

Why do films with adult themes get mired in X-rating debates, while

blockbusting bloodbaths coast by industry censors with an R?

Spirited film critic Roger Ebert exposes the short-

comings of a movie ratings system

that has strapped serious film-

makers in a creative

straitjacket

B Y R O G E R U E B E R T

THE DISTINGUISHED BRITISH ACTRESS HELEN MIRREN WAS A member of the Royal Shakespeare Company and has played most of the Bard's major women's roles. So when director Peter Greenaway called from England to ask her to testify on behalf of the movie they made together, *The Cook, the Thief, His Wife & Her Lover*, it was partly because she would make a most respectable witness.

Greenaway's film had been denied an R rating by the Motion Picture Association of America's Classification and Rating Administration, so Mirren took the red-eye flight from Los Angeles to New York to plead its case before the system's Rating Appeals Board. At the hearing she was asked a curious question: "What would your comfort level be if you were sitting next to a 9-year-old during this movie?"

Mirren couldn't believe her ears. "I told them a person would have to be insane to take a 9-year-old to a film like this," she told me. "It's intended for adults, not children."

But that hypothetical 9-year-old stands at the center of the current controversy over the nation's movie-rating system, which — strange as it seems — has no practical way of declaring a movie for adults only. The problem with the R (or Restricted) category — which says those under 17 can be admitted with an accompan-

ing parent or adult guardian — is that the ratings board must consider underage viewers in evaluating movies with decidedly adult themes. Children are not *supposed* to be there, but they might be. And without a workable "adults only" rating, the system provides no way to keep them out. No way, that is, except the use of the discredited and disreputable X rating, which is identified in everyone's mind with pornography and is the kiss of death for any movie seeking broad commercial distribution in the United States.

The implications of the R-rating trap are disturbing for anyone concerned with freedom of speech and artistic expression in America. Under the guise of providing voluntary guidance for parents, the MPAA is actually operating an unofficial censorship system — one that threatens to compromise the vision of some of our greatest film directors. The addition of a new ratings category for adults only would give the system flexibility and filmmakers more breathing room, but the MPAA and its longtime head, Jack Valenti, remain inflexibly and uncompromisingly opposed to it.

The Cook, the Thief, which was ultimately denied an R rating, is one of many pictures to fall into the R-versus-X twilight zone in recent months. It is a shocking satire using nudity, sex and cannibalism as its weapons. Some moviegoers and critics — myself included — think it is an important work. Others do →



ILLUSTRATION BY JAMES WOJCIK

not. Almost everyone would agree that it is not a film for children.

The MPAA's R-rating category is theoretically intended to steer youngsters away from certain movies. But there is a hole in it as wide as the swinging doors in a movie theater. Almost half of all the American movies made since 1968 have been rated R. And anyone who has been under 17 during those 22 years knows from personal experience how easy it is to get into an R movie. The so-called adult guardian can be an older brother or sister, a friend, or simply someone standing next to you in line. Many theaters, staffed by employees who are themselves teenagers, do not even bother to check. Aware of this, the MPAA looks at R movies as if *it* were the theoretical guardian — which is why Mirren could be asked the circumspet question about the 9-year-old. Isn't it clear that some movies are simply not intended for kids, no matter whom they go in with?

WHEN VALENTI'S MPAA FIRST teamed up with the National Association of Theater Owners in 1968 to install a voluntary national ratings system, there were hundreds of local movie-censorship boards throughout America. Some of them were standing jokes — like Chicago's, which provided patronage jobs for the widows of policemen. Valenti thought a voluntary, industrywide system would replace the local blue-noses and head off threatened national legislation, and he was right: "Today," he boasts, "there is only one local censorship board in the country — in Dallas."

Over the years, the Classification and Rating Administration has developed a routine for processing hundreds of movies every year. Members of the board — chosen by the MPAA to represent a cross section of parents and the moviegoing public — meet in a Los Angeles screening room to view every film submitted for evaluation. They recommend a rating: G for general audiences, PG for movies where "parental guidance" is suggested, PG-13 for movies where parents are urged to note that some material may be unsuitable for younger viewers, or the aforementioned R. The board cannot officially assign a film an X rating because the MPAA never copyrighted the category. The X *can* be self-applied by a film's distributor, however, and pornographers are all too willing to claim it (or the nonexistent XX and XXX rating).

Filmmakers whose movies do not qualify for an R and who are unwilling to self-apply the tainted X, have the option of releasing their films "unrated." This is not a practical alternative, however, since theater chains routinely have leases with shopping malls that forbid them from playing X or unrated films. In addition, many cities across the country have local laws that prohibit newspapers and television from accepting advertisements for these films. As a result, a movie that is released outside the MPAA's ratings system stands little chance of wide distribution and profitability. For this reason, mainstream film directors — no matter how visionary — are often contractually obligated to deliver the distributor a film that conforms to MPAA standards.

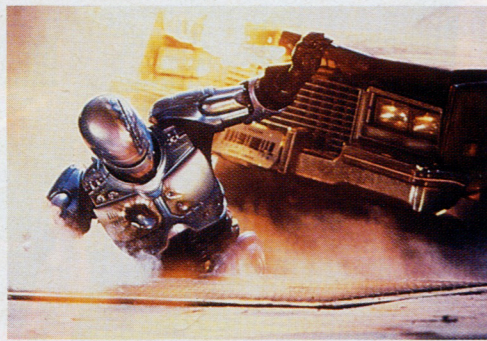
Several Hollywood movies in recent years have clashed with the guidelines of the R rating. Ultimately, most of them were cut to qualify for an R, including Adrian Lyne's *9½ Weeks*, starring Kim Basinger, Alan Parker's *Angel Heart*, starring Mickey Rourke, and Ken Russell's *Crimes of Passion*, starring Kathleen Turner. (All of these films were later released on home video in their original, unedited versions, although viewers were hard-pressed to tell the difference.)

IN THE SPRING OF THIS YEAR, THE movie-ratings controversy heated up once again, when a number of films found themselves in conflict with the MPAA at the same time. They included not only *The Cook, the Thief, His Wife & Her Lover*, but also *Tie Me Up! Tie Me Down!* by the Spanish director Pedro Almodóvar, the shocking but brilliant *Henry: Portrait of a Serial Killer*, and *Wild Orchid*, an erotic drama starring Mickey Rourke and directed by Zalman King, who co-wrote *9½ Weeks*.

What was beyond the pale in these movies? One morning I sat with King in his editing room, next to a moviola, where he was able to show me two versions of the love scene objected to by the MPAA. It was hard to tell them apart. The scene was shot in lush flesh tones, bathed in warm light and showed Rourke and his costar Carré Otis apparently making love. As is inevitably the case with R-rated movies, the genital areas of the actors were not visible.

"There!" King said at one point. "That overhead shot — they objected to that being at the end of the sequence. So I took it out at the end and moved it to the middle."

While the MPAA throws a fit over passionate lovemaking scenes, it is supplying R ratings to 'Total Recall,' a hymn to extreme and nonstop violence, and 'RoboCop 2,' with its scene of a brain being smashed on the pavement



Peter Weller (as RoboCop) gets his in Irvin Kershner's violent 'RoboCop 2.'

At the same time that David Lynch's 'Twin Peaks' is expanding television form with its irreverent approach to soap opera, his new feature film, 'Wild at Heart,' is being challenged by the MPAA's conservative standards.



Laura Dern and Willem Dafoe in David Lynch's controversial 'Wild at Heart'

While it might be unsettling to Rourke and Otis to learn that the intimate continuity of their onscreen lovemaking was being casually rearranged, it was just as surprising for me to see what small differences apparently separated the R rating from the hinterlands of the X. The version the board approved looked a lot like the one they turned down. What was the difference? Although the MPAA is reluctant to come right out and say what is or isn't acceptable in an R-rated love scene, the practical experience of filmmakers who have been through the ratings process suggests that the board is uncomfortable with graphic thrusting or undulating movements. That's one reason why so many movie love scenes are shot from the shoulders up. To get the R rating, apparently, sexual intercourse should involve proximity more than movement.

In the case of *Wild Orchid*, their objection to the placement of the overhead shot (which showed Rourke atop Otis) at the end of the scene was, by King's estimation, the climactic implications of the actor's urgent thrusting motions — a sexual fervor that the board evidently deemed palatable when inserted midway through the lovers' tumble.

"I make erotic films," an exasperated King told me. "That's my stock-in-trade. I don't have car crashes or violence. All of the drama in this film leads up to this final scene. If they don't let me have that scene, my movie loses its whole reason for existence."

If a movie like *Wild Orchid* is denied an R rating, the filmmakers can (and most often do) resubmit an edited version they hope will get past the ratings board. Or, they may choose to fight for the original cut by going in front of the MPAA's Rating Appeals Board.

Appeals are held in New York City, where movies are shown to a 22-member committee — half of them from the National Association of Theater Owners, half selected by the MPAA. When filmmakers appear before the board, they're asked to make a statement defending their original vision, after which the MPAA's position is stated by Richard D. Heffner, head of the Classification and Ratings Administration. Heffner and the filmmaker then leave the room, and a vote is taken. One movie which appealed and won was Brian DePalma's *Scarface* (1983). But most films are rejected.

"Want to know how long they debated before they took their vote on my movie?" Helen Mirren asked me. "Thirty-five seconds."

THERE ARE, NO DOUBT, SOME PEOPLE WHO WOULD BELIEVE that was too long, that all "dirty movies" deserve what they get. But freedom of expression is a right that movie directors should possess, just as writers, painters and journalists do, and by creating economic penalties for films it denies an R rating, the MPAA is imposing its own form of censorship. It's an irony that the ratings board was actually started to *head off* censorship, by allowing Hollywood to police itself. Valenti argues — and he is correct — that over the years the movie ratings system has probably prevented more censorship problems than it has created.

But this current controversy comes against the backdrop of a rising national tide of censorship and attacks on free expression. The legal difficulties of the rap group the 2 Live Crew, the furor surrounding the work of photographer Robert Mapplethorpe and the impact it has had on the National Endowment for the Arts, and the raging debate over flag burning are but a few examples. The question is: Whose standards does the MPAA uphold when it rates a movie? I believe its primary constituency is not the parents of America, as Valenti claims, but the moguls of Hollywood.

As someone who has seen virtually every Hollywood movie made over the past two decades, I've noticed that the MPAA's tolerance level for violence has grown steadily more permissive, perhaps under the unstated pressure of the major Hollywood studios that pay the MPAA's bills — and that depend on blockbuster action/adventure pictures to pay *their* bills. These days, sex and nudity seem to be more offensive to the ratings board than violence and profanity. During the same season when the MPAA was throwing a fit over the *Wild Orchid*

lovemaking scene, it was supplying R ratings to Arnold Schwarzenegger's *Total Recall*, a hymn to extreme and nonstop violence; to Eddie Murphy's *Another 48 HRS.*, with its brutal bar-brawls and those trademark Murphy riffs of four-letter words; and to *RoboCop 2*, with its scene of a brain being smashed on the pavement and its foulmouthed 12-year-old drug lord.

(There's even sociological evidence to back up my observation, especially as it applies to women. Communications researchers Ni Yang of UCLA and Daniel Linz of the University of California at Santa Barbara found in a recent study that R-rated movies actually contain more violence against women than hard-core pornogra- →

phy does. The study, reported in *Variety*, reduced everything to chilling statistics indicating that women were treated violently about twice as often in R-rated movies as in X-rated ones.)

Valenti, the most vocal defender of the ratings system in its current form, is quick to deny charges of censorship, pointing out that the ratings system is voluntary. "If I were a director who made a movie that did not qualify for an R rating, and that movie was important to me, I would go right ahead and release it unrated," Valenti told me recently in Los Angeles.

I replied that when a filmmaker finds that thousands of theaters will not show that unrated film, and countless media outlets will not

accept advertising for it, isn't he facing de facto censorship? "The ratings system is designed as an advisory for parents," Valenti insisted. "It does not and should not take into account anybody's economic situation."

Sometimes, in a debate like this, the critic of the ratings system finds himself defending films not to his personal liking. But that is what freedom of expression is all about. I am the first to agree that a movie like *Wild Orchid* is a shallow, silly sex film. But if there are adult filmgoers who want to see it as King made it, that should be their right. Many people would be offended by *The Cook, the Thief*, but it was *intended* to be an offensive film, and art is often meant to shock. (Director Peter Greenaway intended his film as an allegorical attack on the selfishness of Thatcherism.)

And what about directors of unquestioned importance who are asked to alter their films to qualify for an R? In May of this year, David Lynch's *Wild at Heart* won the Palme d'Or, the top award at the Cannes Film Festival. But it will not be seen by American

moviegoers in the same form that it played at Cannes — not with an R rating, anyway. At the same time that Lynch's *Twin Peaks* is challenging American television viewers with its unconventional approach to soap opera, his *Wild at Heart* will be challenging Europeans and others in its original form — but Americans will see it in a version more suitable for the "comfort level" of that hypothetical 9-year-old.

Martin Scorsese is widely considered to be the greatest American director of his generation. No one would deny the power of his *Taxi Driver* (1976), and his *Raging Bull* (1980) was voted by every poll in sight as the single best film of the Eighties. Yet his new film,

GoodFellas, was also reportedly facing problems with the ratings board before it was granted an R. When Lynch and Scorsese have to take scissors to their films because the MPAA is unwilling to bend on a ratings system that needs fixing, it is time for reform.

WHEN THE RATINGS SYSTEM WAS FIRST CREATED IN 1968, there was a category designed to indicate movies for adults only: the infamous X category. In the early years the X was not an automatic mark of shame, and such reputable pictures as *Midnight Cowboy*, *The Killing of Sister George*, *Candy* and *Beyond the Valley of the Dolls* (which I wrote) carried the X rating. The

early Seventies were boom years for hard-core pornography, however, and soon the X came to be exclusively identified with porno movies. No mainstream movie studio, director or theater chain wanted to have anything to do with it. The last major movie released with an X rating was *Last Tango in Paris* in 1973.

In the 17 years since, the United States has essentially been the only country in the Western world with no category suggesting that a film is appropriate for adults only. Why didn't the MPAA copyright the X, thus ensuring its proper use as the last stop on a conventional rating scale? "We acted on the advice of lawyers," Valenti told me. "We felt we needed an open-ended system so that we could not be charged with restraint of trade. We don't give you the X. We deny you the R, and what you do then is up to you." In practice, that means any Hollywood movie or import that wants to reach a broad commercial audience must somehow squeeze into the R category.

There is an obvious way out of this dilemma, one proposed by Gene Sis-

kel and myself on our television program, *Siskel & Ebert*, as long ago as 1987: Create a new A (or Adults Only) rating and position it between the R and the X. The A would specify that tickets could not be sold to anyone under 17. The X rating would still be self-applied and would continue to indicate pornography, but now there would be an acceptable, enforceable rating in between for movies that are frankly intended for adults.

The movement for an A rating has picked up considerable support since Siskel and I first proposed it. Members of the National Society of Film Critics recently sent a letter to the MPAA advocating the A, and there's a resolution pending in the

Many films that were forced to make cuts in order to obtain an R rating — including 'Crimes of Passion,' 'Angel Heart' and '9½ Weeks' — were eventually released in their "X-rated" versions on home video to little or no fanfare



Kathleen Turner and Randall Brandy in Ken Russell's 'Crimes of Passion' (1984)

Before the rise of hard-core and the preemption of the X by pornographers, reputable films such as 'Midnight Cowboy,' 'Last Tango in Paris' and the author's 'Beyond the Valley of the Dolls' wore the rating without shame



Sylvia Miles and Jon Voight in John Schlesinger's 'Midnight Cowboy' (1969)

Illinois House of Representatives that would encourage the same. A court fight is also brewing over the ratings system. Miramax Films, distributor of *Tie Me Up! Tie Me Down!*, has brought suit against the MPAA in the New York State Supreme Court, challenging their decision to deny the film an R rating.

In his fight against the A rating, Valenti finds himself confronted by critics from both the left and right. Liberals support the A category because it provides a way for directors to express themselves without trying to force their vision into the R guidelines. And conservatives, alarmed by the escalating permissiveness of R-rated movies and the ease with which children can attend them, would like a category to isolate movies not intended for young viewers.

When I proposed an A rating during a meeting with Valenti not long ago, he flatly rejected it. "The rating system is a voluntary guide intended for parents," he said piously, "and the nation's parents believe that it works." If you've seen Valenti on talk shows, you've heard him use the same polished sound bites over and over again.

Valenti also suggests practical difficulties with enforcing the A. Using one of his favorite debating weapons — a list of perversions and deviant behavior that he rattles off like a vice cop — he told me, "How can you draw a line between the A and the X? Between A-rated incest, child molestation, cannibalism and sadomasochism, and X-rated incest, child molestation, cannibalism and sadomasochism? How can you say which scenes of child molestation are artistic, and which are pornographic? The members of the rating board are mere human beings. How can you expect them to draw that line?"

A statement like that has a certain genius to it. It seems to imply that the MPAA is holding the line against the appearance of unspeakable practices on our neighborhood movie screens, when in fact all Valenti is really doing is sending up a smoke screen.

The answer to his question, of course, is that the same mere human beings who draw the line between the PG-13 and R ratings would also be expected to know when the R ended and the A began. Valenti's board members would not have to make those difficult hypothetical decisions between art and pornography because the A rating would still leave the system open-ended. If the MPAA refused a film an A rating, it would still be able to go out unrated, or with a self-applied X.

But to answer his question directly: Where *do* we draw the line? What I told Valenti was that there was scarcely a mature person alive who did not instinctively know the difference between A and X, between "adults only" and pornographic, and that if they needed help, they could use the Supreme Court's definition of pornography.

The point, in any event, is not to include pornography within the MPAA system, but to release the pressure on the overburdened R category. When the MPAA originally installed its ratings system, it intended the X to perform the same function that the A is now being suggested for, but Valenti and his planners clearly did not foresee the rise of hard-core and the preemption of the X by pornographers.

IF THE A RATING SEEMS LIKE SUCH manifestly good common sense, why are Valenti and his MPAA so inflexibly opposed to it? I am not a mind reader, but I can think of an obvious possibility.

The ratings system in its current form contains no category that advises theater owners *not* to sell tickets under any circumstances. If an A category were introduced, exhibitors who subscribe to the voluntary MPAA system would be required to actually refuse admission to anyone under 17. That's a requirement that conjures up a dreaded nightmare in the imagination of theater owners and movie moguls. It's the specter of a potential customer standing at the ticket window, being told he cannot buy a ticket. If Hollywood has to choose between the loss of artistic integrity and the loss of a ticket sale, integrity will lose in a flash. Before the studios and the exhibitors allow those hypothetical underage viewers and their "guardians" to be turned away with dollars in their hands, they'll stretch the R category until it bursts. **U3**

[Editor's note: Seventy-two hours before this issue went to press, New York State judge Charles E. Ramos upheld the MPAA's decision to deny 'Tie Me Up! Tie Me Down!' an R rating. However, in his 13-page opinion, Ramos stated: "The manner in which the MPAA rates all films . . . causes this Court to question the integrity of the present rating system. . . . The industry that profits from scenes of mass murder, dismemberment and the portrayal of war as glamorous (is only interested in) the opinions of its consumers. . . . The effort by the MPAA to encourage a more lenient policy toward violence is indefensible." Regarding the issue of de facto censorship, he concluded: "The rating system censors serious films by the force of economic pressure."]