting research at the Screenwriting Research Network (SRN) conference in Copenhagen in 2010 (see Maras 2011), I became aware that ethics was an under-researched approach. At that time I was teaching and researching more widely in media ethics. Preparing for the SRN conference at Macquarie University in Sydney in 2012, I noticed how wider debates about media ethics had yet to establish themselves in the growing area of screenwriting research. In terms of my own work I sought to address this mainly through work on UK screenwriter Jimmy McGovern (see Maras 2015)—a research interest that is evident in this volume. Second, in February 2014 an energetic discussion of screenwriting ethics took place on the SRN mailing list (SCREENWRITING-RESEARCH-NETWORK@JISCMAIL.AC.UK). It was acknowledged that ethics was a wider discussion across society, incorporating issues of correct representation, government regulation, the work situation of screenwriters and its impact on ethics, the choices made by screenwriters, the role of audiences and how ethics is elaborated in classrooms. This discussion crystallized the decision to proceed with a book proposal. Responding to a call for papers, each of the contributors offered chapter abstracts, and once accepted so

began a period of developing each essay. The story of the meeting of these two trajectories hopefully explains how this collection emerged but also why, as well as editing or perhaps more accurately 'curating' this collection, I offer several contributions as author/interviewer.

While it is important to acknowledge specific contexts, wider trends and questions should not be ignored. Over the past 20 to 30 years a 'turn' to ethics is evident in cultural theory across a range of disciplines (see Booth 1988; Carey 1999, 39; Garber et al. 2000; Couldry et al. 2013, 3). This work has prompted the question, 'What is the benefit of talking about ethics?' Shouldn't ethics and morals be done and not talked about? Shouldn't ethics consist of more than talk? A striving to be in the right; a struggle to comply with a personal conception of moral or professional behaviour, perhaps? As Lawrence Buell notes, there is a great deal that happens when we talk about ethics: it can be an expression of earnest debate over values and the limits of what we can do in a situation; a (re-) negotiation of relationships; an imperative in which we must confront what we must or 'ought' to do; and a place where we imagine ethical conduct as professionals (Buell 2000). Ideally, discussion of ethics spans the abstract and the embodied. In other words, it happens across discussion of different concepts and ideas drawing on the insights and limitations of particular material situations. In line with this, all of the essays that follow explore, or indeed cultivate, an ethical perspective within a particular practical context or problem.

Ethics *in* Screenwriting

This collection is titled *Ethics in Screenwriting*. It is worth explaining why this phrase was chosen over alternatives such as 'Ethics of Screenwriting', 'Screenplay Ethics', or 'Screenwriting Ethics'. In line with a proliferation of areas such as film ethics (Bergen-Aurand 2009), literary ethics (Garber et al. 2000; Egan 2004), documentary ethics (Sanders 2010), image ethics (Gross, Katz and Ruby 1988), entertainment ethics, archive ethics, story ethics, narrative ethics (Adams 2008), ethics of media (Couldry et al. 2013) or communication ethics and rights (Hamelink and Hoffmann 2008), it would seem straightforward to propose and project screenwriting ethics as a separate, discrete realm of its own. There are, however, two complicating factors to this proposal, both examined in Chapter 1. The first has to do with the normative assumptions we make about screenwriting. What idea of screenwriting do we use to mark out this realm? Which

concept of screenplay would guide 'screenplay ethics'? The danger is that any single model will marginalize alternative forms of scripting. 'Writing' is, as I have argued, not limited to the writing of paper-based screen-plays (Maras 2009, 1–2). Once we begin to consider a plurality of forms of scripting practices (see Millard 2014, 28–41), another issue opens up, which is that 'screenwriting' blurs or melds with cinematography, short-film making, documentary filmmaking; not to mention rehearsal, acting, sound recording and editing. This makes any clear demarcation between screenwriting ethics and other forms of ethics very difficult to construct. In other words there is no absolute demarcation between screenwriting ethics and, say, film ethics, unless one draws on a normative model of screenwriting, which would itself have ethical effects.

A second complicating factor is that it is not clear the screenwriter has their own unique or discrete zone of responsibility. This is due to the historically low autonomy of many forms of screenwriting—although the exact degree of 'relative autonomy' is always important to note (Newcomb and Lotz 2002, 62), as there can be differences in status even between staff and freelance or 'work for hire' writers. The low autonomy of screenwrit-ing has in part to do with the structure of control and division of labour of many modes of film practice, whereby the screenwriter is but one of several key personnel involved in the creation or conception of a moving image work, and may even share the space of writing with other writers. However, autonomy arises as an issue in another way. Namely, due to the fact that the object most commonly linked to the screenwriter—the writ-ten script—is in itself part of a wider process of actualization and crystal-lization whereby the 'screen idea' is crafted and melds into the final screen work (see Macdonald 2013). In this situation the role/s and responsibility of the screenwriter is conditional on the role/s and responsibility of other image-workers. Because of this limited, diffuse or even inter-dependent zone of responsibility the screenwriter may have little control over what aspect of their script finally appears on the screen, or the way it is per-formed, recorded and edited for audiences.

Given these two complicating factors, even if we desire to name such a thing as 'screenwriting ethics' it does not have a discrete or simple domain of practice. If we turn to an alternative notion like the 'ethics of the screenwriter' and define screenwriting ethics as 'any ethical or moral dilemma faced by the screenwriter', we would be left with a very expan-sive and complex area with amorphous boundaries. In terms of analytical

neatness, then, there is much in favour of the argument that rather than set up a specific area of screenwriting ethics we should categorize most ethical issues faced by screenwriters under broader, relevant headings such as story ethics, professional ethics, performance ethics, documentary ethics. This would allow screenwriters to benefit from discussion of ethics across a diverse space, and also share insights and ethical camaraderie with other media professionals.

This option, however reasonable, may concern some readers given the historical neglect of the script and screenwriting in academic approaches, which is only recently being addressed by a range of screenwriting researchers (see, as a sampler of early monographs, Sternberg 1997; Stempel 2000; Murphy 2007; Price 2010; as well as the international *Journal of Screenwriting* established in 2010). As Jill Nelmes writes, 'Even though the screenplay has been in existence since the first scenarios of the early twentieth century the form has received little academic attention' (2011, 1). There is a risk, then, that scripting will remain something of an invisible practice in accounts of ethics dominated by texts and professions, and in academic contexts in which screen literacies and practices have a precarious place (see Harper 2016). This would defeat the impulse behind this collection, which is to open up ethics in screenwriting as a vibrant area and topic of debate.

One of the advantages of the phrase 'ethics in screenwriting' is that it allows us to critically reflect on normative questions, focus on the '*in*', look at the specific links between screenwriting practice and ethical considerations, and ask what forms of responsibility arises from those links. At times, there may be little to differentiate the responsibility of the screenwriter from that of the director or producer or the storyteller or media professional in general. In other words, we may not need to name something 'screenwriting ethics' to talk about ethics in screenwriting, or even to be an ethical screenwriter. This is not to suggest that claims for the ethical autonomy of the screenwriter and responsible screenwriting should be ignored. Indeed, to the contrary, they should be examined carefully, sympathetically, as well as critically. The absence of an entirely separate or 'stable' space of 'screenwriting ethics' in which to ground the project of thinking about ethics in screenwriting indeed presents a conceptual challenge; but at the same time, it offers a new frontier for thinking about media ethics in a dynamic area of practice that has always sat at the crossroads of multiple academic and industrial disciplines.

Chapter Summary

While developed separately, each of the essays in this volume contributes to a wider project of providing new perspectives on ethics in screenwriting. The essays do not attempt to promote a single foundational theory of ethics, but consider ethics across a wide range of media and screen cultures. Although broad, the organization of the collection follows three headings: 'Writers and Production Environments'; 'Actuality and History'; and 'Character and Narrative'. These flesh out the 'new perspectives' referred to in the title of the collection and help organize the three parts of the book.

In 'Ethics Beyond the Code', I introduce the collection by working through a particular problem facing any screenwriting researcher interested in ethics and morals; namely, the problem that, historically speaking, issues of ethics and screenwriting have been handled primarily through a discussion of the morality of film under the Hays Office production code in the USA during the 1930s and 1940s. At the same time, this approach limits discussion of ethics to a coded form of morality. Not discounting the fact that ethical debates may take on a different character in different parts of the world, I would contend that 'code' based thinking, even beyond the USA, represents a significant disciplinary paradigm or discourse that inhibits wider exploration of ethical questions in screenwriting. Thus, developing ethical analysis as an approach in screenwriting research involves thinking beyond an emphasis on codes. Through careful analysis of the production code and its moral discourse, I make a case for the need for new perspectives exploring ethics in screenwriting. Contemplating new perspectives, I argue, means reevaluating the way representation has been cast in moral debates. What I hope to show in this first chapter is how debates about screen morality have been constructed within a narrow representational arena that allows for a very limited construction of the relationship between ethics and screenwriting, cast within a climate of concern over the powers of influence of the moving image and extreme suspicion over entertainment.

The first part of the book examines a set of perspectives which have been gathered together under the umbrella of 'Writers and Production Environments'. This heading teases out the unique situational issues that confront any discussion of ethics in screenwriting. Production environments, and the writer's situation within them, represent an important site for contextualizing and expanding out the space of representation of ethics.

In 'The Concept of "Double Storytelling" in Danish Public Service TV Drama Production', Eva Novrup Redvall continues her analysis of

screenwriting principles and practices fostered at the Danish broadcaster DR that she began in her book, *Writing and Producing Television Drama in Denmark: From* The Kingdom *to* The Killing (2013). Focusing specifically on Danish public service TV drama, Redvall examines the unique case of a public broadcaster explicitly commissioning projects with ethical and social connotations. She traces the emergence of the dogma of 'double storytelling' in DR and its operation in the context of DR Fiction. Her analysis explores the institutional commitment to ethics embodied in double storytelling, its emergence as a policy, and operation as a commissioning and storytelling principle.

In 'Ethics, Style and Story in Indigenous Screenwriting: Warwick Thornton in Interview', I examine the work of filmmaker Warwick Thornton, who has deep roots to Indigenous communities in Central Australia. His 2009 feature film, *Samson and Delilah*, winner of the prestigious *Caméra d'Or* at the Cannes Film Festival, among numerous other awards, is noteworthy for its innovative use of style and approach to story, using non-professional actors. In the interview that forms the second part of the chapter, Thornton elaborates on his stylistic choices, his relationship to writing, Indigenous communities, and reflects on his working methods, as well as his earlier short films.

In 'On Morals, Ethics and Screenwriting: An Interview with Jimmy McGovern', acclaimed Liverpool-based screenwriter Jimmy McGovern teases out questions of morality and ethics in his scripts, and gives special focus to the representation of working class morality on the screen. Refusing the role of screenwriter-philosopher, McGovern nevertheless outlines the central place of moral and ethics in his conception of a good story. In addition, while refusing the role of crusader, he teases out the importance of truth-telling and the need to be mindful of justice, especially when writing about historical events such as the Hillsborough Stadium tragedy, the Liverpool Docks dispute, Bloody Sunday and joint enterprise laws in the UK.

The three chapters in this part explore issues to do with public service broadcasting, Indigenous screenwriting in Australia and working class morality. They are complemented by the case studies examined in other parts of the book, and also contribute to the investigation of actuality and character in the other parts. Further work in this area could usefully elaborate on ethical questions arising from different methods of working and different production cultures (Caldwell 2008; Banks, Conor and Mayer 2015).

The second part of the book 'Actuality and History', examines issues around the writing of historical narratives, but also the deployment of actuality in screenwriting—themes already touched on by McGovern and Redvall in earlier chapters. These topics have long been debated in the context of documentary film (Gross, Katz and Ruby 1988) and represent an obvious and important direction in which to extend the representational space of ethics in screenwriting. While there exists a great deal of literature exploring the specific relationship between history and film and television, very little focuses on the situation of the screenwriter. Felicity Packard and Ben Stubbs work to address this gap in '*ANZAC Girls*: An Ethical Auto-analysis', where they reflect on the writing of the Australian TV series *ANZAC Girls*, a six-part drama series made for the Australian Broadcasting Corporation which explores the important, but under-represented role of nurses in World War I. Drawing on Packard's experience working on the project, the chapter explores the way the screenwriter can write a historically oriented screenplay that is mindful of truthful representation whilst remaining dramatically and commercially appropriate. Using *ANZAC Girls* as a case study, Packard and Stubbs develop a framework for thinking through the responsibilities of the screenwriter in relation to history, including questions of truthful representation; subjectivism; the double story; and ethical dramatic construction. They highlight the special role of titles and disclaimers in the presentation of history.

In 'The Ethics of Actuality in the Scripting of Enrique Rosas's *The Gray Automobile*', María Teresa DePaoli continues the discussion inaugurated by Packard and Stubbs in a different way. DePaoli explores how difficult it can be to make ethical judgements regarding actuality in nonfiction film, in cases where the conditions of actuality are fluid and the lines between fact and fiction, objectivity and fabrication are blurred. Drawing on historical and archival research DePaoli examines the myriad issues raised by the most famous film of Mexico's silent period, Enrique Rosas's *The Gray Automobile* (1919); a film especially noteworthy for its use of actual footage of the death of members of the gang at the heart of events depicted in the narrative.

In 'Blurring Boundaries, Transmedia Storytelling and the Ethics of C. S. Peirce', Renira Rampazzo Gambarato and Alessandro Nanì offer a different perspective on actuality, by focusing on the ethics of transmedia storytelling where game designers and writers purposely blur fiction and reality in order to craft complex forms of scenarios activated across a number of platforms. Drawing on the semiotic and ethical theory of

American philosopher C. S. Peirce, Gambarato and Nanì explore the ways in which transmedia stories lay down forms of interpretation which create complex borders for the game or narrative (sometimes associated with the slogan 'This is not a game' in the context of Alternative Reality Games (or ARGs)). Drawing on case studies from Sweden and Brazil they open up a new way of thinking about transmedia narrative through Peirce, and also survey the ethical debates emerging in this area. Like Packard and Stubbs they consider the ethics of disclaimers in guiding the viewer through ethically complex situations.

The third part of the book focuses on issues of 'Character and Narrative', a strand of inquiry already touched on in chapters contributed by Thornton and McGovern, and the chapter by Packard and Stubbs. Characters often play a key role in scripts in focalizing particular ethical situations and dilemmas. Different narrative techniques can create irony, comedy and satire, and contribute to what is called the 'treatment' of ethical issues. While traditional debates surrounding screen morality may focus on decency or indecency, this approach narrows down the discussion of character behaviour to a significant degree. In this part of the collection the authors consider the way characters are used in scripts to explore particular ethical tensions and problems.

In 'Doubled Ethics and Narrative Progression in *The Wire*', Jeff Rush looks at the handling of ethics in screenwriting through ideas of character and personal conflict. He suggests that the privileging of character conflict through concepts such as narrative 'spine' is limiting, and works at the expense of treatment of public conflict and wider social issues. Suggesting that some long-form television represents an alternative approach, Rush develops an analysis of the celebrated serial *The Wire* focused on what he terms a 'doubled' ethics, one that combines a focus on character growth alongside the larger, social world of the story. Drawing on narrative theory, especially the work of James Phelan, Rush develops an approach to character and narrative focused on concepts of narrative judgement and alignment. In making this argument, Rush teases out the relationship between personal and public conflict, and borrows from moral philosophy to show how personal conflict can be examined through an ethics of care, and public conflict in terms of an ethics of justice. Rush also revisits theories of television as a 'cultural forum', showing how doubled ethics contributes to ethical debate.

In 'Writing from the Mouth of Shadows: Creativity as Ethics in the Screenwriting of Jean-Claude Carrière', Felipe Pruneda Sentíes explores

Jean-Claude Carrière's view that the screenwriter works in the 'mouth of shadows' as a creative ethics in its own right. While Carrière's work has become a key reference point for screenwriting researchers, Pruneda Sentíes explores new perspectives on his approach. Drawing on Levinasian philosophy, and the work of Chloé Taylor and Nancy Yousef, Pruneda Sentíes suggests that Carrière's comments on creativity express a broader ethical commitment to knowledge, perception and experience. Pruneda Sentíes shows how principles of estrangement and 'positive othering' guide Carrière's approach to characters and collaborators. Through this discussion, 'ethical blindness' is reclaimed as an enabling approach to knowledge, and the Other, in our forming of relations with the world.

In 'Screenwriting as Dialogic Ethics After *Animal Kingdom*', I continue this focus on relational ethics. Drawing on the work of philosopher Martin Buber I explore how dialogic ethics provides a framework to consider the construction of ethical relations in screenwriting. David Michôd's 2010 Australian feature *Animal Kingdom* drew acclaim for its performances and won the World Cinema Dramatic Competition at the Sundance Film Festival in 2010. The film focuses on how its main protagonist, following the death of his mother, reunites with his estranged extended family, who also happen to be career criminals. I argue that the film and script use characters and situations to perform and explore different ethical or moral positionings in a world in which categories of Good and Evil are open to a range of powers and forces.

Linked to the theme of 'new perspectives', each part of the collection expands the space of representation of ethics in screenwriting in different directions, leading to a more complex view of screenwriting as a narrative practice than often assumed in debates over screen morality and decency. The final chapter in the collection, 'Ethics, Representations and Judgement', forms a contribution to thinking about character and narrative, but works as a conclusion revisiting some key themes posed earlier. In this chapter, I return to the problem of thinking about ethics in screenwriting 'beyond the code' and attempt to develop a more positive account of the interactions between ethics, representations and judgements. This involves developing the link between thinking about representation and relations, and the problem of how to navigate, mediate and represent the latter. The chapter reflects on the implications of making ethical judgements, the role of narrative in developing moral awareness, as well as the relationship between screenwriting practice and ethical practice. Drawing on the theory of 'world projection' put forward by American philosopher

Nicholas Wolterstorff, and applying it to Jimmy McGovern's 2014 script for a 90-minute television feature *Common*, I develop an alternative perspective on representation through a concept of 'ethical work'. I suggest that considering this ethical work could play an integral part in forming judgements about screen works and scripts.

This collection does not exhaust all of the topics that can be discussed under the rubric of ethics in screenwriting. In terms of ethical theory, there is room to broaden our engagement with ethical philosophy. A range of thinkers, such as (but not limited to) Paul Ricoeur, Nick Couldry, Onora O'Neill, Nancy Fraser, Martha Nussbaum, bell hooks (see Valdivia 2002) and Judith Butler, offer ideas rich in possibilities for researchers interested in ethics in screenwriting: from the ethics of recognition, to violence, to translation, to truth-telling, to the ethics of care, and through to the ethics of voice and dialogue. In terms of more applied screenwriting practice, much remains to be discussed on topics as wide-ranging as narrative ethics, authorship, documentary scripting, to working with communities, to consent, through to questions of cultural identity and ethics posed by queer, 'black' and feminist screenwriting. There is room for thorough examination of Indigenous and national ethical cultures to accompany a well-rounded examination of diverse storytelling cultures across the world (Khatib 2013). Finally, the research aspects of screenwriting promises to be a fertile area for deeper investigation of matters of consent and honesty (Weerakkody 2015, 52, 85). It is hoped that this collection, and the new perspectives it presents, forms a useful focal point for further discussion of ethics in screenwriting and robust foundation for future work.

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The script for Jimmy McGovern's *Common* is accessible in the public domain in the BBC Writer's Room at http://www.bbc.co.uk/writersroom/scripts/common

The script of David Michôd's *Animal Kingdom* is accessible in the public domain at http://www.sonyclassics.com/awards-information/animal-kingdom_screenplay.pdf

Excerpts from *ANZAC Girls* screenplays used by the author and reprinted are courtesy of Screentime Pty. Ltd. © 2013.

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Ethics Beyond the Code

Steven Maras

This collection of essays on ethics in screenwriting seeks to open up new perspectives on a topic that is commonly discussed, but relatively neglected in academic research. It will be useful to begin with a clarification of this apparent paradox. For many readers, ethics and screenwriting will define a core research topic in cinema and media studies to do with public debate around the morality of screen works, including attempts to censor or regulate what we see on the screen. The demands of screen censorship in the early 1900s in the USA placed a huge moral burden on filmmakers, but the impact of this regulatory system on screenwriters, and screenwriting, has rarely been explored as a problem to do with ethics in screenwriting. It will thus be useful to reevaluate the operation of the production code from this particular perspective.

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In the USA, as early as 1907, and through the 1910s, cities such as Chicago and states such as Ohio created boards of censors. Fuelled by puritans and 'yellow journalists' the trend continued into the 1920s.

> In 1921 alone, solons in thirty-seven states introduced nearly one hundred bills designed to censor motion pictures. The rules of the extant censor boards were mine fields. Women could not smoke on-screen in Kansas but could in Ohio. (Leff and Simmons 2001, 3–4)

As censorship states also had some of the biggest audiences, it was impossible not to engage with the boards, in what became a costly exercise of compliance for local exhibitors at first, and later producers. In the 1920s, off-screen scandals such as the 1921 Roscoe 'Fatty' Arbuckle case, but also others, fuelled the image of Hollywood as a modern Sodom, feeding a panic over Hollywood's moral standards.

Studio managers became concerned by the impact of off-screen scandal and on-screen immorality on financing, as well as the possibility of government regulation of the industry. In 1922, in an attempt to cool down hostility towards Hollywood, they moved to establish the Motion Picture Producers and Distributors of America (MPPDA), and appointed former Postmaster-General Will H. Hays to lead the Association (Doherty 1999, 6; Maltby 1995a, 5–7).

The approach pursued by the MPPDA was multipronged, including the registration of titles and advertising, and a process under which studios presented scripts to the Association for evaluation (Vaughn 1990, 44). Two other strategies stand out. Firstly, to persuade stakeholder groups that the industry took moral standards seriously. These groups included the various censorship boards, along with an estimated sixty other groups including the National Council of Catholic Women, the Boy Scouts of America, the YMCA, the American Federation of Labor, the National Congress of Mothers and Parent–Teacher Associations, and the US Chamber of Commerce (Vasey 1995, 65–66). One mechanism here was a Committee on Public Relations, which was seen as an advisory group on 'public demands and moral standards' (Leff and Simmons 2001, 5). Established as a Department of Public Relations within the MPPDA in March 1925, it promised a 'direct channel of communication between motion picture producers and the public' (Vasey 2004, 320–321; see Motion Picture Producers and Distributors of America Inc. 1929).

With demands for censorship continuing a second strategy saw the MPPDA engage the studios directly and convince them of the value of 'clean' pictures and self-discipline; even though box office success and public interest in salacious movies often suggested otherwise. The move to self-regulation was given concrete form in 1927, when the Studio Relations Committee (SRC) relocated its offices to the West Coast. It was organized by Colonel Jason Joy, who would advise producers of problems facing scripts and scenarios, and met with studio representatives fortnightly, with more frequent contact around specific projects (Vasey 2004, 232). Also, in 1927 a guideline known as the 'Don'ts and Be Carefuls' emerged. These guidelines arose to appease exhibitors concerned by industry practices and were developed out of an analysis of the activities of the censor boards across the country over several years (Vasey 1995, 66).

In 1929 only 20 % of scenarios were sent to Joy (Leff and Simmons 2001, 8). Studios further flaunted the code.[1] Alongside calls for control from civic organizations were those from small-town exhibitors who bore the brunt of decency concerns. Industry fears that anti-trust legislation would be applied to the film industry intensified. A new approach was needed, which localized around discussion of a new code (see Maltby 1995a, 15). For Will Hays,

> …[the] goal was the formulation of a production ethic, capable of informing interpretation and based not on arbitrary do's and don'ts, but on principles. … Hence a morality was necessary, a philosophy of right and wrong. The industry was growing up, and the list of "Don'ts" and "Be Carefuls" had served its day. (Hays 1955, 438–439)

The MPPDA used the coming of the sound film as a pretext for a new code (Maltby 1995a, 23; 1995b, 58). However, other powerful currents were at work, including the mobilization of Catholic groups. Several different versions and drafts of a new code were put forward: by Irving Thalberg, Colonel Jason Joy, and Father Daniel Lord SJ (Maltby 1995b). The 'Lord' code has received the most discussion. Devised by Lord and Martin Quigley, publisher of the *Motion Picture Herald*, this was an ambitious document, going beyond a statement of 'Don'ts and Be Carefuls'. It contained a statement of general principles alongside working principles addressing particular applications. A summary of the code was made public by the Hays Office in 1930, which contains a section on

General Principles, and Particular Applications, and was accompanied by a 'Resolution for Uniform Interpretation'. Although a compromise document (Maltby 1995a, 18) the new code had some impact, and story and screenplay submissions jumped from 48 in 1929 to 1,200 in 1930 (Leff and Simmons 2001, 13).

The full version of the Lord–Quigley code was published in 1934. It is the fusion of the earlier summary and the full document (see Leff and Simmons 2001, 285) that is normally referred to as the formal 'Production Code', although the simultaneous publication or private circulation of different versions of the code makes it difficult to pin down an authoritative version (Jacobs and Maltby 1995, 3). By 1934, federal legislation looked extremely likely (Doherty 1999, 324). Following action by the Catholic Legion of Decency, and spurred on by social science research (the Payne Fund studies)—which promoted the view that the movies were highly influential on the conduct of vulnerable members of the audience—the code formed the basis of a new, mandatory and enforceable self-regulation regime.

The key elements of this new regime were (1) compulsory submission of scripts for consideration by Production Code Administration (PCA), with appeals going directly to the MPPDA; (2) the replacement of the SRC with the PCA, under the authority of Joseph I. Breen; and (3) a $25,000 fine applied to any film shown without a Production Seal. This was seen as a response not only to religious groups and new research, but also the fear that the newly elected Roosevelt Administration would institute regulation of the film industry under the New Deal. As Thomas Doherty notes, 'The studios found themselves fighting a three-front war against church, state, and social science' (1999, 8).[2]

This sketch of the Production Code can only partly capture all of the forces at work in this period: fears over the rise of 'moral indifferentism' after the Great War (Quigley 1937, 27); technological change; the great depression and financing issues (Vaughn 1990, 57); changing patterns of cinema attendance; trade relations between distributors and exhibitors (see Vasey 2004, 321); all contribute to a fuller picture. Nevertheless, it serves to portray a research paradigm that will be familiar to many readers. This paradigm, I want to argue, can serve as a useful reference point for debates about ethics in screenwriting, but has also contributed to the neglect of broader questions and perspectives in ethics in screenwriting. In the absence of a well-developed approach to ethical analysis it forms a default way of thinking about key issues of morality and practice. While