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The Fall of the House of Warner: The Warner Brothers

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“In the 1930s, Warners effectively became the studio to go to for social critique, a risky position to hold under the Hays Code when pictures could be censored not just for violence and indecency but for criticizing the U.S. government, as well.”

It all began with a movie projector. In 1903, Sam Warner was working in a penny arcade in Youngstown, Ohio, when he discovered that the landlady of a local boarding house had a model B Kinetoscope for sale. Though not yet seventeen years old, Sam had already tried his hand at over a half-dozen professions, including boxing, shoveling coal, selling ice cream cones, and managing a snake eater in a carnival. But what fascinated him most were machines. He loved tinkering with them, taking them apart. This is what drew him to the projector. He'd been enraptured with the device for months, ever since seeing one for the first time in a friend's machine shop. The landlady's offer was generous — along with the projector, she'd throw in a film print, **The Great Train Robbery** (1903), the latest sensation from the newborn motion picture business — but her price, \$1,000, was still too steep for Sam to afford on his own. So he went to the only people in the world he knew he could trust: his family.

The Warners were a sizable brood, with a total of nine children, six boys and three girls. The oldest two children, Anna and Harry, were born in Krasnosielc, Russia (now Poland), where their father, Ben, worked as a cobbler in the Jewish *shtetl*. Pogroms were a frequent terror in Krasnosielc. Young men were often rounded up and sent to labor camps, never to be seen again. Hoping to escape the

violence, Ben moved his family to America in 1884, taking up residence in Baltimore because a fellow immigrant had informed him that the streets there “run with gold.”¹

The rude reality soon presented itself, and the Warners spent the next dozen years bouncing around the northeast corner of the continent, spending time in Virginia, Montreal, and Ontario before settling in Youngstown, Ohio, where Ben opened a grocery store and meat counter. Conditioned by life in the Russian ghetto, the Warners were renowned, even among their immigrant neighbors, for their familial solidarity. Everybody worked, depositing any profits they made in the family treasury. Harry helped out in his father’s shoe store, then, later, opened a bicycle repair shop with his brother Abe. When that failed, the pair started their own bowling alley. Jack delivered groceries and sang at weddings with his sister Rose accompanying him on the piano. Sam was the unofficial hustler of the family, working carnivals and other outdoor attractions. But he was just as hardworking as everyone else, so when he floated the idea of starting a movie theater, the rest of the Warner household took it seriously. Film exhibition was a booming business, a flash in the pan, perhaps, but a tempting opportunity for a footloose entrepreneur like Ben Warner. After discussing it over dinner that night, the family decided to take a chance. The brothers pooled their cash and Ben hawked his gold watch, an heirloom passed down to him by his own father, so that they could buy the movie projector.

This may not sound like the most well-thought-out plan, yet it turned out to be the most providential decision the Warner family ever made, for it was the beginning of one of the most profitable movie studios the world has ever known. More than a century later, their surname, rendered in polished platinum, still shimmers before the credits of dozens of new films every year: Warner Bros. For many, the name itself continues to evoke a gritty mystique, conjuring images of quick-tempered gangsters, fast-talking detectives, and sultry dames who you want to sleep with but know you shouldn’t. Perhaps because the studio’s heyday coincides so concisely with the golden age of Hollywood — spanning, roughly, the period between the coming of sound, in 1927, and the early 1960s — it also evokes a lost era in American filmmaking, a time when movie companies were not just logos on a screen but mini metropolises unto themselves, each with its own stable of writers, producers, directors, and stars. “Studios had faces then,” Billy Wilder reminisced. “They had their own style. They could bring you blindfolded into a movie house and you opened it and looked up and you knew.”²

Among the Hollywood studios of this period, MGM was, by overwhelming consensus, the most elegant, the radiant realm of Ernst Lubitsch and George Cukor, inhabited by svelte creatures like Greta Garbo and William Powell, Katharine Hepburn and Gene Kelly, birthplace to such wonders as **Ninotchka** (1939), **The Philadelphia Story** (1940), and **An American in Paris** (1951). But if MGM had the most polish, Warner Bros. had the most vitality. Their movies were fast-paced, unsentimental, and almost dizzyingly diverse. **The Public Enemy** (1931), **Gold Diggers of 1933** (1933), **Captain Blood** (1935), **Jezebel** (1938), **The Roaring Twenties** (1939), **The Maltese Falcon** (1941), **Sergeant York** (1941), **Yankee Doodle Dandy** (1942), **Casablanca** (1943), **To Have and Have Not** (1944), **The Big Sleep** (1946), and **The Treasure of the Sierra Madre** (1948) are just a handful of the titles to flow from the studio during its heyday.

They made gangster pictures, pirate pictures, bio pictures, westerns, musicals, cartoons, and, during the '40s, seemingly all the best war movies. Other film stars were glamorous; Warners’ stars were cool. They were tough, too, hardened by the hard realities of the Great Depression. Cagney, Bogart, Raft, Robinson, Flynn: their names read like a murders’ row of Hollywood bad boys. And that’s just the men. The women were equally ballsy, sometimes more so than their male counterparts: Lauren Bacall, Ida Lupino, Joan Crawford, and, of course, Bette Davis. Best of all, though, Warner Bros. made you feel virtuous about sneaking off to the movies on a weekday afternoon. They were the first

studio to come out against Hitler, long before America's entrance into World War II or revelations about gas chambers. And they gave you films with a social conscience, movies like **I Am a Fugitive from a Chain Gang** (1932), about the cruelties of the Southern chain gang system, **Black Legion** (1937), about the evils of the Ku Klux Klan, and **Confessions of a Nazi Spy** (1939), about the dangers posed by the rise of Nazism. Warner Bros. didn't just make social justice seem important: they made it look fun.

From its earliest beginnings, the company was a family business, the four cornerstones of which were the oldest Warner brothers: Harry (born 1881), Abe (born 1884), Sam (born 1887), and Jack (born 1892). The positions they later held as movie moguls were staked out, in rough form, at the opening of their very first theater, the Cascade. Harry ran the operation, doing all the behind-the-scenes wheeling and dealing; Abe kept the books; Sam ran the projector; and Jack sang in the aisles between screenings. The brothers' jobs played well to their respective talents and weaknesses. Harry, sober, reserved, and unerringly responsible, was the natural captain, providing a steady hand on the business tiller. Abe, a hard worker, leery of public attention, made an excellent accountant. Sam, the gadget freak, was the mechanical innovator, keeping up on the latest technological developments in the industry. As for Jack, the extrovert of the family, though he gave up singing in the aisles early on, he remained the front man for Warner Bros. for the next sixty-five years, attending awards shows, pressing palms, and dealing with stars.

It didn't take the brothers long to figure out that the big money wasn't in film exhibition. It was in distribution, renting the prints to theaters for viewing. So the Warners opened an ancillary business, the Duquesne Film Exchange, that quickly displaced the theater as the heart of their operation. "The Warner brothers," Jack later boasted, "bathed in the shining river, and were getting rich."³ But there were rocks ahead. They appeared in the form of the Motion Picture Patents Company. Commonly remembered as the "Edison Trust," the Patents Company was actually a collection of several companies, all holding legal title to crucial motion picture equipment and film stock, pooling their patents together to bar any competitors from entering the business. It was a monopoly of the most blatant kind, and for this reason it would later be broken apart by the federal government, but for several years the Edison Trust effectively controlled all major film distribution in the country, crushing all competitors who got in their way. There was more than a touch of xenophobia in this. The Trust's members were, by and large, white Anglo-Saxon protestants, while the independent distributors were mostly immigrants and Jews.⁴ Many, including the Warner brothers, had not originally intended to get into film production but, rather, fled to it after the Trust elbowed them out of the Eastern film distribution market. Needing someplace to work away from the Trust's "bulls," they congregated in a sunny expanse of land nestled between California's San Gabriel Mountains and the Pacific Ocean: Hollywood.

In his book *Outliers*, Malcolm Gladwell describes how anti-Semitism inadvertently aided one generation of Jewish attorneys from New York who, barred from all other kinds of litigation, ended up becoming rich in corporate law, a much-maligned but extremely lucrative province of the legal world in which they made themselves expert.⁵ To a large extent, this is the story of the Jews who came to Hollywood in the beginning of the twentieth century, as well. The reason so many of them had fallen into the motion picture business in the first place was because it was one of the few highly profitable industries completely open to them. When Jews like Louis B. Mayer wanted to get into East Coast stage production, they were promptly shown the door. But Gentiles made little attempt to exclude them from cinema, seeing movies as a cheap diversion, a "peephole sensation" unworthy of attention from respectable society.⁶ Many — virtually all, in fact — of the Depression-era movie moguls began in the garment trade, another industry the Anglo-Saxon world had ceded to the Jews.

Adolph Zukor began as a fur trader, Sam Goldwyn a glove salesman, William Fox an apparel manufacturer, Carl Laemmle a bookkeeper in a clothing store, and of course the Warners started out as cobblers. The allure of Southern California to these men wasn't just that it offered escape from the Edison Trust but that, unlike any place in the East, it had no social hierarchy, no aristocracy to speak of. Flush with money earned in the garment trade, they saw it as a land of egalitarian opportunity, a place where *they* could be the elites.

The city wasn't much to look at. Paved roads ended at the edge of downtown Los Angeles, melting into dusty expanses of buckwheat and sagebrush. Groves of orange trees grew right up to Vine Street in Hollywood. At night, coyotes, deer, and skunks came down from the foothills to scrounge for food. "There were practically no shops and no restaurants," one inhabitant recalled. "If I worked late at the studio and wanted to get a sandwich and a cup of coffee on my way home, it could hardly be done after eight o'clock. There were two small drugstores about a mile apart on Hollywood Boulevard; these provided a simple luncheon service, but that was all over and done with at half-past ten."⁷ Maintaining the corporate structure they had established in Youngstown, Sam and Jack took on the production side of the business in Los Angeles, while Harry and Abe remained in New York to handle the financing and deal-making. In 1918, the West Coast duo set up shop at 18th and Main Streets, a few blocks south of downtown Los Angeles. Their "studio," such as it was, was actually just a couple open-air stages and a wooden shed exposed to the elements at one end. It offered one advantage: it was close to the Selig Zoo. The brothers convinced William Selig to allow them to use his animals in their films, cranking out a whole series of wild animal-themed shorts, many of them produced and directed by Sam and Jack, usually involving a damsel in distress, some kind of jungle cat, and a cliffhanger finish to lure the audience back the next week. Even for a company of penny-pinching greenhorns like the Warners, though, this accommodation seemed undignified, so they decided to move, first to a lot in Culver City and finally, in 1919, to a ten-acre property right in the center of Hollywood, at Sunset Boulevard and Bronson Avenue. It was here that they began building a permanent studio, starting from the ground up. Sam and Jack dug trenches and hammered nails themselves. During breaks in filming, actors and camera crews were shanghaied into helping out, as well. Since the company couldn't initially afford cement, an industrious employee obtained a truckload of gravel at a bargain price. When the first round of construction was done, they had the rough fundamentals of a movie studio: an office, a shop for set assembly, and a single stage for shooting.

The studio was blessed with two godsend early on, and it was blessed with them the same year, 1923. The first was a dog named Rin-Tin-Tin. The second was a young writer named Darryl Zanuck. Of the two, only one was housebroken, and it wasn't the screenwriter. Few people today remember what a big celebrity Rin-Tin-Tin was in the 1920s. Yet he was one of the decade's highest earners, appearing in over twenty films, many of them blockbusters. For years afterward, Jack Warner referred to him as "the Mortgage Lifter" because he bailed out the studio in its cash-strapped early days.⁸ The dog arrived in Hollywood in the care of former Army Corporal Lee Duncan, who claimed to have rescued him from a bombed-out German kennel during the First World War. When the war ended, Duncan brought his canine companion back to the United States where he taught the dog a seemingly endless number of tricks, including how to grovel, feign pain and anger, scramble up trees, and leap twelve feet in the air.⁹ Having already seen the box office potential of animal stars during the studio's stay near the zoo, Jack Warner signed the four-legged performer, casting him in a thriller, **Where the North Begins** (1923). The film was a smashing success, bringing in heaps of fan mail for its furry lead and adding more than four hundred thousand dollars to the coffers of the fledgling studio. Realizing that they now had a bona fide star on their hands, the brothers knew they had to cast him in a follow-up project. That's where Darryl Zanuck came in.

Only twenty-one years old at the time he arrived on the Warners' lot, Zanuck appeared to be younger than that. Short and skinny, he had a downy face that, according to Jack Warner, made him look "as though he just had the bands removed from his teeth so he could go to the high school prom."¹⁰ He'd already accomplished much in his short lifetime, though, joining the army at fifteen, writing for *Stars and Stripes*, boxing as a bantamweight, publishing a book of short stories, and working as a gag writer for Mack Sennett, Harold Lloyd, and Charlie Chaplin. He had a wicked sense of humor. His penchant for prank phone calling Ernst Lubitsch was, perhaps, amusing in a childish way; less so was his habit of urinating on sets and jabbing unsuspecting assistants with an electric cattle prod. But he could spin out stories like nobody's business, and he knew how to run a tight ship. When Jack Warner asked for a sequel to **Where the North Begins**, Zanuck appeared in his office to pitch an idea. Rather than simply summarizing the plot, Zanuck acted out the entire film himself, dropping to all fours to impersonate the dog. Jack loved it. An impatient man by nature, Jack never read a story when he could get somebody to tell it to him instead. (Even during the sound era, he rarely bothered to read scripts, preferring to consume their contents in half-page synopses.) He immediately signed the energetic young dramatist, and Zanuck began knocking out scripts literally by the dozen. During one breakneck year, he wrote over half of the studio's thirty feature films, so many, in fact, that he began having to use pseudonyms on the credits to keep the writing department from appearing understaffed. Insiders weren't fooled. "Why do you charge so much for your pictures?" one theater owner complained to Jack. "You've only got one writer?"¹¹

Zanuck, however, wanted to be more than just a screenwriter. He wanted to produce. Willing to do anything to keep their prolific new talent happy, the Warners acquiesced. In 1928, Jack made him studio manager. The following year, he named him head of production, second in command to only Jack himself, supervising every picture that rolled off the Hollywood lot. For Zanuck, still in his twenties, the position was a perfect fit. Tough, crass, cruel, cigar-chomping, an insatiable gambler and an unrepentant womanizer, he could, at times, appear to be the evil twin of Irving Thalberg, MGM.'s saintly head of production. Whereas Thalberg was soft-spoken, Zanuck was vulgar; whereas Thalberg was sickly, Zanuck was strong, not hesitating to fight with his fists to win an argument; whereas Thalberg was exacting, brushing aside budgets and deadlines to achieve perfection, Zanuck was economical, spitting out movies at a clip that would have made Henry Ford envious. But in the '20s and '30s, he was as indispensable to Warner Bros. as Thalberg was to MGM. As production head, he kept a giant chart on his wall divided up into two vertical columns and fifty-two horizontal columns, representing the fifty-two weeks in a year. The left side he'd fill with fifty-two stories, the right with whichever stars were available that week. Zanuck did more to shape the Warner image during the '30s than any other person, effectively patenting the style that we associate with the studio today: gritty, fast-paced, urban, wised-up. By the early '30s, he was making \$5,000 a week. Even Jack Warner, who was loath to share power with anyone, was unusually generous with Zanuck. Jack was once heard to say that, had Zanuck only been Jewish, he would have added his name to the studio's logo.¹²

Though Jews had come to Hollywood looking to find a land free of ethnic and class distinctions, what they discovered when they got there was a place with its own social hierarchy. Before the movie people began to arrive, the Jews in Los Angeles were for the most part divided into two groups: the German Jews, who tended to be well-educated and wealthy, and the Eastern European Jews, who were generally poorer, less educated, and congregated in Boyle Heights. The movie moguls were, by majority, from Eastern Europe, but as they began to gather in Southern California they found themselves shunned by both groups. The Jews in Boyle Heights resented them for their wealth; the German Jews sneered at them for their lack of erudition, secretly envying them for tapping into a business that was rapidly supplanting all others as Southern California's most prominent and profitable. And that was just their fellow Jews. Gentiles were even less welcoming. Not only were Jews excluded from all country clubs, including the Lakeside Country Club next to the Warner Bros.' lot in Burbank, but they were barred from entering all the private schools. In the 1930s, Louis B. Mayer, who was then the highest-paid man in America, was forced to send his daughters to public schools because no private schools in the Los Angeles area would take them.

For the Warners, however, the ostracism was doubly felt. Not only were they Jews but, amongst the movie moguls, they were considered *déclassé*: relative newcomers to the industry who aspired to prestige beyond their station. During their first couple years in Hollywood, they didn't have their own developing laboratory, and thus were forced to send their negatives out to other studios. Not surprisingly, many of their prints were delayed or lost in transit. "Their studio was named eponymously for a reason: they regarded themselves as outsiders and underdogs, and they trusted no one beyond their family circle," writes historian Neal Gabler. "That gave them a certain edge. Where other Hollywood Jews wanted desperately to appease the establishment, the Warners set themselves against it and challenged its legitimacy."¹³ For this reason, they weren't at all afraid to smash the status quo in Hollywood, and that's exactly what they set out to do when they brought sound to the movies.

For years, filmmakers had been struggling to add voices to silent lips. Thomas Edison himself, the inventor of the phonograph and a pioneer in motion picture technology, had tried to couple the two, using a cylinder in place of a record. Nearly all attempts, however, were fruitless, usually because the

soundtrack drifted out of sync with the action on screen, producing frustration for some and merriment for others. None of this deterred Sam Warner. Ever the mechanical wiz, Sam had gotten interested in sound when the Warners set up their own radio station, KFWB. He began lobbying Harry to partner with Western Electric and Bell Laboratories, which were then experimenting with sound-on-disc synchronization. Harry was dubious, but he allowed Sam to bring him out to Bell Laboratories' offices on West Street in New York for a demonstration.

The process they observed was a delicate one. A record, sixteen inches across and revolving at thirty-three and one-third rotations-per-minute, was played simultaneously with the film. To ensure that the two never slipped out of sync, two motors were used, connected by an electric gear. Motor speed was held constant by a vacuum tube regulator, while a device known as a flywheel prevented mechanical vibrations from speeding up or slowing down the turning of the record. The cost of installing the device ranged anywhere from \$16,000 to \$25,000 per theater, a hefty sum at the time. If the Warners wanted to make any money on sound films they'd have to consider not only the cost of producing the movies but also the cost of buying up theaters and wiring them for sound. Amazingly, Harry gave the go-ahead, and Sam got to work on their first sound film, **Don Juan** (1926), starring John Barrymore.

Strangely, Sam's first impulse was not to record dialogue but merely to record the film's musical accompaniment, along with some sound effects added for ambience: clinking swords, hands knocking on doors, blaring trumpets. To heighten the opulence, he chose to film a series of musical shorts to accompany the film. This, however, turned out to be no simple task. Synchronizing the camera and the sound recorder was extremely difficult. Each musical number had to be filmed in one long take, without interruption or error. The only way to film different angles was to shoot with two or more cameras at once. Sam was tireless. He directed all the filming and sound recording himself, slaving over the minutest details. The hard work paid off. **Don Juan** opened to packed houses and rave reviews. "If an airship had landed from Mars there couldn't be more excitement," one reporter enthused.¹⁴ The stock price of the company shot up, soaring from \$8 to \$65 a share, making the Warner brothers rich almost overnight and catapulting them out of poverty row into the ranks of the major studios.

There were just a couple of problems. For one, they were heavily in debt. In an attempt to compete with the other studios, Harry had been buying up theaters at a prodigious rate. **Don Juan**, though, had emptied their bank account. Still worse, the other five big movie companies — Paramount, Universal, MGM., First National, and Producers Distributing — had teamed up against them, refusing to go into sound until they all did, thus denying Warner Bros. any money it might make licensing the rights of its sound system, Vitaphone. They were sitting on the fence to see if another sound process might come along and usurp Vitaphone's monopoly. (In fact, the Movietone process ultimately proved far superior and, by the early '30s, had become the gold standard of the industry, used by all the studios, including Warners.) The Warner brothers, meanwhile, had hitched their fortunes to a device that could only be played in a few big cities where their theaters had been wired for sound. Deciding that there was no way out except by forging ahead, the quartet began preparing the first talking film.

Today, the plot of **The Jazz Singer** has a tendency to seem rather saccharine, but in 1927 it was audacious subject matter for a popular movie and, for the Warner brothers themselves, rather close to home. The film depicts the conflict between a devout Jewish cantor (Warner Oland) and his young, more assimilated son (Al Jolson) who wants to go into show business. The father expels his son from his home when the young man chooses to be a jazz singer rather than a cantor but forgives him

when he comes back on Yom Kippur and sings the Kol Nidre. Again, Sam threw himself headlong into the production of a sound film. The process was replete with obstacles. For one, the studio had to be padded to keep ambient noise out, a problem silent filmmakers simply hadn't considered before. The microphones, meanwhile, continued to pick up the whirring of the Mitchell cameras, so the cameras had to be sealed in soundproof boxes that quickly turned into airless ovens with the cameramen inside. Another issue was getting the actors to stand in the right place to be recorded, as the volume dipped down whenever the performers wandered away from the microphone. During the production, Sam suffered blinding headaches and nosebleeds, but he toiled on, popping Aspirin like peanuts.

Finally, on October 6, 1927, a date that would forever resound in cinema history, **The Jazz Singer** premiered before a sold-out crowd in New York. Though Jolson only spoke two hundred and eighty-one words in a film that still contained mostly silence and inter-titles, the audience went wild. After that night, all the other studio owners knew they were playing catch-up. The next morning, Adolph Zukor called a meeting of Paramount executives into his hotel suite and demanded to know why *they* hadn't made a sound film.¹⁵ It was a glorious moment for the movies and it would have been a glorious moment for the Warner brothers too except for one thing: Sam Warner was dead, having expired in California Lutheran Hospital the day before the premier.

The headaches that Sam had been suffering, it turned out, were the result of a sinus infection. Had he received treatment earlier, he almost certainly would have lived, but, caught up in the production of **The Jazz Singer**, he put off seeing a doctor, and the infection first worsened and then spread, forming an abscess in his brain. Three surgeries failed to remove the infected cells. A fourth was attempted, but Sam, now suffering from pneumonia too, died on the operating table. He was thirty-nine years old. The loss of Sam was a personally devastating blow for the three remaining Warner brothers, of course, but, in the long run, it would turn out to be an even more calamitous event than they could imagine. Despite its solid-looking façade, the Warner clan was riven by envy and resentment. An internecine war was about to break out in the family, a war that, behind false smiles and handshakes, would last for over a quarter century. On one side was Harry, the oldest brother and the official head of the company; on the other, Jack, the youngest, the outgoing front man. In the immediate aftermath of Sam's death, though, the Warner brothers looked more unified than ever. After **The Jazz Singer**, their combined salaries shot up from \$100,000 to \$500,000 a year. They bought out First National, once one of the most powerful studios in Hollywood, acquiring with it a slew of new theaters, as well as something they'd never had before: prestige. The company, despite the loss of Sam, was riding high. "The three of us who are left will carry on," Abe said in an interview after his brother's funeral, "and I believe we will accomplish more work in one day than any other trio of men will in three, not because we are smarter, but because we trust each other implicitly and don't have to waste time with petty executive jealousies."¹⁶ If only he had been right.

As brothers go, Harry and Jack Warner were as dissimilar as Zeus and Hades. Looking at family photographs, you'd hardly guess that they were related at all. Harry was thin and bespectacled, with sunken cheeks that might have been painted by El Greco, while Jack tended towards plumpness, a characteristic he partly concealed in later life by sporting a dapper Errol Flynn mustache. To outsiders, Harry could seem stern and imperious. "Anyone who got over two thousand dollars a week he hated instantly even if he never met him," Darryl Zanuck complained. "In Harry's mind, everybody was a thief."¹⁷ In truth, what many took for coldness was actually a symptom of Harry's reserve and unwavering personal discipline. As the writer Leo Rosen explained, "[He was] not an impressive man to meet. He was a folksy, homey guy, who made no pretensions about himself. . . . He was a devoted family man, lived a quiet life — you never heard about him going to a night club, being

mixed up in a scandal.”¹⁸ He was tough, though, trained, after years at the bottom of the economic food chain, to be paranoid about being swindled. When he suspected that Lewis Selznick was shortchanging him, he promptly marched into Selznick’s office and, in the words of his son-in-law, Milton Sperling, “beat the shit out of him.”¹⁹ Yet, for all his penny-pinching, Harry believed that movie studios had a duty to society, not just their shareholders. “The men and women who make a nation’s entertainment have obligations above and beyond their primary commercial objective, which is the box office,” he stated, in 1937. “We can and should give a helping hand to the cause of good government and fair play. The motion picture can be a great power for peace and goodwill or, if we shirk our obvious duty, it can stand idly by and let the world go to pot. I think we are making an honest effort to use the screen’s influence for the greatest general good of humanity. I am proud that my company has had some part in this.”²⁰

Thanks to Harry, in the 1930s, Warners effectively became *the* studio to go to for social critique, a risky position to hold under the Hays Code when pictures could be censored not just for violence and indecency but for criticizing the U.S. government, as well. **The Mayor of Hell** (1933), for instance, was cut to ribbons by many state governments for suggesting that reform schools — where children of the era were frequently beaten and starved — might be doing more harm than good.²¹ At another time, the studio helped hide Robert Elliott Burns, the escaped convict whose life story they adapted into **I Am a Fugitive from a Chain Gang**, a picture that is, to this day, still one of the most harrowing portrayals of injustice ever visited upon an individual by the American prison system. Other subjects Warners tackled at the time include workers’ rights (**Black Fury** [1935]), anti-Semitism (**The Life of Emile Zola** [1937]), racism (**In This Our Life** [1942]), the oppression of the Mexican peasantry by the French (**Juarez** [1939]), and venereal disease (**Dr. Ehrlich’s Magic Bullet** [1940]).

One reason Warners was able to sneak these socially-crusading pictures past the censors was that they were keeping them so busy scrutinizing all the crime movies they were making. If there was anything Will Hays hated more than aspersions against the spotlessness of American life it was the insinuation that crooks and mobsters might actually be attractive to audiences, heroes worthy of deification on the silver screen. Warners often seemed to be doing just that. Crooks and mobsters were the meat and potatoes of their operation, and in the ’30s and ’40s they served up some of the best crime movies ever made. **Little Caesar** (1931), **The Petrified Forest** (1936), **Bullets or Ballots** (1936), **Angels with Dirty Faces** (1938), **High Sierra** (1941), **Key Largo** (1948), and **White Heat** (1949) were all produced at Warner Bros. Harry Warner, however, saw no contradiction between these films and his company’s reform-minded efforts. “The motion picture presents right and wrong, as the Bible does,” he said. “By showing both right and wrong, we teach the right.”²²

Jack Warner never bothered with such high-flown talk. The only reason he went along with Harry’s social crusade was he thought it might win the studio an Academy Award for Best Picture, which it eventually did, the first one coming in 1938 for **The Life of Emile Zola**. He and Harry were opposites in nearly everything. Jack loved attention. He was an insatiable clown, notorious for the atrocious one-liners that he forced upon his captive listeners, of whom he found many on the Warner lot. If someone asked, “What’s new?” he’d reply, “New York, New Mexico, New Hampshire, and pneumonia.”²³ If an employee asked for an increase in pay, he’d say, “Go to the crafts building and get a raise.”²⁴ When an interviewer once told him, “I understand you’re a raconteur,” Jack replied, “That’s right, I play a hell of a game of tennis.”²⁵ He was crude, too, relishing any opportunity to make an audience squirm. Introducing his mistress to Princess Margaret of England, he joked, “This is Lady Scarborough. Heart of gold and snatch to match.”²⁶ He sported loud jackets, yachting blazers, and patent leather shoes, and he had the irritating habit of shuffling his feet like a vaudeville dancer upon meeting someone new. “He acted foolish all the time, because he was in a constant state of wild

anxiety,” speculated agent Dick Dorso. “And the more successful he became, the more anxious he became. Because he really wasn’t that person — [he felt] he wasn’t entitled to that success.”²⁷

Jack idolized Sam, though. Sam was his nearest older sibling. The two had come out to California together, literally building the studio from nothing with their own hands. Sam’s contribution to the family business wasn’t only his technical knowhow but, thanks to his natural affability, to act as mediator between the two sides of the family, for the Warners, despite their seeming unity, were divided along generational lines. The older children — Anna, Harry, Rose, and Abe — were more religious and less assimilated to American culture. The younger children — Sam, Jack, Milton, and David — were more rebellious, more gregarious, and less concerned with continuing the Polish-Jewish customs of their parents. Harry could read, write, and speak Hebrew by the time he was seven. Jack never learned. Sam, however, seemed to understand both camps, keeping the peace between Harry and Jack for years. “I think Jack would have shared power willingly with Sam,” said Jack’s son, Jack Jr. “Sam and he were more alike. And, Sam would have been able to mediate between Jack and Harry.”²⁸

When it came to running the studio, Harry and Jack *did* share one quality: parsimoniousness. They counted every penny that came in and watched their employees like hawks. At night, Jack prowled the lot to make sure that all the lights were turned off. After Harry moved to Hollywood in the 1930s, he too roamed the sound stages, picking up nails that could be reused in set construction. If an actress forgot to return so much as a handkerchief to the wardrobe department, she would, upon opening her next paycheck, find the cost duly deducted from her salary. Warner Bros. may have been the most fun studio to follow during the Depression, but only an extreme masochist would have considered it the most fun studio to work at. Film crews were driven hard. It wasn’t uncommon for actors to appear in two films at once, bicycling back and forth between sound stages. The workweek stretched from Monday through Saturday and sometimes into Sunday morning as crews scrambled to meet deadlines. “At times,” James Cagney recalled, “we started at nine in the morning and worked straight through to the next morning.”²⁹ Woe to the actor scheduled for a late December shoot: time off for Christmas, or for any other major holiday for that matter, was made up by working the following Sunday. Harry and Jack saw nothing unnatural about this, and, to their credit, they worked tirelessly themselves. But their lack of concern for their own employees stood in stark contrast to their many films decrying the ill treatment of the working man. “Give an actor a break,” Jack liked to say, “and he’ll fuck you later.”³⁰

Not surprisingly, their cheapness came back to bite them eventually. By 1933, the Hollywood studios were in deep trouble. Five thousand of the country’s 16,000 movie theaters had closed. Paramount and RKO were in receivership. Warner Bros., though in better shape than some, was \$106 million in debt, largely due to Harry’s fanatical theater-buying. So, with financial collapse threatening, the movie moguls decided it was time for drastic action. The heads of four of the studios — Paramount, RKO, Fox, and Warners — banded together to form a trust, mutually agreeing to a fifty percent across-the-board pay-cut for all employees making over \$50 a week. The decision in and of itself was a sensible one. The fact that the studio owners refused to put their own salaries on the chopping block, however, provoked quite a lot of anger amongst their employees. One such employee was Darryl Zanuck. Though disturbed by the precedent, he went along with the cuts at first, accepting his own loss of income with equanimity and urging his colleagues to do the same. The terms of the trust decreed that the Motion Picture Academy of Arts and Sciences and the accounting firm of Price and Waterhouse would look into the ledgers of every studio in turn and determine when each was healthy enough to resume full payment. In the case of Warner Bros. eight weeks was allotted for recovery. When it came time to restore salaries, though, Harry reneged, choosing instead to continue the cuts

for another nine weeks. For Zanuck, this was untenable, a “matter of principle” as he later called it.³¹ He had given his word to his employees that the cuts would only last eight weeks, and now Warners was making him out to be a liar. He and Harry got into a vicious shouting match outside the Brown Derby, and Zanuck, hot-tempered as ever, quit on the spot. The next day, he tendered his resignation to Jack, and the studio lost the services of perhaps the most brilliant producer it would ever have.

The problem for Warner went beyond the loss of a single producer. At MGM., Louis B. Mayer treated his stars like members of his own family. “To me,” Joan Crawford said, “L.B. Mayer was my father, my father confessor; the *best* friend I ever had. And I think most of us growing up at Metro can say the same things.”³² No one talked that way about the studio at Sunset and Bronson. “I had to fight for everything at Warners,” recalled Ann Sheridan. “From the casting director up to Jack Warner . . . A knock-down, drag-out fight. You didn’t always win, but it let them know you were alive.”³³ By keeping their employees yoked so tightly they only ensured that those very same employees eventually turned against them. Their stars, they discovered, could be just as tough in person as they were on the silver screen. The first to mutiny was Bette Davis. Unwilling to play a lumberjack (of all things), she fled to England and filed suit against Warners in the British courts, questioning their ability to force her to appear in a film without her consent. The judge ruled against Davis, pointing out that her \$2,400 a week made for a comfy form of servitude, but others soon rose to carry on the fight, including James Cagney, Errol Flynn, and, most notably, Olivia de Havilland.³⁴ In 1943, de Havilland’s contract with Warners expired. However, the studio claimed that, in refusing an earlier part and being suspended, she had incurred a six-month penalty that she still owed the company. For de Havilland, who had endured seven years of substandard roles, mostly playing demure naïf’s opposite Errol Flynn, this was the breaking point. “They’ll put you on the stand and try to paint you as a spoiled movie star,” her lawyer warned her, but de Havilland, contrary to her screen persona, was no naïf.³⁵ She appeared in court in a black, pin-stripe suit, with a black hat and veil. When the lawyer for Warners accused her of having “willfully refused” film roles, she replied, quietly but firmly, “I *declined*.”³⁶ The case took two years, going all the way to the California Supreme Court, but de Havilland finally won, thus ending the studios’ ability to bind stars into contracts of de facto indentured servitude. It was the first major crack in the battlements of the studio system.

Thriftiness, however, also had its benefits for Warner Bros. One thing you’ll notice, if you watch enough Warner films, is that the studio’s leading players, with the obvious exception of Errol Flynn, aren’t all that good-looking. Other studios of the era filled their nests with an array of golden eagles: Grant, Gable, Cooper, Dietrich, Lombard, Colbert, stars whose flawless features were perfectly proportioned for the grandeur of a fifty-foot screen. Warners’ stars, by comparison, look like castaways from one of Dickens’ bleaker novels: Bogart, Raft, Robinson, Muni, Garfield, Cagney: hardly a man tall enough to reach Gary Cooper’s chin. The women make a better showing but they, too, pale beside their sisters at MGM. Of the Warner starlets from the ’30s only Olivia de Havilland possessed a beauty capable of making men veer into telephone poles, while the others — Joan Blondell, Glenda Farrell, Ann Dvorak, and Bette Davis — were flush with sex appeal but only moderately well stocked with the kind of loveliness that makes for an arresting still photograph.

But beauty can be as much a hindrance as an asset. What, if anything, would Kafka have accomplished had he been given the face of George Clooney? Realizing that they couldn’t match their competitors in terms of looks, Warners set out to build muscle in their writing department. “I remember distinctly being called in once,” remembered screenwriter Jerry Wald, “and saying that we could not compete with Metro and their tremendous stable of stars, so we had to go after the stories, topical ones, not typical ones. The stories became the stars . . . We used to say ‘t — t — t: timely,

topical, and not typical' – that was our slogan.”³⁷ For this reason, Warner movies date better than pictures coming out of just about any other studio. A frequent complaint made by modern audiences is that older films seem slow-paced. Not so Warner Bros.' pictures. They *move*. Just look at a film as trim as **Casablanca** (1942). In the mind's eye, it's easy to think of the picture as an epic, what with all the colorful characters, patriotic versifying, and displays of unsated passion. Yet it comes in at a runtime of a little more than an hour and a half. Compare that to **Pearl Harbor** (2001), which tarries for twice that without half the romance, and you'll wonder if filmmakers from our own era might be better off taking some lessons from their grandfathers.

During the 1930s, Warners collected some of the best screenwriters in Hollywood. In addition to Wald, there was Robert Buckner, John Huston, Ivan Goff, and the Epstein twins. One of the most prolific screenwriters the studio picked up was William Faulkner. In need of cash (as always), Faulkner arrived at Warners in 1942, having already served at MGM. and Twentieth Century Fox during the previous decade. Fans of the novelist frequently assert that Faulkner's stint in Hollywood poisoned his literary muse but, for those who tire of the self-satisfied prolixity of his novels, screenwriting can easily seem like his true calling. In his years at Warners, he contributed to seventeen films, including **Air Force** (1943), **To Have and Have Not**, **Mildred Pierce** (1945), and **The Big Sleep**: an enviable oeuvre by any measure. He even wrote an Egyptian epic for Howard Hawks, **The Land of the Pharaohs** (1955). But the acquisition of Faulkner was more than just a business deal for the Warner brothers. As Neal Gabler has pointed out in his superb history of the studio system, *An Empire of Their Own*, the Jews in Hollywood craved respectability more than anything else, and big-name novelists like Faulkner and Fitzgerald were, for them, the ultimate status symbol, a way of showing off their refinement to the Eastern elites while lording their wealth over them at the same time. There is something both touching and pathetic in this, as there is in the child who dreams of joining the in-crowd but yearns to make them envy him, as well. That was Jack Warner to a tee. At a party after signing Faulkner, he boasted, “I've got America's best writer for \$300 a week.”³⁸

Their desire to find acceptance in Gentile America shaped their political temperaments, as well. Above all else, the studio owners feared that the rest of the country might look on them as somehow different. “We've got to be aware that we are Jews,” Harry Warner reminded his subordinates, “and that we will be looked upon by the community, not just Hollywood, of saying certain things *because* of being Jewish.”³⁹ Harry felt the pressure to be a credit to his race and, for this reason, clamped down on any behavior at his studio that he thought could be deemed disreputable. What worried him more than anything was that his employees might have Socialist or Communist associations, and this led him to become an outspoken anti-Marxist. “I don't want to talk to no goddamn Communist,” he told Maurice Rapf, the teenage son of Harry Rapf, who had grown enamored with communism after a trip to the Soviet Union. “Don't forget you're a Jew. Jewish Communists are going to bring down the wrath of the world on the rest of the Jews.”⁴⁰ Harry's concern was legitimate. In Germany at the time, the Nazis *were* calling communism a Jewish conspiracy. As historian Andre Gerrits points out, “The myth of Jewish Communism was one of the most popular and widespread political prejudices in the first half of the 20th century.”⁴¹ But Harry's zeal would one day steer him towards dangerous excesses of his own. A dozen years later, at the height of the Red Scare, he would lead the charge to purge Communists from the Hollywood community. One Warners' screenwriter was fired after his name was incorrectly included on a list of Communists. “This is a mistake,” the man told Harry, displaying a sheaf of papers proving his innocence. “The plain fact is that I am an *anti*-Communist.” “I don't give a shit what kind of Communist you are,” Harry bellowed at the unfortunate man, “get out of here.”⁴²

Hollywood's reaction to the rise of Nazism in Europe was much more restrained. Many studios actually worked *with* the German government to censor content that might offend the Fuhrer. Georg Gyssling, the Nazi consul in Los Angeles, read scripts, got to see early cuts of movies, and, occasionally, was able to make changes to upcoming films.⁴³ In part, this was because the studio bosses feared drawing the ire of Nazi officials and, thereby, losing the German market. But box office receipts from Germany were relatively small, especially as compared to those of Great Britain. More important to the Hollywood moguls was that they not appear to be singling Germany out for condemnation simply because of its treatment of the Jews. "There was a feeling," said Maurice Rapf, "that because it was known as a Jewish industry, it should not take a leading role in doing any activities — such as organizing anti-Nazi organizations or making films [against the Nazis]."⁴⁴ The Warner brothers, alone among the studio heads, spoke out — if somewhat tentatively, at first. When, in 1934, Nazi thugs attacked and murdered Warners' representative in Germany (a Jew named Joe Kauffmann), the studio ceased all business operations in the country. This bold step, however, was followed by five years of silence. But as the barbarities in Germany escalated, Harry could no longer contain himself:

Our producing company is making right now a picture revealing the astonishing length to which Nazi spies have gone in America. We are making this — and we will make more like it, no doubt, when the occasion arises. We have disregarded, and we will continue to disregard, threats and pleas intended to dissuade us from our purpose.⁴⁵

The picture was **Confessions of a Nazi Spy**, and the threats were no fantasy. The German-American Bund issued a lawsuit for a half-million dollars. There were bomb scares at theaters that played the film. Harry and Jack each received death threats. One such warning, sent to Jack, included a detailed blueprint of his house and grounds. The Warners were undeterred, pressing forward with a whole series of films drawing attention to the German menace — **Underground** (1941), **All Through the Night** (1941), and **Dive Bomber** (1941) — all made before America's entry into World War II.

Their anti-Fascism aside, the Warner brothers were, by natural inclination, conservatives: suspicious of unions, contemptuous of taxation, opposed to government regulation of trade. But when Franklin Roosevelt announced his candidacy for president, they jumped on the Democratic bandwagon, the only studio owners to do so. The movie moguls were, for the most part, a conformist lot. Since most of them had immigrated to America during Republican administrations, and since the elites controlling Los Angeles were mostly Republicans, it was only natural that they too became Republicans. Few actually followed politics very closely. Adolph Zukor later admitted he became a Republican only "because all the people I knew were Republicans."⁴⁶ In the early 1930s, the Warners were still outsiders in the Hollywood community, seen by their peers as upstarts who'd capsized the status quo with their conversion to sound. They were, thus, more than happy to break with the other studios when the political winds in Washington shifted. "The country is in chaos," said Harry, "and we need a change."⁴⁷ Jack became chairman of the motion picture division of "Roosevelt for President" and, after Roosevelt's election, the Los Angeles chairman of his National Recovery Act. Today, no movie studio would dare propagandize so openly for a sitting president, but, during the '30s, Warners did it with the enthusiasm of a love-sick teenager, turning movies like **G Men** (1935) into advertisements for the efficiency of the new Federal Bureau of Investigation, using dance numbers to create pictograms of the NRA Eagle and the president's face in **Footlight Parade** (1933), and, in **Yankee Doodle Dandy**, turning F.D.R. into a character in the movie. Though the brothers later strayed from the Democratic fold — in large part because the Roosevelt administration prosecuted Harry for restraint of free trade — they returned after Pearl Harbor, more eager than ever to display their patriotism.

Roosevelt knew how to stroke egos, and he saw that, with Jack Warner, it was political influence (or the illusion of it) that the mogul craved most. The President's charm offensive actually began before the attack on Pearl Harbor. In 1940, Hap Arnold, the commander of the Army Air Corps, called Jack to Washington to ask him to provide a film unit to make films about the air force, offering him, in return, a commission as a lieutenant colonel. Jack jumped at the opportunity. After returning to California, he got the studio wardrobe department to fit him with a uniform rather than wait for the government-issued outfit to arrive. Strolling around the lot soon thereafter, he passed a pair of newly commissioned second lieutenants, who, seeing the braids on his shoulder, saluted smartly. Not knowing how to respond, Jack returned their salute with a merry wave of his hand, crying out, "Hiya, boys."⁴⁸

For all his vanity, Jack Warner was genuinely committed to aiding the war effort. According to his biographer, Bob Thomas, Warner Bros., during the '40s, made more films about the war than any other studio.⁴⁹ Because the Production Code forbade studios from criticizing the American military, many of these films have a dutiful, schoolboyish patriotism to them that can seem rather naïve today, lacking the moral ambivalence that later generations of filmmakers brought to the combat genre. Despite this, Warners produced some of the most exciting war films ever made, counting such titles as **Captains of the Clouds** (1942), **Air Force** (1943), **Action in the North Atlantic** (1943), and **Objective, Burma!** (1945). Accordingly, when Roosevelt needed a favor in 1943, Warner Bros. was the studio he came to. He wanted a sympathetic portrait of America's Soviet ally brought to the screen, and he asked Jack if Warners could make a film of **Mission to Moscow**, Joseph E. Davies' account of his ambassadorship in Russia. Jack, star-struck as ever by the Commander and Chief, eagerly accepted. The resulting picture did poorly at the box office and received mixed reviews from critics. Even James Agee — not exactly what you'd call a conservative firebrand — thought the leftist sentiments a bit thick. "A mishmash: of Stalinism with the New Deal," he wrote. "A great glad two-million-dollar bowl of canned borscht."⁵⁰ The punishment should have ended there, but it didn't: it just went into remission, ready to metastasize again when the Red Scare enveloped Hollywood.

The trouble began in 1946 with the Republican takeover of the House of Representatives. Fourteen years in the wilderness during Roosevelt's presidency had given the Republicans plenty of time to sharpen their knives, and they came after Hollywood almost immediately, starting in the spring of 1947 when J. Parnell Thomas, the chairman of the House Committee on Un-American Activities, arrived in Hollywood and began his search for Communists in the movie industry. HUAC had, from almost the very beginning, borne a distinctly anti-Semitic tinge. Martin Dies — who chaired the committee from 1937 to 1944 — was convinced, among other things, that rich Jews, with the aid of 150,000 Spanish mercenaries routed through Mexico, planned to seize the U.S. government by intentionally crashing the stock market. Needless to say, not all the anti-Communists were anti-Semites. But, as author Garry Wills has pointed out, the two phobias are marked by strikingly similar characteristics: the belief in a world-wide conspiracy (i.e. *The Protocols of the Elders of Zion*), a fear of infiltration by outsiders (outsiders who may not be physically distinguishable from yourself), and a conviction that your enemy controls or wants to control the money markets and the media.⁵¹ The Jews in Hollywood were certainly aware of the connection, and they greeted HUAC's arrival in town with a collective nervous gulp.

The Warner brothers, especially, were in a difficult bind. Having tried, during the war, to establish their patriotic bona fides by cheering the government louder than anyone else, they now found their loyalty questioned for supporting that very same government. The charge that they might be Communist sympathizers was, on the face of it, laughable. Harry and Jack had, for years, decried communism loudly enough to make John Wayne appear soft on the issue. But their allegiance to

Roosevelt made them look suspect. What's more, they'd come out against Hitler years before any other studio, an unambiguously commendable decision, one would assume, but not in 1947, when it was possible to be labeled "a premature anti-Fascist," one of many cunningly veiled insinuations bandied about by the Right.⁵² Under the spotlight of a Red-hungry House Committee, **Mission to Moscow** (1943) could be an especially damning piece of evidence, Desdemona's handkerchief in the hands of any Iago who chose to pick it up.

To avoid this possibility, Jack Warner took a bold course: he decided to beat the House Un-American Activities Committee to the punch. On October 20, 1947, he became the first Hollywood personality to testify before the Committee. Unlike many later witnesses, Jack didn't need to be coerced into talking. His testimony was more than "friendly," to use the jargon of the time: it was obsequious. "My brothers and I will be happy to subscribe generously to a pest-removal fund," he declared. "We are willing to establish such a fund to ship to Russia the people who don't like our American system of government."⁵³ Then, without any prompting from the congressmen present, Jack reeled off the names of a dozen Warners' employees he had determined were communists. Most were screenwriters who had drawn the ire of the Warner brothers when they formed the Screen Writers Guild. The fact that several of the men named were completely innocent of communist associations got little attention in the wake of Jack's incendiary accusations. One screenwriter, Sheridan Gibney, continued having difficulty finding work for years, despite the fact that his name had been cleared. It didn't take Jack long to realize that he'd gone too far. He tried to walk back his testimony in a second appearance before the Committee. "I was rather emotional," he explained, before going on to state, "I have never seen a communist and wouldn't know one if I saw one."⁵⁴ But the damage was already done. A precedent was set for future witnesses to follow. Expiation could only be obtained after the naming of names. A month later, the studio owners gathered at the Waldorf-Astoria Hotel in New York and signed what would later be remembered as the Waldorf Statement, an agreement between the studios that none of them would hire anyone who had been deemed a communist or anyone who refused to give testimony before the Committee. It was the beginning of the blacklist.

Even if HUAC had never come to Hollywood, the late '40s would have still been a difficult time for Warner Bros. During that period, the studio suffered a number of debilitating wounds, some self-inflicted, some outside their control. In the self-inflicted category, the most damaging loss was the resignation of Hal Wallis. Hired in 1923 to help with publicity for the company, Wallis showed himself to be so hardworking that he was allowed to head up the production division of the company, first taking charge of the Burbank facility (which Warners bought in 1928) before becoming head of production for the entire studio after the departure of Darryl Zanuck. If the Warner brothers had scoured the entire globe for a production chief to fill Zanuck's shoes, they couldn't have found a better fit than Wallis. During his tenure as production chief, he turned the studio from a feisty up-and-comer into a disciplined and protean pro. Under the Zanuck regime, operations had been, at times, a little too speedy for their own good. (Note, for instance, the grenades in **The Public Enemy** that bounce harmlessly off a storefront but then somehow still explode inside the building.) During Wallis's tenure, Warners' films became both more polished and more diversified, branching out from the gritty gangster movies of the early Depression years to make costume dramas, pirate adventures, westerns, and family melodramas.

Jack, however, never entirely warmed to his new production chief. Wallis's contribution to the studio was widely recognized within the industry, and this, alone, irritated Jack, who bridled at the least suggestion that anyone other than himself was the brains behind the studio's success. He was undoubtedly miffed that the Academy never presented *him* with the Irving Thalberg Memorial Award, given to the most esteemed producers in the industry. Wallis, on the other hand, received two.

The falling out between Warner and Wallis occurred over **Casablanca**. For over a year, Wallis shepherded the film from script to screen. It was he who chose to make the film in the first place, assigning Julius and Philip Epstein to adapt it from an unproduced play, *Everybody Comes to Rick's*. In addition to choosing the actors and the director, he supervised the set construction, filming, and editing, as well as writing the film's famous final line, "Louis, I think this is the beginning of a beautiful friendship."⁵⁵ But on Oscar night, Jack stole the laurels. When it was announced that **Casablanca** had won the Academy Award for Best Picture, Wallis stood up to accept. Before Wallis could make it to the stage, though, Jack raced there ahead of him, flashing his megawatt grin. "I tried to get out of the row of seats and into the aisle," Wallis explained, "but the entire Warner family stood blocking me."⁵⁶ Despite being humiliated by the experience, Wallis tried to patch things over, insisting that he was "glad to see Jack Warner accept the award."⁵⁷ Jack, though, was looking for any excuse he could find to pick a fight with his producer, complaining that Wallis had given an interview to *The New York Times* without mentioning him in the piece. "[I'm] sick and tired of everyone taking credit," Jack complained, especially, he went on to state, when he, Jack, was "doing most of [the] work."⁵⁸ On April 1, 1944, Wallis finally called it quits. It was, as historian Thomas Schatz has written, the end of an era for Warner Bros. This time, a producer of equal caliber would not be waiting in the wings to take his place.

In the late '40s, an event occurred that was even more deleterious to the studio than the loss of Hal Wallis, and that was the loss of its theater chains. For years, the major film studios had controlled not only the means of production (the sound stages, equipment, etc.) but also the means of distribution and exhibition (the movie theaters), either in partnership or outright. To be able to sell off their lower quality films (B pictures), they utilized what was known as *block booking*, the practice of bundling an attractive film with, generally, four sub-par efforts, forcing the theaters to take the group as a package. As early as 1938, though, the Justice Department began to raise concerns that this might constitute a restraint of trade. The studios settled the case by agreeing to discontinue the practice of block booking and blind buying (selling theaters their product sight-unseen), giving the government the option of renewing the suit if they didn't comply in three years' time. This turned out to be an empty promise, and in the mid-'40s the government resumed its campaign. The fight went all the way to the Supreme Court, ending in a seven-to-one ruling in the government's favor. With Justice William O. Douglas writing for the majority, the Court decreed that the studios would have to divest themselves of their theater chains. The decision, now remembered as the Paramount Decree, knocked the legs out from under the Hollywood studio system in one bold stroke. Harry's precious collection of movie theaters that he had spent so many years acquiring was stripped from his possession. The Warner kingdom was effectively cut in half.

As in so many empires, succession was an ongoing concern for the Warners. In the early '30s, the heir apparent was Harry's son, Lewis. Barely twenty at the time, Lewis was the archetypic golden boy, handsome and self-confident, combining Harry's brains with Jack's gregariousness. In 1931, Lewis flew to Havana to celebrate his graduation from college. He'd recently had a wisdom tooth extracted, and while he was in Cuba his gum became infected. By the time he returned to the States, the infection had grown significantly worse, spreading to his bloodstream, possibly from flying in an unpressurized airplane. Under the care of New York surgeons, Lewis's condition improved (temporarily) but then turned for the worse when he came down with pneumonia. He died on Saturday, April 5, 1931. Harry was grief stricken. It had been his dream to one day hand the reins of power over to his son. He'd groomed the lad for that eventuality since Lewis was a child. In a scene that could have been lifted straight from a B melodrama of the period, one night not long after Lewis's funeral, Harry woke his daughter, Doris, at midnight and dragged her to the studio, plopping her down in the chair behind his desk. "You will learn the business," he declared, and thence began a

frantic crash course on the management of the studio, besieging the confused seventeen-year-old with ledgers, charts, statistics, and graphs on the film industry.⁵⁹ When dawn broke through the window a couple hours later, Harry was still at it, hurriedly trying to make a studio head out of his young daughter. Then, all of a sudden, he stopped, as though catching sight of himself in a mirror, and he looked down at the exhausted, frightened girl before him. The futility of his actions — or any action, for that matter — seemed to hit him for the first time, and he burst into tears. No one could ever replace Lewis.

Jack, too, had a son, Jack Jr. Eight years younger than his cousin, he too planned to one day join the family business. After college, he worked as assistant to director Michael Curtiz. Later, he helped jump-start Warners' production operations in England after the end of the Second World War. Unlike Harry, though, Jack offered his son little assistance in life. Rather than encouraging the young man's ambition, Jack often seemed to want to stifle it, eying Jackie with the same ill-concealed suspicion with which he regarded his other employees. "He didn't throw many compliments to me," Jack Jr. remembered. "You know, you compliment an actor and right away he'll want a raise. You compliment your son and you don't know what he's going to want, so you don't compliment him."⁶⁰ Behind his son's back, in fact, he could be downright cruel. "The trouble with Jackie is that he doesn't have any balls," he'd tell associates.⁶¹ Though he gave the young man employment at the studio, the jobs were fairly menial, often as an assistant director. Most of Jack Jr.'s time at the company was spent in the wilderness of the backlot, far removed from the levers of power.

Jack's coldness towards his son had less to do with any fault of Jackie's than with his own relationship with the boy's stepmother, Ann Boyar, whom he married in 1936, after leaving his first wife, Irma. Sixteen years younger than Jack, Ann was both beautiful and willful, exerting a powerful hold over her husband's mind, even when he strayed from their bed. "The only [person] he couldn't control," said his mistress, "was Ann, his wife. He was afraid of her."⁶² The rest of the family took an immediate disliking to Ann, barely bothering to hide their contempt from Jack. Harry, in particular, scorned her for breaking up his brother's marriage, an act he considered unworthy of a Warner. "Many years after my father's marriage to Ann, I heard from my uncles and aunts that some of them had gone to my father and told him he had done a despicable thing," Jack Jr. said. "They could have understood and forgiven — he was a grown man and those things happen — but the woman for whom he left his wife and child had, in the eyes of his brothers and sisters, brought disgrace on him and the whole family."⁶³ Conspicuously, Ann was never invited to family gatherings while Jack's first wife continued to be treated as one of their own. For this, Ann never forgave them or Irma. Ann's hatred extended to Jack's son, whom she associated with her despised predecessor. The fact was that having Jackie around was painful for Jack, too. As his son explained, "I was later told by my father's lawyer, 'Whenever he sees you, you remind him of Irma.' This feeling of guilt . . . eventually [drove] a wedge between my father and me."⁶⁴

By the mid-'50s, relations between Harry and Jack had soured so much that the two were barely speaking to each other, timing their lunch breaks so as to not run into one another in the studio dining hall. When they did meet, they bickered like children. During one exceptionally heated argument, employees witnessed a scene that might have been lifted straight from one of the studio's *Looney Tunes*: the sight of Jack fleeing on foot across the lot while Harry raced after him, brandishing an iron pipe. With their personal relationship in tatters and their business on the financial rocks — thrown off course both by the Paramount Decree and the arrival of television — the Warner brothers began, for the first time, to seriously consider selling their studio. Abe especially wanted out. Already semiretired in Florida, he was convinced that if they waited too long their stock would depreciate. There was just one catch: none of them could sell their shares unless the others did, too.

That was the agreement they'd made when they first started the studio: all for one or none at all. This meant persuading Harry. Though now in his mid-seventies and in somewhat shaky health, Harry was reluctant to give up his hold on power. Jack, however, found them a deal so sweet even Harry couldn't refuse. A friend of his, Boston banker Serge Semenenko, headed a group of investors who agreed to pay the Warner brothers \$22 million for their combined 800,000 shares of Warner Bros. stock. Considering the precarious state the industry was in at the time, \$22 million was not a figure to be scoffed at. Just a few years earlier, Louis B. Mayer, the seemingly omnipotent head of MGM., had been forced out of the company that bore his name on the logo. Not wanting to meet so ignominious an end, the brothers agreed to sell, signing the deal in May 1956.

By July, it was clear that Jack had pulled off a double-cross. Initially, it was reported that Jack would merely stay on as interim head of production until an appropriate successor could be found. But Simon Fabian, the president-to-be of the company, was nixed by the Justice Department because he had failed to dispose of all his theater interests. Then Harry and Abe learned that Jack had made his own, separate deal with Semenenko. After selling his shares to the banker, he'd bought the stock right back, 200,000 shares worth, making him the single largest stockholder in the company. After fifty-three years, Jack was finally president of the company. It was a title he'd coveted for decades. "Jack hated not being president of Warners," explained his personal secretary, Bill Schaefer. "When I first went to Europe with him, he would never sign hotel registers 'Vice President of Warner Brothers.' He'd sign 'Head of Production.' He wanted to be *head man*."⁶⁵ When Harry read of his brother's perfidy in *Variety*, he suffered a stroke on the spot. He was out of the hospital and walking with a cane within a week, but he soon suffered two more strokes, leaving him speechless and wheelchair-bound. But even before his voice was taken from him, Harry refused to talk with Jack. After the details of the Semenenko deal became clear, neither he nor Abe ever spoke to their younger brother again.

On August 23, 1957, Harry's wife, Rhea, threw a party to celebrate their fiftieth wedding anniversary. Over one hundred guests attended, many of them members of the extended Warner family. In the midst of the festivities, as adults stood around chatting and children frolicked on the lawn, an unexpected — and certainly uninvited — visitor pulled up in the driveway: Jack Warner. Bounding out of the car and grabbing hold of a glass of champagne, he was all smiles. "Where's H.M.?", he inquired of the stunned guests. "I'm busting my balls at the studio and he's living the good life!"⁶⁶ He found Harry indoors, attended by his nephew, seated by the window. "I was sitting in the living room with Harry when to my surprise the door swung open to admit my father," Jack Jr. recalled. "He stepped close to his brother and tried to say something of little consequence, hoping Harry would perhaps notice him. Harry did notice . . . and he did the only thing he could still do. He closed his eyes tightly, shutting his brother from his sight — and two big tears slowly rolled down his sunken cheeks."⁶⁷ A little less than a year later, Harry died. The official cause of death was given as cerebral occlusion, but many family members shared another opinion. "Harry didn't die," his wife asserted. "Jack killed him."⁶⁸ When the funeral service was held in the Wilshire Boulevard Temple in Los Angeles, Jack was not present, being at the time at his vacation home on the Riviera. "I didn't give a shit about Harry," he told a group of guests, by way of explaining his absence from the ceremony. "But hey," he cried, holding aloft a piece of stationary embossed with the White House seal. "Look at this. It's a letter of condolence from President Eisenhower. Ain't that something?"⁶⁹

Jack, by this time, was spending much of his time in Cap d'Antibes. His villa there was grand without being palatial, with twenty-three rooms and its own private beach. Jack chose the home for its nearness to the casinos, where he would sometimes lose tens of thousands of dollars in a single night of baccarat. On one occasion, he gave up two hundred and fifty thousand dollars to King Farouk of

Egypt, then bought champagne all around just to show his indifference to such a sum. On the night of August 5, 1958, he was driving home after an evening at the casino when he lost control of his Alfa-Romeo and swerved into a coal truck parked on the other side of the road. Thanks to a faulty driver's side door, Jack was pitched from the car, landing on the pavement forty feet away. The impact knocked him unconscious. For days, he lay in a coma. Ice packs were placed on his head to keep his brain from swelling. Concerned for his father's life, Jack Jr. flew to the Riviera to be at his bedside. When a French journalist tried to convince Jackie to get him admitted to the hospital room to take photographs, Jackie refused, telling the reporter that his father was much too ill. The next day, the paper reported that Jack Warner was near death. The story was picked up and carried by wire services around the world. Obituary writers eagerly sharpened their pencils. As it turned out, they'd jumped the gun by about two decades. It took four months of recovery in France, but eventually Jack was healthy enough to return home. "I forgot to duck," he joked to reporters, after landing in Los Angeles. "I thought I had the right of way, and eighteen seconds later I knew I didn't."⁷⁰ His first order of business upon arriving at the studio was to fire his son for issuing the erroneous headline announcing his demise.

In typical Jack Warner fashion, he gave Jackie no forewarning of what was coming. Nor was he present for the event. Jack Jr. was simply summoned to his father's office where he was met by two attorneys and his father's secretary:

“ I seated myself facing the three men. Grant began to speak. “Jack, your father has given me a most unpleasant task to perform . . .”

At this point I cut in and asked what his exact function was, as he was not an officer of the company.

“Well,” he responded, “you can call me an errand boy . . . I am to tell you that effective this date you are no longer affiliated with Warner Brothers.”

The bluntness of his statement stunned me and I drew in my breath.

Grant looked at me stiffly. “You are *terminated* from your position in the television department. You will get six month's severance pay.”⁷¹

With that, Jack severed his final connection with the rest of the Warner family. In the roughly twenty years of life remaining to him, he would see his son only once more, and then just briefly. It had taken him over fifty years, but he'd finally gotten the studio all to himself. Now, at long last, he was the top dog, with no rivals left to challenge him. All the other moguls of the golden age were gone. Louis B. Mayer, Harry Cohn, and Carl Laemmle were dead. Samuel Goldwyn was in retirement. And Adolph Zukor was a mere figurehead. Jack was the last tycoon.

But, as many before him had already discovered, it gets lonely at the top, especially when you have no friends left to appreciate your victory. One acquaintance recalled, “I once told him, ‘Jack, you're so alone in this world.’ He said, ‘Richard, if you have power, you can't have friends, because they always want something out of you.’”⁷² Said another, “He was an enigma; he didn't want anyone to figure him out. If you toadied up to him, you were dead. He wanted nobody near him.”⁷³ The worst part, from Jack's point of view, was that, by the 1960s, after struggling for years to consolidate his power, there wasn't much power left for him to hold onto. “Postwar Hollywood was like the South after the Civil War,” writes one historian of the period, “the plantations wasted, the slaves emancipated, a way of life gone forever.”⁷⁴ Production was down, as were profits. With actors no

longer tied to a single studio, talent agencies like MCA had become the new seats of power, green-lighting films on the basis of which writers, directors, and actors they could box into a single package. The studios had effectively been turned into giant soundstages for rent, providing accommodation for whatever independent producer wanted to lease the space at the moment. Though the studios continued to finance films, they had less and less control over the content. “They’d never see a script,” recalled George Axelrod, writer of such films as **Breakfast at Tiffany’s** (1961) and **The Manchurian Candidate** (1962). “Once they’d ok’d [a project] they’d say, ‘Goodbye, bring us a print.’ It was a lovely way to work.”⁷⁵

As Joan Didion pointed out at the time, the studios were not entirely powerless. “The studios still put up almost all the money,” she observed. “The studios still control all effective distribution. In return for financing and distributing the average ‘independent’ picture, the studio gets not only the largest share (at least half) of any profit made by the picture, but, more significantly, 100 per cent of what the picture brings in up to a point called the ‘break,’ or break-even, an arbitrary figure usually set at 2.7 or 2.8 times the actual, or ‘negative,’ cost of the picture.”⁷⁶ None of this assuaged the concerns of studio executives, though. With block booking removed from their arsenals, the studios were no longer able to ensure that the profits of their hits would outweigh the losses of their flops. So, in desperation, they clung to trends. After the success of **The Sound of Music** (1959) and **Mary Poppins** (1964), every studio in town tried to cash in on the big-budget musical trend. A profusion of box office bombs ensued, including **Dr. Doolittle** (1967), **Camelot** (1967), and **Chitty Chitty Bang Bang** (1968). In this turbulent environment, Jack Warner hung on for nearly a decade. All he had was his studio. In the end, though, he too found it impossible to withstand the vagaries of the modern industry. Fearing, like his brother Abe, that his net worth might diminish further if he held out too long, he struck a deal with Seven Arts, a Toronto-based company that had started in television production. In exchange for the company he and his brothers had started in their dining room sixty-three years before, he accepted \$32 million, a sizeable sum, certainly, but one that he could have easily doubled if he’d had a savvy negotiator like his brother Harry to make the arrangement for him. On Halloween evening, 1969, Jack took his Bentley for one last excursion around the lot before heading out the gate and going home. Even before the ink dried on his check, he seemed to realize that he’d made a mistake, that what he was selling off was more than just a pile of steel and concrete and more than just an occupation to fill his time. For Jack, it was his sole source of power and influence in the world, the only reason people still called him on the phone and laughed at his bad jokes. “Yeah, today I’m Jack L. Warner,” he told an associate, after making the deal with Seven Arts, “but wait until tomorrow. I’ll just be another rich Jew.”⁷⁷

Indeed, the siren call of show business soon beckoned him back. In the final years of his life, he tried to get into Broadway musical production (he failed) and produced a few unsuccessful movies as an independent. He died on September 9, 1978, at the age of eighty-six, having grown blind, enfeebled, and completely dependent on his dreaded wife, Ann. Had his constitution held out but a short while longer, he would have been able to see the revival of the studio system, as well as Warner Bros. itself, thanks to the emergence of the *high concept* business model that produced such films as **Star Wars** (1977), **Close Encounters of the Third Kind** (1977), and **Superman** (1978). The studio he’d helped build not only survived but thrived. In the ’80s and ’90s, foreign demand for big-budget American movies skyrocketed. The company expanded into television. (**ER**, **Friends**, and **The West Wing** are all Warner productions.) And then there was the DVD revolution of the late nineties. Because DVDs are inexpensive to produce, and because they are designed more for sale than rental (unlike VHS tapes), they turned out to be a cash fountain for the studios, not least Warner Bros., which soon found itself making money on movies like **Public Enemy** and **Casablanca** all over again.

But it's not the same. The studios don't have unique signatures anymore. A Warners release is practically indistinguishable from one by Twentieth Century-Fox or Universal. Who can remember what studio produced **Goodfellas** (1990), **Almost Famous** (2000), or **Fantastic Mr. Fox** (2009)? As a filmgoer, it's hard not to feel that we owe the Warner brothers a debt of gratitude. After all, without them, we would not have **Gold Diggers of 1935** (1935) or **The Adventures of Robin Hood** (1938), **The Maltese Falcon** or **Yankee Doodle Dandy**, **White Heat** (1949) or **East of Eden** (1955). These films are but a few of the treasures to emerge from the studio in its heyday, and they are ours now to savor anew, the Warners' gift to posterity. Yet, for their sake more than our own, it's hard at times not to wonder whether, perhaps, the Warner brothers might have been better off if Sam had never found that movie projector.

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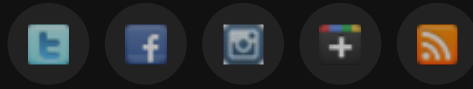
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