

HOLLYWOOD INDEPENDENT

HOW THE MIRISCH COMPANY
CHANGED CINEMA

PAUL KERR



B L O O M S B U R Y

Hollywood Independent



Harold Mirisch, William Wyler, Shirley MacLaine and Walter Mirisch (left to right) discussing *The Children's Hour*.

Hollywood Independent

How the Mirisch Company Changed Cinema

Paul Kerr

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This book is the belated product of three professions and countless collaborations. My first professional job was at the British Film Institute, where I began to write seriously about film and television. The earliest extended article I published was about the industrial determinants of film noir.¹ I followed this up with an essay about the B movie director Joseph H. Lewis.² Both pieces foregrounded the film industry, not only as a constraint on but also as a condition for certain kinds of creative work. And both mentioned Monogram and Allied Artists, where, coincidentally, the Mirisch brothers first worked in production. In this period, I also edited an anthology about the American movie business *The Hollywood Film Industry*,³ and co-edited and co-wrote a collection of new work on an American independent television production company, *MTM: Quality Television*.⁴ The Mirisch Company and independent production constitute what would once have been called a structuring absence in the former volume, while Mirisch-Rich provided an unsuccessful precedent as TV independent for the subject and strategy of the latter.

That second book's publication prompted my accidental entry into another career, television, as a researcher on *The Cat Factory* (C4 1984), a documentary about MTM for the UK's then-new Channel Four. Indeed, that channel was pioneering the commissioning of an increasing proportion of its programming from equally new independent production companies, one of which, Illuminations, was the producer of that very documentary. My subsequent twenty-plus year career as a TV producer included two brief stints working inside the BBC and contracts of various lengths at five very distinct independent production companies, making programmes for both the BBC and C4. The dozens of programmes I produced in this period include *Who's Crying Now?* (BBC2 1993), a documentary directed by Saskia Baron about the rise and fall of the British independent film production company Palace Pictures, and two 'making-of' documentaries about Mirisch Company classics – *Guns for Hire* (C4 2000), about the production of *The Magnificent Seven* (Sturges, 1960), directed by Louis Heaton, and *Nobody's Perfect* (BBC2 2001), about the making of *Some Like It Hot* (Wilder, 1959) which I directed myself. From all my colleagues on these programmes and at those companies, I learnt a great deal about independent production. I want to thank all my collaborators on – and interviewees for – those programmes, including

¹ Paul Kerr, "Out of What Past? Notes on the "B" Film Noir", *Screen Education* vol 32–3, Autumn–Winter 1979–80: 45–65.

² Paul Kerr, 'My Name Is Joseph H. Lewis', *Screen* vol 24 no 4–5, July–October 1983: 48–67.

³ Paul Kerr (ed), *The Hollywood Film Industry*, London: RKP, 1986.

⁴ Jane Feuer, Paul Kerr and Tise Vahimagi (eds), *MTM: 'Quality Television'*, London: BFI, 1984.

Walter Mirisch himself, for further widening my interest in and, I hope, understanding of independent production.

Eventually, my luck as a freelance producer ran out, and, scrabbling for a third career, I found myself teaching, first at London Metropolitan University and subsequently at Middlesex University. This new professional identity both required and facilitated some sustained thinking about film and television of the kind that I had had little time for over the previous two and a half decades. Among a number of articles I published was a production study of the last TV documentary I worked on, *The Last Slave* (C4 2007),⁵ made at another independent production company, October Films, an article for a Billy Wilder anthology about the corporate authorship of *Some Like It Hot*,⁶ and an analysis of the impact on the world cinema series I produced for BBC2, *Moving Pictures* (1990–96), of its shift from being a BBC in-house production to being made by an independent company.⁷ I was also a co-investigator on a major, AHRC-funded, research project on British television documentary and the independent sector.⁸ Clearly, independent production was very much on my mind, with well over two decades' experience inside just such companies to temper any tempting academic generalizations.

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⁵ Paul Kerr, 'The Last Slave (2007): The Genealogy of a British Television History Programme', *Historical Journal of Film, Radio and Television* vol 29 no 3, 2009: 381–97.

⁶ Paul Kerr, "A Small, Effective Organization": The Mirisch Company, the Package-Unit System and the Production of *Some Like It Hot*', in Karen McNally (ed), *Billy Wilder, Movie-Maker: Critical Essays on the Films*, McFarland & Company, 2011.

⁷ Paul Kerr, 'Making Film Programmes for the BBC and Channel 4: The Shift from In-house "Producer Unit" to Independent "Package-Unit" Production', *Historical Journal for Film, Radio and Television* vol 33 no 3, September 2013: 434–53.

⁸ James Bennett, Niki Strange, Paul Kerr and Andrea Medrado, *Multiplatforming Public Service Broadcasting: The Economic and Cultural Role of UK TV and Digital Independents*, Royal Holloway, University of London, University of Sussex and London Metropolitan University, 2012.

here. I have recently published articles about the company and its films in books about United Artists, Westerns and seriality and some of what follows first appeared in part, in draft form in those collections.⁹ The chapters in this volume owe a debt to the editors of those volumes, and thanks are particularly due to Yannis Tzioumakis, Tino Balio and Lee Broughton.

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None of this would have been possible, however, without the patience, love, support and critical encouragement of Ruth Baumgarten, to whom this book is dedicated.

⁹ Paul Kerr, 'The Magnificent Seven Mirisch Companies: Competitive Strategy and Corporate Authorship', in Peter Krämer, Gary Needham, Yannis Tzioumakis and Tino Balio (eds), *United Artists*, London, New York: Routledge, 2020, 112–31; "It Seemed Like a Good Idea at the Time": Hollywood, Homology and Hired Guns – The Making of The Magnificent Seven', in Lee Broughton (ed), *Reframing Cult Westerns: From The Magnificent Seven to the Hateful Eight*. New York: Bloomsbury Academic, 2020; Paul Kerr, 'A Forgotten Episode in the History of Hollywood Cinema, Television and Seriality: The Case of the Mirisch Company', in Ariane Hudelet and Anne Cremieux (eds), *Exploring Seriality on Screen: Audiovisual Narratives in Film and Television*, Abingdon: Routledge, 2021. These four essays were early drafts of sections of Chapters 3, 4 and 6.

Introduction

The Mirisch Company, in its multiple manifestations, was the most commercially and critically successful independent production company in Hollywood from the late 1950s to the mid-1970s. Its films won the Best Picture Oscar three times between 1960 and 1967, a record that remained unequalled among small independents until Miramax's success in the 1990s, while supplying United Artists with five of its ten most profitable films between 1957 and 1969. Mirisch productions include several of the most celebrated and successful films in the history of Hollywood: *The Apartment* (Wilder, 1960), *Fiddler on the Roof* (Jewison, 1971), *The Great Escape* (Sturges, 1963), *In the Heat of the Night* (Jewison, 1967), *The Magnificent Seven*, *Man of the West* (Mann, 1958), *The Pink Panther* (Edwards, 1964), *Some Like It Hot*, *The Thomas Crown Affair* (Jewison, 1968) and *West Side Story* (Wise/Robbins, 1961) are all hugely iconic and influential titles in Hollywood's postwar history. Yet despite, or perhaps because of, the familiarity of their films, the company that produced them remains all but unknown. Founded by three brothers in 1957, Mirisch produced sixty-eight films for UA, making an average of four films annually for that company, before the relationship ended in 1974, and then made another five for Universal, as well as several TV movies and series, before producing one final feature for UA. Subsequently, the surviving brother, Walter Mirisch, has been credited as executive producer on seven TV movies, three further TV series and a feature film.

However, despite an excellent chapter in Tino Balio's second volume on the history of United Artists (Balio, 1987 and 2009), complemented by Walter Mirisch's recent, anecdotal, autobiography (Mirisch, 2008) there has, until now, been no book-length study of the Mirisch Company.¹ And yet many of its productions remain not only very visible in the cinematic culture but also extremely 'viable' as sources of plots and characters, dialogue and iconography, series and sequels, remakes and reboots. Most recently, the announcement of the acquisition, in May 2021, of MGM by Amazon was explained by Amazon's Jeff Bezos in terms of IP. 'MGM has a vast, deep catalogue of much beloved intellectual property. With the talent at Amazon and MGM Studios, we can reimagine and develop that IP for the 21st Century,' Reports of the acquisition in the trade press cited Mirisch's *The Magnificent Seven* and *The Pink Panther* among the examples of this evergreen IP.²

¹ Tino Balio, *United Artists: The Company that Changed the Film Industry*, University of Wisconsin Press, 1987 and 2009; Walter Mirisch, *I Thought We Were Making Movies, Not History*, University of Wisconsin Press, 2008.

² 'Amazon to "Reimagine and Develop" MGM Shows After \$8.45bn Deal', *Television Business International* <https://tvision.com/2021/05/27/amazon-to-reimagine-develop-mgm-shows-after-8-45bn-deal/MGM-had-acquired-UA's-library>.

The continuing *visibility* of Mirisch movies is revealed in the compilation *Precious Images* (Workman, 1986), commissioned by the Directors Guild to celebrate its fiftieth anniversary. Of ninety-one iconic extracts included from films made between 1959 and 1971, for instance, a magnificent eight are from Mirisch productions – *Some Like It Hot*, *The Apartment*, *The Magnificent Seven*, *West Side Story*, *The Great Escape*, *The Pink Panther*, *In the Heat of the Night* and *The Fiddler on the Roof*. Recent remakes of *Pink Panther*, *Magnificent Seven*, *West Side Story* and *Midway* (Smight, 1976) suggest it is often ‘twice upon a time in Hollywood’, as Mirisch movies are variously plundered, pastiched, recycled and referenced, always already familiar. And yet, neither the successive Mirisch companies which produced them nor the three Mirisch brothers who founded and ran them receive even a mention in David Thomson’s *New Biographical Dictionary of Film*.³ Walter Mirisch is included in Ephraim Katz’s *Film Encyclopaedia*, but neither his brothers nor their companies merit an entry of their own.⁴ *Movie History: A Survey* does refer to the company but manages to misspell its name not once but twice, and then omits it entirely from the index.⁵

Even Neal Gabler’s *An Empire of Their Own*, a book-length study of how the Jewish moguls ran Hollywood, excludes them, as it only deals with the studio era.⁶ Louis B. Mayer died in 1957, while Harry Cohn and Harry Warner passed away the following year. Sam Goldwyn, born in Poland, like the Mirisch’s father, survived longer. (As the Hollywood saying goes, ‘From Poland to Polo in one generation.’) When the brothers rented offices at Samuel Goldwyn Studio, they were entirely conscious of continuing a tradition of Jewish movie moguls. (United Artists’ Los Angeles HQ was also at 1041 North Formosa Avenue.) Indeed, Samuel Goldwyn was one of the speakers when Harold was named Movie Pioneer of the Year, in November 1964.⁷ Walter records in his autobiography lunching with Goldwyn regularly, while Marvin was one of the latter’s last callers.

Like their Jewish movie mogul predecessors, the brothers began in exhibition and distribution before moving into production, which was precisely how the vertical integration of the industry itself occurred. This volume, however, is not about Mirisch across ‘the film industry’, which includes not only production but also distribution and exhibition and focuses almost exclusively on production, as it was United Artists, not Mirisch, which was responsible for the distribution and exhibition of almost all Mirisch Pictures. Nevertheless, the company was intimately involved in both the marketing and distribution strategies of their productions. However, despite similarities with their celebrated predecessors, the brothers were never publicity-seekers, but hid in plain sight – and Balio’s study notwithstanding, apparently, their company continues to do so – from film history.

³ David Thomson, *The New Biographical Dictionary of Film*, London: Little, Brown, 2002.

⁴ Ephraim Katz, *The Film Encyclopaedia* (3rd edition), Harper Perennial, 1998.

⁵ Douglas Gomery and Clara Pafort-Overdun, *Movie History: A Survey* (2nd edition), New York and London: Routledge, 2011.

⁶ Neal Gabler, *An Empire of Their Own: How the Jews Invented Hollywood*, Random House, 1998.

⁷ ‘Colleagues Cite Harold Mirisch as Movie Pioneer of the Year’, *New York Times*, 24.11.64.

Tarantino and Mirisch

One of the conceits in Quentin Tarantino's recent 'novelization' of his latest film, *Once Upon a Time in Hollywood* (2021),⁸ is that his actor hero, Rick Dalton, was on a shortlist for the role of the 'Cooler King' in *The Great Escape*, the part played in the latter film by Steve McQueen. Tarantino's film makes much of this, constructing a sequence in which Leonardo DiCaprio (Dalton) was shot against a green screen, wearing McQueen's iconic costume, with VFX technology deployed to replace McQueen with Dalton in a key scene from the original film. But the novel is also peppered with movie references, including numerous explicit and implicit references to Mirisch productions, creating a credible context for Dalton's fictional film and TV career. Furthermore, in a book published in 2021, Walter Mirisch's 100th year, it is striking to discover four mentions of the Mirisch Company (on pages 113, 114 and twice on page 376), and another of the Mirisch Bros (also 376).

Tarantino's narrator also informs us that, director Paul

Wendkos was preparing a film for a small British production company called Oakmont Productions which had an international distribution deal through MGM. Oakmont specialized in modestly budgeted World War Two action-adventure vehicles featuring British casts, except for the lead, who was usually an American actor known from television. Some examples were Boris Sagal's *The Thousand Plane Raid* starring Christopher (Rat Patrol) George; *Mosquito Squadron* starring David (Man From Uncle) McCallum; Billy Graham's *Submarine X-1* starring a pre-Godfather, post-El Dorado James Caan; Walter Grauman's *The Last Escape* starring Stuart (Cimarron Strip) Whitman; and Wendkos's *Attack on the Iron Coast*, starring Lloyd (Sea Hunt) Bridges. Wendkos was gearing up to do one more, a Navy-based adventure with the pulpy title *Hell Boats*.⁹

Tarantino's reinvention of the latter's production history has the film's actual star, James Franciscus, unavailable and Rick Dalton having to step in. But Tarantino's Wendkos offers Rick the part in March 1970, when the actual film was shot in late summer 1968 and then left on the shelf for over a year. Of course, Tarantino's novelization is an alternative, counterfactual, 'hypothetical' history, semi-dependent on its readers being oblivious to the actual, factual history of Hollywood. Nevertheless, the author fails to note, or perhaps even know, that Oakmont Productions was not a British company at all, but a subsidiary of the Mirisch Company. Nor that it was United Artists, not MGM, which released Oakmont films. (MGM only assumed ownership when it acquired UA much later.) Nor does Tarantino add that *Rat Patrol* (ABC 1966–8) was itself a Mirisch production (more specifically, a Mirisch-Rich Production).

⁸ Quentin Tarantino, *Once Upon a Time in Hollywood*, London: Weidenfeld and Nicholson, 2021.

⁹ *Ibid.*, 112–13.

As Tarantino sums them up, ‘All the Oakmont Productions were pretty much the same, with Mosquito Squadron and Attack on the Iron Coast being the pick of the litter. But for what they were, they weren’t bad. They were pretty entertaining if unmemorable potboilers.’¹⁰ Tarantino then invents an attempted Wendkos/Dalton collaboration on *Guns of the Magnificent Seven* (Wendkos, 1969), the third film in the series, ‘a few years earlier’ (though in fact the latter was made at the same time as the Oakmont films) for which Dalton proved unavailable. Nevertheless, ‘Wendkos did such a good job with that assignment, the Mirisch Company offered Paul the fourth film in the series, at the time titled *Cannons for the Magnificent Seven*.’¹¹ And the novel provides a convincing, albeit fictional, pre-production history of what became Mirisch’s *Cannon for Cordoba* (Wendkos, 1970) – which did not, in fact, originate as an intended *Magnificent Seven* sequel.

In another film historical aside, this time about Lee Marvin, Tarantino’s narrator explains that

As Marvin got older, he seemed more and more haunted by the ghosts of the soldiers he killed on the battlefield. During the climax of his 1974 western, *The Spikes Gang*, when Marvin is supposed to shoot his young co-star Gary Grimes (the young lad from *The Summer of ‘42*) apparently Grimes’s look or age or both brought to mind a young soldier Marvin killed during the war. The Oscar-winning tough guy sat in his trailer and drank himself into a stupor. . . . The rest of *The Spikes Gang* is an okay seventies western. Enjoyable enough to watch, but not memorable enough to stay in the mind. Except for that climactic violent shoot-out and the vicious expression on Marvin’s totem-pole face.¹²

The Spikes Gang (Fleischer, 1974) was yet another Mirisch production.

Finally, on the ‘questionable’ shortlist which Dalton cites about the casting of the ‘Cooler King’ in *The Great Escape*, Tarantino has his hero tick off a series of explanations for why he, Rick Dalton, would never have got the part. Because McQueen would never have turned it down. Because ‘the three Georges’ – Peppard, Maharis and Chakiris – were all ahead of him on that list. And more specifically, because ‘two years later, Sturges cast Maharis in the lead in a thriller called *The Satan Bug* – which suggests he’s partial to Maharis.’ Of course, Sturges was on a multi-picture deal with the Mirisch Company and *The Satan Bug* (Sturges, 1965) was also a Mirisch film. As for Chakiris,

One, there is that inexplicable Oscar he’d got . . . Two, *The Great Escape* was produced by the Mirisch Brothers for the Mirisch Company . . . George Chakiris has a deal with the Mirisch Company. He made the 633 Squadron with ‘em. He made *Diamond Head* with ‘em. He made that goofy Aztec movie with ‘em. So not only do they like him – he’s under fucking contract with ‘em.¹³

¹⁰ Ibid, 113.

¹¹ Ibid, 114.

¹² Ibid, 309–10.

¹³ Ibid, 375–6.

In fact, while the 'goofy Aztec movie' *Kings of the Sun* (Lee Thompson, 1963), *The Satan Bug* and *633 Squadron* (Grauman, 1964) were indeed all Mirisch productions, *Diamond Head* (Green, 1962) was not. But whether these historical errors are intentional or not remains impossible to tell. Meanwhile, for Dalton, Peppard, inevitably top of any such list, would never have turned it down, even if McQueen had. Dalton's relegation to the bottom of this list is doubly ironic in that Dalton's fictional TV series, *Bounty Law*, was partly based on McQueen's *Wanted: Dead or Alive* (CBS, 1958–61).

By my count, that makes fifteen of the fifty or so Mirisch films made by 1969, the year in which both film and book are set, which are either explicitly name-checked or implicitly referenced in the novel. *The Great Escape*, *The Satan Bug*, *Cannon for Cordoba*, *The Magnificent Seven*, *Guns of the Magnificent Seven*, *633 Squadron*, *The Spikes Gang*, *Kings of the Sun*, *West Side Story* (that 'inexplicable' Oscar-winner), plus the six Oakmont films. (Not to mention *Massacre Harbor* (Peysen, 1968), the movie quickly compiled from three episodes of *Rat Patrol*, the TV series Tarantino also cites in passing. Indeed, it is ironically appropriate that Tarantino refers to *Rat Patrol*, since it, too, recycled shots from *The Great Escape*.) That amounts to an astonishing 30 per cent of Mirisch's output in the period. The company's movies clearly loom large in Tarantino's cinematic imaginary. But as Tarantino's narrator puts it, many of them were 'unmemorable', indeed all but forgotten. Which is, of course, what licensed this jeu d'esprit in the first place.

Forgetting and remembering

Ironically, the protagonist of Walter Mirisch's first-ever film as a producer at Monogram, *Fall Guy* (Le Borg, 1947), is himself forgetful, resulting from a drug-induced form of amnesia. Two decades later, in *Mosquito Squadron* (Sagal, 1969) RAF Squadron Leader David Scott loses his memory when his plane is shot down. In *Return from the Ashes* (Lee Thompson, 1965) Pilgrim (Maximilian Schell) fails to recognize his wife, Michelle, (Ingrid Thulin) on her return from a concentration camp after the war. Like amnesia, blindness is a familiar film trope. In *Stolen Hours* (Petrie, 1963), Susan Hayward suffers loss of vision and blinding headaches, intimations of her fatal illness. In *The Great Escape* Donald Pleasance goes blind forging passports in a prisoner-of-war camp. In *The Hallelujah Trail* (Sturges, 1966), reprising that disability, Pleasance's Oracle is a 'blind-drunk seer'. In *633 Squadron*, Bissell is blinded in a crash-landing. In *Attack on the Iron Coast* (Wendkos, 1968), Kimberly is blinded in a training accident. The ubiquity of the device in plots and characters may seem like a lack of originality, a shortcut to individuating characterization, at the Mirisch Company, which produced all those films. And indeed, such shortcuts were no stranger to Mirisch productions. But there can be a kind of blindness and forgetfulness in film history too. Film scholarship deploys selective lenses, privileging particular perspectives, like auteurism (which Harvard referencing rules reinforce), while obscuring others. While respectful mentions of auteur classics *Magnificent Obsession* (Sirk, 1954) and *The Magnificent Ambersons* (Welles, 1942) grace almost every film history textbook, an arguably

more influential movie, *The Magnificent Seven*, remains relatively rarely cited. This book, then, addresses one such blindspot in studies of Hollywood, an independent production company which was responsible for a disproportionate percentage of popular 'classic', if not necessarily 'canonical', Hollywood productions, many of them hugely influential both at the time and since.

In fact, without knowing it, I grew up watching Mirisch movies. *The Magnificent Seven*, *The Great Escape*, *633 Squadron* and *The Pink Panther* were among the first films I ever saw at the cinema. In my teens, *The Thomas Crown Affair* and *In the Heat of the Night* loomed large, the former for its sexy 'stylishness', split screen and that spinning, 360-degree kiss, the latter for its radical, racial 'content'. I can still see and hear Sidney Poitier's detective slapping that white planter – and the instant intake of breath in the stalls. Later, at University, I caught up with *The Apartment* and *Man of the West*. People often reminisce about pop and rock music having provided the soundtrack to their youth, but for me Elmer Bernstein's ubiquitous scores for *The Magnificent Seven* and *The Great Escape*, Ron Goodwin's music for *633 Squadron* and Henry Mancini's *Pink Panther* theme are all equally unforgettable, as, less happily, is the earworm of *Windmills of My Mind*, from *The Thomas Crown Affair*. But Mirisch also laid an image track, a greenscreen backdrop to my adolescence, the iconic residue of hours spent in the cinema and in front of the small screen too, including *Some Like It Hot*, transmitted on BBC1 on Xmas Day 1968 and the controversial TV series *Rat Patrol*, bought and then virtually banned by the BBC after only six episodes in 1967. Meanwhile, *633 Squadron* (BBC1 17.11.70, with an audience of 20.5 million) and *The Great Escape* (BBC1 28.12.71, with an audience of 21.5 million) were the first two films to rate over 20 million viewers on British TV in the 1970s.¹⁴ Even the first academic film book I read, V. F. Perkins' *Film as Film*, ends with a critique of two Mirisch-connected productions, *Moulin Rouge* (Huston, 1952), a prestige-heavy international biopic and *The Loudest Whisper* (aka *The Children's Hour*) (Wyler, 1961), a stage adaptation, a critique which relates to the brothers' alleged (over-) reliance on artistic pretexts with a prior cultural capital in legitimating and licensing their projects.¹⁵

If my early viewing coincided with several Mirisch classics, my own twenty-year career as a TV producer, such as it was, has reinforced my interest in and perhaps partisanship for the contribution of creative producers. In Hollywood cinema, the prestige of the producer has fallen in proportion to the rise of that of the auteur director and while some studio-era producers' names have been celebrated, those of the post-Paramount Decree independent era remain lesser known, particularly those operating in the interregnum between the mid-1950s and the American New Wave, which is customarily dated from just over a decade later. In this sense, the producer is, implicitly and sometimes explicitly, the default fall guy of the auteur theory, making the title of Walter Mirisch's first film as producer ironic.

¹⁴ Sheldon Hall, 'Feature Films on British Television in the 1970s' <http://bufvc.ac.uk/articles/feature-films-on-british-television-in-the-1970s/8>.

¹⁵ V. F. Perkins, *Film as Film*, London: Penguin, 1972, 122–4, 125–7, 130, 192.

The Mirisch Company as ‘author’

In what follows, I make two arguments. First, the Mirisch Company and its successors provide a missing link between the end of studio-era Hollywood, brought about by anti-trust legislation, blacklisting, the rise of television and talent agencies and demographic change and the beginning of what is variously known as the New Hollywood/New American Cinema/American Renaissance. The Mirisch's package-unit system as an independent provided a blueprint for Hollywood's mode of production after the end of vertical integration, while their movies themselves built a bridge between studio-era ‘family films’ and the indie cinema/blockbuster duality that followed. In the late 1950s and 1960s Hollywood, Mirisch created a hybrid between residual classical cinema norms and forms and the emerging franchise era, helping to re-popularize cinematic sequels, a strategy which was later legitimated by Coppola's *The Godfather* (1972) Spielberg's *Jaws* (1975) and Lucas's *Star Wars* (1977). But if the movie brats were the first generation of Hollywood filmmakers to see themselves as artists rather than artisans, Mirisch had already deployed the very studio-era veterans who had been hailed by the auteurists, directors like Ford, Mann, Wilder and Wyler, while also offering contracts to a younger generation of successful if less-signature filmmakers, including Blake Edwards, Norman Jewison and George Roy Hill. The Mirisch Company was also among the pioneers of co-productions, runaway production and the exploitation of frozen cash and foreign subsidies, cross-collateralization, media convergence, merchandizing, saturation release strategies and many more industry innovations of the period. The brothers' films, individually and corporately, were the recipients of eighty-four Academy Award nominations and twenty-eight Oscars, including three for Best Picture – for *The Apartment*, *West Side Story* and *In the Heat of the Night*. Walter served three terms as the president of the Producers Guild of America and four terms as the president of the Academy of Motion Picture Arts and Sciences as well as being awarded the Academy's two highest honours, the Irving G. Thalberg Memorial Award and the Jean Hersholt Humanitarian Award (in 1978 and 1983 respectively).

The second argument this volume makes is about Mirisch as a corporate author of its films. This study seeks to avoid demoting the director as an auteur only to replace her with the producer but instead attempts to identify the specific structures and strategies deployed by the Mirisch companies. Indeed, focusing neither on one of the five majors (MGM, Warner Bros, 20th Century Fox, Paramount or RKO) nor the so-called little three (Columbia, Universal or United Artists) nor yet on auteur filmmakers, it concentrates on one specific production company – and its particular corporate culture – identifying that distinct and distinctive independent and its package-unit system as a key determinant of its films. But can a production company be considered an author? It is a counterintuitive proposition, in that the auteur theory was built on the explicit assumption that an auteur director was inherently in conflict with and constrained by a producing organization. As Andrew Sarris put it ‘the auteur theory values the personality of a director precisely because of the barriers to its expression’ and that work with an auteur's fingerprints on it was ‘almost miraculously extracted



Figure 1 The fictional director and producer, in the opening scene of *The Party*.

from his money-oriented environment'.¹⁶ And the professional most closely identified with such an environment historically is the Hollywood producer, the personification of the company, characterized by an obsession with schedules, budgets and bankability. And yet, counterintuitively, it was Norman Jewison who expressed concern about the escalating budget of *Gaily Gaily* (Jewison, 1969) in a letter to Harold Mirisch (24.1.68) while Marvin Mirisch insisted that he should go-ahead with or without the insurance of big-name stars (Jewison wanted someone like Sophia Loren).¹⁷ Thus this volume combines the case for the company as a vital bridge between the so-called 'classical' studio era and the New Hollywood era with a second thrust, arguing that the Mirisch Company can itself be considered as an author (Figure 1).

The book

It may also be helpful, at this point, to clarify what this book is not. It is not a biography of the three Mirisch brothers, Harold and his half-brothers Marvin and Walter, despite its attention to their formative careers in the film industry before launching their own independent production company. Nor does it deal, in comparable detail, with Walter and Marvin Mirisch's work in Hollywood (Harold died in 1968) after the 1970s. It is not a compilation of production studies of all the features, TV series and TV movies which the company produced. Several studies of specific Mirisch productions already exist. There are also numerous 'making-of' documentaries, indeed I produced a couple myself. And, of course, the major directors who worked for Mirisch themselves wrote autobiographies and/or have been the subject of biographies and critical studies, as have several of their screenwriters and stars. I do not discuss in detail the TV series Mirisch made, nor the many animations, both

¹⁶ Andrew Sarris, *The American Cinema: Directors and Directions, 1929–1968*, New York: EP Dutton, 1968, 31, 37.

¹⁷ Norman Jewison and Marvin Mirisch letters, United Artists Collection Addition, Box 5, File 18.

televisual and theatrical, that Mirisch was credited with, in conjunction with the animation company, DePatie-Freleng.

What follows therefore is neither an exhaustive business nor forensic financial history of the many corporate entities that bore the brothers' family name – The Mirisch Company, the Mirisch Corporation, Mirisch Films, Mirisch Productions, Mirisch Pictures and Mirisch-Rich Television, let alone Ashton Productions or Oakmont Productions. The Mirisch papers housed at UCLA remain closed until the death of the surviving brother, Walter (whose personal papers, however, are held at The Center for Film and Theater Research by the Wisconsin Historical Society in Madison, Wisconsin) and such a publication must await access to that collection. Furthermore, the Samuel Goldwyn Studio was almost destroyed by a fire in May 1974 in which much of the company's business records were lost. It is not an analysis of every one of their features, TV movies and series nor an exhaustive chronology of their activities over some seven decades in the film and television industries. My focus is primarily on less than twenty years, when the brothers negotiated a series of successful deals with the financier-distributor, United Artists, for whom they produced sixty-eight feature films and several TV series. The focus here is on the Mirisch mode of production, its corporate culture, its specific strategies for assigning roles and responsibilities, its hiring policies and hierarchies of labour – and how those things sometimes reveal themselves in the films the company produced.

The evidence examined includes not only archive documents recording the company's production practices, trade publications reporting on Mirisch's activities and on those of their peers and the personal recollections of the people who worked there, but also the films themselves. Regarding the latter, rather than taking a sample, either randomly generated or comprised of the best-known productions, my methodology has been to watch every film the company produced as well as multiple examples of every TV series it made during the contractual relationship with United Artists. This strategy allows the analysis to avoid auteurism, and incorporate more than just the classics, while acknowledging that some of those productions were more influential, including inside the company, than others. Of course, on occasion, the brothers employed filmmakers who took the company in fresh directions, in terms of subject matter or style, and inevitably such filmmakers proved influential too. But always within and against the Mirisch corporate culture, the strategic priorities and personal predispositions of the three brothers who founded and ran the company. At the Mirisch Company, the imperatives of corporate custom, the structural opportunities furnished by the family firm itself, and the intentions of three key individuals arguably combine to provide the best and most relevant explanations of why they produced the films they did – and why those films took the forms they did.

This volume is thus a contribution to a comparatively under-researched period in Hollywood history, through a comparatively under-deployed lens, that of a single independent production company. This period roughly corresponds with the years between the last major studio's divorce in 1955, following the 1948 Paramount Decree, and the ascent of the movie brats – and the blockbuster era – with *Jaws* in 1975. Independent production remains a contested term, though Janet Staiger usefully

defines an independent as ‘a firm which was not owned by nor owned a distribution organization.’¹⁸ Staiger argues that most independents, before divorcement, followed either the director-unit, central producer or producer-unit system of management, which she exemplifies with Chaplin, Monogram and Selznick respectively.¹⁹ Warner Brothers, where Harold began his career, employed a producer-unit system, while RKO had both in-house, director-unit and producer-unit systems in place when he arrived. When Charles Koerner replaced George Schaefer in charge at the company in 1942, RKO returned to renting space to independents, which they shared with in-house staff producer units. The Samuel Goldwyn Studio, where the Mirisch Company was based for almost twenty years, had itself deployed the producer-unit system during the studio era.

The package-unit system

The Mirisch Company, on the other hand, used the ‘package-unit’ system of production, whereby, according to Staiger, the film, not the firm, was the organizing principle.²⁰ In fact, the Mirisch Company deployed characteristics of both the producer-unit and the package-unit systems, since while the means of production were hired or rented specifically for each production, alongside the package itself – usually comprising story, stars and director – there was continuity of employment for at least a minimal staff and, at least on occasion, continuity of production from one film to another – specifically in the company’s seven film Second World War cycle, its *Magnificent Seven*, *Pink Panther* and *In the Heat of the Night* sequels, and its multiple picture deals with stars and directors. Such multi-film commitments mitigated against the one-film-at-a-time logic of the film rather than firm-centred approach of the average independent. Matthew Bernstein, in his work on Walter Wanger, is at pains to argue that in Hollywood such independence was only ever semi-independent, a relative autonomy.²¹ Balio, meanwhile, describes Mirisch as an ‘umbrella’ company, ‘managers’ or ‘packagers’, on whom other producer-director units or independents could rely, to handle everything from pre-production logistics to post-production merchandizing arrangements.²² I hope to provide evidence here that Mirisch’s contribution to the films which bear the company name was far more than such simple ‘management’ implies. Their fingerprints are, I will argue, visible in the choice of material, the appointment of the key crew and cast, and in making creative decisions about style, setting and subject matter.

¹⁸ David Bordwell, Janet Staiger and Kristin Thompson, *The Classical Hollywood Cinema: Film Style & Mode of Production to 1960*, London: Routledge, 1985, 330.

¹⁹ Ibid, 318.

²⁰ Ibid, 330.

²¹ Matthew Bernstein, *Walter Wanger: Hollywood Independent*, University of California Press, 1994.

²² Balio, 2009: 161.

Staiger identifies several strategies deployed by independent production companies using the package-unit system – differentiation on the basis of its innovations, story, stars and director; targeting specific demographics or audiences rather than a single homogenous mass audience; runaway production; profit-sharing; and the rise of the hyphenate talent, like producer-director-writer Billy Wilder.²³ Balio adds to this list a big picture strategy and the rise of the blockbuster; differentiation from TV through Cinemascope and Panavision as well as 3D; and the exploitation of sex and violence and ‘adult’ themes, particularly in response to a shift in audience tastes beginning in about 1967 to target the youth market.²⁴

The Mirisch Company was far from being the only independent in Hollywood at the time. In 1949 one-fifth of the movies released by the majors were made by indies. Less than a decade later, in 1957, this had risen to 58 per cent.²⁵ Precise percentages and production figures vary slightly according to source – and definition – but there had certainly been a steady rise in the number of independent producers from forty in 1945, to ninety-three in 1947 to 165 in 1957.²⁶ By the late 1950s, only Universal refused to work with indies. Maltby, like Bernstein, refers to such companies as ‘semi-independent’ because of their reliance on studio distribution deals and finance. Nevertheless, ‘By 1960 more than half the pictures the studios distributed were made by independents.’²⁷ By 1967 UA, which pioneered this approach, had become the leading distributor in Hollywood. As in-house production companies, the major studios were becoming unsustainable. In 1958 *Variety* reported that ‘it is generally believed that the entire theatrical output of Hollywood can now be made in one studio’ – production had declined to such an extent.²⁸

Exhibition and publicity

Nor was this simply about shifts in production. In exhibition, too, the paradigm was shifting dramatically. Between 1947 and 1963 48 per cent of four-walled cinemas closed, at the rate of two a day. In 1956 of 19,000 cinemas operating in the United States, 5,200 were running at a loss and another 5,700 only breaking even.²⁹ Marketing became increasingly important, not least through the new competitor medium of TV. Release patterns were radically revamped. According to Giovacchini, ‘Saturation release’ was first coined as a term by *Variety* 20 years before *Jaws*, for the release of *Godzilla, King of the Monsters* (Morse/Honda, 1956).³⁰ In fact, four years earlier, the trade press reported

²³ Bordwell, Staiger, Thompson, 1985: 332–4.

²⁴ Balio, 2009: 161–96.

²⁵ *Ibid.*, 87.

²⁶ Richard Maltby, *Hollywood Cinema* (2nd edition), Blackwell Publishing, 2003, 170.

²⁷ Saverio Giovacchini, ‘Postwar Hollywood, 1947–1967’, in Jon Lewis (ed), *Producing*, London: I.B. Tauris, 2016, 83.

²⁸ ‘Studio O’Head: What to Do?’ *Variety*, 12.3.58: 5.

²⁹ Maltby, 2003: 163.

³⁰ Giovacchini, 2016: 78.

that 'A five-day advance of dates for national "Monogram Drive-In Week" May 24th-30th will coincide with a planned national saturation booking of the Walter Mirisch Cinecolor production, *Wild Stallion*, which stars Ben Johnson!'³¹

A 1957 survey found that only 15 per cent of the American public attended the cinema as often as once a week and that three-quarters of those frequent attendees were under the age of thirty. This age group already accounted for nearly two-thirds of all cinema admissions at the time.³² By 1958 one-third of cinemas in the United States were drive-ins. But this was the very cinema the Mirisches left behind – or hoped to – by quitting Allied Artists and setting up on their own. Allied Artists and AIP, among others, were competing to supply double bills for the 8,000 cinemas that still ran them in the mid-1950s, but this was precisely the low-lying market (and demographic) Mirisch had consciously decided to abandon, for cinematic higher ground. By 1962, cinema admissions had fallen to 25 per cent of their 1946 level.³³

At the other end of the spectrum from drive-ins were Roadshows, which, for prestige productions, replaced the exhibition practice of continuous performances with a limited number of screenings (usually two a day), reserved seats (hard tickets), higher than normal admission prices and long engagements, rather than one-week runs or less. In 1968 of the twenty-five movies that had earned over \$15 million, seventeen had 'hard ticket' premieres. A 1972 *Variety* analysis revealed that in 1971, 52 per cent of total US box office income had been earned by only fourteen movies. Meanwhile, only a third of the 185 films released that year had broken even.³⁴ And yet the Mirisch Company persevered with producing mid-range features, essentially avoiding putting all their cinematic eggs in the single basket of a would-be blockbuster, (perhaps *Hawaii* (Roy Hill, 1966) is the sole example of Mirisch's attempt at one) by continuing to produce an average of four films a year throughout their contract with UA.

Mirisch deployed specific business and aesthetic practices, enabling it to maintain and sustain studio-era Hollywood's distinct film forms and norms, memes and themes, but at the same time carve out a recognizable corporate style all its own, not only as a company but also in its creative output. It thus built a bridge into the future of filmmaking in America: sometimes independent, realistic, controversial and candid, but at others formulaic, franchise-friendly, and, increasingly set in the past. This duality was, for well over a decade, key to the company's success and survival but was ultimately to prove its undoing.

Mirisch, authorship and genre

It is a curious coincidence that the formation of the Mirisch Company, in 1957, coincided with the auteur theory. The auteur theory (or 'la Politique des Auteurs')

³¹ 'News in Brief', *Motion Picture Daily*, 12.3.52: 7.

³² Maltby, 2003: 159–60.

³³ *Ibid.*, 161–4.

³⁴ 'Hits Few: Beasts of Burden: Analysis of 1971 Boom-Bust Biz', *Variety*, 30.11.72: 5–6.

can be dated back to an article by François Truffaut entitled 'Une certaine tendance du cinéma français' published in January 1954.³⁵ I am not, here, suggesting that the Mirisch brothers were paid up subscribers to either *Cahiers* itself or, indeed, its *politique*. But it is striking that both that *politique* and the company emerged at the same time, both symptoms of other post-war changes. André Bazin's subsequent article 'La politique des auteurs', singled out John Ford and Anthony Mann as exemplary Western directors, whose mastery of their material could be measured against the classical conventions of the Western genre in which much of their best work was done.³⁶ (This was the article in which Bazin famously lauded what he called 'the genius of the system', not just celebrating individual auteurs but also the studio and cinematic system which employed them.) Both 'auteurs' were working for Mirisch within months of that article.

Five of Mirisch's first seven films were Westerns – two of which, *The Horse Soldiers* (Ford, 1959) and *Man of the West* were directed by John Ford and Anthony Mann respectively. Like Bazin, Jean-Luc Godard was a huge admirer of Anthony Mann, specifically of *Man of the West*, which he called a 'reinvention of the Western' and 'an admirable lesson in cinema – in modern cinema.'³⁷ *Cahiers* also dedicated an article to one of Walter Mirisch's productions at Allied Artists, *Wichita*, (Tourneur, 1955) – a key moment in the journal's recalibration of its role.³⁸ Typically, *Wichita* is also discussed exclusively in terms of its director, Jacques Tourneur. Godard dedicated his first feature, *A Bout de Souffle* (*Breathless*) (1960) to Monogram. The common denominator of those two enthusiasms is Mirisch, as all three brothers had been Monogram executives in the 1950s, with Harold as vice president and Walter as head of production. The latter, indeed, not only greenlit the films Godard acknowledged with his dedication, but also personally produced *Man of the West*. And yet it seems likely the Mirisch brothers were as oblivious to the affection with which their films were held by the young Turks of the avant-garde as Godard was about Mirisch.

Asked later about that dedication Godard replied, 'I did it to prove that you can do pictures that are both interesting and cheap. In America a cheap picture is not considered interesting, and I said "Why not?" because actually there are many American directors who do B and C pictures who are very interesting.'³⁹ Ironically, while many Monogram and Allied Artists pictures, while cheap, remain interesting, several of their more 'ambitious projects' failed to live up to expectations; the Mirisch Company's own productions often echoed that binary, with an implicit assumption that the higher budgeted projects were inherently more interesting than the low-budget ones. In fact, however, the bigger budget films Mirisch produced were only marginally more likely to be successful critically, or indeed commercially, than the low-budget movies.

³⁵ François Truffaut, 'Une certaine tendance du cinéma français', *Cahiers du Cinéma* 31, January 1954.

³⁶ André Bazin, 'La politique des auteurs', *Cahiers du Cinéma* 70, April 1957.

³⁷ Jean-Luc Godard, 'Supermann: Man of the West', *Cahiers du Cinéma* 92, February 1959.

³⁸ Jean-Claude Biette, 'Rewatching *Wichita*', *Cahiers* 281, October 1977.

³⁹ 'An Interview with Jean-Luc Godard', *Film Quarterly* vol 17 no 3, Spring 1964: 8.

Walter Mirisch himself, in his autobiography, discussing the role of the Screen Producers Guild, which he joined in 1951, recalls:

Unfortunately, a great deal of what was achieved by the Producers Guild in those early days has been lost, either by default or from pressure by the Directors Guild, which clearly had a great deal more power with the studios. If directors go on strike, they can stop productions. If producers go on strike, substitutes, at least on a temporary basis, are readily available.⁴⁰

Jon Lewis, in his book on Hollywood producers, echoes this disappointment.

The role of the producer during Hollywood's so-called transition era (1947-1967) changed yet again as the studio system unravelled in the wake of two significant destabilizing events: the Blacklist and the Paramount Decision. . . . The following decade saw a sea change in the public image of the producer as the industry briefly embraced the auteur theory. . . . As directors gained in prestige and power, studio producers appeared to take a back seat. As the industry entered the blockbuster era, and as high-concept, pre-sold properties remade Hollywood into a producer's industry once again, the producer him or herself became an auteur of sorts.⁴¹

The Mirisch Company occupied precisely this all but invisible interregnum between studio-era producers and those so-called auteur producers who emerged in the 1980s to handle high-concept blockbusters or run auteur indies.

Walter Mirisch, for instance, originated the ideas for many of his productions, developed them, often from presold properties, selected the screenwriters and directors, hired crews and casts, supervised production and post-production and oversaw release strategies. But until relatively recently few recognized the role of such producers.

The genius of the Mirisch system

Thomas Schatz's *The Genius of the System*, taking its title from Bazin's remark, is an analysis of the extent to which production executives were decisive in the studio era. Schatz argues that more than any single individual, movies from the Hollywood system were the result of

a melding of institutional forces [where] the style of a writer, director, star, – or even a cinematographer, art director, or costume designer – fused with the studio's production operations and management structure, its resources and talent pool,

⁴⁰ Mirisch, 2008, 63.

⁴¹ Lewis, 2016, 6.

its narrative traditions and market strategy. And ultimately, any individual's style was no more than an inflection of an established studio style.⁴²

And, he suggests, that style derived from and was determined by the decisions of a group of production executives.

these men – and they were always men – translated an annual budget . . . coordinated the operations of the entire plant, conducted contract negotiations, developed stories and scripts, screened 'dailies' as pictures were being shot, and supervised editing until a picture was ready for shipment to New York for release.⁴³

But even if this was true during the studio era, can a comparable case be made for the executives of independent production companies – like Mirisch – in the period that followed the end of vertical integration and the transformation of the majors from being production studios with their own distribution and exhibition arms, into what were largely financing institutions? Schatz's study ends in the 1960s. Balio's focus, on the other hand, implies that a major distributor-financier, like United Artists, proved far more influential than those small independents they funded and whose pictures they distributed. This volume attempts to make the case for Mirisch.

The specific business strategies the brothers adopted and adapted at the Mirisch Company followed a fluctuating series of criteria over the course of two decades. In pre-production, there was a distinct predilection for prioritizing pretexts, whether literary, theatrical or cinematic (or, indeed, historical); such pretexts functioned negatively as risk avoidance strategies and positively as amortizable assets, an investment in IP written off as early marketing. Thus, of the sixty-eight films which Mirisch produced for United Artists, thirty-eight were adaptations of prior works. (Alongside adaptations of page and stage, as well as remakes of films, there were another five features based on or inspired by actual historical events and/or characters.) Lewis credits Paramount's Robert Evans as having 'promoted films as "pre-sold properties" movies based on source material familiar to the mass audience before the term or the strategy became a marketing cliché in the industry.'⁴⁴ But the Mirisches did precisely that, well over a decade before Evans.

The selection of such pretexts was made on a range of additional grounds including generic familiarity, sociopolitical issues raised, rights costs, capacity for controversy and viability as star vehicles. In production terms, additional criteria come into play including the economics of foreign filming and subsequent savings in location and labour costs, the availability of local subsidies and/or frozen funds as well as the box office benefits of international backdrops, subject matter and stars. Thus, of those sixty-eight films, thirty were so-called 'runaway productions'. If one criterion for selection

⁴² Thomas Schatz, *The Genius of the System: Hollywood Filmmaking in the Studio Era*, Pantheon, 1988, 525.

⁴³ *Ibid.*, 526.

⁴⁴ Jon Lewis, 'The Auteur Renaissance 1968–1980', in Lewis (ed), *Producing*, I. B. Tauris, 2016, 88.

for production was a project's uniqueness, often achieved, ironically, via its pre-existing profile – its visibility, and indeed viability, in other media – another, alternative criterion was a film's future reproducibility, its potential as a blueprint, or cinematic pilot, for sequels and/or series in both cinema and television. Of the sixty-eight, in fact, only eleven were neither adaptations nor runaways, nor begetters of sequels or sequels themselves nor, indeed, models for or members of a cinematic cycle. Three of those sixty-eight features launched seven sequels between them, and another spawned a cycle of six very similar successors.

The book's structure

The structure of the book is as follows – the first three chapters and the penultimate one are all essentially chronological, tracing the brothers' careers before, during and after the creation of their own production companies. The rest are more broadly thematic, looking at a range of both business and aesthetic strategies those companies deployed to minimize risk and maximize profitability but also, as and when appropriate, to generate quality. Those first two chapters discuss the backgrounds of the brothers and how their various careers, in industry and retail, in film production, distribution and exhibition, before founding the Mirisch Company, contributed both to their business and cinematic strategies and priorities. Chapter 3 provides an account of the company's business history and managerial decisions over the course of its seventeen-year contract period with United Artists. Chapter 4 explores the ways in which – and the extent to which – an independent production company can be considered a corporate author, whose productions might be sometimes seen as a species of 'autobiographical allegory'. Chapter 5 discusses Mirisch's propensity for adaptations of existing texts, of presold material. Chapter 6 considers Mirisch as a pioneer of transnational or runaway production, both as a cost-cutting strategy, a means of freeing frozen funds in foreign markets, and a way of distinguishing its output from more domestic (and televisual) fare, not only for American audiences but also for the increasingly important international market. Chapter 7 identifies another Mirisch strategy – its seven sequels – and discusses them as a forerunner of the film franchises which characterize much of today's Hollywood. It locates the model for this initiative firmly in the company's TV output, both as a means of sustaining continuous production when the package-unit system was prioritizing a single film and as a bi-media business strategy in which film and television might sweat each other's assets. Chapter 8 analyses the film cycle which the Mirisch Company produced, six Second World War films made in swift succession in response to the success of *633 Squadron*, exploiting the subsidies of Britain's Eady Levy as well as other national discounts and incentives. Chapter 9 asks why the movie brats never worked with the Mirisches and addresses the latter's demographic and aesthetic distance from both these young filmmakers and the young audiences increasingly dominating cinemagoing – and thus provides a post-mortem on the company's eventual fall from critical and commercial grace. The tenth chapter

examines Mirisch's strategy after the end of the UA deal, and a brief final chapter examines the company's extraordinary legacy in – and impact on – Hollywood and cinema today.

Mirisch and classical cinema

In the early 1970s, just as Mirisch's contractual relationship with UA came to an end, film scholars on both sides of the Atlantic began to talk about Hollywood studio filmmaking as a 'classical' cinema, mostly under the influence of French film theory. At the end of that decade David Bordwell, Janet Staiger and Kristin Thompson began work on their seminal study, *The Classical Hollywood Cinema*.⁴⁵ That study stops in 1960, when the vertically integrated studios were literally history, but classical filmmaking did not simply cease there and then. Quite how it was sustained and indeed how it has been challenged and/or reinvented, revised and refined, if not entirely rebooted, is, in part, the story of the very production company which is the subject of this volume. That classicism in style, if not always in subject matter, can be illuminated by reference to one brief exchange in *The Apartment*. Jack Lemmon's 'Bud' remarks, 'The mirror, it's broken' to which Shirley MacLaine's Fran replies, 'Yes, I know. Makes me look the way I feel.' The style of Mirisch movies rarely looks the way the characters or indeed the stories 'feel'. It is a classical style, restrained and realist and occasionally veering towards naturalism – in Mirisch's early 1960s black and white films *The Apartment*, *Two for the Seesaw* (Wise, 1962) and *Town Without Pity* (Reinhardt, 1961), or uncomfortably flirting with excess on the other – in the speeded up, but overlong 'comic' chases of *The Hallelujah Trail*, the slow motion imaginary reunion of father and son in *The Spikes Gang*, the indulgent silent cinema 'improv' of *The Party* (Edwards, 1968), the redundant addition of 'hilarious' musical cues in *Irma La Douce* (Wilder, 1963), while late exceptions like the split screen of *The Thomas Crown Affair* or the fractured linearity of *The Landlord* (Ashby, 1970) stand out as dramatically as the breathtaking landscape compositions in *The Horse Soldiers* and *Man of the West*.

While individual talents and national and international events no doubt contribute hugely to the shape of films, the imperatives of corporate custom and practice, the structural opportunities furnished by specific companies and their corporate cultures, and the conscious and unconscious intentions of less celebrated individuals often provide the most proximate and precise explanations for deciding which films were greenlit, the way they were made and how they turned out. That mutually reinforcing interdependence of aesthetic and industrial processes and practices, captured in Bordwell et al's concept of a 'mode of film practice' and its continuation, into the 1960s and beyond, is at the heart of what I am attempting to investigate here.

Finally, a note on the title of this volume, *Hollywood Independent: How the Mirisch Company Changed Cinema*. Not entirely inadvertently, the title is reminiscent of several

⁴⁵ Bordwell, Staiger, Thompson, 1985.

other influential volumes. Like the book's content itself, it owes a great deal to the work of other scholars. Matthew Bernstein's invaluable study of another producer, Walter Wanger, deploys the phrase *Hollywood Independent* in its subtitle, while Denise Mann's book on post-war independents uses the plural as its title.⁴⁶ The current volume focuses on a period which began in the mid-1940s and specifically on a production company which, for most of its existence, was in a contractual relationship with United Artists. By echoing the titles of Tino Balio's *United Artists: The Company That Changed the Film Industry* and David Bordwell's *Reinventing Hollywood: How 1940s Filmmakers Changed Movie Storytelling*, respectively, I am proposing an analogous *change*, exemplified and in some senses initiated by the Mirisch Company, both at the level of industry and cinema, of business strategy but also of style and storytelling, which that company, as I hope to demonstrate, was both paradigm and often pioneer.⁴⁷ Walter Mirisch, the youngest of the four Mirisch brothers, died aged 101 in February 2023, as this book was going to print.

⁴⁶ Matthew Bernstein, *Walter Wanger: Hollywood Independent*, University of Minnesota Press, 2000; Denise Mann, *Hollywood Independents: The Postwar Talent Takeover*, University of Minnesota Press, 2008.

⁴⁷ Balio, 1987; David Bordwell, *Reinventing Hollywood: How 1940s Filmmakers Changed Movie Storytelling*, University of Chicago Press, 2017.

Prequel

What did you do in the war, daddy? The Mirisch brothers before entering production

Beginnings

The three siblings who formed the Mirisch Company – there were four brothers in all – were half-brothers. Their father, Max Mirisch, was born Mendel Mirosz in March 1873 to a Jewish family in Juden Gasse (Jew Street) in Kazimierz, the Jewish district of Krakow. By the end of the nineteenth-century Jews made up 25 per cent of the population in southern Poland, then officially known as Galicia. In 1891, Max emigrated to America, aged only seventeen and worked as a tailor in New York. He was far from alone – not only had one of his sisters, Anna, already made the journey, but between 1880 and 1914 some 2 million East European Jews also emigrated to the United States. Before the First World War there were an estimated 60,000 Jews from Galicia in New York alone. Most Jewish migrants were artisans, while the poor and the wealthy tended to stay behind. Max married Flora Glashut (born 1874), herself the daughter of immigrants, in June 1903 and they had two sons – Irving, born on 18 March 1904, and Harold, born on 4 May 1907. Flora died of cancer in March 1916 and the following year Max married Josephine Urbach (born 1891). Two further sons were born – Marvin, on 19 March 1918, and Walter, on 28 November 1921.

Harold at Warners

Harold Mirisch left school aged fourteen, in 1921, the year Walter was born, and started work as an office boy at Warner Bros in New York.¹ The Warners, like the Mirisches, were a Polish Jewish family. Indeed, Warner Bros was Hollywood's only

¹ Mirisch, 2008: 8.

family-owned and operated studio, just as, almost forty years later, the Mirisch Company, was the only major independent production company, owned and run by one family. In 1961, the Mirisch Company returned the favour by hiring Doris Vidor, Harry Warner's daughter; Harold had probably known her since the 1920s.² In 1921, Warners produced only three films, but in 1923 the company reorganized as Warner Bros. Pictures, Inc. and began to expand, producing thirteen features that year and seventeen in 1924. In the early 1920s, Warner films were primarily distributed outside the big cities and to theatres unaffiliated with the majors. In 1924 Warner Bros bought their first theatre. The following year, when the company's baseball team beat Fox in a Motion Picture Baseball League match in Central Park, Harold, just eighteen, was one of the players, though apparently not one of the stars.³ In the second half of the decade, Harold witnessed Warners' expansion, as the company duplicated the road show strategy of the then big three, Famous Players-Lasky (later Paramount), Loew's (later MGM) and First National (later acquired by Warners), making fewer, more expensive films, a strategy Harold would repeat thirty years later.

Harold learned from his years at Warner Bros the desirability of ensuring a clear division of labour between siblings: the Warner family comprised four brothers – Harry was chief operating and financial officer, Abe ran distribution, Sam was head of technical and exhibition activities and Jack was head of production. A similar division was subsequently instituted at the Mirisch Company, where Harold Mirisch became president, Marvin was vice president and secretary-treasurer, while Walter was executive in charge of production. (The oldest brother, Irving, despite his years in exhibition, never joined the company, though he received equal shares.) Harry Warner's office was in New York, at 321 W 44th Street, the headquarters of the legal and financial operation of the company, which was presumably Harold Mirisch's base.

In 1925, Warners' assets were valued at just over \$5 million; by 1930 they were worth \$230 million. Warners acquired a chain of theatres, from First National, in October 1928 (as well as its studios in Burbank) followed by the acquisition of Skouras Brothers Theaters in St Louis. (Harold subsequently dipped his toes into theatrical holdings too.) In January 1930, Harold was transferred from Warner's New York 'home' office to its Metropolitan distribution division where it was reported, 'Mirisch will work on booking for Warner houses.'⁴ By 1930, New York was only one major city in which Warner Bros films were being screened in its own – as well as other companies' – theatres. However, following the Wall Street Crash, on 29 October 1929, Warners reduced the number of its first-run theatres in New York from five, in April 1930, to one by the end of 1934.

Advised by a Warner executive (probably his boss, Edward Alperson, then assistant head of Warner Theaters) to learn the theatre-management side of the business,

² 'Doris Vidor to a Top Post with the Mirisch Company', *Boxoffice*, 2.10.61: 16.

³ 'Baseball', *Moving Picture World*, 11.7.25: 199.

⁴ 'Along the Rialto', *Film Daily*, 2.1.30: 4.

Harold decided to move into exhibition. His brief first posting was to St Louis.⁵ In November 1928, Warners had bought the city's best cinemas from the Skouras Brothers, appointing Spyros Skouras as general manager of what were now Warner Theaters.⁶ By the summer of 1930, Harold had been, 'sent to Memphis . . . to manage the Warner theater there' which had reopened that spring.⁷ Memphis's Pantages Theater had been acquired by Warners in 1929 and re-modelled for sound, becoming the Warner Theater. Soon after Harold arrived, the trade press reported that 'Warner Bros have announced a \$50,000 remodelling plan for their house here. H.J. Mirisch recently succeeded George Overend as manager of the theater'.⁸ By the end of the year, Harold had transformed its fortunes. 'Following a thorough renovation, which converted it into the most attractive house in town, the Warner is now playing to big business. Success of the house, since it reopened two weeks ago, has proved a surprise here.'⁹ Under Mirisch's management Memphis Warner had seen 'A 100 per cent increase in business' and up to 300 per cent improved box office during the evening hours.¹⁰ As manager of the 2300-seater theatre, Harold hired his elder brother, Irving (whose farm had gone bankrupt during the Depression), as assistant manager.¹¹ In December 1930, Harold's Memphis Warner Theatre was one of four picture houses to run free screenings for the unemployed.¹² That month Mirisch attended the Motion Picture Theater Operators convention in Memphis.¹³

Exhibition was itself hit hard by the Depression. Annual moviegoing attendance fell from 110 million weekly in 1930 to 70 million in 1931 and less than 60 million by 1933. Ticket prices were cut and a four-day emergency national bank holiday in 1933 left theatres accepting IOUs or groceries, in lieu of cash. In 1930 there had been some 23,000 picture houses operating in the United States; by 1932, 8000 had closed their doors. Warners lost nearly \$8 million in 1931, \$14 million in 1932 and a further \$6 million in 1933. By the end of the Depression, the company had closed or sold more than half its theatres. To survive, exhibitors had to innovate. Warners developed a so-called 'day-and-date' strategy, linking Broadway openings with regional releases and a one city, multiple theatre strategy, maximizing the returns from national publicity for premieres.¹⁴ Warner Theaters began offering monthly 'day and date' bookings across the country, simultaneous with Broadway openings, including, in August 1930, an adaptation of Herman Melville's *Moby Dick*, *The Sea Beast* (Webb, 1926)¹⁵ which the

⁵ 'Harold Mirisch Who Has Been with the Warner Here Left Last Night for St Louis', *Film Daily*, 13.2.30: 4.

⁶ Douglas Gomery, *The Coming of Sound*, Routledge, 2005, 118.

⁷ 'Harold Mirisch Rejoins Warners Booking Staff', *Film Daily*, 17.7.31: 2.

⁸ 'May Remodel Warner Memphis', *Film Daily*, 28.9.30: 3.

⁹ 'Warner-Memphis Turned into a Winner', *Film Daily*, 3.12.30: 1.

¹⁰ 'Memphis Take Double Under Warner Wing', *Motion Picture Daily*, 22.12.30: 4.

¹¹ Mirisch, 2008: 9–10.

¹² 'Memphis Gathers in 3000 Shekels to Aid Jobless', *Motion Picture News*, 20.12.30: 15.

¹³ 'Keep Government Out of Business, Convention Told', *Motion Picture News*, 6.12.30: 16.

¹⁴ Brian Hannan, *In Theaters Everywhere: A History of the Hollywood Wide Release 1913–2017*, McFarland and Co, 2018, 24.

¹⁵ *Ibid*, 24: note 187.

Mirisches were to remake, twenty-five years later, as a Moulin Production, released, appropriately, through Warners. Among other Warner Bros films that Harold would have booked were *Public Enemy* (Wellman, 1931) and *Little Caesar* (LeRoy, 1931), two of the gangster films pastiched in *Some Like It Hot*. James Cagney's role in the former was based loosely on Capone, as was Edward G. Robinson in the latter, and Mirisch even attempted to get Robinson to play Little Bonaparte in *Some Like It Hot*.¹⁶

By the summer of 1931, Harold was back at work for what was now 'the Warners-First National' circuit.¹⁷ That November, with his friend Alperson newly appointed as Warners' general sales manager, a wave of promotions saw Harold confirmed in charge of bookings.¹⁸ He must have proved himself swiftly for, in spring 1932, Harold was transferred again, this time to work in the 'Chicago zone'.¹⁹ and he was already being described in the trade press as 'a well-known exhibitor', far beyond Warner Bros circles.²⁰ In 1933, Harold moved once more, to Milwaukee, where he subsequently became general manager of Warner's entire Wisconsin theatre circuit.²¹ Wisconsin was one of the states overseen by the Chicago zone office.²² The so-called geographic area or zone system maximized profits by maintaining a clear distinction between the first-run and subsequent-run theatres and ensuring an adequate clearance period passed between these consecutive exhibition 'windows'. As one Wisconsin exhibitor put it, 'Hollywood may be a long way from "main street" of your town or my town but talking pictures bridge the gap.'²³

Small-town and rural theatres made up a significant proportion of the Warner circuit and Harold learned the hard way that mid-Western tastes were not necessarily in synch with the East and West Coasts. Indeed, his own company's subsequent predilection for Westerns, the epitome of the rural story, may owe something to his hard-won experience in what such audiences preferred to see, at least before the war. The operator of one small-town Wisconsin cinema, the Garrick Theater, Fond du Lac, stressed that a cinema is 'a necessity in every community. It is the center of social and business life of the community'.²⁴ Perhaps it was partly Harold's experience of exhibition, reinforced by the brothers' years at Monogram/Allied Artists with their own often rural and small-town outlets, which explains the Mirisch brothers' enthusiasm for an early project like *Man in the Net* (Curtiz, 1959), with its depiction of a couple who leave the New York rat race for the countryside. Similarly, Mirisch's final film for United Artists, *Mr Majestyk* (Fleischer, 1974) dramatizes the conflict between a melon farmer and a mobster, between the countryside and the big city.

¹⁶ Mirisch, 2008: 101.

¹⁷ 'Waugh at Warner Memphis House', *Film Daily*, 1.7.31: 12; *Film Daily*, 17.7.31: 2.

¹⁸ 'Moe Silver Named Assistant Manager of Warners Circuit', *Motion Picture Herald*, 14.11.31: 18.

¹⁹ 'Coming & Going', *Film Daily*, 26.4.32: 8.

²⁰ 'Exhibits at RKO Convention', *Film Daily*, 20.5.32: 7.

²¹ 'Harold Mirisch Takes Over as Milwaukee Booking Manager', *MPH*, 10.1.33: 7.

²² *MPH*, 24.11.34: 2.

²³ Ken W. Thompson, Wisconsin Exhibitor, quoted in *Hollywood in the Neighborhood: Historical Case Studies of Local Moviegoing*, Kathryn H Fuller-Seeley (ed), University of California Press, 2008, 177-8.

²⁴ *Ibid*, 179.

By 1933, a release pattern taking ‘a year or more penetrating the hinterland’ had been replaced by ‘blanket simultaneous coverage of the whole market.’²⁵ Indeed, Warners broke studio records when over 400 theatres simultaneously released *Footlight Parade* later that same year.²⁶ It is unclear what role, if any, Harold Mirisch played in such a strategy, but as conventional film history associates such wide releases with blockbusters like *Jaws* in the 1970s, it is striking that such saturation release was deployed decades earlier and was a strategy that Harold himself dusted off at Monogram. Harold proved both a keen observer of – and participant in – such movie marketing strategies and, thirty years later, the Mirisch Company was to re-popularize several of them with some of its early UA releases. Indeed, this period was to prove formative for the brothers’ subsequent exhibition strategy.

According to Schatz, ‘Harry Warner saw himself in the early 1930s as the Henry Ford of the movie industry, and the studio as a factory that produced consistent, reasonably priced products for a homogenous mass of consumers.’²⁷ Schatz describes how Warners’ filmmakers, even their best-paid directors, Roy Del Ruth and Michael Curtiz, were accustomed to ‘a factory-based assembly-line production system’²⁸ Harold Mirisch cannot have been unaware of their prestige – Del Ruth became the first director signed by the Mirisches to a multiple film contract at Allied Artists, while Curtiz subsequently directed one of the Mirisch Company’s earliest productions, *Man in the Net*. One of the latter’s biggest 1930s hits, *Captain Blood* (Curtiz, 1935), starred Errol Flynn, and in 1954 the Mirisches hired Flynn to star in another swashbuckler, *The Black Prince/aka The Warrior* (Levin, 1955). The other two top Warners’ stars of the 1930s, while Harold worked for the company, were James Cagney and Bette Davis. Cagney was later pastiched in *Some Like It Hot* and starred in *One, Two, Three* (Wilder, 1961) while Mirisch remade the Davis vehicle, *Dark Victory* (Goulding, 1939), as *Stolen Hours*. But Warner was not merely a film factory. According to a profile in *Fortune* magazine in 1937, Harry Warner and the company that bore his family name had two major interests, ‘business and morals’. Or as the company motto put it, ‘Combining Good Picture-Making with Good Citizenship.’²⁹ Warners’ celebrated anti-fascist films provided a model for the depictions of intolerance and its ugly effects painted in Mirisch movies as different as *The Children’s Hour* and *In the Heat of the Night*.

By the mid-1930s, in the wake of the Depression, Warners had reduced its theatre holdings from 700 to 400 and staff, budgets and wages were cut back.³⁰ Perhaps because of such economies, Harold briefly left Warner Bros in 1935, to join the Standard Theatre Company in Wisconsin, but he was soon back at his old position with Warner-Saxe Theaters in Milwaukee.³¹ By May 1936, he was working as ‘Warners District Publicity Manager’, arranging visits by stars like Gertrude Niesen before being appointed as

²⁵ *MPH*, cited in Hannan, 2018: 27.

²⁶ Hannan, 2018: 28.

²⁷ Schatz, 1988: 136.

²⁸ *Ibid*, 139, 141.

²⁹ Quoted in *We’ll Always Have Casablanca* by Noah Isenberg, Faber and Faber, 2017: 94.

³⁰ Douglas Gomery, *The Hollywood Studio System: A History*, London: BFI, 2005, 132.

³¹ *Motion Picture Herald*, 11.5.35: 66 and *MPH*, 18.6.35: 2.