

POPULAR MUSIC BEFORE AND AFTER THE HAYS CODE IN THE FILMS OF THE MARX BROTHERS

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Censorship is a key ingredient in understanding how films were made during the studio era, and is vital in any analysis of their content or structure.

(BLACK, 1996: 5)

TAKE ME OUT TO THE BALL GAME

In the final part of *A Night at the Opera* (Sam Wood, 1935), Chico and Harpo Marx slip in among the musicians of an orchestra that is about to play the overture to *Il Trovatore*, an opera written by Giuseppe Verdi in 1853 (Figure 1). After some clever visual gags featuring the two comedians ridiculing the conductor and holding up the start of the performance, the orchestra begins to play the Italian composer's famous opera. However, after a few bars Verdi's music transforms into "Take Me Out to the Ball Game", a well-known Tin Pan Alley¹ song written by Jack Norworth and Albert von Tilzer in 1908, the score for which the Marx Brothers had slipped onto the music stands of the orchestra members. The comedians thus sabotage

the opera performance, much to the astonishment and outrage of the conductor and the genteel spectators attending the concert. However, the most significant aspect of this scene is the way that von Tilzer's song transforms the orchestra pit into a sports field, as Chico and Harpo begin playing baseball using a violin as a bat (Figure 2), while Groucho appears in the stalls dressed as a peanut vendor.

Glenn Mitchell argues that the Marx Brothers do not show any particular interest in opera apart from its potential as an object of parody (2006: 165). But in this scene, the Marx Brothers are not parodying *Il Trovatore*, but vindicating a cultural substratum that the film industry under the guidelines of the restrictive Hays Code had been depriving them of. In a certain sense, the



Figure 1. Chico, carrying on with his famous “monkey business” among the members of the orchestra

tune to “Take Me Out to the Ball Game” conjures up a cultural framework configured in the age of vaudeville, which encoded its expressive meaning and parody based on their interaction with lyrics to popular songs,² with choruses that the audience would sing along to at a performance. Indeed, “Take Me Out to the Ball Game” was a tune that had often been performed in old theatres as an “illustrated song”,³ accompanied by projections of slides related to its narrative content.⁴

Rick Altman argues that illustrated songs and films were central to the configuration of expressive meaning in cinema as they helped spectators make sense of a film’s discontinuous visual narrative (Altman, 2004: 112). However, the consolidation of the film industry and its artistic and moral aspirations, as expressed in the Hays Code, ultimately marginalised such practices, tearing down one of the fundamental pillars of the Marx Brothers’ comedy. The protagonist in von Tilzer’s song doesn’t want her boyfriend to take her to the theatre because she would rather watch a baseball game. And it is precisely this idea that Chico and Harpo propose in this scene with their subversion of the performance of *Il Trovatore*: they want to



Figure 2. Harpo uses a violin to bat the baseball pitched to him by Chico

transform the theatre into a sports stadium and reclaim the culture with which they had always identified. In this sense, although some studies, like Grover-Friedlander’s (2002), focus their analysis of the final part of *A Night at the Opera* on the influence of the visual representation that characterised the silent film, in this article I seek to argue that the most decisive element in this scene is the confrontation between two ways of understanding and receiving musical content in cinema.

FROM VAUDEVILLE THEATRES TO MOVIE THEATRES

Before their film debut, the Marx Brothers had been working for more than twenty years in vaudeville, the theatrical genre that combined different nineteenth-century traditions in which music played an important role. Many of the gags used in their films were created and perfected in their years on the stage. Moreover, their first two films, both made in New York, *The Cocoanuts* (Robert Florey & Joseph Santley, 1929), with music by Irving Berlin and a script by George S. Kaufman and Morrie Ryskind, and *Animal Crack-*

ers (Victor Heerman, 1930), were actually adaptations of musical comedies that they had presented on Broadway a few years earlier.

THEIR ON-SCREEN HUMOUR THEREFORE CANNOT BE UNDERSTOOD WITHOUT THE SYSTEM OF SOCIOCULTURAL REFERENCES ESTABLISHED IN THEIR YEARS ON THE STAGE, WHICH DREW ON POPULAR TRADITIONS IN WHICH MUSIC PLAYED A DECISIVE ROLE

The Marx Brothers' career covers some decisive years in theatre, marked by the relentless rise of cinema. Groucho had his less than successful stage debut at the age of fifteen in Leroy's Touring Vaudeville Act (Marx, 1996: 55), and by 1910 Minnie Marx had formed the Four Nightingales, a family group specifically built around her children. Like other comedians who lived through the golden age of the variety show, the Marx Brothers had to adapt to the changing times and started working in the film industry in the years that vaudeville began its decline. Their on-screen humour therefore cannot be understood without the system of sociocultural references established in their years on the stage, which drew on popular traditions in which music played a decisive role. The comic situations, puns, satirical humour and musical content present in their films can only be fully explained from this perspective. Indeed, the contract that the Marx Brothers signed with Paramount in 1930 for their next three films—*Monkey Business* (Norman Z. McLeod, 1931), *Horse Feathers* (Norman Z. McLeod, 1932) and *Duck Soup* (Leo McCarey, 1933)—clearly stated the need to include musical numbers as an inextricable part of their humour:

The Artists hereby accept the said engagement and agree to give their time and attention and devote their best talents and abilities to portraying the roles assigned to them by the Corporation in

the said productions and in rendering musical, comedy, pantomime and dancing numbers and specialties, together with such dialogue and other business as the respective parts shall require [...] (Louvish, 1999: 224).

However, the consolidation of the Hays Code greatly reduced the importance of the musical content in the articulation of symbolic and expressive meaning. This change became increasingly pronounced after they signed with Metro Goldwyn Mayer. The young producer Irving Thalberg represented MGM in the negotiations prior to the acceptance of the Lord-Quigley Code in February 1930 (Black, 2012: 56-57), and despite disagreeing with the new prohibitions (Black, 2012: 62), he ultimately respected the restrictions and steered the Marx Brothers into the most successful period of their career, up to his untimely death in 1936. According to Gehring, the *Thalberg formula* was structured around a credible plot, built on the foundations of a love story that would appeal to women because the “antisocial cynicism and sometimes womanizing, sometimes misogynous nature of Depression clowns like W. C. Fields and the Marx Brothers hardly endeared them to most women” (Gehring, 1997: 72).

However, the *Thalberg formula* disengaged the Marx Brothers' humour from its foundations and had a decisive impact on the musical content of their films. After *A Day at the Races* (Sam Wood, 1937), their career began a long, slow decline, as none of their subsequent films would achieved the success expected of them. In 1938, RKO produced *Room Service* (William A. Seiter, 1938), a film based on a play that included no musical content at all. Kanfer argues that by this stage the Marx Brothers had lost their vaudeville rhythm:

What must have seemed humorous on stage is wrecked by close-ups, reducing the humor to mugging and incoherent gestures as the scene bounces downhill from vaudeville to second-feature burlesque (Kanfer, 2001: 248).

Yet none of the numerous studies conducted on the artistic trajectory of the Marx Brothers—Gehring (1997), Kanfer (2006), Louvish (1999), Mitchell (2006), among others—have explored the decisive importance of vaudeville musical content to the configuration of the Marx Brothers' humour, or the expressive changes in relation to music that resulted from the implementation of the Hays Code. The undervaluing of popular culture, especially of popular musical content, has been commonplace throughout the history of cinema. Philip Tagg argues that for many years it has been believed that entertaining content could never be serious—and that serious content could never be entertaining—and simple formal structures have been dismissed as lacking in substance or significance (Tagg, 2015). In this regard, Rick Altman demonstrates that in research on music in film certain criteria have been applied retroactively and erroneously (Altman, 2004: 193). In this article, I wish to show how the implementation of the Hays Code, and its view of cinema as an art form, also gave rise to a revision of the past with the objective of consolidating this discourse, a revision that entailed marginalising elements of popular culture.

THE MUSICAL TRADITION IN THE MARX BROTHERS' CAREER

In addition to teaching themselves to play a diverse range of musical instruments, over the course of their career the Marx Brothers demonstrated an extensive knowledge of popular musical traditions and genres. Goddard Lieberson asserted, for example, that Groucho could quote whole verses and even the music of the operas of Gilbert and Sullivan (Chandler, 2006: 324). The musical styles or genres featured in the Marx Brothers' films are highly varied and represent their way of understanding this repertoire. Although for commercial reasons Tin Pan Alley songs predominate, there also many instances of musical comedy numbers,

some traditional songs, a cappella numbers in a barbershop quartet style, and even pieces from the Central European instrumental and opera tradition given a parodic or burlesque treatment. There is also no shortage of references to African-American culture, such as those found in *A Day at the Races*. From this perspective, we should not view the musical content present in the Marx Brothers' films as isolated events in themselves, but as parts of a "hermeneutic window" (Kramer, 2011: 27) that enables us to appraise and interpret this music as a decisive element of a vast cultural substratum. The first Marx Brothers films, in this sense, continued a cultural tradition created during the years of the minstrel shows and vaudeville, a tradition in which music played a decisive role. However, the moral and artistic restrictions imposed by the Hays Code would ultimately result in the gradual disappearance of this form of artistic and cultural expression in their movies.

THE HAYS CODE AND THE MARGINALISING OF POPULAR MUSIC

Samuel Lionel "Roxy" Rothafel boasted that the Strand, a movie theatre with a capacity of 3,500 that opened in 1914, offered "a fine picture, and an hour and a quarter's entertainment, and a first-class orchestra to boot for the same price" (Black, 1996: 21). In earlier years, nickelodeons had presented film screenings that gave popular culture a prominent presence. Rick Altman notes that in these small theatres, which operated from 1905 to 1915, illustrated songs and vaudeville numbers were presented too (Altman, 2004: 181). But Rothafel sought to place these movie theatres on a par with the splendour of the great opera houses of Europe, to turn movie screenings into an artistic experience that needed orchestral music with a majestic sound and dramatic colour (Altman, 2004: 275). In this context, the substratum of popular culture did not seem to have a place. In a way, the big "picture palaces" led to a split between an

elitist cinema with artistic pretensions and the popular content of the old vaudeville theatres.

On the other hand, in a process comparable to the one that Tony Pastor began with his “polite vaudeville” shows in 1881 at his theatre on 14th Street, in the 1920s the motion picture industry struggled to resolve the contradiction between a refined and respectable presentation and certain earthy topics cast through the idealistic prism of the jazz era. “The ‘flapper’, the gangster, the speak-easy, the new woman, liberal attitudes toward sex, marriage, and divorce were natural topics for the film industry” (Black, 1996: 27), and these are subjects that we also find in the Marx Brothers’ early films.

The rise of conservative groups and defenders of moral integrity during the presidency of Warren Harding in the post-war years resulted in various attempts at regulation of motion picture content, culminating in the approval of the Hays Code in February 1930. The implementation of this self-regulatory code, in fact drafted by Martin Quigley, director of the magazine *Exhibitors Herald World*, and Father Daniel Lord (Black, 1996: 36-39), would not have been possible without a production and exhibition system dominated by a few major studios that exercised their power through “large-scale, tightly controlled vertical monopolies that produced, distributed, and exhibited films” (Black, 1996: 26). Among the signatories of the Code was Irving Thalberg, the young head of production at Metro Goldwyn Mayer, who very shortly afterwards would sign on the Marx Brothers to make one of their most successful films: *A Night at the Opera*.

References to music in the Hays Code are few and far between. There are only a few warnings against dances that “violate decency” and the immorality of dances that “excite the emotional reaction of an audience, dances with movements of the breasts, [or] excessive body movements while the feet are stationary” (Black, 1996: 308). Apart from dancing, musical content did not seem to

be of much concern to the creators of the Code. However, the reasons set forth in its preamble unequivocally reveal the view of the kind of music expected and the role it should play in films.

In the Lord-Quigley text, under Title II of the Preamble, after asserting that motion pictures are an art form, it reads: “Art can be morally good, lifting men to higher levels. This has been done through good music, great painting, authentic fiction, poetry, drama” (Black, 1996: 303). From this perspective, music in films should not be mere entertainment, but should fulfil a higher function in keeping with the moral principles reflected in the Code. The following section—Title III, point A—goes on to state that “[m]usic has its grades for different classes; so has literature and drama” while the motion picture “at once reaches every class of society” (Black, 1996: 303). This observation points to a break between the “highbrow” and the “popular”, while also touching on one of the most significant issues addressed by the Code: the real problem for Lord and Quigley lies in the fact that in cinema it is not possible to segregate cultural content. This means that frivolous music should be restricted to the vaudeville theatres and similar venues, in accordance with the social class of the spectators, rather than being featured in motion pictures for “every class of society” to see. This idea is supported in Title III, point F, which asserts that “[e]verything possible in a play is not possible in a film” because “the larger the audience, the lower the moral mass resistance to suggestion” (Black, 1996: 304). In other words, only the wealthy, appropriately educated classes would be capable of resisting the amoral suggestions of the subjects and music of the jazz era. While the theatre is considered an elitist spectacle attended by only a select minority capable of understanding it, movie theatres fill every week with people of all classes, as Gregory D. Black suggests:

In less than three decades this new industry had become the entertainment outlet for millions of people all over the world, speaking to people in a

way no other popular entertainment form had enjoyed, penetrating all cultural, economic, political, and social barriers (Black, 1996: 45).

For this reason, the precepts of the Hays Code not only highlight the need to suppress amoral topics and suggestive dancing, but also, although indirectly, they hint at the need for “artistic” music content, in keeping with the Code’s moral directive, that will not have a negative influence on viewers. The sumptuous orchestral music offered by Roxy in his films and the moral and artistic restrictions imposed by the Hays Code in the early 1930s thus led to the breakdown of a system of references created during the vaudeville years based on the substratum of popular culture. However, before the consolidation of the Code, the Marx Brothers made a series of films that offer us the opportunity today to appraise the decisive importance of popular music in their work.

MUSIC IN THE MARX BROTHERS’ FILMS

Before becoming an actor, Chico Marx played piano at a beer garden in Yorkville, and also worked as an accompanist for the projections at a nickelodeon. In 1907 and 1908, his brother Harpo played accompaniment too, at a movie theatre on 34th Street, before joining the family company known at that time as the Four Nightingales. Harpo himself comments in his autobiography that in those days his piano skills were practically zero, as he could only play the songs “Waltz Me Around Again, Willie” and “Love Me and the World Is Mine” (Marx, 2001:53).

As Rick Altman has shown, so-called popular urban songs were very much a part of the early days of cinema and contributed to the articulation of the narrative of the motion pictures through representations of illustrated songs in vaudeville theatres⁴ (Altman, 2004: 191). By way of example, Altman cites the musical instructions, known as “cue sheets”, for the Thomas Edison production *A Western Romance* (Edwin S. Porter, 1910), pub-

lished on 15 January 1910 in the magazine *Kinetogram* (Altman, 2004: 223). The music proposed to accompany the picture only includes popular songs, such as “Pony Boy”, “I’m a Bold Man” and “It’s Nice to Have a Sweetheart”, whose choruses bear a close relationship with the film’s narrative content.

However, the new view of cinema as an art form marginalised popular music styles, limiting their use to comedy. In 1915, one year after the opening of the Strand, in the *Picture Theatre Advertising* guide published by *The Moving Picture World*, the vaudeville critic Epes W. Sargent recommended: “though it is contrary to popular belief, NEVER permit a popular song hit to be played during a drama” (Altman, 2004: 224). In that same year, in *Moving Picture News*, Eugene A. Ahern argued that in comedies snappy songs should be used, but only if the public is already familiar with them (Altman, 2004: 224). Based on these recommendations, it could be assumed that movie screenings before that time were accompanied by “hit” songs whose content was related to the plot of the picture.

The most salient aspect of the imposition of the Hays Code in the Marx Brothers’ films can be found in the lyrics to the songs performed by Groucho. In “Hooray for Captain Spaulding”, the song that introduces his character in *Animal Crackers*, the captain’s representative declares that he wants “the women young and picked, and as for men, he don’t want any bums here”, and he reinforces this idea shortly thereafter by asserting that “the women [must be] hot, the champagne cold”. Then, in “Hello, I Must Be Going”, Spaulding clarifies that he is a man of irreproachable morals and that he “never take[s] a drink unless somebody’s buying”. These numbers, written by Bert Kalmar and Harry Ruby, take inspiration from Gilbert and Sullivan’s operas (Mitchell, 2006: 21) and are representative of what for many years was Groucho’s style, which influenced other musical films like *Hollywood Party* (Boleslawski,

1934) (Jenkins, 1992: 111). It is significant that the film version of the musical, which had been performed on Broadway in 1928, censored certain words, replacing “bums” with “tramps” and “hot” with “warm”, while retaining Groucho’s demands, as well as the references to alcohol.

Three years later, the Marx Brothers tried to recover the spirit of Captain Spaulding with Rufus T. Firefly, Groucho’s character in *Duck Soup*. However, on this occasion, in the number “His Excellency Is Due”, the dictator of Freedonia—in what is very probably an allusion to the Hays Code—forbids smoking, telling dirty jokes, and whistling, as well as exhibiting pleasure in public. Humorous puns with sexual allusions and references to drinking are thus no longer allowed.

But the Marx Brothers’ humour would suffer its greatest distortion in the symbolic system constructed around the musical references of their vaudeville period. In *Duck Soup*, released at the height of the Prohibition era, Harpo asks for a whisky in a speakeasy by imitating the steps of the famous Scottish highland fling (Figure 3), while Groucho tries to pass himself off as the captain of the ship he has stowed away on in *Monkey Business* by humming “The Sailor’s Hornpipe” and moving to the steps of this dance. In these scenes, Harpo and Groucho are acting in accordance with the logic of vaudeville, a logic in which a cap and a song make the perfect disguise.

This system of codes based on cultural identity can also be used to call attention to outsiders. In *The Cocoanuts*, for example, the brothers conspire to unmask the real thieves of Mrs. Potter’s jewels by humming and dancing to “Pop Goes the Weasel” (Figure 4), a nursery rhyme of English origin that also appears in *Duck Soup*, which uses the slang developed by the working-class Cockney community to prevent outsiders from understanding them (Pop Goes the Weasel: Nursery Rhymes Lyrics and Origins, 2017). Musical codes of this kind only work if those in power do not participate in this cultural substratum. In *Monkey*



From top to bottom. Figure 3. Harpo, dancing to ask for a “Scotch”. Figure 4. The Marx Brothers, dancing and conspiring to the rhythm of “Pop! goes the Weasel”

Business an officer suspects, much to the incredulity of the ship’s captain, that there are four stowaways on board because he has heard them singing “Sweet Adeline” in barbershop quartet style, a very popular genre in vaudeville theatres from 1890 to 1910. According to Thomas S. Hischak, “Sweet Adeline” was a barbershop standard (Hischak, 2002: 347). Popular music content was thus decisive in the use of an expressive code established in the vaudeville years and was still very much a part of the Marx Brothers’ early films. The ship’s captain could never have discovered the stowaways because of his lack of familiarity with this cultural tradition.

MUSICAL NUMBERS AND DANCES

The mise-en-scène of the musical numbers also suffered a regression after the implementation of the Hays Code. In *The Cocoanuts*, the Marx Brothers' first film, there are characters who overcome their inhibitions through music, an idea we will not see again in any of their other films. Polly Potter, the character portrayed by Mary Eaton, is forced to give up her amorous desires. Polly is in love with Bob Adams, an employee at the hotel where the action takes place, but her mother wants to marry her off to the son of a millionaire. As the story unfolds, it becomes clear that the young woman is unable to challenge or rebel against her mother's designs for her. However, in the musical numbers Polly declares her love for Bob by singing "When My Dreams Come True", and she openly displays her sexual desire in a dance to "When the Monkey Doodle-Do", a song written by Irving Berlin with rhythms taken from very famous dances of the era like the Turkey Trot, the Grizzly Bear and the Bunny Hug (Magee, 2012: 115). The dance moves performed to this song, according to the precepts of the Hays Code, "violate decency", because of the body movements and the fact that the dancer even goes as far as revealing her underwear (Figure 5). Polly is what Gregory D. Black identifies as a "flapper", a young woman who wore her skirts short and "danced the Charleston" (Black, 1996:

26). However, Polly Potter is only a flapper when she performs a musical number, when the music allows her to release her repressed desires. In the rest of the film she appears as the virginal *girl next door* who respectfully defers to her mother's plans for her. In this sense, popular music influenced by African-American rhythms in the 1920s symbolised the aspirations of young people eager to break free from social constraints. Polly belongs to high society yet shows no qualms about letting herself be seduced by this type of music. Significantly, Irving Berlin, the composer of the score for the stage version of *The Cocoanuts*, understood vaudeville as an intersection between uninhibited countercultural expression and the prevailing norm of Victorian morality (Hamm, 1997:27-29).

After the consolidation of the Hays Code, musical numbers took on a much more visually lavish appearance, although they were stripped of this metanarrative signification. In *A Day at the Races*, the second Marx Brothers film produced by Metro Goldwyn Mayer, there are two musical sequences that are highly significant in this respect. The first takes place in a luxurious and elegant water park where a "Water Carnival" musical gala is presented. The first number, "On Blue Venetian Waters", is performed by Gil Stewart (Allan Jones), whose girlfriend, Judy Standish (Maureen O'Sullivan) watches him from a distance as he sings. With the implementation of the Code, the

Figure 5. Polly Potter, dancing to "When the Monkey Doodle-Do"



Figure 6. Vivien Fey in *A Day at the Races*



female protagonists were musically castrated, as they no longer sang or expressed their desires in music but were limited to looking on while their male partners serenaded them, trying to use the suggestive power of music to win their love or to reconcile with them. In this sense, Judy Standish represents the female ideal as implicitly expressed in the Hays Code.⁵

This song leads into a virtuoso choreography on platforms placed over a lake, featuring the dancer Vivien Fay and a large female dance troupe. As she is a guest artist rather than a character in the film, Fay's personal motivations for performing this number are unknown to us. There are no rhythms or beats with an African-American influence here, but something closer to classical ballet (Figure 6). The music is no longer used as a vehicle for the repressed desires of the protagonists, as it is now merely entertainment, and more to be watched than listened to. Music thus loses its communicative capacity and is transformed into visual aesthetic enjoyment. This is precisely what Theodor W. Adorno means with his concept of the "regression of listening". For the German thinker, the regression of listening refers to a twofold loss. Not only has the listener lost the desire to choose what to listen to, but also the capacity for conscious understanding of the music. In this sense, this "regression" ultimately denies any possibility of understanding (Adorno, 2009: 34):

The delight in the moment and the gay façade becomes an excuse for absolving the listener from the thought of the whole, whose claim is comprised in proper listening; The listener is converted, along his line of least resistance, into the acquiescent purchaser (Adorno, 1988: 273).

We find a similar change in the "specialties", the instrumental numbers played by Harpo and Chico, built around paraphrases of hit songs of the era. While the lyrics to these songs once bore a close relationship with the plot of the film in which they were featured, they would ultimate-

ly be turned into mere acrobatic pieces in which the visual content is all that matters and all that is perceived.⁶

THE ETHNIC MUSIC SUBSTRATUM

The final part of *A Day at the Races* features an opposing musical number on a big scale, set on a plantation in the American South. Indeed, the pun present in the film title, exploiting the two meanings of "races", evidently refers to this sociocultural context. The song that opens this big sequence, "Tomorrow Is Another Day", is transformed into a tribute to the multi-ethnic musical styles that comprise this cultural substratum (Figure 7). In this way, the Tin Pan Alley aesthetic gives way to snippets of gospel music, African-American spirituals (like the arrangement of "All God's Children Got Wings" performed by Ivie Anderson), swing, jungle music and even a "Lindy hop" dance number with musicians and dancers from the Cotton Club (Figure 8), a New York City nightclub that the Marx Brothers used to frequent (Cohen, 2010: 56). Moreover, the way these numbers are combined was directly influenced by the so-called "afterpiece" of the minstrel shows, the most popular form of public entertainment in the United States from 1840 to 1880, before the introduction of Tony Pastor's "polite vaudeville". The afterpiece was the third and final part of these shows, consisting of a medley of songs and dances mixed with short dialogues, all set on a Southern plantation (Jones, 2003: 28-29). The Marx Brothers offer their tribute to this minstrel tradition in *A Day at the Races*, even going as far as donning the familiar blackface in an attempt to hide from the authorities. However, in contrast with the reality of the minstrel shows, the treatment of African-American culture here is respectful and never deterministic, reflecting the influence of the Harlem Renaissance and musicals like *Show Boat* (Jerome Kern and Oscar Hammerstein II, 1932) or *Porgy and Bess* (DuBose Heyward, Ira Gershwin

and George Gershwin, 1935), two productions that first appeared on the stage in the years just prior to *A Day at the Races*.

Although the films of the 1930s penetrated “all cultural, economic, political and social barriers” (Black, 1996: 45), the reality is that this new industry ultimately marginalised the musical styles of the cultural substratum that had emerged in the nineteenth century. In *A Day at the Races*, the moneyed classes attend a lavish, dazzling music show in which the visual aesthetic overshadows the musical content, while the disenfranchised classes recall the old popular musical styles by singing and dancing in the cotton fields. This is a

From top to bottom. Figure 7. The Southern plantation that serves as the setting for “Tomorrow Is Another Day”. Figure 8. Ivie Anderson, dancing the Lindy hop



cultural stratification that would not have been possible in the world depicted in *The Cocoanuts* a mere eight years earlier. Polly Potter, the wealthy female protagonist in that film, would most probably have joined in the dancing in the African-American musical number in *A Day at the Races*. Indeed, this is another of the essential keys to understanding the musical paradigm shift consolidated with the Hays Code. In the vaudeville days, the spectators sang along to the choruses of the illustrated songs, the lyrics to which were also projected on the screen, as noted in a newspaper article on Tony Pastor published in 1908 (“Tony Pastor ill...”, 1908), a practice that was also common in the nickelodeons. Indeed, in his autobiography Harpo relates how, during his months working as a pianist in one of these theatres, the spectators would make requests for the songs they wanted to hear, and that one woman even asked him to play “Love Me and the World Is Mine” in a higher key so that she could sing it (Marx, 2001: 67). Early cinema goers thus behaved rather like the stars of the minstrel number in *A Day at the Races*, participating in the music, becoming part of the performance. Conversely, the Hays Code insisted that film screenings, being artistic events, should be viewed in silence, just as Judy Standish watches Tony singing in the water carnival scene, but also as she does on the farm in the cotton fields where she waits for the big multi-ethnic number to end. In this sense, Judy not only represents a new ideal woman, but also teaches the spectators how they should be contemplating the music. In contrast, the Marx Brothers themselves symbolise the old musical paradigm which, like vaudeville itself, gradually disappeared over the course of the 1930s.

THE MUSICAL CASTRATION OF THE FEMALE

The films featuring the Marx Brothers from 1931 to 1937 offer various examples of this musical paradigm shift. In *Monkey Business*, the leading

couple, Zeppo Marx and Mary Helton, do not actually perform “Just One More Chance”, the song intended to symbolise their relationship; instead, we only hear the song in fragments, underneath the dialogue, in an instrumental version that is difficult to recognise. But the most representative scene of this film in terms of the prohibitions imposed by the moral code involves Lucille, the wife of the gangster Alky Brigs, in a scene that seems to have been written specifically to criticise and ridicule the moral restrictions imposed by this code. Alky, played by Harry Woods, has left his wife locked inside their berth while he goes to firm up some shady business elsewhere on the ship. In these moments, Groucho slips into the Brigs’s berth, fleeing from the officer who is chasing him, and wastes no time in trying to seduce the young woman. After exchanging a few words, Lucille (Thelma Todd) candidly confesses her desires to the comedian: “I want gaiety. I want to ha-cha-cha-cha”. At this moment, Groucho gets up quickly from the bed where he was lying and, picking up a guitar that appears improbably (in accordance with the logic of vaudeville), begins playing a piece while Lucille dances a few steps (Figure 9). But then Groucho interrupts his playing abruptly and resumes the conversation as if the musical break had never happened. This situation is repeated later, without anybody actually ever dancing the cha-cha-cha. In this way, the attractive Lucille Briggs, dissatisfied with her husband’s lack of attention, cannot dance like Polly Potter did in *The Cocoanuts*, nor can she openly express her sexual desires through her body language. Lucille cannot aspire to be a flapper, but must remain locked up in her berth, waiting for her husband while he carries on with his business. This castration of vital energy can also be found in relation to the cultural traditions drawing on the world of vaudeville. In the middle of the scene, Lucille tries to rebel against this unjust situation: “I want to go places. I want to do things. I want freedom, I want liberty, I want justice!” And

right at this moment Groucho reacts by humming the first few bars of “I Wish I Was in Dixie’s Land”, a song written in 1859 by Daniel Decatur Emmett and made popular by Bryant’s Minstrels, who included it in the “walkaround” in their show (Hischak, 2002: 84-85). After the American Civil War, “Dixie’s Land” turned into a symbol of longing for an idealised past, thus evoking an identification with a hopeless, romantic struggle for lost causes. The Marx Brothers had been using Emmett’s song since their first years on the vaudeville circuits. In fact, in a reference in his autobiography to a performance in 1912 with the show *Fun in Hi Skule*, Harpo hints that they would use “Dixie” whenever things weren’t going well onstage: “[w]e collapsed like a house of cards, jumped up, grabbed our mandolins, and sailed into ‘Peasie Weasie’. We had never had such fun or such an ovation before. We took seven bows, and there was no need for anybody to sing ‘Dixie’” (Marx, 2000: 118).

The symbolic meaning of “Dixie’s Land” is revealed unequivocally in *The Cocoanuts* when the Marx Brothers cook up their plot to unmask the real thieves of Mrs. Potter’s jewels and thus prove the innocence of Bob Adams. Groucho, Harpo and Chico not only hum this old song but even represent it visually, in a kind of tableau inspired by the painting *The Spirit of 76*, painted by Archibald MacNeal Willard in 1875. The Marx Brothers thus symbolise the fight for ideals and for justice through the combination of a song and a visual image, in a style analogous to the method they use to disguise themselves. But this vaudeville logic no longer has any place in *Monkey Business*. Emmet’s song is only hinted at by Groucho like an old reflex triggered by Lucille’s speech, while for Lucille herself it is a completely incomprehensible language. In any case, the scene ends with a musical number: after a witty exchange filled with double entendres and a trip together inside the closet to conceal what the moral code does not allow to be shown, Groucho and Lucille end up dancing a tango (Figure 10). But the erotic or transgressive



Figure 9. Lucille dances while Groucho accompanies her on guitar

content of this dance between two strangers is diluted, as the comic nature of the choreography occupies the foreground of signification. The music of the tango does not allow Lucille to openly display her desires; instead it is used as the musical accompaniment to a series of meticulously choreographed visual gags.

FROM OPERA AS BURLESQUE TO OPERA SUBVERSION

On the other hand, in the films of the Marx Brothers we also find parodies of well-known opera numbers, in the tradition of the burlesque numbers characteristic of vaudeville. Beyond the sporadic references in different films, the Marx Brothers' most successful opera parody is the one of Georges Bizet's *Carmen* at the end of *The Cocoanuts*, in imitation of Charlie Chaplin's parody of the same opera in 1915. The Marx Brothers deliver the number "I Want My Shirt" to the tune of "Habanera" and "Toreador Song". This parody, set in a courtyard in Seville, features all the characters in the film, including the detectives, disguised as bullfighters or Sevillian *damas* (Figure 11). These disguises eliminate the social distinctions that had separated the characters throughout the film. The costumes place all social and cultural classes on the same level, and nobody shows any signs of being offended by the comic treatment of the French composer's work (Figure 12).

A mere six years later, in *A Night at the Opera*, the Marx Brothers would transform the perfor-



Figura 10. Groucho and Lucille dance a tango

mance of the overture to *Il Trovatore* into a baseball parody using the song "Take Me Out to the Ball Game", much to the surprise of the audience and the outrage of the orchestra conductor, as legal custodian of serious music. This conflict can only be comprehended under a musical paradigm where the *popular* and the *highbrow* have been unequivocally separated, in a context where an audience of refined, passive spectators who wish to contemplate an opera from the comfortable seats of a luxurious theatre are upset by a trio of comedians who want to take part in a different kind of performance. This time, it is only the comedians who are disguised, as there is no possibility of a shared culture.

Lawrence Kramer, one of the biggest exponents of new musicology, argues that the Marx Brothers' objective in *A Night at the Opera* is to return the opera genre to the people, i.e., to its roots. According to Kramer, opera, as an expression of the energy of popular culture, originally belonged to working-class Italian immigrants before it was appropriated by the wealthy elite to be turned into a commodity marketed to the upper classes (Kramer, 2002: 140-141). In this same sense we could view the popular music tradition created during the vaudeville era in the United States as representing the energy and identity of the most underprivileged classes, an identity that began to be undermined when Samuel Rothafel established the Strand precisely with the intention of imitating the big European opera theatres. While in the early Marx Brothers films the musical cul-

ture of vaudeville is still clearly evident, the implementation of the Hays Code consolidated a new musical paradigm much more oriented towards nineteenth-century Central European music, in which the popular music tradition had no place. This paradigm coincided with the arrival in the United States of a whole generation of European composers fleeing from Nazism who would subsequently lay the musical foundations for what came to be known as classical Hollywood cinema.

CONCLUSIONS

The Marx Brothers films evolved significantly in the early 1930s, undergoing a range of changes associated with the implementation of the Hays Code that would have a decisive impact on their identifying, popular musical content and that would result in the loss of a whole system of expression and signification created in the vaudeville era. In this article, I have offered various examples of these changes, which operate on different levels ranging from the elimination of sexual or offensive content in the song lyrics to the restructuring of the dance numbers into empty visual spectacles. The changes reflect a much more profound structural transformation that would lead to the consolidation of a patriarchal, elitist system in which female characters were no longer able to express themselves through music and instead came to occupy a passive role, attentive to the desires of their male counterparts.

However, research conducted into the consequences of the imposition of the Hays Code on film production has not generally explored the decisive transformations that occurred in relation to the use of popular musical content. Indeed, the greatest achievement of the Hays Code consisted in (re-)constructing the history of early cinema from an artistic and cultural perspective that was very different from the one that existed when those early films were actually made. Theoretical and historical studies of film language rarely comment on musical content, viewing it as less important than other narrative elements. Music has been studied as an element external to film language, and research into the use of music in cinema tends to ignore musical content taken from popular culture in the early twentieth century and conclude that film music was based on the Central European classical tradition.

This points to a need for a review, along the lines of the work of Rick Altman and Lawrence Kramer, of the presence of musical content from the substratum of popular culture in early sound films, considering its importance to the development of film language. We should not be analysing the music of early cinema in the grand movie theatres, but in the vaudeville theatres and little nickelodeons where cinema first established its modes of representation and reception. ■

Figure 11. Chico, the “Lithuanian pianist”; Groucho, the “eccentric” bullfighter, and Harpo in a Mexican sombrero



Figure 12. Detective Hennessy, disguised as a matador



NOTES

- 1 The name "Tin Pan Alley" was coined by the songwriter and journalist Monroe Rosenfeld (1861-1918), in reference to the sound of all the cheap, upright pianos of the music publishers originally based on 14th Street all playing simultaneously (Taruskin, 2010: 623-624).
- 2 For the purposes of this study, the term "popular music" is used in the sense defined by Philip Tagg, as music conceived for mass distribution to large and socioculturally heterogeneous groups of listeners, that is stored and distributed in non-written form, and that is only possible in an industrial economy that turns it into a commodity subject to the laws of the market (Tagg, 2015).
- 3 A reconstruction of this illustrated song based on the original photographs can be viewed on YouTube (<https://www.youtube.com/watch?v=BZ8KTyKiDUE>).
- 4 Before "losing" his voice, Harpo had tried singing, without success, at an illustrated song projection, filling in for a singer who had failed to show up (Harpo, 2001: 91).
- 5 It is interesting to note that Maureen O'Sullivan's costume in the *Tarzan* film series, in which she played Jane, grew considerably in length as a result of the implementation of the Hays Code.
- 6 The "specialty" performed by Chico in *Monkey Business*, for example, consists of a paraphrase of the *pizzicato* from Leo Delibes' ballet *Sylvia*, ou *La nymphe de Diane*, whose storyline reflects that of the film itself: a villain (Orion/Alky Briggs) kidnaps a young woman (Sylvia/Mary Helton) who is the object of affection of a young man of a lower social status (Aminta/Zeppo Marx), which prevents the girl's family from approving of their relationship. Conversely, it is difficult to identify any kind of parallel between the song "On the Beach at Bali-Bali", played by Chico in *A Day at the Races*, and the plot of the film. In this sense, the interest lies instead in Chico's acrobatic pirouettes on the keyboard, thereby shifting the focus from the sound to the visual. On the other hand, Leo McCarey did not

even allow the presence of these instrumental numbers in *Duck Soup*.

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POPULAR MUSIC BEFORE AND AFTER THE HAYS CODE IN THE FILMS OF THE MARX BROTHERS

Abstract

Over the course of their career, the Marx Brothers experienced first-hand the transition from the variety show era to the consolidation of cinema as the most popular form of mass media. In their early films, they re-worked many of the comedy numbers they had perfected during their vaudeville period, numbers in which popular music played a decisive role in the establishment of expressive and parodic meaning. However, the establishment of the Hays Code in the early 1930s resulted in significant changes to their expressive language that had a crucial impact on that musical content. Taking the perspective of what Lawrence Kramer (2002) refers to as a "hermeneutic window", this article offers some examples of the musical paradigm shift that occurred between the Marx Brothers' first films (1929-1933) and their work with Metro Goldwyn Mayer in the years from 1935 to 1937.

Keywords

Motion Picture Production Code; Hays Code; Lord-Quigley Code; Marx Brothers; Popular Music; Vaudeville.

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LA MÚSICA POPULAR ANTES Y DESPUÉS DEL CÓDIGO HAYS EN EL CINE DE LOS HERMANOS MARX

Resumen

A lo largo de su trayectoria, los hermanos Marx vivieron en primera persona la transición desde los espectáculos de variedades hasta la consolidación del cine como el principal medio de comunicación de masas. En los inicios de su carrera fílmica, los Marx reelaboraron una buena parte de los números cómicos que habían perfeccionado durante su etapa en el vodevil, unos números en los que la música de carácter popular desempeñaba un papel decisivo en la configuración del significado expresivo o paródico. Sin embargo, la consolidación del código Hays a comienzos de los años treinta propició importantes cambios en su lenguaje expresivo que afectaron de forma decisiva a estos contenidos musicales. El presente trabajo muestra, desde la perspectiva de lo que Lawrence Kramer (2002) denomina «ventana hermenéutica», algunos ejemplos fílmicos que constatan el cambio de paradigma musical existente entre sus primeros films (1929-1933) y los realizados para la Metro Goldwyn Mayer en los años 1935 y 1937.

Palabras clave

Código de Producción Cinematográfica; código Hays; Lord-Quigley; hermanos Marx; música popular; vodevil.

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