
APPENDIX

CBSC File 03/04-0817

Bravo! re the movie *Beneath the Valley of the Ultra-Vixens*

The Complaint

The following complaint dated February 9, 2004 was sent to the CRTC and forwarded to the CBSC in due course:

Bravo! Network programming – received in home via Shaw Cable.

Friday night/Saturday early morning, February 6/7, 2004, 12:00 am-1:00 am.

Content “suitable” for adult viewing only, if even that. Complete nudity, heterosexual, gay, lesbian sex, use of chloroform to knock out “recipient” of sexual intercourse. This type of programming should be offered to consumer only at their request, and as an extra channel to be separately paid for, not part of tiered channel package which includes MSNBC and FOX network TV. Consumer has to give up a series of channels to remove carrier with offensive content. Removal of channels results in higher billing from Shaw Cable because now user is not buying a “bundle”. There is something very wrong with this type of programming being offered within the mainstream of TV programming options. It may not have been prime time but I bet there are a lot of parents who would be devastated to know that this type of programming is freely available to one and all at midnight. I feel as though Bravo! via Shaw has abused any trust I may have had in cable programming. Their executives should start rethinking their programming and cable packaging. I urge someone in a position of authority to view the programming in question and respond with a reason why this was considered worthy of airing in that tier of Shaw Cable bundling.

The complainant also sent an e-mail directly to Bravo! on February 9:

I have today formally complained to both Shaw Cable (Winnipeg, Manitoba office) and the CRTC about Bravo! programming via Shaw Cable on Friday night/Saturday morning February 6/7/04, midnight to 1:00 am Winnipeg time. I would be appreciative if one (but ideally all) of your programming decision-makers could view this program and let me, the poor unsuspecting Shaw mainstream cable consumer, know what you could possibly have been thinking when you considered this program suitable for mainstream cable consumption.

This type of programming should only be available to consumers outside of the parameters of basic cable tiered programming. That is, if someone wants to watch complete nudity, heterosexual, gay, and lesbian sex, and sex using chloroform on your “partner”, I personally think they should have to pay for it separately. Perhaps your executives should also ponder the question of where the expression “you are the architect of your own demise” comes from.

We today cancelled the tier of Shaw Cable packaging which includes your station. We are considering purchasing a satellite dish. If your station cannot explain its programming decisions, Bravo! will be the station we “block” when we get our dish.

Broadcaster Response

Bravo!'s Vice-President responded to the complainant's letter on February 13 with the following:

This letter is in response to an e-mail sent to Shaw Cable and the CRTC regarding a movie which aired on Bravo! Friday February 6, 2004 at 12:00 am in Winnipeg.

The movie in question was Russ Meyer's *Beneath the Valley of the Ultra-Vixens*. You ask what the programmers "could possibly have been thinking when you considered this program suitable for mainstream cable consumption?".

Let me attempt to answer this question. First of all, let me explain that this particular movie is a part of an ongoing series of seventeen of director Russ Meyer's movies, which had their world premiere on our sister digital station, Drive-In Classics. The late night screenings of Meyer's films on Bravo! are part of an eight week "sneak preview" of the digital Drive-In Classics channel.

You may or may not have heard of Russ Meyer, but within the genre of drive-in movies, he's considered a master. His 1959 film *The Immoral Mr. Teas* was the first "nudie-cutie" film ever released and started a whole new genre, and films such as *Beyond the Valley of the Dolls* and *Faster Pussycat Kill! Kill!* developed huge cult followings.

As he explained in an interview with Elwie [*sic*] Yost (which we've run on both Bravo! and Drive-In Classics to help contextualize these historically influential films), Mr. Meyer's style was largely influenced by Al Capp cartoons such as Li'l Abner, which featured larger than life caricatures of American stereotypes. As a result, sexuality and action scenes are so over-the-top that they are meant to be humorous and "cartoon - like in nature".

But don't take our word for it, when we first introduced the Russ Meyer collection to Canadian television in 2002 (yes, we have shown all seventeen films on numerous occasions, and yours is the first complaint that we've received), here's what the TVcritics had to say:

Greg Klymkriw, a Winnipeg-born producer, now a professor at the Canadian Film Centre, recalls seeing his first Meyer film at the Metropolitan and says, "But for me, it was a revelation (...). Russ was unique in that his women were figures of great power and the men were weaker and not as bright" (as quoted in the *Winnipeg Free Press*, Jan 27, 2002).

"Meyer buffs don't need to be told ... that Meyer is a true auteur ... He knew when it comes to sex what sells -- the imagination. If only you could say the same about Ally McBeal". Peter Goddard, *Starweek Magazine*.

"Meyer is as close to a full-fledged 'auteur' as any filmmaker in this country today"(Arthur Knight, *Hollywood Reporter*, April 17, 1979). Credited with raising the status of underground indie films from something you don't mention in public to (...) art. He is now celebrated (...) as a film innovator and a pioneer". (Tony Atherton, *Ottawa Citizen*, February 2, 2002).

"Russ Meyer is an auteur to be considered with Chaplin and Keaton and rather higher than either Woody Allen or Mel Brooks" (Michael Walsh, *The Province*, June 12, 1980).

"You have to give him that. No one else makes a movie like Meyer, which could be attributed to his unique vision (...) somewhere along the way an academic stamp of approval has attached itself to Meyer's oeuvre. The Museum of Modern Art and the Canadian Film

Institute have held retrospectives and several of his better known films continue to make the art-house rounds" (Scott Colbourne, *Globe Television*, February 2, 2002).

"Meyer knew how to make a truly sensational movie. As his career progressed his films became more and more laden with lightning-fast editing, multiple storylines, razor-witted dialogue and iron-handed symbolism" (Tom Bagley, *FFWD, Calgary Magazine*, February 21, 2002).

"No career achievement Oscar is likely for Russ Meyer, though he arguably changed the face of modern cinema more than most trendspotters and respectable yeomen who ever wrote an acceptance speech." Randall King, *Winnipeg Free Press*, Jan 27, 2002.

"They were certainly memorable movies (...). It's no wonder that after all these years I have such a soft spot for Russ Meyer movies. The man was a genius! What fond memories were created by those unforgettable movies" (Robert Pegg, *Scene*, London, Ontario May 15, 2003).

"Meyer's portrayal of women was actually quite revolutionary and respectful". (Kim Vermette, *TV Guide*, May 10, 2003).

"A cinematic legend gets his due", (*National Post*, May 1, 2003).

Now, a few comments about the specific Russ Meyer movie *Beneath the Valley of the Ultra-Vixens*, which was co-written, you might be surprised to learn, by critic Roger Ebert (of the *Chicago Sun-Times*, and TV's *Roeper and Ebert*).

"It's a whole lot of fun to watch ... a slice of American cinema that, like it or not , is important! (Chris Parry EFC)

"Funny and clever" (H. Frost, EFC website).

"THE Meyer film to end all Meyer films ... I happen to think that it is also his best" (Tre Six, IMDB).

"One of the livelier entertainments of 1979 (...) and possibly this Middle-American Rabelais'...masterpiece" (Peter Hogue, *Movietone News*, March, 1980)".

"Merits a choice place among the premieres at (this year's) Cannes Film Festival" (Jean Roy, *Cinema*, July/August 1979)

If there's one thing that can't be said of Meyer's movies, is that they're demeaning to women ... This movie is one of his best efforts", (Eric Walker, Recommended Arts Movies Reviews newsgroup).

"If this ... had been the only thing ever made by Russ Meyer, it would no doubt have become an instant classic (...) Is *Ultra-Vixens* worth seeing? Yes it is deliciously well-made cinema", (ShaneBurrige@hotmail.com <mailto:SaneBurrige@hotmail.com>).

Obviously, Russ Meyer movies are not for all tastes. When broadcast on Bravo! *Beneath the Valley of the Ultra Vixens* was rated 18+, carried on-screen disclaimers warning viewers of nudity and violence and mature subject matter and was scheduled at a very late hour when children were unlikely to be watching television.

While I can certainly appreciate that catching a few scenes "out of context" might seem

somewhat shocking, or at least inappropriate for an arts channel like Bravo!, we believe that the films of Russ Meyer have received sufficient critical accolades and attention over the years to warrant a (late night) programming spot on our channel.

While we certainly respect your decision to cancel Bravo! in your digital package if you so choose, we feel it would be unfortunate to boycott a channel that provides operas, dance and many wonderful mainstream movies in earlier timeslots, due to a late night "sneak preview" of a sister digital station that was not to your tastes.

Whatever your final evaluation, please be assured that all Bravo! programming decisions are carefully considered and evaluated in light of critical acclaim and /or historical importance.

We regret that our broadcast of *Beneath the Valley of the Ultra-Vixens* did not live up to your expectations for our channel.

Additional Correspondence

The complainant responded to Bravo!'s letter on February 21 with the following:

I am in receipt of your outline of the rationale behind airing the Russ Meyer series on Bravo!. This does not air at 1:00 am. It runs at 11:45 pm in Winnipeg on Friday night. Your email was patronizing in its attempt to justify airing a "sneak preview" for your sister digital channel Drive-In Classics on Bravo!. Your description of its "merit" in its genre was ridiculous and did not address the issue I raised. My point was that it was inappropriate for that content to run at that hour within the mainstream cable channel grouping. Your pseudo-intellectual approach to the film itself was a complete red herring and does not serve to legitimize your decision-making about its airing in the 11:45 time slot. Hiding behind the "sneak preview" label is also completely transparent. As far as the satirical elements of this "auteur's" work are concerned, I can only hope that the 9-year olds who are able to watch TV until midnight on Friday night are sophisticated enough to understand that aspect of say, sex using chloroform. In addition to being completely patronizing, your letter's content is a classic example of the type of rationale spin doctors use when they have blurred the lines of what is acceptable and unacceptable. I never asked for a "quality" assessment of the film in question within its genre. I asked for the rationale of airing this genre of programming on the Bravo! network. Calling it a "sneak preview" does not address that issue. If airing the Russ Meyer series on the Bravo! channel is one of your programming decisions that has been "carefully considered and evaluated in light of critical acclaim and/or historical importance", you need some fresh air in your ivory tower.

P.S. Don't underestimate your viewers. Your view that it would be unfortunate for me to boycott Bravo! when it provides excellent quality programming in other timeslots is bizarre. If you want a reputation for quality programming, show quality programming in every timeslot. You have control over that issue, not me. I only have control over the cable/digital package I purchase and/or block.

Bravo!'s Vice President responded again on March 16:

My apologies for not immediately responding to your e-mail of February 21. I have been traveling outside of the country (attending the American Film Market and this year's Oscar ceremonies), and only came across your response yesterday as I was plowing through the 800 or so e-mails that accumulated during my absence. Again, my apologies for the delay.

In your original e-mail of February 9, you asked, "I would be appreciative if one of your programming decision-makers could view this program and let me know what you could possibly have been thinking when you considered this program suitable for mainstream cable consumption?"

As the person who is personally responsible for the purchase of the entire (and complete) Russ Meyer catalogue, that is exactly what I attempted to do in my original e-mail response to you. The answer to your very precise question is that we bought the Russ Meyer catalogue because we believe the filmmaker is a genuine "auteur" (he produced, directed, wrote, photographed, edited and self-distributed all of his movies) who developed a unique and totally original style of moviemaking that was years ahead of its time, and has been oft emulated in the ensuing years. To prove that this was not just a personal opinion, I spent a considerable amount of research time trying to demonstrate to you that it is an opinion held by many film critics and scholars. In other words, while many (but not all) of the titles in the Russ Meyer collection deal with sexuality and violence, it is the quality of the filmmaking and the satirical tone of the films (they're not meant to be taken seriously, as they are specifically "cartoony" and over-the-top) that give the films at least some degree of artistic validity.

And that is why I chose to run them on Bravo! And this is why I tried to answer your question in the way that I did.

Your response states "Your description of its 'merit' in its genre was ridiculous and did not address the issue I raised." But the films "merit" is exactly the issue and why I judged the film to be appropriate fare if scheduled in a late night slot, with an adult only rating (18+) and with specific on-air content disclaimers coming out of every commercial break.

Clearly, and I agree with you, this is not material aimed at a nine-year-old viewer. However, I don't believe that many Bravo! viewers would appreciate having their post-11:00 pm weekend schedule aimed at a nine-year old's interests and sensitivities. And while we use every scheduling and advisory technique available to us to ensure that children are least likely to be exposed to certain adult programs, we continue to believe that some segments of Bravo!'s programming should be appropriately and specifically targeted to adults, not just nine-year olds.

While I can certainly respect and appreciate that Russ Meyer movies are not to your liking, over half a million Bravo! viewers watched *Beneath the Valley of the Ultra-Vixens* and *Up!* without any apparent discomfort. According to Nielsen people meters for those dates, not one of these viewers was under the age of twelve.

I do have to agree with you that the fact that the Russ Meyer movies were shown as part of a Drive-In Classics preview does not constitute an appropriate legitimization of the programming in and of itself. I mentioned it in passing, but it did not form a major part of my answer to you.

Clearly, either the Russ Meyer catalogue is appropriate programming for late night Bravo! viewing when the satirical tone and artistic merit of the films are taken into consideration (which is my belief) or they are not, due to their dealing with sexuality, nudity, violence, and the battle between the sexes (writ large) -- which is the gist of your reaction to these films.

One point I do profoundly disagree with is your reference to our programming as "pornographic". The *Oxford Dictionary* defines pornography as the "explicit representation of sexual activity in literature, films, etc. intended to stimulate erotic rather than aesthetic or emotional feelings." Russ Meyer films are graphic perhaps, but never explicit. All sexual acts depicted are simulated and use prosthetic devices for comic effect. As he explains in his interview with Elwy Yost, Meyer's films were about laughing at American attitudes towards

certain subjects. They sold "the sizzle, not the steak." In fact, when hardcore pornography became all-pervasive in the late 1970s, Russ Meyer retired from the genre, as he felt no creative urge to merely depict the mechanics of human sexuality on the screen. His films, while certainly dealing with sexuality, are designed to make an audience guffaw with laughter at the sheer outrageousness of his larger than life depictions of life in America. They are intended to provoke amusement more than erotic feelings, and the very fast editing and comic Mae West-style dialogue are designed to undermine any appeal to prurient interest that his films might otherwise provoke.

In summary, Bravo! ran the Russ Meyer films because they are artistically valid (the two films you reference were both written by film critic Roger Ebert), stylistically innovative, and scheduled at a time and in a way that is appropriate for adult viewing. Although it did run as a sneak preview for our sister Drive-In Classics digital channel, it does not represent a new programming direction that Bravo! intends to exploit to an increasing degree in the future. All of Meyer's films have been previously shown on Bravo! and Drive-In Classics with not one complaint until this February. We appreciate and respect the fact that they were not to your taste, but we stand by our decision to showcase the North American television premieres of Russ Meyer's rarely screened work to many hundreds of thousands of Bravo! viewers who did appreciate them.

The complainant then sent the following e-mail accompanying her Ruling Request form to the CBSC on March 24:

I would be most appreciative if your organization could rule on the movie noted above and also on one that ran a couple of weeks later in the same time slot, also directed by Russ Meyer.

[Bravo!'s Vice President]'s response to my second email was based on parts of my letter which he took out of context to support his position. My comment about 9-year olds not understanding the satirical aspects of the piece was used inappropriately in his response. I was referring to clearly adult content being aired on a Friday night at 11:45 pm., a time when a large part of the audience is not over 18. [Bravo!'s Vice President] fixated on my use of the 9-year old as the example and chose to miss my point altogether. [Bravo!'s Vice President] also used a dictionary definition of the term "pornography" to educate me about its meaning as a way of refuting my comments. My choice of the term initially was based on the fact that the star of the movie is described on the internet as a "porn star" and based on the fact that the movie is described as falling within the genre of "Sex & Sexuality"/"Sexploitation". [Bravo!'s Vice President] twists my argument about young children watching his programming at 11:45 to make his point that his night time programming should not be geared to 9-year olds. I never suggested that. There is plenty of adult programming that falls within an entertaining range that is not like the program I am referencing.

[Bravo!'s Vice President] also says he appreciates that this movie was not to my taste. I am an adult, I can turn off my television when I don't want to view something. I can censor my own programming. This program was not to my taste more because it was aired at 11:45 and is totally inappropriate for persons younger than 18. I take issue with the fact that this type of programming is considered for mainstream cable with a diverse audience.

I am very unclear about just what our broadcast standards are nowadays. One week we have a major controversy when Justin Timberlake exposes Janet Jackson's bejewelled breast for a millisecond. The next week I turn on my TV and see *Beneath the Valley of the Ultra-Vixens*. If I am to be considered overly protective of young people, I want it to be the Canadian Broadcast Standards Organization that tells me that, not an arrogant, patronizing network executive who has a vested interest in his Russ Meyer series passing muster.

Thank you for your consideration.