

AMERICAN UNIVERSITY RADIO WAMU 88.5 FM

THE KOJO NNAMDI SHOW

MOVIE RATINGS -- IS NO RATING BETTER THAN AN NC-17 ?

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GUESTS

KIRBY DICK, Director, This Film Is Not Yet Rated

JOAN GRAVES, Chair, Classification and Ratings  
Administration

13:06

MR. NNAMDI: From WAMU 88.5 at American University in Washington, welcome to *The Kojo Nnamdi Show*. This is a topic that really doesn't need much of an introduction if you are a moviegoer or video buyer or renter, you know movies are rated. G, PG, PG-13, R, NC-17 which replaced X, when X apparently got too popular with makers of pornographic movies; NC-17 means no children under 17 admitted. Seems simple enough, but for the film maker, it's more complicated than that, and there's a lot at stake. Joining us now to discuss this is Kirby Dick, he's a film maker. His latest film is called *This Film Is Not Yet Rated*, and it focuses on the process of rating films in the movie industry, Kirby Dick, thank you for joining us.

MR. DICK: Thank you.

MR. NNAMDI: Before we talk about this film, let's talk a little bit more about the work you have done in the past. You've been a film maker for more than 20 years. Last year, your film, *Twist of Faith* was nominated for an academy award, tell us a little bit about that.

MR. DICK: Well, *Twist Of Faith* is a documentary about clergy sexual abuse in the Catholic church. It actually focused on one man in Toledo, Ohio, who had been abused as a teenager and followed -- the affects of -- how that affected him his entire life.

MR. NNAMDI: You often take on uncomfortable topics. In 1997, you made a movie called *Sick*, which one newspaper critic wrote, and I'm quoting here, "This movie puts a critic in a very unusual position. It's a terrific piece of work, but it's virtually impossible to watch. I won't recommend it to any of my friends, I wouldn't want to put them to that. If you are in the slightest bit screamish don't go near it, I'm not screamish but half a dozen times during the movie, I had to grip my chair's arm rest to keep my body from doing what it wanted to do, run up the isle, fast and out of the theater." Then he went on to shower complements on the movie.

MR. DICK: It's a very intense movie about a very intense man, but you'll find it's really a story about life and death, and I think critics around the world have really

embraced it.

MR. NNAMDI: Indeed, he goes on to say, it's eventually a great love story as a matter of fact, in that film. We're talking with Kirby Dick, his latest documentary is called *This Film Is Not Yet Rated*, how did you get involved in film-making?

MR. DICK: I came out of art school, went to California Institute of the Arts, and decided that I wanted to move in to documentary film-making, so I actually jumped in. My first featuring documentary was called *Private Practices: The Story Of a Sex Surrogate*, which was about sex surrogate therapy.

MR. NNAMDI: You know, when most people think of documentary film making, they don't think of the rating system. A lot of people while being keenly aware that feature movies are rated are unaware that documentaries are also rated, correct?

MR. DICK: Many documentaries are rated, yes.

MR. NNAMDI: Why did you decide to make *This Film Is Not Yet Rated*?

MR. DICK: Well, I was very upset with the many things about the rating process and particularly its secrecy. The process has been kept secret and kept hidden from the public for more than 30 years, and even the people who rate the film, the film-raters, the names of those people have not been known for nearly 30 years.

I was also really upset with how unprofessional the process was. This may be one of the most unprofessional boards operating in this country today. There are no professionally developed standards, there are essentially no written standards. The raters receive no training. They're hired one day and put in to ratings from the next and begin rating films, and finally there are no experts associated with the process, no -- to help guide them. There are no media experts or child psychologists, it's a very difficult job and I think it's important that this be treated professionally.

MR. NNAMDI: As we said at the beginning, most people who go to movies at some point or another have said, who rates these films anyway. You can join this conversation, if you have, maybe, answers to that question.

800-433-8850, or you can send e-mail to [kojo@wamu.org](mailto:kojo@wamu.org). We're going to spend the rest of this hour in effect, trying to answer that question in as comprehensive a manner as possible.

The Motion Picture Association of America makes the argument that it is not the process that is secret, it is only the individuals who do the ratings, whose anonymity is important because they don't want the studios to be able to put pressure on these people to come to any kinds of conclusions for them.

MR. DICK: Well, it adds to the entire process that is secret. There are no -- basically no transcripts or no records of the proceedings at all that are available to the public. But as far as the anonymity of the film raters, they -- like you said, they claim that it protects them from industry influence. But what we found out is that people who have the most direct contact with them are people within the film studios themselves.

Post-production supervisors and heads of production often have weekly contact with those people over many years and are in a position to guide their film through the rating process, and according to one ex-rater, even at times influence the votes of those raters.

MR. NNAMDI: One of the things the documentary, *This Film Is Not Yet Rated* sets out to do is to find out just who these anonymous people are, and you hire some private detectives to in fact try to trap these people down, and one gets the impression that the reason you do this is because to most, especially independent film makers, what these people do can ultimately be of great significance, why?

MR. DICK: Yes, because, well, an NC-17 rating, which is often given to independent filmmakers, often whose films include adult sexuality, an NC-17 rating means that many theaters won't play it, many newspapers won't advertise it, there are television restrictions and the major video outlets like Blockbuster and Wal-Mart often won't carry it --

MR. NNAMDI: Why not?

MR. DICK: It's because they feel that the NC-17 is too closely associated with pornography. But in fact, it's not, these are just art film makers and in any other

country, these -- adults have access to these films in a way that they don't, here.

MR. NNAMDI: So that if you make a film and it gets an NC-17 rating and you were hoping to have fairly wide distribution of this film, simply having the NC-17 rating will restrict your ability to distribute the film because some theaters won't carry it, some distributors won't carry it for you, and Blockbuster may not carry the film at all, and some newspapers won't even advertise it?

MR. DICK: Right, and what happens here is that the investors who own the film, obviously, it's a very risky business investing in film, and they know that for every one hit there are many hits that -- I mean, many films that don't work. So they need to make as much money as possible in that one hit, they're not going to allow their film-makers to go out with an NC-17, because it will restrict the backend of that on hit, restrict the income.

So that -- what's happening is these films are getting censored often at the script stage, self-censored, and at the production stage, even before they're submitted to the ratings board, which again then often cuts out scenes that should be in the film.

MR. NNAMDI: So people are doing that so they won't get an NC-17 rating. Okay, so you've made a film and you feel that the film contains no more explicit sex or violence as an independent film-maker than a big studio movie of the same type, shall we say. What is your perception and the perception that we get in *This Film Is Not Yet Rated* about the difference between how the two films are treated, the major studio film versus the independent?

MR. DICK: Well, the film ratings are run by the MPAA, which is the Motion Picture Association of America, and that --

MR. NNAMDI: And all of the major studios are members of MPAA.

MR. DICK: They're all members of it and together those six major studio control 95 percent of the film business. So they're sort of running the show there, they pay the salaries of the raters et cetera. Well, what we found out by interviewing Matt Stone, his first film *Orgazmo* was independent, and when he initially got an NC-

17, he said, "What could I change to get it down to an R rating," and they said, "Well, we can't tell you, that would be censorship." So he had no idea what to cut, I mean, he could cut things that they don't even care whether he cut or not.

When he was working for a studio five years later, making *South Park*, and he submitted it, it initially got an NC-17 rating and he immediately got a list of things that he could cut to get it down to an R rating. So this is just a prime example of how independent film makers are treated differently than studio film makers.

MR. NNAMDI: The MPAA rating system has been around for the past 38 years or so. We are talking with Kirby Dick, he is a film maker and the maker of the documentary, *This Film is Not Yet Rated*, that looks at the MPAA rating system and makes the argument, that it is rigged, it is discriminatory, and we expect to be joined by Joan Graves, the chair of the Classification And Ratings Administration of the MPAA, later in the broadcast. She will explain from their point of view, why these are necessary. One of the things that she will explain is that this was put in to practice some 38 years ago, in order -- in a way to prevent government interference, in order to prevent, say the Congress of the United States from jumping in to this.

MR. DICK: Well, I don't think the Congress really is going to jump in to this. There had been -- the Supreme Court in the '50s and '60s gave first amendment protection to film, and so the government itself is really not a threat. Now, it is true that there were some local and state censorship boards springing up around that time that -- I'm very sorry, there were local and state ratings board, not censorship boards that were springing up around that time. But even the most notorious, the Dallas Ratings Board, which was disbanded in 1991, its most restrictive rating was no child under 16 allowed in a film, which was less restrictive, than the most restrictive MPAA rating, which is no child under 18 allowed. So what they had put in place that was even in many ways worse than the -- they put a system in place that was in many ways worse than the systems they claim they were trying to prevent happening.

MR. NNAMDI: Let's talk about the difference between what your perception is and what the MPAA's perception is. The MPAA says, "Look, what we bring in here are people who are parents and because this system was

invented, created by Jack Valenti, 38 years ago, in order to give parents some guidance for their children, that's why the people we bring in, who shall remain anonymous are simply parents representing, in their view, a broad cross-section of American society.

MR. DICK: Well, to begin with, it's not a broad cross-section. At the time we made our film, there were no Latinos as far as we know, and no African-Americans on the board, and as far as we know there were no gays or lesbians on the board. So it's -- these are all people who live in Los Angeles. The MPAA claims that they come from different parts of the country, but they have lived there for many, many years, they are Los Angelinos, so it's not broad.

Now, they also claimed, up until very recently, that their raters, all had children between the ages of 5 and 17. What we found out, that that was not true, that nearly half of the film raters had children that were over the ages of 17, and did not have children between the ages of 5 and 17. In fact, what we also found out is all the raters were over 40; so I don't consider that a broad cross section at all.

MR. NNAMDI: Well, let's talk a little about some of the specific charges that are made in *This Film Is Not Yet Rated*, that the system essentially is rigged in favor of the studios, how is that demonstrated.

MR. DICK: Well,, I don't think that should be a surprise. Again, they own this system, so -- and there are corporations, the system in some ways is -- the rating system is an asset to them, and like any corporation, they are going to use the assets to increase the bottom line. But one of the ways it is -- benefits them is they have contact with people within the ratings process. They are able to get their films through the ratings process easier, and even dh one of the reasons they come down on very hard on sex and gay sex, one of the ways it benefits the MPAA, is that right now in Washington, they have a very large presence. I mean, their major effort as a trade organization is to lobby Congress to get laws through --

MR. NNAMDI: And Jack Valenti did that for many years, he's been replaced by former agriculture secretary Dan Glickman.

MR. DICK: Dan Glickman, and their major presence here is to get the laws that they want through Congress.

So by coming down hard on sex, and particularly gay sex, that plays well to the right, which now controls Congress and allows them to get those laws through. So that's another benefit for them as well.

MR. NNAMDI: You also make the allegation that they take a different view of heterosexual sex and gay sex, that movies that show heterosexual sex fairly explicitly can get a PG-13 or an R rating, movies that show gay sex almost invariably end up NC-17.

MR. DICK: That's true, I mean, when you look at the way films are rated, scenes -- gay films, scenes with gay sex in are often rated much more restrictedly than identically short films with straight sex. So there is definitely a bias and film makers have known this for a long, long time.

MR. NNAMDI: I have seen an interview with a spokesperson for the MPAA, who said, well, children might be a little more uncomfortable with homosexual sex because they are not as familiar with it as a concept if you will, as they are with heterosexual sex and may be that's why that happens.

MR. DICK: Well, I mean, which children, my children certainly aren't. I don't think it's up to 10 anonymous parents living in Los Angeles, to tell me as a parent whether I can allow my child to go see a gay themed film. That's not their responsibility, that's my responsibility.

MR. NNAMDI: Let's invite our listeners in to this discussion. Tell us what you think about the MPAA rating system, especially if you happen to be a parent, does it work for you, does it not work for you. 800-433-8850 is the number to call, we're going to take a short break, when we come back we will continue our conversation with Kirby Dick, his latest film is called, *This Film Is Not Yet Rated*, about the MPAA rating system. Again, you can call us, what's your view of it, 800-433-8850. You can send e-mail to [kojo@wamu.org](mailto:kojo@wamu.org), I am Kojo Nnamdi.

(Intermission)

MR. NNAMDI: We were talking about movie ratings and who does them. We're talking with Kirby Dick, the filmmaker, his latest documentary is called, *This Film Is Not Yet Rated*, and in it he attempts to track down, with

the help of private detectives, some of the individuals who actually rate films for the motion -- for the MPAA. We are expected to be joined by Joan Graves, the chair of the Classification And Ratings Administration for the Motion Picture --

MR. DICK: -- Association of America.

MR. NNAMDI: -- Association of America, MPAA. We're expecting to talk to her later in the broadcast. One of the arguments that's also made in the film is that when there are scenes involving sex shown, showing women's pleasure can get you a different rating to if you show men's pleasure, can you explain that please.

MR. DICK: Well, yes, it seems like scenes with women's pleasure, women's orgasms seems to make the ratings board more uncomfortable and they tend to rate it more restrictively. In *Boys Don't Cry*, directed by Kimberly Pierce, we interviewed Kimberly, and she pointed out that when Chloe Sevigny was having an orgasm, that was one of the things that they initially gave her film an NC-17 for.

And her explanation, which I think was very astute, was that most of the films in Hollywood are made -- written and directed by men. So what people are familiar with is the male sexual experience. So when they see female pleasure on screen, it makes them uncomfortable and they tend to rate it more restrictively.

MR. NNAMDI: But your film also shows the scene with Jane Fonda from the 1978 movie *Coming Home*, in which she demonstrates grate pleasure as a result of sex and that made it, so what's the difference between that and films that are being made today.

MR. DICK: Well, it's 30 years difference. Then that got an R rating, but at that time, the studios were trying to make films targeted for adults. That's why they made sure their rating system gave that an R rating. But now, 30 years later, they're no longer targeting adults. They target adolescents who tend to respond to violence, and that's why you see the MPAA giving violence the less restrictive ratings, because they want those films to get out to the widest possible audience.

MR. NNAMDI: And that's adolescent boys?

MR. DICK: Exactly or -- and adolescents in

general.

MR. NNAMDI: Well there are those people who will say, come on Kirby, this is America, don't be naïve. This culture has always been more open to the acceptance of violence, than it has been to discussions or visualizations of sex. And you went in to this business knowing that, so why would you not expect this?

MR. DICK: Well, I think that to some degree is true. But I think to some degree the film business has, and especially, the Hollywood, the major studios have to take responsibility for that because by presenting and marketing films with extreme violence, certainly it's going to have some impact on the viewing audience, and in fact this research that has been done has shown that viewing sexuality really has very little effect on child or adolescent behavior negatively, whereas viewing violence does have some effect on behavior.

So if anything, the ratings board should be paying attention to violence, rather than sex, which by the way, in all the western European countries, they are much more focused on issues --

MR. NNAMDI: I wanted to get to that in a second, but we have several callers on the line, so allow me to start with Terrence in Gaithersburg, Maryland, Terrence, you're on the air, go ahead please.

TERRENCE: Thank you so much for talking about, this is a cinema fan. I was thinking as you were talking about pleasure, of *Sweet Sweetback*, which was released unrated, if I recall, back in the --

MR. NNAMDI: Sure it was like 1971 or '72 --

TERRENCE: Yeah, it was released unrated. So I guess -- I mentioned that because there is a review of his film, Mr. Dick's film, in the New York Press by Armond White, which addresses many of the issues he's mentioned here including mainly the issue that these private investigators -- with an invasion of privacy, his words, and he also states that look, most major media, including newspapers, especially the alternative media, accept ads for NC-17 movies. So even if he chose to go to the MPAA rating system, the argument seems to be a financial one, not a creative one.

MR. NNAMDI: By the way, *Sweet Sweetback* was a movie that was made by Melvin Van Peebles, back in the early '70s but please go ahead Kirby Dick.

MR. DICK: Well, you know, you're right, but the problem is that the creative -- the financial restriction impacts the creative choices that a filmmaker can make, particularly when they don't own a film. Now, you're right that some -- many of -- most, in fact, I think, of the alternative papers will show, will advertise an NC-17 film, but that's only a small percentage of the press. And as you know, film is a marketing business, and if you don't get your product out to the widest possible press, it's really probably not going to be a success.

Now, as far as the issues of invasion of privacy, that's absolutely incorrect. Everything that we did was entirely legal, and we did this, just because this -- in my opinion, and in fact in the MPAA's opinion, they say that their rating system is for the public. Well, if it's for the public, it should be public.

So I was appalled that these powerful corporations that run this rating system would have the audacity to say that they are going to run the rating system in complete secrecy and complete privacy. It's my responsibility as a journalist, as an investigative filmmaker to get this to the public.

MR. NNAMDI: Terrence, thank you very much for your call.

TERRENCE: Thank you.

MR. NNAMDI: We move on to Paul in Kensington, Maryland. Paul, you're on the air, go ahead please.

PAUL: Hi, Kojo, thanks for taking the call. I have a question about, or statement that Mr. Dick made before the break. He said that he doesn't really want a group of 10 anonymous people making his decisions for him, and what is the alternative, because I mean, I myself am a strong advocate of parental responsibility, what I'd really rather see would be a little synopsis of what is involved in the films, graphic violence, same sex, sex, heterosexual sex whatever, and then let the parents choose on their own, and get rid of the rating system altogether. Now I know that's not really likely, but is it the group of 10 supposedly a arbiter of community standards and by

extrapolation we should figure that if it plays in Imperial, then it would get an R or whatever, you know. I'm just wanting, what is your alternative solution here.

MR. NNAMDI: Kirby Dick.

MR. DICK: Well, Paul, my alternative is your suggestion, which I think is very possible to have a concise but comprehensive listing of the content of a film, whether it's sex, nudity, violence, drug use, smoking, fanatic content. That is a very simple thing to do, and many rating systems, smaller ones like screenit.com do it. And that would provide the information to the parents that the parents need. Right now, all that's given is a letter rating and just a very short descriptor, which by the way, even that Jack Valenti had to be dragged, kicking and screaming to agree to. So this is one of the major problems with the rating system, that it doesn't get information to parents.

MR. NNAMDI: Paul.

PAUL: Thanks.

MR. NNAMDI: Thank you very much for your call. Allow me to go to John in Fairfax, Virginia, John, you're on the air, go ahead please. Hi, John, John, are you there. John is not there. Here is Susie in Bowie, Maryland, Susie, your turn.

SUSIE: Yes, I'm here, and I have an 11-year-old and a 9-year-old here, and they both wanted to speak about the rating and so is that permissible.

MR. NNAMDI: They are actually listening to the broadcast right now?

SUSIE: Okay, here they are. Dillon is first, here.

MR. NNAMDI: Okay, Dillon, your turn.

DILLON: Hello, I'm Dillon Owey, and I'm 11-years-old, and I think it's really disgusting to see them do that on movies, it's just really gross, and here's my sister, she's 9.

MR. NNAMDI: Oh, okay.

VANCE: Hello, Vance here, and I'm very discouraged that people are kissing on T.V., either are men or a women.

MR. NNAMDI: They are disturbed that people are kissing on T.V., whether they are --

SUSIE: Now, the purpose of their -- what they're saying is that if they're going to do a picture there should be a rating that would indicate gay sex, you know, like if it's GS, so that they don't want to see it. They should not just be forced to consider it as being -- what "normal doesn't mean normal anymore." Normal means whatever your lobbyist has put enough money up to force you to accept. But parents -- like the previous caller, I think both Paul, not John, John wasn't there, but I think it's very important.

I'm also an educator and I have over 35 years of experience. I'm not in favor of gay bashing or anything like that, I've never been. But I do feel that it's something called responsible parenting, it's something in terms of -- about building these characters. Look at all of our priests who have been accused of this and that. All these things, people should be allowed to grow and develop --

MR. NNAMDI: Allow me to have Kirby Dick respond in two ways. First could you respond directly to the issue that Susie raised --

SUSIE: Okay, I'll listen it off, okay.

MR. NNAMDI: Okay, and second, could you talk a little bit about how it's done in some European countries.

MR. DICK: Well, I think that your -- if some people kiss on TV bothers you I think your mother, who sounds like she is a very responsible mother, should be given the information as to what the content is of the film so that she can determine whether this is a film that you would find comfortable to watch. So -- and it's very good to see that the two of you are having this dialog because this is what, I think, a rating system should foster.

MR. NNAMDI: And how they do it in some parts of Europe?

MR. DICK: Well, in Western Europe, first of all nearly all the rating systems are open. They are completely transparent and those rating systems work fine. Also they are much more concerned with violence in Europe than with sex and it's just the opposite here, where there seems to be an incredible obsession with sex, and censoring of sex and violence seems to get through the rating systems very easily.

MR. NNAMDI: Allow me to read something that comes from the British Board of Film Classification and it says "Why was *Spiderman* classified 12?" *Spiderman* is possibly the most violent film which is aimed at a young audience that the BBFC has classified. The levels of violence make the film a borderline 15 rating and most certainly not suitable for a PG rating, which will allow very young children to view the film.

The violence is set in a modern urban setting with a clear message that the use of violence is the normal and appropriate response when challenged. The Board does not believe that this is the sort of message to be sending to young children. It got a different rating here.

MR. DICK: It certainly did. And, you know, in our film we interviewed Terry Webb a researcher associated with UCLA who has done one of the major studies on violence in film. And she found just an incredible inconsistency in the U.S. rating system, often finding that films that were rated PG for violence had more instances of extreme violence than films that were rated R for violence. So again, this is a rating system that is not giving enough information to parents and the information they are giving is inconsistent.

MR. NNAMDI: We're going to take a short break. When we come back we'll talk a little bit more about the history of the system and how it is viewed through the eyes of the MPAA when we talk with the Chair of the Classification and Ratings Administration, Joan Graves. I am Kojo Nnamdi.

(Intermission)

MR. NNAMDI: Welcome back. We're taking about the rating system and process for movies in America, and joining us now is Joan Graves, she joins us by telephone.

Joan Graves is Chair of the Classification and Ratings Administration, a position she has held since 1977. Joan Graves, thank you -- 1997. Joan Graves, thank you very much for joining us.

MS. GRAVES: I'll be older than God.

MR. NNAMDI: You started on a part-time basis in 1988 but 1997 in the sense -- now the rating board was set up in 1968, it's my understanding, by the Motion Picture Association of America, along with The National Association of Theater Owners and it had to do with an outcry over the movie *Who is Afraid Of Virginia Wolf?* Can you tell us a little bit about that?

MS. GRAVES: Well, I can tell you what I know, because I wasn't around then. But Jack Valenti wanted a system that would give information to parents, so they could decide what movies they wanted their children to see. And it was, as you know, following Will Hays Production Code which prescribed what you could and could not show on the screen.

So Mr. Valenti tried to find a system that would allow the filmmakers to put what they wanted on the screen and then have a way of alerting parents so that they could make their choice and therefore it would be anti-censorship and the films wouldn't have to go to all the government and religious boards that were prevalent across the country at the time and cut their films for each local area.

MR. NNAMDI: And while that system has been fine tuned somewhat it is still fundamentally the same. One of the charges that is made in *This Film Is Not Yet Rated* is that this system, this process, is essentially secret. Is it?

MS. GRAVES: Well, I don't like the word secret but I will say that the raters names are kept anonymous so they won't be subject to any pressure or bribery or be followed around or the trash going through. There are a number of us who administrate the system, myself being one of them and three senior raters, whose names are known to filmmakers and to parents. When they call in we do talk to them, when they have complaints or suggestions then we do. A lot of filmmakers, before they make their films, they sometimes send scripts to discuss different areas of what

they are planning with us if they want to stay within a certain rating.

MR. NNAMDI: Could you tell us a little bit --

MS. GRAVES: This is proactive on their part to say, "Why don't you make a film within a certain rating?" They frequently call beforehand and ask questions about how the system works.

MR. NNAMDI: Just so our listeners can get an idea, when you started in 1988 you were one of the people who were rating films. Could you tell us what the average day of a rater is like?

MS. GRAVES: Yes. They see no more than three films a day, which admittedly is a lot.

MR. NNAMDI: How many of them are there?

MS. GRAVES: There are 10 at the moment.

MR. NNAMDI: Okay.

MS. GRAVES: They are adjusted -- the number is adjusted according to how many films we have during the year and sometimes -- we rated over 900 last year. So we will hire as many as necessary to have enough people watch each film to form a good judgment.

MR. NNAMDI: And the charge has been made that these individuals who are supposed to be all parents with children between the ages of 5 and 17 --

MS. GRAVES: Right.

MR. NNAMDI: -- do not in fact quite fit that profile.

MS. GRAVES: Well, there is an answer for that and part of that is always changing because of -- it's not a permanent position.

MR. NNAMDI: Sure.

MS. GRAVES: It is a permanent position for the administrative raters and those are the ones I was telling

you about whose names are made public. They have administrative responsibilities as well as rating responsibilities. So they are not turned over. Their children are in fact older as are mine. The other raters, when they are hired, their children are all between the ages of 5 and 17. Now some now are coming to the end of their term and their children have entered college and are 18 and they are in the midst of being turned over to raters with -- their positions to raters with younger children. It is a revolving Board.

So at times you always see some that have children a little over the 17 year, but when they are hired it's always between the ages of 5 and 17.

MR. NNAMDI: And I guess the objective is to have parents represent as wide a cross section of America as possible. Nevertheless, it is my understanding that there are no gay parents on the Board and that currently there might not be any black parents on the Board.

MS. GRAVES: Well, you know, it's interesting. I don't ask them when they are hired whether they are gay or straight, I don't ask them their religion, and there are a number of things that we don't ask them. What we try to hire are parents that seem to have good judgment and are able to put themselves in a position of what they think most American parents would rate the film. We don't really want to hire a flag waver, just somebody that comes in with a preset agenda, because we are not supposed to set standards, we are supposed to reflect them.

So, the things we look for are good judgment, parents that come from different places in the country, small towns, big cities. So we get a lot of input from different ways of being raised and what they are accustomed to doing during the day, how they live their day, or the parents they meet. It's that kind of demographics we would look for.

MR. NNAMDI: In a country as diverse as ours and a country, at the same time, as politically divided as ours between red states and blue states, how can you come to the conclusion that a group of 10 people represents a really broad cross section of America when America seems to be so diverse and so divided?

MS. GRAVES: I think you're right that America seems very diverse and divided especially now in this decade, I would say that. But I have the experience of being active in this system for, well, almost two decades now and it's not a political process. It's really a parental process. And I think you can find in blue states and red states parents that think along common grounds. All we are supposed to do is identify the level of content of a film and give parents that information. And then they decide whether they want their children to see it or not.

And sometimes it's not a matter of how they feel politically or socially. It's a matter of how individual their children are. I mean, I know, I have two daughters and they were very different in terms of temperament and what they were able to absorb in terms of fright and emotional input. So, I think it's definitely a parental thing, that's what we are here for.

MR. NNAMDI: We are talking with Joan Graves. She is Chair of the Classification and Ratings Administration of the MPAA. We are discussing how these ratings are arrived at. One of the issues that might be viewed by some people in political terms between conservative and liberal -- well, allow me to read this e-mail from Paul. That might explain it better.

MS. GRAVES: Okay.

MR. NNAMDI: Paul writes, "One issue that you haven't addressed yet is the MPAA's position on violence. Sex of any sort seems to set off all sorts of alarms with the rating board, but violence, even realistic and intense violence, gets a pass despite research regarding the effect that exposure to fictionalized violence has on children."

MS. GRAVES: Well, some of this is perception I think and I have my own thoughts on the perception of this. When we give an adult rating for sexuality it -- although the filmmaker usually goes to the press and says we're very sorry or we've done this, when we gave an adult rating and I mean the NC-17 for violence, which we do a lot, and many many times more than we do for sex as a matter of fact, nobody goes running to the press and say, "Hey, I got an NC-17 for violence." What they do do is they cut the film and edit it and then we see it again, and that process

takes as long as it takes. So we think perhaps it can be given an R-rating.

So I did -- I was listening to your show just a tad before I came on. I was plugged into it and I heard them discuss the *Spiderman* and we gave it a PG-13 with a warning for parents, and PG in our mind is a strong caution. Admittedly it's not a restricted rating so that parents do not need to be with their children. But when you are talking about violence I always think you should talk about specific titles and ratings that go with those titles because I think that our ratings reflect what most parents think is their view of violence. And most of the - - most of hard violence are always in an R or an NC-17 rating.

MR. NNAMDI: Well, this is why we quoted the British and used the specific film *Spiderman* because that Board said that *Spiderman* is possibly the most violent film which is aimed at a young audience.

MS. GRAVES: They gave it a 12, right?

MR. NNAMDI: They gave it a 12 and I guess 15 is the highest rating they give, and they gave this as 12 because --

MS. GRAVES: No, they give an 18 as well, they have an 18.

MR. NNAMDI: So you think that 12 there is equivalent to a PG-13 here? I thought a 12 there was more like an R here.

MS. GRAVES: Well, all of the British systems, all of their classifications with the exception of a PG, one PG, they are all restricted. So if they say it's a 12 no one can get in under 12. I mean a parent does not have the right to take their child in under 12. Whereas if we say PG-13 parents can certainly take their children or some kids can go on their own as well. So it's a slightly different system, theirs is much more restricted in that they set absolute levels for entry.

MR. NNAMDI: How about the charge also made in the movie that the Board is harder on gay-sex than it is on heterosexual-sex?

MS. GRAVES: You know, I haven't seen that to be true because once you get into the graphics of sex, I think graphics are graphics, and if you get into R or NC-17 you are rating on graphics. Now if you are talking about unrestricted ratings, perhaps in PG and PG-13, you might find some differentiation between gay and heterosexual sex if the Board feels that most parents would see it that way.

MR. NNAMDI: I see, because in this film, *This Film Is Not Yet Rated*, they have scenes in which they do side by side heterosexual and gay sex and point out that even though there are some comparisons, if you will, between the acts being performed, that they get different ratings in their view simply because of the sexual orientation of the participants.

MS. GRAVES: Well, I should tell you that we always rate in context. We would never rate a scene side by side like that ever because we always rate in the context of the whole film, the way a parent or a child would see the film. And many times, I think, in this case I have seen one version of his film, I am not so sure it's a version that he has put out, but he selected clips and I am not so sure that those are the clips that would have caused a certain rating within that film anyway. I mean, you know, he was the chooser of the clips, we didn't submit them.

MR. NNAMDI: Now that you mention that you may have seen the film, did the film succeed at all in bringing any problems with the system to your attention?

MS. GRAVES: Well, I think what has come to mind most vividly is the lack of understanding on -- I think parents understand the system far better than, say, the press or some of Mr. Dick's associates. We deal with independents. Over 65 percent of our business is with independent filmmakers, and the ones we work with directly have had no problem at all working with our system.

So I was a little bit surprised to see the lack of understanding or the fact that he said this is run by the member companies. It's not run by the member companies. We are self-funded by submittal fees from everyone who has their films rated. I don't --

MR. NNAMDI: So the fact that the studios are members of the MPAA does not mean that the studios are your bosses?

MS. GRAVES: No, no. They aren't my bosses at all. Let me tell you exactly how it works. When Jack Valenti started the system in 1968 the only way he could start it is to have a nucleus of films that would be rated. And he had -- the member companies agreed to rate all their theatrical product. And that was the nucleus of the system. And it was a voluntary one for anybody who wasn't a member company but that's how the system started.

I do not report to any of the member companies. I don't talk to them except when somebody has submitted a film and we're talking about that film. I report only to Dan Glickman who is the head of the MPAA, but in terms of my reporting to the member companies, I don't do it at all.

MR. NNAMDI: Let's talk with --

MS. GRAVES: -- it's a separate -- it's really run separately from the MPAA and that's a big misunderstanding. I don't know purposely or not on Mr. Dick's part because I did explain it to him on several times.

MR. NNAMDI: Let's talk with Bill in Falls Church, Virginia. Bill, you are on the air, go ahead please.

BILL: Hi, I saw in the *New York Times*, when they were talking about this film, that there were two religious groups represented on the ratings board, one Catholic, one Episcopalian.

MS. GRAVES: Well, not Episcopalian it's a protestant group. Actually he is a Methodist. And that's -- that was also started in 1968 in an effort to start the system. The appeals board is a different board from our parental board and it's an industry board made up of exhibitors and distributors and independents.

MR. NNAMDI: And we should explain that if a film gets one rating from the parents' board and decides that rather than changing the film they would like to appeal, then that appeal goes to the appeals board.

MS. GRAVES: Correct. And just to put in perspective, we rate over 900 films a year and less than 10 go to appeal. So that gives you some perspective of how often the appeals process is accessed. But on the appeals board, when it was started in 1968, there were some religious groups that said, hey this may be like the fox guarding the hen-house with the industry board looking over -- you know, having veto power or overturn power on the rating board of parents. I am not so sure we liked the sound of this, and Mr. Valenti at that time said, "We believe it will work. We would like you to send an observer to the process so that you can assure yourself that it's being run in the manner that we're saying it's going to be run. And that's where the process started those many years ago.

They do not speak, they do not -- they do nothing but observe. They don't (4508) vote. So it's strictly a matter of their acting as a witness kind of, if you will, to the process to assure themselves that it's being done in the manner that we say it's being done.

MR. NNAMDI: Joan Graves, thank you very much for joining us.

MS. GRAVES: You are welcome, thank you for having me.

MR. NNAMDI: Joan Graves is the Chair of the Classification and Ratings Administration, a position she has held since 1997. We are talking about the system by which movies are rated, and rejoining us now in the studio is Kirby Dick, filmmaker. His is the film that we've been talking about. It's called *This Film Is Not Yet Rated*. Kirby Dick, you listened to what Joan Graves had to say. She says that the MPAA are not her bosses. She doesn't report to the MPAA, she reports to Dan Glickman and nobody else, and that the major studios have no influence over what the ratings board does.

MR. DICK: Well, Dan Glickman is the President of the MPAA, and the MPAA is the trade organization for the six major studios and it's funded by the six major studios. So in essence the studios are sort of like a board of directors overseeing Dan Glickman and everything that he does, including the rating system. So it's disingenuous on

her part to say that she is completely separate from the studios or their influence.

MR. NNAMDI: Do you know what is the fate of those ratings board members who were outed on *This Film Is Not Yet Rated*?

MR. DICK: As far as we know they are all still rating films, which I think sort of puts the lie to the importance of anonymity. If there's -- if now the public knows and they are still rating films anonymity how important is it. But again --

MR. NNAMDI: Well, I guess it's hard to fire somebody because somebody got a private detective and found out who they were. You'll say well, hey somebody hired a private detective and so we have to let you go.

MR. DICK: No, I don't think -- I don't want them to be fired. I want the system to be changed, it's not about the raters. But, you know, she claims that's to protect them from influence. Well, there are major positions like judges, school board officials, they are all public, they do their job and it works just fine in the public because this is a democracy.

And if there is influence, if it's out in the open, you can see the influence. Here it's all as she said, it was the fox guarding the hen-house. There's a lot of paranoia about that, not just from religious groups but from filmmakers and parent organizations as well.

MR. NNAMDI: Back to the telephones. Here's Rochelle in Harpers Ferry, West Virginia. Rochelle, you are on the air, go ahead please.

ROCHELLE: Hi, thank you, Kojo, for taking my call. I am the parent of a new born and I personally am much more concerned about violence than sexuality in films. Assuming that the system would need to be changed by the time my child is old enough to go to the movies, in order to satisfy my family's desires, what could I do as a parent not connected to the film industry to get the ratings board changed, to get the system to be changed?

MR. NNAMDI: Kirby Dick?

MR. DICK: Yes, it's a very good question. The most important thing that you can do and any and all listeners can do is to call Joan Graves and, you know, express your desire to see change in whatever way you want to. But -- I mean get on the phone with her right now, I wish I had the number to give her -- give you, and call her and talk to her, because I think there are many parents like you. In fact, I would suspect the majority of parents in this country are very concerned about the amount of violence that they see on screen.

MR. NNAMDI: Would you prefer to see a ratings board that was, (a) more publicly known; (b) larger; (c) more diverse?

MR. DICK: I would -- yes, I think all three. Certainly more publicly known and more diverse. I mean one can debate the size of the board itself. But I mean -- and also, again, it's professionalized. I mean, there are written standards that are available to the public, that are available to filmmakers, that are available to the press, so that we know what we are dealing with, and if there is bias we can see if they are sticking to the standards that they claim they are.

MR. NNAMDI: On to Terry in Washington D.C. Terry, you are on the air, go ahead please.

TERRY: Hi, thanks, Kojo. I wanted to refer back to the woman who had her children call a couple of calls back, who is a teacher for 35 years, which by the way gets a great deal of respect from me. But she ended her comments by saying I am not into gay bashing, and yet her children called up to say how disgusting it was to see people kissing on TV, and when she went a little further it's obvious they were talking about gay people kissing. And I just wanted to point out this whole discussion about sort of the parents, you know, just looking at sex without worrying about whether they are gay-sex or straight-sex in terms of the judges or the raters. I think that it's naive to think that that's not a factor, and that that would be one of the reasons to say it has to be a more diverse group and a larger group, because it's with how volatile an issue it is. A very good person like that, a dedicated teacher, had something like that broadcasted nationally and didn't even see it as gay bashing.

MR. DICK: Well, I completely agree with you, and by the way I completely respect teachers, both my parents were teachers as well. So -- but yes, I mean this is important. This is why you don't want a rating system that's homophobic, you know, biased against gay theme films, because if everything is presented equally then children grow up respecting all different sexual orientations and it doesn't become an issue. If the system is biased then it perpetuates the bias in the society.

MR. NNAMDI: Of course, it's one thing if you think that all kissing is yucky but if it only happens in kissing between people of the same gender that's another matter altogether. Here's Casper in Washington D.C. Casper, you are on the air, go ahead please.

CASPER: Yes, I was -- I didn't know if you're -- the author -- the filmmaker knew about a website called screenit.com.

MR. NNAMDI: Yes.

CASPER: He's working at a video store, I should say a site basically for parents. And instead of rating things on a number or a numerical or letter scale it says there are five instances of the F word, there is a gun scene for five seconds, there is a bare breast in this scene. And it just lists everything in order and lets parents decide for themselves --

MR. NNAMDI: Indeed it is my understanding that there are a variety of websites for parents that offer a different kind of approach to ratings.

MR. DICK: There are. But if the model -- you're referring to screenit.com, it is an excellent model because it gets information to parents and this is a model that the MPAA could very easily look to and change its system very quickly.

MR. NNAMDI: Kirby Dick, thank you very much for joining us.

MR. DICK: Thank you.

MR. NNAMDI: Kirby Dick's latest film is called *This Film Is Not Yet Rated*. It's about the MPAA rating system. I am Kojo Nnamdi.