

Part II: Sex as Art

4 * Prurient (Dis)Interest: The American Release and Reception of *I Am Curious (Yellow)*

KEVIN HEFFERNAN

In the documentary *Inside Deep Throat* (2005), *Deep Throat*'s director, Gerard Damiano, speaks of the early 1970s and his efforts to achieve artistic and financial success in the pornographic film industry: "I always believed that Hollywood and porn would eventually merge." Later in the film, novelist Norman Mailer laments that by the mid-1970s, pornographic cinema had almost overnight "just bec[ome] another mediocre commodity." It is easy to dismiss these hopes for a truly liberated cinema as endearing naïveté when faced with the ruthless adaptability of Hollywood on one hand and the reactionary sexual politics of much erotic cinema on the other. But between the disparate worlds of the Hollywood studios and the commercial sex film, international art cinema has often served as an area of negotiation in which models of innovation and risk taking are introduced and refined and within which the terms of "liberation" are defined and contested: distributors and exhibitors have often highlighted the salacious or forbidden spectacle in international cinema for the parochial American filmgoing public, and films seeking to push the boundaries of content have often been deliberately, at times cynically, crafted by their makers with narrative and stylistic features that diverge strongly from the norms of the classical Hollywood cinema. The late 1960s are a period that represents the high water mark of these twin trends, in which the vanishing youth audience was frantically sought by exhibitors through increasingly desperate measures, and Hollywood was in the depths of its most serious recession since the 1930s.¹

The ultimately futile efforts of U.S. Customs and then several state and municipal censorship bureaus to halt the exhibition of the Swedish film *I am Curious (Yellow)* are often cited as examples of an outmoded way of thinking about films that would become increasingly marginalized, as the 1970s brought an unprecedented (and since unequaled) level of sexual frankness to the public exhibition of motion pictures. This purely legal and juridical view of the importance of *I am Curious (Yellow)* ignores many of the social and aesthetic changes that were taking place in the American cinema at the time of its release. For example, the film

was in the unique position to be released at a time when public interest in movie censorship and classification was at an all-time high: during a two-year period the MPAA's ratings system was implemented, *I am Curious (Yellow)* was released by Grove Press, and the findings of the President's Commission on Obscenity and Pornography were published.

The success of the film at least partially grew out of its ability to straddle at least three categories of the commercial cinema (the general-release film, the exploitation film, and the art cinema) in this time of severe recession for the movie business and the temporary fluidity of these categories of movies in 1969–1970. Finally, the film's reception by critics and its hold on the popular imagination reveal much about the evolving social context in which films were received in this period. The film's qualitative change in level of sexual explicitness from that to which critics and public were accustomed—a change the film shared with several other releases including Andy Warhol's *Blue Movie* (1969)—led to a groping for new critical categories for this new viewing experience. These categories—which include appeals to spectator's notions of titillation and boredom, and to critics' notions of the filmmaker's competence—would remain to a large measure unchanged in the attempt during the following decade to understand the pornographic cinema.

Courting Controversy

In 1966, Grove Press, publishers of the highly successful New Directions paperbacks of contemporary literature and longtime crusader for First Amendment rights of publishers, acquired complete ownership of the stock of Amos Vogel's Cinema 16 film library, consisting of the distribution rights to over two hundred films. Among the films in the Cinema 16 library were many titles that had provoked censorship controversies, including several films by Luis Bunuel as well as Frederick Wiseman's heavily litigated *Titicut Follies* (1967).² Active in both the exhibition and distribution of nontheatrical features and shorts since 1947, Vogel and Cinema 16 had frequently courted controversy and borne the brunt of legal sanction in their commitment to expanding the freedom of the screen. In fact, it was his recognition of Grove Press president Barney Rosset as a fellow iconoclast that led Vogel to sell the library to Grove.³ Rosset and Grove, who had successfully sued the New York City postmaster in 1959 for seizing copies of Grove's unexpurgated edition of D. H. Lawrence's *Lady Chatterley's Lover*, hoped to enter both the theatrical and nontheatrical field by distributing contemporary movies by innovative filmmakers that challenged both the censors and audiences.

A year after their acquisition of the Cinema 16 library, Rosset and Grove gained distribution rights to a film that would give them unprecedented access to the filmgoing public, controversy, and the courts all at once.

I am Curious (Yellow) was produced for \$160,000 in Sweden in 1967 by the Sandrews Film and Theater company, an exhibitor-financed production house in Stockholm that had also produced *Miss Julie* (1951), Ingmar Bergman's *Sawdust and Tinsel* (1953), and Mai Zetterling's *Night Games* (1966). *Yellow* was written and directed by Vilgot Sjöman, a Bergman protégé, who had served as assistant director on *Winter Light* (1963). Sjöman's film recounts several months in the life a young Stockholm drama student, Lena, played by Lena Nyman. Her much older boyfriend, played by Börje Ahlstedt, is a philandering car salesman who keeps a number of mistresses. The story recounts Lena's quest for sexual and political enlightenment while a film crew, led by Vilgot (played by director Vilgot Sjöman) documents her interviews with political leaders; her spiritual training at an ashram in Rumsquilla, where nonviolence is taught; and much private sexual behavior with Börje. Periodically, the film cuts to shots of Lena in bed with Vilgot as well as shots of Vilgot canoodling with his young female script supervisor while the film of Lena and Börje is being shot.

Based upon this and the film's other merits, Sandrews received a \$100,000 advance from Grove for American theatrical distribution rights to the film that also entitled them to 30 percent of the gross receipts. Grove agreed to pay all of the expenses of advertising and legal fees, which turned out to be a fairly expensive proposition.⁴ In January 1968, U.S. Customs officials in New York seized a print of the film as obscene under the Tariff Act. Arthur Click, assistant U.S. attorney, railed against the film, asserting that it "leaves nothing to the imagination, including acts of fornication." Immediately, Barney Rosset announced legal action to contest the seizure.⁵ In a deliberate evocation of Grove's earlier court victories, Rosset told *Publishers Weekly* that the ensuing censorship fight "may win for the film industry the same freedom afforded literature in the *Lady Chatterley's Lover* case."⁶ This contextualizing of the film's battle with the censors against the background of freedom won for the press by challenging works of literature would become a dominant theme of the film's partisans in the months to come.⁷ Grove's first move was to schedule a private screening of the film for thirty critics in the hope that some of them would be willing to appear as friendly witnesses in the ensuing legal action.⁸ In the hearings that followed, assistant U.S. attorney Laurence Schilling told the court that the film was obscene under the standards established in *Roth v. United States* (1957)

and *Memoirs v. Massachusetts* (1966), namely, that the film's dominant theme appealed to prurient interest, that the film was patently offensive to community standards, and that taken as a whole it was utterly without social value. Schilling remarked of the film's social importance: "If this film has a message, I suggest that it is merely gross providing a vehicle for portraying deviation and hardcore pornography." In May, federal district court judge Thomas F. Murphy refused to order the release of *Yellow*, calling the film "repulsive and revolting."⁹

The next step was a jury trial to determine whether or not the film was obscene. Here Grove attorney Edward de Grazia brought forth as witnesses some of the critics who had attended their private screening, including Stanley Kauffman of the *New Republic*, John Simon of the *New Leader*, Hollis Alpert of *Saturday Review*, and Paul Zimmerman of *Newsweek*, many of whom would later defend the film in print with varying degrees of enthusiasm.¹⁰ Each side called their witnesses to the stand: the government called the Reverend Daniel Potter of the Protestant Council of New York, and Grove called both novelist Norman Mailer, who described the film as "profoundly moral," and the film's director, Vilgot Sjöman, who described himself as a "Puritan" but also a filmmaker who avoided "romantic cliché."¹¹ The jury of seven men and five women took only three hours of deliberation to find the film obscene, basing its decision on the standards from *Roth* and *Memoirs*. The jury appeared to wholeheartedly agree with government attorney Schilling, who earlier had told the court that the film's scenes of explicit sex were "linked together with what can charitably be called a soap opera."¹² Grove Press appealed the decision, and in November 1968, in a 2-to-1 decision, a three-judge panel in the Second U.S. Circuit Court of Appeals overturned the federal district court jury. In the majority decision, Judge Paul R. Hays wrote, "A motion picture, like a book, is clearly entitled to the protection of the First Amendment"; "under the standards established by the Supreme Court the exhibition of the film cannot be inhibited." The court also ruled that the sex scenes in the film were part of an artistic whole unified with and related to the story and characters and not utterly without redeeming social value. Hays's decision also ruled that the state would only have a compelling interest in halting exhibition of the film if minors were not excluded from seeing it or if the distributor utilized lurid or offensive advertising (figure 4.1). As the trial progressed, Grove Press had a book made from the script of the film, illustrated with production stills,¹³ "many of the sort," tittered *Time* magazine in March, "that usually come in plain brown wrappers."¹⁴ When the film opened in New York at Grove's own downtown Evergreen Theater and the Cinema

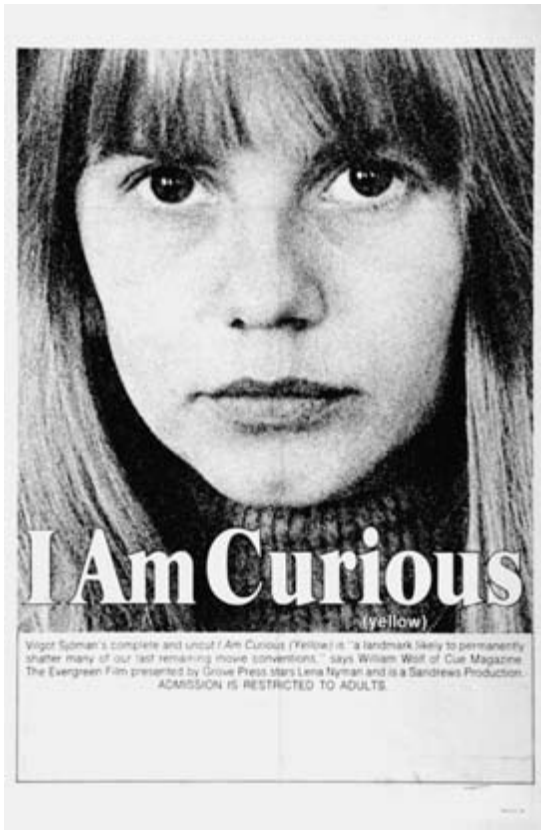


Fig. 4.1 From the earliest engagements of *I Am Curious (Yellow)* in the United States, posters for the film were emblazoned with “ADMISSION IS RESTRICTED TO ADULTS.”

Rendezvous, the *New York Times* ad displayed the cover of the book with the line, “Curious about ‘Curious’? . . . Now See the Film!” The film’s run at the two New York locations was spectacularly successful, as I will discuss below.

Yellow received attention and notoriety everywhere it was booked. It opened at the Fox Theater, a National General house, in Reno the following September and encountered no legal difficulties. In Youngstown, Ohio, however, police seized two prints of the film from the State Theater under an antipornography law signed by Youngstown mayor Anthony Flash just three and a half hours before the arrests were made.¹⁵ The State Theater was shut down by the police, and Grove Press took the case to court.¹⁶ In Houston, where city attorneys generally abjured obscenity prosecutions, the theater showing the film was burned down.¹⁷

The legal status of the film throughout the country, even after the second circuit court had ruled it not obscene in its jurisdiction, was far from

sure; in fact, the decision made by the east coast circuit was not binding anywhere else in the country, and it was in the varying legal status of the film in different parts of the country that later led to the film going to the U.S. Supreme Court. When the film opened in Phoenix at the Vista Theater, Mayor Milt Graham predicted that it would be a major issue in the upcoming mayoral race. Despite (or perhaps because of) this, the film's premiere week grossed over \$12,000.¹⁸ On the other hand, in Albuquerque the film opened at the Pancho Art Theater, and the attendant obscenity charge was dropped on the grounds that the film had been ruled not obscene by a higher court, even though that higher court was in another jurisdiction.¹⁹ By November 1969, Grove attorney de Grazia told the *New York Times* that the film had been shown in fifty-three cities; in only fifteen of these had the showing been contested. Grove Press won court cases to have the film shown in Philadelphia, Cleveland, Denver, Detroit, Virginia Beach, and Albuquerque. Cases were still pending in Youngstown, Spokane, Atlanta, and San Jose.

Since the Second Circuit Court ruling, the film had been closed down in Kansas City, Baltimore, and Boston.²⁰ In Kansas City, Kansas, Johnson County District Judge Herbert Walton found the film obscene under the prevailing criteria, and opined that the scenes that were not sex scenes in the film were mere "window dressing."²¹ In the following appeal, a three-judge panel in U. S. District Court ruled that the state obscenity laws under which the film was banned were constitutional. The appeal then went to the Supreme Court, since the three-judge panel had the same authority as the Circuit Court of Appeals. Again, this panel had not ruled on the obscenity of the film, but rather on the constitutionality of the state's antiobscenity laws.²² In a move that came to characterize much discourse surrounding the reception of the film, defense witness Dr. James Loutzenheiser, a psychiatrist, testified that the film is "deadly dull [and] not prurient or erotic in the least." Prosecution witness Dr. V. W. McNally of the University of Kansas Medical School asserted that the sheer obtuseness of the film insured that its social message did not come across.²³ Thus, both sides of the censorship debate began to enlist the opacity and tedium of the film to buttress their positions.

It was in Baltimore and Boston, however, that the most protracted and successful battles against the film were fought. In July 1969, the three-woman Maryland Board of Motion Picture Censors (led by Mary Avara, who would become a longtime nemesis of John Waters) voted to ban *Yellow* from Maryland theaters. Maryland state attorney general F. B. Burch supported the board, warning that passing of the film would result in an epidemic of "hardcore pornography posing as art."²⁴

The following month, Baltimore Circuit Court judge Joseph Carter upheld the decision of the censor board. Carter expressed concern that the intellectuals and cultural elite who had rallied in defense of the film may not “have been aware of the attitude of the average person with respects to the problems” of the case. Further, Carter doubted that under then-current law, the courts in Maryland had the right to permit the showing of films solely because an age restriction is in place at the box office.²⁵ Meanwhile, de Grazia asserted that the film had been banned in ten states and shown in forty others. His desire to have the film shown everywhere reflected the need “to take steps to avoid conflicting decisions” regarding the film.²⁶

The trial of the owner and the manager of Boston’s Symphony Cinema I and II for knowingly exhibiting an obscene motion picture took place during the summer of 1969. In November, Suffolk Superior Court judge G. Joseph Tauro ruled *Yellow* obscene based on the *Memoirs* criteria and effectively banned the film in Boston. In the ensuing appeal to a three-judge Federal District Court panel, defense attorneys attempted to expand on the 1969 ruling in *Stanley v. Georgia*, which allowed adults to possess pornography in the privacy of their home. The federal panel asked probing questions about the relationship between private ownership and public exhibition of sexually explicit films;²⁷ they eventually ruled that the state’s antiobscenity law was probably unconstitutional and forbid Garrett Byrne, district attorney of Suffolk County, from enforcing the ban on the film in Boston. When the state appealed, the Massachusetts Supreme Court countermanded the federal district court order. This ruling did not declare *I am Curious (Yellow)* obscene, but stayed the lower court’s decision that had kept Byrne from threatening prosecution under Massachusetts state law.²⁸

In early 1971, the Supreme Court finally agreed to decide if *I am Curious (Yellow)* could be barred from the United States as obscene. The U.S. District Court, it should be remembered, had already ruled against a nationwide ban of the film because of its redeeming social importance. In May 1970, Justice William O. Douglas, the High Court’s most vocal opponent of censorship, declared himself ineligible to vote in the case of *Yellow* because *Evergreen* magazine, owned by Grove Press, had published excerpts from his book *Points of Rebellion*.²⁹ The resulting decision, *Byrne v. Karalex*, threw out the Federal Appeals Court ruling under which the Boston law banning *Yellow* had been declared unconstitutional, remanding the case back to the federal district court.³⁰ Finally, in March, with Justice Douglas abstaining, the Supreme Court became involved in a legal snarl as it deadlocked 4 to 4 on the Maryland court ruling that *Yel-*

low was obscene. This split decision had the effect of affirming the lower court's ruling, but carried no weight as legal precedent. With Douglas recused from all cases involving Grove Press, it then became highly unlikely that the Supreme Court would ever decide in any meaningful way whether or not the film was obscene. The film was never challenged in court in New York, Connecticut, or Vermont, the jurisdiction of the second circuit.³¹ In many ways, the lack of resolution of this case pointed toward the argument over jurisdiction that would undergird the 1973 *Miller* decision, which gave ultimate power over determining community standards to county and municipal authorities. Within a matter of days of the Court's deadlock, New York police stepped up their raids on theaters showing allegedly pornographic films, and Deputy Chief Inspector J. L. P. Keenan publicly stated that he was encouraged and emboldened by the Supreme Court's decision on *Yellow*.³²

A Curious Hybrid

Many of the arguments surrounding the supposed redeeming social importance of *Yellow* focused on its use of documentary technique to link the film's overarching concern with sex to larger social issues. It is therefore of some interest to follow the case of another embattled Swedish import from 1969: the sex education documentary *Language of Love*. The film was imported by Unicorn Enterprises and was to be distributed by Chevron Pictures. The movie, which ran one hundred minutes, consisted of interviews with Swedish psychiatrists and gynecologists, animated footage detailing the functioning of the reproductive system, and on-camera sex performed by "non-professional volunteers."³³ In October 1969, the U.S. attorney's office sought to bar the film's entrance to the country. When Unicorn sued, a jury found the film obscene but was overruled by the Second Circuit Court of Appeals—at least partially on the basis of the citing of the precedent of *I Am Curious (Yellow)* on the part of Chevron's president, Sam Yellen³⁴—the Supreme Court agreed to hear the Justice Department's appeal and rule whether the film was obscene.³⁵ Ephraim London represented Unicorn in the Supreme Court case, and in May 1971 the Court allowed the film to be released; it began an extended engagement at the Agee I Cinema on Seventh Avenue.³⁶ By this time, *Language of Love* had joined a recognizable subgenre of "white coater" adult films, which featured on-camera lectures on human sexuality by a "doctor" and which were illustrated with scenes of explicit sex. The Italian American producer and director Matteo Ottaviano, famous elsewhere as Matt Cimber, Jayne Mansfield's ex-husband, was one of the

most successful practitioners of this kind of film, which included *Man and Wife* (1969) and *He and She* (1970).

At the same time, the New York Criminal Court heard the case of Andy Warhol's *Blue Movie*. Warhol's film was shot in a single three-hour session with a total cost of \$3,000 and featured about twenty minutes of on-screen sex between Warhol "superstars" Viva and Louis Waldron. *Blue Movie*, also known as *Fuck*, quickly made back its cost in the first week of its run at the Garrick Theater on Bleecker Street, pulling in a \$16,000 gross.³⁷ On July 31, the police raided the theater and seized the film, arresting the Garrick's manager, Saul Heller, even though Heller had barred patrons under the age of eighteen. A police spokesman predictably described the film as "hardcore pornography," though Warhol business manager Paul Morrissey said that the film was purposefully ambiguous as to whether the performers were actually engaging in sex and that "it is up to the viewer to decide." *Variety* reported that Warhol's legal defense of the film—which, it was finally determined, did contain actual intercourse—was his "reputation as an abstractionist artist" as well as changing conceptions of cinematic realism or "life as it is."³⁸ Many of the formal features of the rough-hewn film—16 mm cinematography using a single-system Auricon camera; numerous Warholian jump cuts, white frames, and exposure latitude problems; and the controversial sex scene's high-glare backlighting from a window that obliterates portions of the image—would appear ideally suited to buttress just such a defense. But, on September 24, a three-judge panel in New York Criminal Court ruled after only thirty minutes of deliberation that *Blue Movie* was hardcore pornography and that "sexual activity between male and female is portrayed graphically with no redeeming social value." Warhol and Morrissey both issued statements questioning the definition of "community standards" under *Roth* and *Memoirs*, and Warhol stated that the film was under attack largely by the "middle-aged [who] are upset . . . because they can't reconcile sex with their own blighted lives."³⁹

Although hybrids such as *Yellow* and *Blue Movie* were making money and moving through the courts, the more conventional sex exploitation cinema was undergoing many changes. The New York City market was glutted with the sort of black-and-white, low-budget domestic sexploitation films that now enjoy a cult and camp following thanks to Seattle-based Something Weird Video. Booked in Manhattan for a flat fee as low as \$1,500 a week, these films were being forced out of the market by the majors opting for more adventurous fare on the one hand and a steady customer runoff to the increasingly frank art films on the other. Lee Hessel, president of sexploitation distributor Cambist Films, pointed out

that the New York run of *Yellow* at the Evergreen and Cinema Rendez-vous resulted in the loss of afternoon “briefcase trade” from competing theaters specializing in sexploitation films. So successful was the Grove Press release at drawing audiences to art houses to see a film for which they would never venture to a sex theater that Hessel and Cambist imitated *Yellow* with their release *The Female*, a film that had been the official 1961 Argentinian entry at Cannes under the title *Setenta veces siete*. Hessel bought the rights to the film and added several sex scenes, convinced that this film would be a sizeable crossover hit, and the movie played the sexploitation circuit for years.

The curious market niche occupied by *Yellow* is also underscored by comments made to *Variety* by Peter Kaufman of Dallas-based Jemco films about the status of the sex film in the summer of 1969. Like Hessel, Kaufman saw the days of the hyper low-budget exploitation film numbered. These films, which included some directed by cult auteurs Doris Wishman and Joseph Sarno, were produced for between \$8,000 and \$10,000 and required a large number of runs to amortize their costs at a flat-fee rental. The middle-range exploitation film—priced at between \$25,000 and \$100,000 with some eye toward production values, including color and sync sound—possessed no pretensions but in the hands of skillful filmmakers and distributors such as Russ Meyer, could reach part of a crossover market and attain box-office success, as Meyer had done in 1968 with the X-rated *Vixen*. A successful supplier of these middle-range films was Louis Sher’s Sherpix, the distribution arm of Sher’s Art Theater Guild (ATG) circuit. The ATG chain had been successfully showing films from abroad since the 1950s and had barred minors from its theaters for many years, both as a hedge against municipal censorship and as a means of offering a more upscale filmgoing experience to its patrons. For the season of 1969–1970, Sherpix announced several exploitation films in this price range on their release slate, including *The Stewardesses* in 3-D, which cost around \$100,000 (and which would become a huge hit for them in the following year) and Richard Stockton’s *Meat Rack*, a fascinating gay psychodrama produced in California for \$80,000.⁴⁰

The *Variety* article’s last category, the art-sex film—with a negative cost of more than \$200,000, high production values, and a story with pretensions to social value—could play in theaters that would draw both the skin flick crowd and the general audience. The *Variety* writer concluded his article with the observation that “*I Am Curious (Yellow)* stands almost by itself as an essentially art-sex pic with hardcore appeal.”⁴¹ By October 1969, the film had earned over \$4 million in net rentals, which placed it fourth in *Variety*’s list of most successful foreign-language films

behind Astor Picture's *La Dolce Vita* (1960; rentals of \$7.5 million), Allied Artists' *A Man and a Woman* (1966; rentals of \$5.6 million), and Sigma III's *Dear John* (1966; rentals of \$4.2 million).⁴² By November, the film had moved into third place, with domestic rentals of over \$5.2 million.⁴³ Grove president Rosset told the *New York Times* that the film had earned over \$1.2 million in its Manhattan runs at the Evergreen and Cinema Rendezvous alone. Its engagement in Washington, DC, had earned, since the winter, \$573,000; Los Angeles had brought in \$483,000; Philadelphia had earned \$419,000; and Boston \$335,000.⁴⁴

The *Technical Report of the Commission on Obscenity and Pornography* discussed *Yellow* by name as an example of a highly successful hybrid genre combining elements of the art film, the exploitation film, and the general release motion picture. Characteristics of the hybrid film include many more play dates than exploitation films (as many as five hundred or more bookings), greater sexual content than either sexploitation or general release films, and the fact that they were usually shown in their original language with English subtitles. *I Am Curious (Yellow)* is mentioned as one of the most "outstanding" examples of the hybrid genre, and the *Technical Report* cited *Variety's* year-end rental figures for the film as over \$6.6 million.⁴⁵ Grove Press entered the motion picture market at just the time when this hybrid genre was coming into its own. One of the most successful distributors of this type of film, also mentioned in the *Technical Report*, was Radley Metzger's Audubon Films. When *Yellow* received a United Artists Theater circuit booking in November 1969, *Variety* likened the film's crossover success to "Audubon's *I, a Woman* [of 1966], which first made the break from sex to art houses."⁴⁶ Audubon, like Grove Press, eventually began to publish screenplays with profuse illustrations of the films' most titillating scenes. One of the first paperback editions put out by Audubon Books was the screenplay to Metzger's *Camille 2000* (1969).⁴⁷ Audubon was so successful with releases such as *I, a Woman* (figure 4.2) and Metzger's own *Carmen, Baby* (1967) and *Therese and Isabelle* (1968), that it successfully went public with sale of shares in 1969, and Metzger's first film after going public was the \$300,000 *Lickerish Quartet*, released in the United States in 1970.⁴⁸ Like *Yellow*, *Lickerish Quartet* features a film within the film, but instead of Sjöman's Godardian pseudodocumentary approach, Metzger's film opts for a high modernist use of the figure in which the movie screened within the film mirrors and blurs the relationships between the characters we have come to know in the diegesis. Metzger would return to this trope repeatedly in his later hardcore films such as *Naked Came the Stranger* (1975) and *The Opening of Misty Beethoven* (1976), directed under his pseudonym Henry Paris.



Fig. 4.2 The success of the Danish-Swedish coproduction *I, a Woman*, starring Essy Persson and released in the United States by Audubon in 1966, paved the way for so-called hybrid pictures such as *I Am Curious (Yellow)*.

It was the controversy that surrounded the original adoption of the system of age classification by the Motion Picture Association of America that made the hybrid film possible. Director Frank Perry, whose youth drama *Last Summer* (1969) was one of the first films to receive an X rating (it achieved an R with minor cuts), complained to *Variety* that the X rating was already misunderstood. Perry proposed an “art X” to distinguish it from a “porno X.” It was exactly this confusion of categories that helped make *I Am Curious (Yellow)* such a sizeable hit. It is important to remember that the “X” rating by the MPAA did not at first convey the impression of pornography or even distastefulness. Where the National Catholic Office for Motion Pictures (the post-Vatican II incarnation of the Legion of Decency) had condemned Audubon’s *Camille* 2000, even though it admitted that the film was “imaginative and well photographed,” the same office gave the X-rated *Midnight Cowboy* its A-4 rating (morally unobjectionable for adults with some reservations), ruling that “the shock value of the film is transcended by an intense sensitivity to human values.”⁴⁹ John Simon, writing on *I Am Curious (Yellow)* in the *New York Times* earlier in the year after the film’s jury trial, explicitly linked the legal problems facing *Yellow* with the industry’s adoption of the system of age classification, asking Juvenal’s ancient question,

“Who will guard the guardians of the public?” of both the jury and the MPAA, who were, he noted, of an age advanced from that of both the protagonists and intended audience of *Yellow*.⁵⁰

Sex, Art, and Boredom

The reception of *I Am Curious (Yellow)* by critics shows how wider social concerns with issues of art, obscenity, and motion pictures were brought to bear on this highly ambiguous film. Reviews of the film tended to touch on four major issues: First, the legal arguments about obscenity pertaining to “the work as a whole” were replayed in the reviews in terms of artistic unity, generally centered on the film-within-a-film device and issues of documentary and realism. Second, the film was discussed in relation to pornography, usually defined as the low-end sexploitation product playing in grind houses in Times Square. Third, the reviewers all engaged with the issue of the film’s propensity to bore its audiences and bring a wide range of explanatory mechanisms to bear on this phenomenon. Finally, virtually every reviewer saw fit to comment on the physical appearance and/or attractiveness of protagonist Lena Nyman.

These issues played themselves out over the course of many reviews, but the reception of the film afforded its early notices in *Variety* and the *Times* show how these issues can be traced across a more or less typical bad review and good review, respectively. *Variety*’s review from November 1967 referred to the use of the “film within a film gimmick,” and wrote that “despite the abundance of sex, *I Am Curious (Yellow)* is mostly boring.” The reviewer asserted that the film had “political pretensions but no political viewpoint” and that it was artistically minor, though it might prove important as a case involving film censorship.⁵¹ Vincent Canby, writing in the *Times*, praised the film’s artistic unity, seeing its apparent disunities as a reflection of the provisional nature of the “truths” Lena finds over the course of the narrative. Canby found some of the sex scenes, particularly the early scene of Lena and Börje scampering around her apartment with their pants around their ankles, quite funny. Finally, he found that *Yellow* distinguished itself from exploitation films in its “full-length portrait of Lena, the troubled, liberated woman.”⁵² Of course, a problem in discussing the film’s “unity as a whole” is the fact that *Yellow* is a film that self-consciously places itself in opposition to traditional aesthetic notions of unity; this characteristic of the film has both artistic and legal ramifications. Like the deliberate technical crudeness and countercultural sensibility of Warhol’s *Blue Movie*, the aesthetic and ideological discontinuity of *Yellow* was tailor made to challenge ob-

scenity strictures in the wake of the *Roth* ruling, which insisted that a work “taken as a whole” must possess as its dominant characteristic a morbid or prurient interest in sex or nudity. Whereas U.S. attorney Laurence Schilling had said that the nonsex scenes in *Yellow* were “soap opera,” and Herbert Walton, the judge in the Boston case, had called the same scenes “window dressing,” Rex Reed, in an excoriating review of the film in the *Times*, complained that all the film had to offer in addition to the sex was the “tiresome movie-within-a-movie technique.”⁵³ Conversely, the argument of the Second District Court that the sex scenes were part of an artistic whole, unified with and related to the story and characters, was echoed in Stanley Kauffmann’s review of the film in *New Republic*. Kauffmann maintained that the frankness the film displayed in its treatment of sex was mirrored in the film’s frankness in its treatment of other social issues.⁵⁴

The film mobilizes codes of the documentary film and cinema vérité inspired by Jean Rouché and Edgar Morin’s *Chronicle of a Summer* (1961) to situate Lena’s sexual explorations within a context of questioning the ideals of the supposedly egalitarian Swedish society in which she lives. This is done through her interviews with the Soviet poet Yevgeny Yevtushenko, Sweden’s King Carl Gustav, numerous people in the street and in front of the American Embassy, and a hermit in the woods. Sjöman, himself interviewed by WNYC radio’s Patricia Marx, asserted that the interviews conducted by Lena were unscripted and spontaneous. It is in the interest of naturalism and the avoidance of romantic cliché, Sjöman maintained, that he included the film’s most explicit sexual scenes.⁵⁵ The importance of the film-within-the-film and documentary aspects of the film became even more critical as legal precedent in the following year, when three documentaries concerning Denmark’s abolition of its obscenity laws played to packed houses in several Manhattan theaters (see chapter 8). These films—*Pornography in Denmark: A New Approach*, *Sexual Freedom in Denmark*, and *Wide Open Copenhagen 70*—along with the so-called white coater sex-ed movies mentioned earlier, contained sexual explicitness, including on-screen penetration and visible climax, previously unseen in publicly exhibited motion pictures. It was clearly the documentary “wraparound” consisting of travelogue and interview footage that enabled the films to play relatively free of legal harassment. A bewildered Vincent Canby, in a reaction to the films’ contents quite typical of critics’ and public reaction to pornographic cinema, wrote of his “shock and curiosity” giving way to “boredom,” and found himself longing for the metaphoric fireworks of Hitchcock’s *To Catch a Thief* (1955).⁵⁶

The relationship between the sex scenes and the rest of the film in *Yel-*

low and its more daring successors was already the subject of arch parody and satire by early 1970. Arnold Auerbach, writing in the *Times*, related a fictional account of an interview with a cadre of writers in the employ of exhibitors to write scenes to be interspersed with the sex in foreign films. These “tweenie-writers,” as Auerbach calls them, each specialize in a particular type of linking scene: one specializes in anti-American diatribes and obscurantism, another in heavy silences, still another in talk about alienation. Their boss, himself a writer, speculates that the difference between the art films and the porn playing on Eighth Avenue and Times Square is that the grind-house movies have “inferior” tweenie stuff.⁵⁷ Rex Reed made an even more explicit parallel between *Yellow* and the skin flick paraphilia on display in Broadway theaters and likened the supposedly unattractive, unimpassioned principals in Sjöman’s film to “the girls in those low-budget grind-house flicks who roll around on the beds in cheap motel rooms, licking their lips a lot, but who never perspire.”⁵⁸ Although a defender of the film, Penelope Gilliat was forced to tell in the *New Yorker* of arriving at the theater early and sitting through the last fifteen minutes of the film with the subtitles out of frame. Gilliat’s admonition to the projectionist was apparently the first from the crowd, suggesting that the film’s incomprehensible Swedish dialogue was not the reason the mostly male audience came to see the film.⁵⁹ Kauffmann, on the other hand, was at pains to demonstrate how far afield from pornography the film’s portrayal of sexuality was. It was obvious, Kauffmann maintained, that in 1969 traditional notions of privacy were undergoing radical revision and reconfiguration in the culture as a whole. He remarked that *Yellow* was neither an entirely infelicitous manifestation of nor an immature response to this process. “The more intrusive a film gets in physicality,” he wrote, “the less erotically effective it is likely to be with a mature viewer, who is reluctant to let his most private physical experiences be used as items of reference in a theater” (figure 4.3).⁶⁰

Both legal and aesthetic judgments of the film engaged with *Yellow*’s ability, even its commitment, to bore the audience. In Boston, both sides in the controversy admitted that they found the film boring, whereas in Kansas City, witnesses for Grove Press asserted that the film’s tedium cancelled out any prurient interest the film might otherwise arouse. Richard Corliss, writing for *National Review*, pointed out the legal strategy behind this move. Corliss likened *Yellow* to Warhol’s *Blue Movie* in that the various court proceedings showed the films’ distributors attempting to “hide behind the Court definition of obscenity to show sex as either ugly or boring, and thus redeemingly social.”⁶¹ Hollis Alpert,



Fig. 4.3 Private physical experiences and Godardian backlighting: Lena (Lena Nyman) and Börje (Börje Ahlstedt) in *I Am Curious (Yellow)*.

in the *Saturday Review*, remarked that Sjöman, the student of Bergman, “has headed a little too far toward the camp of Godard. And that way, as many of us are beginning to be aware, lies excruciating boredom.”⁶² Finally, Russell Baker, in a satirical column entitled “I Am Gulled (\$2.50),” wrote of a trek to see the movie with a fellow film enthusiast (both of them wear heavy disguises) and remarked that the film displays “the Swedish passion for hammering an audience into insensitivity. Minutes turned into lead.” The heavy breathing of the audience soon turns to snores. When the film ends, Baker and his companion re-don their disguises, but for entirely different reasons: “Prurience you can be cheeky about, but when you have been thoroughly gulled, who wants the world to know?”⁶³

Next to its ability to induce boredom, the most frequently remarked feature of the film was the physical appearance of the female lead: Lena Nyman. Rex Reed referred to the film as a “vile and disgusting Swedish meatball,” and remarked of Nyman that she is “not only fat and down in the ankle [but] a real intellectual poseur too.” In addition to likening the film’s principals to denizens of Times Square, Reed called them “grotesque” and “repulsive.”⁶⁴ Corliss, in an otherwise balanced review of the film, wrote of “the oppressively plain Lena Nyman, who looks the way

Janis Joplin will fifty years from now.”⁶⁵ Even the sympathetic Canby appealed to realism in his backhanded compliment to the actress that she “somehow suggests every girl who says she will go on a diet tomorrow.”⁶⁶ Richard Schickel, in *Life* magazine, asserted that Nyman’s appearance was proof of the filmmakers’ good intentions: “A panderer would have picked a prettier creature.”⁶⁷

The passing of time has revealed many hints that the fetishization of Lena Nyman within the film by the film’s characters Vilgot and Börje were viewed with some suspicion by the real-life filmmaker Vilgot Sjöman and is intended as a critique of gender and power relations. Early in the film, Lena is asleep, and Vilgot puts various pairs of sunglasses over her eyes as he looks at photographs of ancient erotic sculpture. In an even more explicit critique of sexist notions of female beauty, Börje tells her near the end of the film to “start slimming”: “I don’t want those damn tits in my MG.” Her near anorexic self-starvation at the retreat at Rumskulla is contrasted with her binging on sundaes when she returns to Stockholm. Some reviewers picked up on this. Alpert singled out for particular praise “the remarkably sensitive and effective performance of . . . Lena Nyman. Hardly a sexpot, she is a tubby, pendulously breasted girl of nineteen or so, who admits she is too fat.”⁶⁸ Finally, the review in *Film Quarterly* explicitly linked the film’s “powerful argument for the sexual equality of women” to the “refreshing [choice of] a rather plump, non-glamorous woman in the leading role of a movie.”⁶⁹

As I have attempted to show, it would be a mistake to attribute the box-office success of *I Am Curious (Yellow)* solely to its notoriety and attendant censorship controversies. There were many factors in its success, most notably the instability of critical categories and marketing segments in a rapidly changing film industry. The MPAA X rating, applied to major releases such as *Midnight Cowboy* and *Medium Cool*, attempted to forestall government intervention in the major studio’s efforts to integrate more frank sexual and political content into films whose emphasis on stars, genres, and pre-sold properties clearly had much in common with studio filmmaking as it had functioned for decades. The “hybrid” character of *Yellow* enabled it to circumvent outright banning because of the characteristics it shared with the art cinema while differentiating itself from even the most adventurous studio fare.

By the time *Byrne v. Karalexis* presented its final resolution (or non-resolution) on the obscenity of *I Am Curious (Yellow)* in early 1971, the voyeuristic thrills offered by Sjöman’s black-and-white film were rendered quaint by a rising tide of garish 16 mm Eastmancolor images, which brought the imagined potential of Börje’s limp penis in *Yellow* to

spectacular and tumescent life. Hardcore pornographic features, which had been bubbling up from behind the nondescript facades of storefront theaters for over a year, were receiving bookings in actual movie theaters.⁷⁰ In 1970, Sherpix blew up Bill Osco's *Mona: The Virgin Nymph* to 35 mm and screened it to huge grosses in its own Art Theater Guild houses. The next year, Sherpix rereleased the film accompanied with the cofeature *School Girl*, whose narrative of a young college student's sexual explorations seemed more than a little influenced by *I Am Curious (Yellow)*. *School Girl* was seized and prosecuted as obscene by the district attorney's office of Memphis, Tennessee, the same porn-obsessed prosecutors who would later convict actor Herbert Streicher (AKA Harry Reems) for acting in *Deep Throat*.

The disparate fates of exhibitors, distributors, and even actors in different jurisdictions that came to characterize films as radically different as *I Am Curious (Yellow)*, *Blue Movie*, and *Deep Throat* would lead in 1973 to the Berger Court's decision in *Miller v. California* that the "community standards" undergirding *Roth* and *Memoirs* were local rather than national. This monumental ruling succeeded in squelching high-profile national releases of sexually explicit films and relegated pornographic cinema to a small but consistent niche market for exhibitors and specialty distributors, many of whom had been showcasing conventional international films or softcore sexploitation for decades. Efforts at censorship and prosecution stymied or delayed in the case of *Yellow* could now be carried out by local prosecutors unconcerned with the legal status of the film in question elsewhere. Then, in a disguised but devastatingly effective assault on porn filmmakers, the 1976 federal tax code eliminated the deduction for motion picture investment, choking off a major source of funding for porn films and other low-budget cinema. The merging of pornographic and Hollywood cinema, for which Gerard Damiano yearned and of which the Hollywood studios were terrified, never came to pass.⁷¹ Categories of theatrically released motion pictures and the public taste to which they catered would never again be as unstable as they were in the Hollywood recession of 1968–1969. Later films such as *Last Tango in Paris* (1972) and *Emmanuelle* (1974) achieved significant success as they straddled the categories of the sex film, the art cinema, and the major studio release, but never again would a hybrid of these forms mobilize the experiences of the counterculture and the sexual revolution and exist on the furthest edges of aesthetics and the law as they had in *I Am Curious (Yellow)*.

Notes

I would like to thank Tino Balio, Eric Schaefer, and Carolyn McCartney for their many helpful comments and suggestions on the various drafts of this essay.

1. For an excellent recounting of the rise of art theaters and the international cinema in a postwar U.S. film industry plagued by recession and declining movie output, see Barbara Wilinsky, *Sure Seaters: The Emergence of Art House Cinema* (Minneapolis: University of Minnesota Press, 2001).
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4. "Grove's Rosset: All Censors Wrong, Valenti Is Encouraging Vigilantes," *Variety*, September 19, 1969, 25.
5. "Swedish Movie Is Seized by U.S. Customs for Obscenity" *New York Times*, January 19, 1968, 29.
6. "Grove to Fight U.S. Film Seizure," 46.
7. "Swedish Movie Is Seized by U.S. Customs for Obscenity," 29.
8. "Critics View Film Seized as Obscene," *New York Times*, January 25, 1968, 24.
9. "US Judge Refuses to Clear Swedish Film Seized in 1967," *New York Times*, May 4, 1968, 44.
10. "Grove Press Movie On Trial as Obscene," *New York Times*, May 21, 1968, 46.
11. "Reactions Varied on Swedish Movie," *New York Times*, May 23, 1968, 54.
12. "'I Am Curious' Found to Be Obscene Film," *New York Times*, May 24, 1968, 36.
13. "US Court Clears Swedish Sex Film," *New York Times*, November 27, 1968, 37.
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25. "Curious Ban Upheld; Grove Appeals," *Variety*, August 20, 1969, 20.

26. "Court Ban Urged on 'I Am Curious,'" *New York Times*, November 11, 1970, 29.
27. "Boston's Curious Case Re 'Curious' State or Federal," *Variety*, July 30, 1969,
28. "Court to Rule on Smut Sent in Mail or Imported," *New York Times*, October 13, 1970, 29.
28. "Douglas Champions 'Curious' But Not as Obscenity Fan," *New York Times*, December 16, 1969, 58.
29. "Douglas Abstains From 3 Rulings," *New York Times*, April 28, 1970, 28.
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31. "High Court Lets Stand Maryland Ban on 'Curious,'" *New York Times*, March 9, 1971, 24.
32. "3 Theaters Raided in Times Sq. Area for Obscene Films," *New York Times*, March 12, 1971, 75.
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59. Penelope Gilliat, "The Current Cinema," *New Yorker*, April 5, 1969, 15.
60. Kaufmann, "I Am Curious (Yellow)," 32.
61. Richard Corliss, "Films and Other Four-Letter Words," *National Review*, July 29, 1969, 760.
62. Hollis Alpert, "On Being Curious Twice," *Saturday Review*, March 15, 1969, 54.
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66. *New York Times*, March 23, 1969.
67. Richard Schickel, "It Hides Nothing but the Heart," *Life*, March 21, 1969, 12.
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69. Clyde B. Smith, "I Am Curious (Yellow)," *Film Quarterly* 22 (Summer 1969): 41.
70. For a detailed account of this process, see Schaefer, "Gauging a Revolution: 16mm Film and the Rise of the Pornographic Feature," *Cinema Journal* 41, no. 3 (spring 2002): 3–26.
71. For an account of just how terrified Jack Valenti and the MPAA were of competition from the porn filmmakers and how eagerly they relinquished the dead-on-arrival X rating to the adult movie industry, see Jon Lewis, *Hollywood v. Hardcore: How the Struggle over Censorship Saved the Modern Film Industry* (New York: New York University Press, 2000).