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# FLASHPOINTS: DISCUSSION GUIDE

## Censored: Free Speech & Hollywood

Between 2021 and 2023, PEN America and the American Historical Association (AHA) cohosted [Flashpoints: Free Speech in American History, Culture and Society](#). This series presented the fascinating and complex history of free speech in American democracy to public audiences in cities across the country. The historical flashpoints highlight pivotal moments in which artists, activists, writers, filmmakers, and intellectuals tested the limits of free speech, challenged the public to redefine “freedom” and realized it anew for populations and causes that were at risk of having their liberties denied.

### How to Use This Guide

This guide was designed to supplement the [video recording](#) (accessible at [pen.org/flashpoints/](https://pen.org/flashpoints/)) of a live event for use in the classroom. The questions and prompts included here offer ideas for fostering student engagement in both secondary and postsecondary educational environments, foregrounding issues of general public interest that align with topics often covered in history, government, civics, and political science. Choose the prompts that seem best suited to the concerns and interests of your community, using them as a springboard for discussion, writing exercises, and debate or as a model for civic engagement.

### Incorporating Flashpoints into the Secondary Classroom

The video recording of **Censored: Free Speech & Hollywood** can help structure lessons on the First Amendment, free speech, the Cold War, anticommunism, the House Un-American Activities Committee (HUAC), McCarthyism, and the Red Scare. Any US history or film history course that covers the early Cold War could integrate this discussion into existing curricula, and the Hollywood Ten might make for a powerful example to address free speech in a civics or government course.

This document focuses on the comments from Dr. Gerald Horne, which take up less than ten minutes of the full video.

### Learning Outcomes and Standards Alignment

The question of free speech in schools can orient an inquiry that aligns with the C3 Framework, especially as it applies to secondary history and civics education. A lesson built around this discussion can address several critical learning outcomes, including D2.Civ.5 on the functions of government in addressing social problems; D2.Civ.10 on the intersection of personal interests and constitutional rights; D2.Civ.13 on the outcomes of public policies; D2.His.1 and D2.His.4 on historical context; D2.His.7 on the influence of contemporary perspectives on historical interpretation; D2.His.10 on evaluating evidence; and D2.His.14 on cause and effect.

Many states have standards in civics, social studies, or history that address free speech, the Cold War, the Red Scare, McCarthyism, and government censorship.



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## Censored: Free Speech & Hollywood

On November 16, 2022, Jeremy Geltzer, Gerald Horne, and Maya Montañez Smukler joined moderator Gillian Wallace Horvat for the panel Censored: Free Speech & Hollywood at the Los Angeles Public Library (Central).

From putting women’s bodies on-screen to interracial romance, tensions have existed between what society deems appropriate and First Amendment rights to show controversial images and representations. While cities and states began creating censorship boards far earlier, Hollywood voluntarily embraced its own limitations on representations of sexuality with the Hays Code in the 1930s. But during the Red Scare of the 1950s, alleged communists were forced out of Hollywood through McCarthyism’s government investigations and industry blacklists. In addition, throughout the history of film, questions over who has access to filmmaking, studios, and budgets has been a de-facto way to silence certain voices and stories. By reviewing legislation and court decisions, exploring blacklisted artists, and examining the opening up of representation in the late twentieth century, this discussion explored contests around controversial subjects—disfavored political ideologies, crime, women’s sexuality, interracial romance, and more—and the dangers of state-driven attempts to define “acceptable” topics for creative expression.

### What Is a Panel Discussion?

The format of a panel discussion, in which multiple experts gather to talk about an issue of compelling public interest, provides a model for the kind of informed, civil dialogue that teachers hope to facilitate in the classroom and that is vital to the functioning of a democratic society. Many students may be unfamiliar with this style of intellectual exchange because people argue, rather than just deliver definitive facts. Teachers or discussion leaders may wish to call attention to the fact that each panelist has devoted years to the careful and thorough study of the topic they are addressing. Note, too, how each speaker anchors their interpretation in specific examples that provide evidence to support their perspective.

Informed debate can look quite different from the kinds of sparring matches students see on the news. The panelists may agree about some ideas but not about others. Grappling productively with reasonable differences in interpretation is essential to developing a full understanding of an issue. This kind of conversation—in which experts gather to discuss their findings—is an important component in the creation of new knowledge about our society and the world.

- Is this panel discussion different from debates we see on cable news? If so, how and why?
- Can we, as a class or discussion group, engage in a civil debate in our own class discussions?

### Free Speech & Hollywood **Video** Timeline

0:00 – Introductions of PEN America and moderator

3:40 – Jeremy Geltzer discusses how filmmakers challenged the boundaries of free speech from the very beginning of film and led to landmark legal decisions.



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18:40 - Gerald Horne discusses how the Hollywood Ten and the blacklist were moments in a much longer labor struggle between studios and trade unions.

26:08 - Maya Montañez Smukler discusses how women had a much larger presence in early filmmaking but struggled to get a foothold as the film industry became a powerful financial and cultural institution.

34:26 - Moderated Q&A

1:07:07 - Audience Q&A

### **The Flashpoint: The Hollywood Ten and the Blacklist**

In 1947, just two years after World War II ended, the House Un-American Activities Committee (HUAC) issued subpoenas for nineteen known communists working in the film industry as producers, directors, and writers. Of the nineteen, nine testified. The other ten attended the hearings but refused to cooperate with the committee because they viewed the proceedings as an undemocratic abuse of government power and a violation of their civil rights. The group that would not testify, which became known as the Hollywood Ten, were held in contempt, convicted, and sentenced to up to a year in prison. After the Hollywood Ten appeared in front of HUAC, movie studios decided to take matters into their own hands, as they had previously with the Hays Code. In order to avoid further Congressional scrutiny, studios voluntarily created and enforced a “blacklist,” vowing that they would no longer hire anyone known to be a communist or who had associated with communists.

In the late 1940s, tensions between the communist Soviet Union and the capitalist United States erupted into a global conflict that would become known as the Cold War. While the United States and the Soviet Union had been allies during World War II, they had also been suspicious of each other since the Russian Revolution brought a communist regime to power in 1917. By 1947, both nations were beginning to devote substantial economic, political, and cultural resources to winning an ideological contest that threatened to engulf the entire world.

The pressures of the Cold War boiled over on the home front; in the United States, communism came into focus as the primary threat to national security, a concept many Americans defined broadly to include both cultural and social concerns, in addition to military matters. McCarthyism and the Hollywood blacklist stemmed from a sense that the outcome of the Cold War might be decided in the hearts and minds of US citizens. Fears of potential Soviet influence inspired a campaign—the Red Scare—designed to seek out and discredit communists within the government and in positions of cultural authority. Many Americans came to believe that communists were intent on overthrowing the federal government; converting democratic, capitalist Americans into totalitarian communists; and infiltrating all levels of society: government, work, community, and home.

Before watching Gerald Horne address how the HUAC investigations landed in the midst of labor struggles between the Hollywood studios and unions (18:41), it may be helpful to discuss the context of the Cold War both overseas and within the United States.



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- The Soviet Union was a US ally during World War II. Considering this recent relationship, why did concern about communist influence and infiltration escalate so soon after the war ended in 1945?
- Think about the United States's new status as undisputed world power at the end of the Cold War, locked in a struggle with the Soviet Union. How was the US federal government trying to shape the nation's image in contrast to the Soviet Union after World War II? How do HUAC and other efforts to purge communists from public life fit into this era of world politics?
- HUAC was created in 1938 to investigate disloyalty and communist sympathies, mostly within federal programs. Why do you think HUAC turned its attention to Hollywood in 1947?

### **The Hollywood Blacklist and Free Speech**

After watching Gerald Horne's comments, students and other viewers may find it useful to consider when and why the government places limits on the First Amendment right to free speech, particularly during wartime or at moments of perceived conflict. In 1947, HUAC put Hollywood in the national spotlight. The power of the film industry as a propaganda tool during World War II created fears—often paranoid—that communists in the film industry could use film as a mouthpiece in peacetime to transmit procommunist messages to the American public.

Targeting the American film industry allowed HUAC to generate publicity for its patriotic, anticommunist efforts while exerting pressure on film producers to continue creating pro-United States films. The Hollywood Ten were compelled to admit their ties to the Communist Party but defended their refusal to testify by claiming the proceedings were undemocratic and a violation of their rights, particularly the First Amendment protection of free speech and free association.

The HUAC hearings on the Hollywood Ten had wide-ranging repercussions for the film industry and its workers, and the committee's reach did not stop there. Investigating government employees and private citizens for communist ties at the height of McCarthy-era paranoia gave the impression that the United States contained a communist "fifth column" who sought to destabilize the United States to advantage the spread of communism. For many anticommunists, ideas associated with leftist and even liberal politics deserved to be labeled as "politically subversive," and leftist and liberal dissent were suppressed, both in fact and in law, throughout the United States. Anticommunist government officials explicitly worked to tie "politically subversive" communists with "sexually subversive" gays and lesbians. During the "Lavender Scare" between the 1940s and 1960s, the government would use all the anticommunist tools at its disposal to purge LGBTQ+ individuals from federal service and prime the public to see "sexual deviance" as a threat to national security.

The blacklist chilled the activity of Hollywood leftists and spurred studios to avoid potentially controversial subject matter, such as leftist politics or certain films about social problems. The blacklist existed until the fall of the studio system in the 1960s. Some who were blacklisted, like Dalton Trumbo, were able to return to the industry under pseudonyms and then work openly before the collapse of the studio system. But many who were blacklisted were not able to recover their careers and faded into obscurity.



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- What was the studio system? What are the different roles in movie production? Who has (or shares) creative control? Who has final say?
- How did film studios respond to the HUAC investigations? What factors influenced their decisions?
- Dr. Horne focused on the importance of historical context to understanding the Hollywood blacklist, observing that pressure from HUAC arrived amidst a “struggle pitting labor against management, fundamentally.” How did the creation of the blacklist affect labor organizing in Hollywood, both in the short term and the long term?
- Dr. Horne notes that HUAC disproportionately targeted immigrant and Jewish men among those it subpoenaed. Why? What can this tell us about the Red Scare more broadly?
- According to Dr. Horne, what beliefs did HUAC draw upon when it chose to subpoena these particular men in the film industry? How does this connect to other issues you’ve discussed previously in your class—such as labor unions, nativism, immigration policy, and the post-World War I Red Scare?

### **The Legacies of the Hollywood Ten**

- Concerns about the possibility of communist influence over politics and culture were not without justification. There were, it turns out, a small number of secret Soviet agents working within the US government during this period. HUAC’s intervention in Hollywood started from the assumption that communist influence on Hollywood films threatened national security. Does national security represent a legitimate limit on the First Amendment protections of free speech? Are there other circumstances when the government can restrict the right to free speech? If so, when and why?
- The First Amendment prohibits the government from punishing people for their nonviolent political views. Does the First Amendment apply to private companies, such as Hollywood studios? In what ways?
- Did the Hollywood blacklist violate the First Amendment rights of the Hollywood Ten? Does your answer change when you consider that this action was a response to pressure from HUAC?
- Think of more recent examples in which public figures from the entertainment industry faced criticism for their political views. In what ways does the First Amendment apply in such cases? Are there consequences for political speech that are not protected by the First Amendment?



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## Suggestions for Further Reading

### Primary Sources

Executive Order 9835 (1947), which established a loyalty program for federal employees, can be found at the Harry S. Truman Presidential Library and Museum:

<https://www.trumanlibrary.gov/library/executive-orders/9835/executive-order-9835>.

Transcripts from the first HUAC Hollywood hearings were published as *Hearings Regarding the Communist Infiltration of the Motion Picture Industry*. Hearings before the Committee on Un-American Activities, House of Representatives, Eightieth Congress, First Session, Public Law 601 (1947) and can be accessed through Media History Digital Library:

<https://mediahistoryproject.org/reader.php?id=hearingsregardin1947aunit>.

“HUAC Press Release of Witnesses for Hearing about Communist Influences in the Motion Picture Industry” (1947), which can be found at DocsTeach:

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