



Is the NC-17 rating ruining the Oscars?

Faced with the MPAA's dreaded NC-17 rating, film-makers voluntarily self-censor so as not to be ignored come Oscar time – but now they're fighting back



Too blue? ... Michelle Williams and Ryan Gosling in Blue Valentine

Blue Valentine director Derek Cianfrance had two nightmares as a child. One was that his parents would get divorced, the other that nuclear war would break out. The first happened when he was 20-years-old; this year it inspired a film, starring Ryan Gosling and Michelle Williams. The second hasn't happened yet. But when the Motion Picture Association of America (MPAA) gave Blue Valentine an NC-17 rating for a controversial sex scene, a battle between the studios and the censors began that has only this week revealed a victor. "I was shocked", said Cianfrance at the London film festival in October, "because I think we really tried to respect the audience in this film. It's relatively tame I think, it's just intimate and it's emotional."

Blue Valentine

Production year: 2010

Country: USA

Runtime: 114 mins

Directors: Derek Cianfrance

Cast: Faith Wladyka, Michelle Williams, Ryan Gosling

[More on this film](#)

Harvey Weinstein, the film's distributor, rallied the Hollywood community to voice their disapproval, started a [petition and Twitter campaign against the rating](#) and [hired a team of superstar lawyers](#) to fight his corner. Just three weeks before its US release, he succeeded in persuading the MPAA to downgrade the rating to a more commercially friendly R.

With Oscar season in full swing, film-makers are wooing, schmoozing and boozing Academy voters quicker than you can say "for your consideration", and there's considerable buzz surrounding Gosling and Williams. But an NC-17 rating would have hindered their chances of awards glory on 27 February.

An NC-17 rating is seen as box-office suicide by the [film industry](#), and any film

associated with it is likely to be circumvented by the Academy. No NC-17 rated film has ever been awarded an Oscar in a major category. *Midnight Cowboy* won three in 1969 for best picture, director and screenplay when the NC-17's precursor, X, was still used to categorise adult-oriented films. But the first NC-17 film to actually receive a nomination was *Henry and June* in 1990, for its cinematography. (It was also the first to be given that classification.)

Created when the X rating became almost synonymous with pornographic films, NC-17 means no one younger than 17 can be admitted, whereas children of any age can attend an R-rated film if an adult accompanies them.

In the 20 years since its inception, NC-17 has been unable to shed its smutty image. Directors whose films are unlucky enough to get one complain that marketing budgets disappear, exhibitors refuse to screen them and newspapers and TV stations won't feature their ads. Blockbuster and Walmart refused to stock them for many years. The difference between an NC-17 and an R can be millions of dollars.

If the MPAA had stuck to its guns, there are three routes Weinstein could have taken: re-edit down to an R rating, reject the NC-17 and release *Blue Valentine* unrated, or appeal again.

Cutting a film down to an R is the route film-makers usually take. Kimberly Peirce made that choice when Fox Searchlight refused to release *Boys Don't Cry* in its original format after it was rated NC-17; her film went on to land a best actress Oscar for Hilary Swank. In [Kirby Dick's documentary This Film Is Not Yet Rated](#), Peirce voiced her unhappiness at having to cut sex scenes even as the MPAA made no comment about Swank's character getting her brains blown out.

With growing concern that the R rating had become too broad, Dan Glickman, then CEO of the MPAA, asked the film industry at the 2007 Sundance film festival to think twice about cutting films down to R, and to embrace the beleaguered NC-17 to give it more respectability. Joan Graves, the chairwoman of the MPAA's rating's arm, the Classification and Ratings Administration, [told Time magazine](#): "All it takes is a very good movie that has some wide appeal to come out as an NC-17, and it puts the whole rating on the map again."

The MPAA and its rating system partner, the National Association of Theater Owners, claim the fears of film-makers such as Weinstein about NC-17 are an industry myth. "It's not difficult to get an NC-17 film in theatres if it has commercial viability," its president, [John Fithian, told USA Today](#). When Darren Aronofsky lost his appeal against *Requiem for a Dream's* NC-17 rating, Artisan released it unrated in independent cinemas; Ellen Burstyn was nominated for best actress Oscar for it.

When an unrated film tries to get into a multiplex, though, it's a different story. To much fanfare, AMC, one of the largest cinema chains in the US, [released the unrated horror film Hatchet II nationwide](#). By the following Monday, AMC had pulled it, giving no explanation.

Box-office performance also paints a bleak picture for an NC-17 film. *Showgirls* is the highest grossing, making \$20m in the US, compared to the most successful R-rated film, *The Passion of the Christ*, which made \$370m. With figures like that, it's easy to see why film-makers snip away. (Though *Showgirls'* lack of till receipts is more likely due to it being dreadful than to the curse of NC-17.)

Oscar winners Pedro Almodóvar and Ang Lee have made admirable stabs at dignifying the beleaguered rating. Almodóvar's *Bad Education*, *Tie Me Up! Tie Me Down!* and *Matador* all make appearances in the [20 highest NC-17 box office takings](#), banking \$5.2m, \$4m and \$206,952 respectively; Lee's *Lust, Caution* made \$4.6m. Respectable – but figures that, for a major studio, would be far from satisfactory.

The MPAA was set up to replace the restrictive Hays Code as a guide for parents to make informed decisions about what their children should see. Studios voluntarily abide by the board's rulings and cinemas to enforce them. Its raters must be parents,

and their identities are kept anonymous to avoid any arm-twisting. The MPAA has no governmental backing or legal authority.

Whereas the UK equivalent, the British Board of Film Classification (BBFC), publishes guidelines detailing what is and is not permissible within each classification, the MPAA have been widely criticised for their inconsistent judgments, secretive nature and harsh rulings on sex compared to lenience on violence. Their ratings system is a complicated beast, with no clear rules, leaving film-makers to play guessing games.

"I've seen rape scenes that go way overboard, that are violent," said Cianfrance. "It seems that with violence you can get away with anything. With Blue Valentine, I wanted to make a violent film without a gun." The irony is that if he had, it probably wouldn't have received an NC-17 rating in the first place.

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