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## This Film Is Not Yet Rated: The film they couldn't stop

*According to Kirby Dick's new exposé, film censorship in the States is in the hands of a cosy cabal of major studio executives. James Mottram reports*

Last year, Kirby Dick was nominated for an Oscar for his documentary *Twist of Faith*. This year, he'll be lucky if he's not run out of town. *This Film Is Not Yet Rated* is an incendiary exposé that takes on the Motion Picture Association of America (MPAA), the organisation responsible for classifying films. Penetrating an outfit second only to the CIA in shrouding its business in secrecy, the result is an investigation of the hypocrisy at the heart of this Hollywood watchdog.

With this in mind, there's a palpable edginess when I meet this veteran LA-based film-maker. "I shred everything for now, that's for sure," he tells me. Given that his own tactics include rooting through bins outside the house of one MPAA member, this comes as no surprise. But then Dick would argue he's fighting against an entirely unregulated body that answers to nobody.

The current US ratings took shape in 1968, as a reaction to Mike Nichols' film adaptation of *Who's Afraid of Virginia Woolf?*, which was the first movie to successfully challenge the censorship system the Production Code Office had enforced since 1934. Implemented by Jack Valenti, the head of the MPAA for three decades, the new ratings scheme was designed as a voluntary system to discern which movies were appropriate for viewing by children, reflecting what an "average parent would believe to be an accurate depiction of the film".

Yet much of the problem surrounding the MPAA lies in the X rating, which meant no children under 17 were permitted entry to see any film with such a classification. Originally used for such watershed movies as *A Clockwork Orange* and *Midnight Cowboy*, the rating eventually become synonymous with pornographic films shown in adult theatres. The "X" became a stigma, even when the MPAA re-branded it as NC-17 ("no children under 17") in 1990 in reaction to Philip Kaufman's explicit *Henry & June*.

As the years have gone by, numerous film-makers have found their work cut to shreds. The credits to Dick's film, featuring clips from such films as Kimberly Peirce's *Boys Don't Cry*, Bernardo Bertolucci's *The Dreamers* and even Trey Parker and Matt Stone's puppet satire *Team America: World Police*, say it all. Most notably, we're reminded that Stanley Kubrick's swansong *Eyes Wide Shut* suffered the ignominy of censorship, as the director was forced to digitally impose characters in the orgy sequence to cover up any revealing shots of the copulating couples. Lamenting the fact that this list of film-makers got "many of their greatest films cut up", Dick resolved to take on the MPAA.

Maintaining that the MPAA is run by a code of "spin and secrecy" - not least because the identities of all those who rate the movies is classified - Dick initially attempted to interview Valenti, who retired in 1996. Unsurprisingly, he was turned down. "Jack Valenti has managed over all these years to somehow convince this country that it's an effective and fair ratings process," says Dick, who decided to combat this by hiring two female private detectives.

Interspersed with interviews and a lively presentation of the history of the MPAA, we see clips of the detectives tailing various classifiers as they leave their walled compound in downtown Los Angeles. Noting down car number plates and even following them to their chosen lunch spots, the spooks eventually collate enough information to unveil "the class of 2005", an on-screen dossier revealing names, ages and photos of all but one of the classifiers.

All hired without formal training, the film reveals that many of these classifiers - "parents, normal human beings, neither gods nor fools", as Valenti put it - do not quite fit the criteria they are supposed to. Including Graves, most now have children that have long since grown-up, and are not between the ages of five to 17 as the job description specifies.

While Dick's underhand methods risk us losing sympathy with him, as he puts it, "If the ratings board wasn't secret, this could be a much different film." He has a point. Compare this to our own British Board of Film Classification (BBFC), which makes no attempt to keep its employees secret.

Censorship, of course, is an emotive subject and Dick is the first to admit that some form of system needs to be in place. "There should be developed standards that are made open to the public and film-makers, and there should a training process, and experts involved in the ratings process. Maybe it's better to call it a descriptive process, where you're not rating something but giving a shorthand description of the film so people can judge for themselves."

Dick claims this is no revenge mission. Despite tackling tough subjects in his own work - including a cystic fibrosis suffering performance artist and sexual abuse in the Catholic church - he says he has never suffered at the hands of the MPAA. What "rankled" him, he says, was that the MPAA is in league with the seven major US film studios, resulting in violent film scenes - often regular studio fodder aimed at the key 18-34 male demographic - that are rated less harshly than ones with sexual content.

The documentary compares films given the R-rating (which means anyone 17 or under can see the film if accompanied by a parent or guardian) to those classed NC-17. As it emerges, acts such as oral sex are always far more harshly rated if gay rather than straight. "It's basically an admission that it's a homophobic process," says Dick, "and I think they should be called up on that."

The film's highlight - one that sadly could not be caught on camera - is the moment Dick submits his (unfinished) film to the MPAA. "They had no idea a film was coming in about them," says Dick. But some have called this submission a stunt. Due to the explicit nature of some of the clips shown, it got an NC-17 classification - though when Dick admits "it would've been unfortunate if we got an R-rating" you suspect there is some showmanship to his actions.

It certainly afforded Dick a spectacular conclusion to the film, as he put his film through the appeals process. Again no cameras were present to capture the meeting, but the film reveals what little give-and-take there is in the system. The film-maker is made to sit in front of a panel of adjudicators and argue his case, but not refer to any past films as evidence as to why certain cuts should not be made. Again, the participants are anonymous - though Dick uses his detectives to do more digging. Shockingly, many of those exposed are key figures in Hollywood - from Steve Gilula, chief executive of Fox Searchlight, to John Lodigian, vice president of sales at Sony Pictures - indicating just how in-bed the MPAA is with the studios.

Just to add fuel the fire, Dick has exercised his right to not resubmit the final cut to the MPAA and ensure this film is not yet rated. It won't help. As he notes, "If you go out un-rated then you have many of the same limitations that an NC-17 has." To use an old Hollywood adage, Dick may never eat lunch in this town again.

*'This Film Is Not Yet Rated'* screens at the Edinburgh Film Festival on 20 & 21 August. It goes on general release on 1 September



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