

African interior, however, the whiteness of the ivory is stained by two visions of black Africans: the savage cannibals lurking in the jungle and the domesticated natives pressed into service as guides and bearers. An antebellum portrait of American race relations unfolds in the treatment of the jet-black Africans: forced labor, brutal whipping, and, when one of the natives balks at going forward, summary execution. Native bearers plummet from mountains or perish on the trail, their death meaning only a lost pack of medicine or one man fewer to carry 150 pounds of ivory. Only the black overseer Saidi (Nathan Curry) is granted a name and personality. Little more than a shriek echoing on the soundtrack, the native extras are fodder for sadistic variations in killing: shot, speared, torn apart, devoured by lions, crushed by elephants, chomped by alligators, and flung from cliffs. More emotional weight is given to the death of the courageous ape Cheetah, who stands in front of a charging rhino to protect his mistress, than to any of the African humans.

In the film's most scandalous scene, Tarzan grabs Jane and tosses her into a lagoon, ripping her dress off in midair. The underwater sequence shows a nude body double (Olympic swimmer Josephine McKim) swimming with Weismuller, a prolonged pas de deux that gives the clearest and most prolonged view of female nudity in any major studio production of the pre-Code era, not stolen glimpses of flesh but an eye-opening unblushing exposure, front and back.

Pre-Code era or not, MGM must have known it would never get away with so extended and explicit a display of white female nudity. In April 1934, Joseph Breen, then head of the Studio Relations Committee, not yet empowered with the bludgeon of the Production Code Administration, rejected *Tarzan and His Mate* for its quite visible violation of the prohibition against nudity. MGM appealed the decision, and, in accordance with the procedures then in place, a jury was convened to mediate the dispute. Representing the Code were Breen, his assistant Geoffrey Shurlock, and MPP-DA vice president Frederick W. Beetsen. For the plaintiffs, MGM sent in its biggest guns, production executives Bernard Hyman and Eddie Mannix, studio mastermind Irving Thalberg, and Louis B. Mayer himself. The allegedly disinterested jury was comprised of the chief executives from RKO, Universal, and Fox, B. B. Kahane, Carl Laemmle Jr., and Winfield Sheehan, respectively. The assembly of firepower on all sides portended a major showdown, a dress rehearsal for the final battle between the regulators and the studios that summer.

On April 9, 1934, *Tarzan and His Mate* was shown in its entirety in a screening room on the MGM lot, the diligent assembly rewinding the underwater ballet “several times” for inspection. As Breen later reported in a memorandum to Hays, “The offending sequence was an underwater shot of a man and woman going through a series of movements. The man in the shot wore a loin cloth, but a critical examination of the shot indicated that the woman was stark naked. There were four or five shots of the woman, which the jury referred to as ‘frontal’ shots, which showed the front of the woman’s body. These, the jury remarked several times, were particularly offensive.” Thalberg argued that the Studio Relations Committee had previously permitted nudity in *White Shadows of the South Sea* (1928) and *The Common Law* (1931). Breen responded that both films had actually employed “suggestive nudity.” (Thalberg should have mentioned a better example, the nude swim sequence in RKO’s 1932 *Bird of Paradise*. B. B. Kahane kept quiet about his own studio’s precedent.)

Breen knew his position was unassailable on the merits of the case. As anyone could see, the swim sequence clearly violated the letter of the Code (“COMPLETE NUDITY is never permitted”). More importantly, however, he knew that the motion picture industry, in the spring of 1934, was under intense pressure from Catholics, congressmen, and social scientists to turn away from profligacy. In the present atmosphere, the MPPDA might be inclined to cut down one of its own, MGM, for the greater good.

“After a rather animated discussion between the jurors, the representatives of Metro, and Mr. Breen,” Mr. Breen recorded in a memo to Will Hays, “the verdict of this office was sustained by the jury.” The decision marked the first time that an MPPDA panel had upheld the Studio Relations Committee at the expense of one of its own members. By April 19, 1934, with the sequence cut, the film was judged “all right” and granted a Code seal. In retrospect, Breen’s victory in *Tarzan and His Mate* presaged the new regulatory regime around the corner, one that would be a jury unto itself.

Surely less surprised than it pretended, the MGM hierarchy may well have fashioned the sequence as a negotiable offering to the censors. Knowing the scene violated the Code, knowing that Breen was no Wingate, the studio figured that once the self-contained nude scene was deleted the many scenes of Weismuller and O’Sullivan prancing about in their revealing jungle togs could be retained in trade. Besides, despite the Code edict, trailers containing the nude scene and a few uncensored prints continued to circulate, with MGM’s defiant complicity. Although under a misappre-