Abstract: This study examines the reception of the Swedish film *I am Curious (Yellow)* in America. As a mixture of political satire and a chronicle of a sexual affair, with fictional and documentary material, the film was referred to by a U.S. government official as “the most explicit movie ever imported” when it arrived in America in 1968 and was released only after a federal appeals court reversed a lower-court verdict that had found it legally obscene.

Although cleared for importation, *I am Curious (Yellow)* continued to be dogged by whether its sex scenes violated local and state obscenity laws. While the legal actions at times impeded distribution of the film, they also generated publicity for it, eventually making it one of the most profitable foreign-language films in U.S. motion-picture history.

This paper discusses several court cases where the film’s social value—or lack thereof—was the factor deciding whether it could be shown, and it also looks at critical reaction to the film. Noting that all popular-culture products are products of the societies they spring from, the paper also looks at how the film was received in Sweden.

Keywords: Obscenity law—Film—Film censorship—Transnationalism—Popular culture—U.S. legal system—Film criticism—Pornography—First Amendment

In early 2009, the daily newspaper *USA Today* noted that the fortieth anniversary of the year 1969 had occasioned a book devoted solely to that tumultuous year. As the newspaper used the book as a starting point for
reflecting on the end of the turbulent 1960s, it listed events, people and cultural phenomena that had characterized 1969: the moon landing, Sen. Edward Kennedy’s Chappaquiddick accident, the murder of actress Sharon Tate by the followers of Charles Manson, the Woodstock music festival, the riots following a police raid of the gay bar Stonewall in New York City—and “the porn film” *I am Curious (Yellow).*

The inclusion of *Curious (Yellow)* among genuinely American symbols and events of the late 1960s was an indication of the extent to which that Swedish-made film had become part of U.S. mass culture, yet *USA Today*’s characterization of it as a “porn film” obscured its role as a generator of critical and legal debate. As this study shows, *I Am Curious (Yellow)* became a part of American popular culture not just because of its sexual scenes but also because it raised issues of artistic freedom of expression and limits for depictions of sex both in reviews and in court cases. The purpose of this article is to discuss the film’s relationship to those issues, to briefly compare the reception of *Curious (Yellow)* in Sweden and the United States and also to assess how Sjöman’s creation is remembered in the United States today. While the film itself has been discussed in some detail in several works, its reception in the United States has been discussed only in passing. Moreover, the legal proceedings involving *Curious (Yellow)* in the United States have not been discussed in detail, and even Sjöman himself seemed unclear on their chronology and outcome.

*Curious (Yellow)* in America: Sex as Art?

One reason for the film’s impact was its phenomenal commercial success in the United States. When *I Am Curious (Yellow)* opened in New York in mid-March, it was, according to the U.S. trade publication *Variety,* to “sensational boxoffice” in the two theaters showing it, even though one of them charged the unheard-of ticket price of $4.40, and when the film arrived in Washington, D.C., a month later, it ran “at virtual capacity” in the two venues there. As the month of May ended, *Curious (Yellow)* had opened

1 Craig Wilson, “1969: The Year that Defined an Era,” *USA Today,* 26 January 2009, 1D.
in Philadelphia, San Francisco, Boston, Los Angeles and Houston and had generated more than $1 million in ticket revenue, making it the fourth most profitable film in the United States in the previous four weeks. It passed the $2 million mark in early July, $3 million a month later, and $5 million in late October. In late November and early December, it was for two weeks the most widely watched film in the United States, and by the end of January 1970 its total revenue passed $8 million. (Eventually, it would earn its U.S. distributor $19 million, making Curious (Yellow) the most successful foreign-language film ever in America, a record it held until the 1990s.)

In late November 1969, The New York Times reported that Sjöman’s film had played in fifty-three cities, and Variety had observed three months earlier that it was not just being shown in “obvious and much publicized locations” such as New York, San Francisco, Los Angeles and Boston but also in “such curious localities as Albuquerque, New Mexico, Virginia Beach, Va., Woodburn, N.Y. and St. Petersburg, Fla.” The manager of a drive-in theater showing the film in Richmond, Virginia, found that “traffic was backed up for miles” on weekends, and in San Antonio, Texas, a theater charging the unheard-of admission fee of $5 still sold out showings of Curious (Yellow). In small-town Derry, New Hampshire, 5,000 people saw the film in its first week, and in Harrisburg, Pennsylvania, students at the local community college “had to see it.”

At the time of Vilgot Sjöman’s death in 2006, the Atlantic Monthly sought to capture the significance of the Swedish director’s most famous—or notorious—work in American eyes. I Am Curious (Yellow) was important, argued writer Martin Steyn, because it “pioneered a new cinematic concept:

sex in a political context.” Breaking with a long-standing tradition where “there had been no context whatsoever in most movie sex,” Sjöman “conclusively demonstrated that the biggest bang for the buck was in sex with context.”

The context emphasized by Steyn was, in fact, at the heart of what made *I Am Curious (Yellow)* a *cause célèbre* in the United States in the late 1960s. Sjöman’s film raised the issue of whether graphic representations of sex were socially acceptable and could even be classified as art, and that issue was fervently debated by critics. It also became a legal matter in America, as *Curious (Yellow)* generated charges of obscenity across the country and resulted in several court cases, one of which reached the U.S. Supreme Court.

Because of a newly changed legal definition of obscenity, the factor that would save the film from being banned in these cases was whether it, in the words of the Supreme Court, had “redeeming social value” that made its explicit depictions of sex a matter of artistic expression that was worthy of First Amendment protection. As the film’s director certainly saw it as an artistic endeavor, a brief discussion of Sjöman’s ambitions for his film and of his work in general is in order.

**Vilgot Sjöman’s Vision: Sex and Socialism**

Vilgot Sjöman had started his career in films as an assistant to legendary Swedish director Ingmar Bergman, and his first four films closely followed the technical and narrative conventions of Bergman and other Swedish directors, although they also revealed Sjöman’s predilection for sexual themes. His first film, *Älskarinnan* [The Mistress], made in 1962, was lauded by critics, but it was his second work, *491*, that made him well-known in his home country when it opened in 1964. Based on a controversial book by Lars Görling, *491* is the story of a group of juvenile delinquents, and scenes in the film suggesting rape, homosexuality, prostitution and bestiality were deemed so offensive that the film was initially banned outright by Svenska Biografbyrån, the Swedish government agency charged with censoring films. After the Swedish government overruled Biografbyrån, the film was released, but some scenes had to be cut. When *491* reached the

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United States in April 1965, it was seized by U.S. Customs as obscene mater-
and a trial in October upheld the seizure, a procedure that foreshadowed the reception of *I am Am Curious (Yellow)* three years later.10

Sjöman followed *491* with two more films, *Klänningen* [The Dress] in 1964 and *Syskonbädd 1782* [My Sister My Love] in 1966. The latter, a costume drama set in late 1700s Sweden, dealt with an incestuous affair between two siblings, but critics tended to pay less attention to the plot than to how closely Sjöman had followed in the footsteps of his mentor Ingmar Bergman.11

The reviews’ recurring theme of *Syskonbädd’s* director’s indebtedness to his mentor appeared to have propelled Vilgot Sjöman toward making a totally different film when he began working on a new project in 1966.12 He broached the subject over lunch with Lena Nyman, the actress who would be the star of *I Am Curious (Yellow)* and who had already worked with him in *491*, and she enthusiastically recorded her impression of the project in her diary:

His new movie is going to be made in a new way. With a somewhat young company and going on forever. It will be freaky and nuts and we are going to get all of Sweden into the film.13

To ensure that he would be able to pursue new directions in film-making, Sjöman secured promises from Sandrews, the theater chain that financed and would distribute his new film, that gave him “total freedom” to make “a film without a script,” as he put it later on. The absence of a script entailed improvising scenes together with his actors and also mixing fictional and documentary scenes. In addition, Sjöman wanted to follow in the footsteps of *auteur* film-makers such as Jean-Luc Godard, so *Curious (Yellow)* would partly be a film about film-making, with the director himself frequently ap-

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13 Knutson, “Han skapade svenska synden.”
pearing on camera and with the actors often being themselves and not the characters they play.\textsuperscript{14}

Sjöman’s personal situation also had a major impact on the making and content of \textit{I Am Curious (Yellow)}. As Nyman recalled, he was “a complicated dude” with problems and doubts that colored his film-making, and he had just completed several sessions of psychotherapy. Influenced by that experience, he would in his new film deal with his working-class origins, religious doubts, political criticism and sexual inhibitions. As Sjöman started pondering the contents of \textit{Curious (Yellow)}, a list of topics that he drafted included the items “Politics, Social Issues, Sex, Religion, Humanity, Gender Roles, the Welfare State, Violence and Non-Violence and Miscellaneous.”\textsuperscript{15}

More succinctly, the director summed up the content of his film with the words “Sex and Socialism,” and that turned out to be a rather apt characterization of the eventual film, as the two distinctive parts are evident. The socialism is in the first segment, where the camera follows the protagonist Lena—played by Nyman—as she walks around Stockholm with a microphone and poses provocative questions about topics such as fascism in Spain, equality for women, non-violence instead of national defense and whether socialism has failed and Sweden remains a class-based society. Her targets are real-life Swedes in all walks of life, such as subway travelers, conscripts into the army, police officers, trade union bosses and vacationers coming back from the Mediterranean.\textsuperscript{16}

The “sex” part of Sjöman’s film is found in the half of the film that chronicles Lena’s affair with menswear salesman Börje, played by Börje Ahlstedt. Their saga is told through a number of sexually explicit scenes, part of the director’s determination to shatter taboos surrounding sexuality by showing not only female but also made nudity, a first in Swedish film.\textsuperscript{17}


\textsuperscript{15} Åberg, \textit{Tabu}, 176; Knutson, “Han skapade svenska synden.”

\textsuperscript{16} ”Kommentar, Jag är nyfiken—gul,” Svensk Filmdatabas; Svenstedt; Behring; Mauritz Edström, “Vilgot kontra världen,” \textit{Dagens Nyheter}, 7 October 1967, 15.

\textsuperscript{17} Bo Petersén, “Han som sprängde männens sexvall,” \textit{Expressen}, 10 October 1967, 21; according to Edward de Grazia, the attorney who defended the film in several U.S. trials, the male frontal nudity in \textit{I Am Curious
Curious (Yellow) in Sweden
The explicit nature of the sex scenes in *I Am Curious (Yellow)* meant that the film would be subject to review by Biografbyrån, the censorship agency, which after a lengthy review process decided to clear the film for exhibition to audiences 15 years of age and above.\(^{18}\) Although one of Biografbyrån’s three officials was vehemently against releasing Sjöman’s new film on the grounds that it would open up the floodgates for “an abundance of more or less pornographic films” whose producers in the past had thought it fruitless to submit their creations to the bureau, he was outvoted by his colleagues.\(^{19}\) They, apparently, had taken note of the opinion of Filmgranskningsrådet (the film review council), a body whose task it was to provide guidance for Biografbyrån in cases where the issue of censorship was questionable. The council had recommended that *Curious (Yellow)* be released uncut because of its artistic qualities and a “political and moral commitment that is unusual in Swedish films.”\(^{20}\) As Sjöman biographer Anders Åberg has suggested, the director’s real battle with Sweden’s censorship agency had been fought over *491* four years earlier, and in the intervening period, as arguments for sexual liberation gained steam in Sweden, the need for any censorship of films for sexual content had increasingly come into question.\(^{21}\)

When *I Am Curious (Yellow)* opened in Stockholm and Göteborg, Sweden’s two largest cities, newspaper reviewers in both cities treated the film with respect, seemingly accepting the director’s ambitious purposes. The morning daily *Dagens Nyheter* in Stockholm praised the film for its “simplicity and cogency” and its willingness to deal with political issues, and the Stockholm evening tabloid *Aftonbladet* also lauded its political approach.\(^{22}\) The sex scenes did not seem to be of particular concern to reviewers at Sweden’s metropolitan dailies. *Göteborgs-Posten*, for instance, saw something

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comical in the sex scenes, although its critic questioned whether their multitude was “artistically motivated.” To *Dagens Nyheter*, the ”de-romanticized love” of the sex scenes was a challenge by Sjöman to “a nation of voyeurs” who generously supported “weekly magazines with centerfolds and restaurants with nude reviews.”

Some members of the public also tended to look beyond the sex scenes of *I Am Curious (Yellow)* when asked to assess what they had just seen—even when pressed by reporters from the evening tabloids for an opinion about the “sex film.” A married couple queried by the Stockholm newspaper *Expressen* wondered whether they had just seen “a film or reportage,” and another couple praised the director’s “new style,” which was “biting and critical of society, with no frills.” As for the sex, *Expressen* noted that the opening-night audience responded “calmly” to it, a sign, according to the paper, that Swedes had become used to ”film nudity,” and *Expressen’s* tabloid rival *Aftonbladet* reported that “no-one was shocked.” (Göteborg’s evening paper, *Göteborgs-Tidningen*, reported, on the other hand, that theater patrons in that city were “silent and shocked,” and left the film with “fear and disgust” showing in their faces.)

**Issues with Curious (Yellow) Beyond Sweden’s Borders**

There were some indications early on, however, that Vilgot Sjöman’s criticism of Swedish society might lose a great deal of its resonance as the film traveled abroad. Just before *I Am Curious (Yellow)* opened in Stockholm, the Swedish Film Institute had hosted a symposium about contemporary Swedish film for international cinema critics, and Sjöman had arranged for an advance showing of his film to that gathering. Stockholm newspapers related the question-and-answer session that followed between the director and the foreign guests and also asked for short personal assessments from seven of them. A few of those who spoke with Sjöman liked the film, but the

23 Monica Tunbäck-Hanson, “Från attack mot alla våra konventioner,” *Göteborgs-Posten*, 10 October 1967, 16; Edström, “Sjömans inbrott.”
majority thought that its two components, sex and socialism, did not make for a cohesive film. A Soviet critic found the two parts “incoherent,” and Peter Cowie, a British expert on Swedish film, could not see any relationship between them.27

Three years later, Cowie, although by then more positive toward the film, suggested that its director’s purpose may have little meaning for foreign audiences:

Close-ups of sexual organs and such like, while not pornographically stimulating per se, are bound to give those very members of his audience Sjöman wants to provoke, the excuse to attack his film as unwholesome and depraved, thus diverting attention from what the director claims is the key issue in I Am Curious—namely, the absence of social and political responsibility in Sweden. This reaction to the film is even more pronounced abroad, for in many countries Sjöman’s satire must seem outdated beside his sexual attitudes. The important scene showing the King about to abdicate and leave the country, for example, contributes a cruel and witty salvo to the Republic vs. Monarchy debate in Sweden, but it has no relevance in Germany or the U.S.A.28

Writing for the men’s magazine Se a few weeks after the film had opened in Stockholm, TV producer and media critic Ulf Thorén was blunter in making essentially the same observation:

Why not splice together a little 20-minutes from “I Am Curious (Yellow),” with all the naked butts and all the panting close-ups, and send this to happy little theater owners in Buenos Aires, Dallas and Beirut? The rest of the film is obviously totally uninteresting to foreign people.29

A reviewer for the U.S. trade publication Variety was equally skeptical. He had seen Curious (Yellow) in Stockholm shortly after it opened there, and he, like Thorén, focused on the film’s sex scenes. Sjöman’s intent may have been “to portray how the welfare state in Sweden has not fulfilled its political aims,” wrote the signature “Fred,” but he had instead “devoted most of his attention to fornication.”30 It was unlikely that Curious Yellow would be shown uncensored outside Sweden, thought Variety’s correspondent, and

the real significance of Sjöman’s “minor” film may be the role it may play in the discussion of film censorship.

That there might be difficulties for Curious (Yellow) in America was suggested by a New York Times article published in November 1967 that hinted at very different attitudes toward sex in Sweden and the United States. In the article, the Swedish minister of justice was quoted to the effect that Sweden’s attitude toward pornography was more tolerant, and, as evidence of that tolerance, the minister noted that there had been no censorship of I Am Curious (Yellow), a film with “complete and prolonged nudity of both the male and the female stars in several scenes and sexual intercourse … shown frequently.” A year later, when Sjöman’s film had been cleared for importation into the United States, the Times returned to the topic, claiming that I Am Curious (Yellow) had rendered censorship “dead” in Sweden and relating how pornographic pictures and magazines were openly displayed in Stockholm shop windows.31

Curious (Yellow) and American Obscenity Law

When the American book publisher Grove Press sought to bring Sjöman’s film into the United States in late 1967, it, like its predecessor 491, was immediately seized by the U.S. Customs Bureau in New York. The reason, not surprisingly, was the sexual content of I Am Curious (Yellow), characterized by Assistant U.S. Attorney Arthur Olick as “the most explicit movie ever to be imported here,” leaving “nothing to the imagination, including acts of fornication.”32 (Reporting back to readers in Stockholm, a correspondent for Dagens Nyheter claimed that Sjöman could be “burned at the stake,” an overreaching allusion to the practice of Customs of burning banned films.33) A jury trial began in federal court in New York in late May 1968 after a judge had refused to clear the film through summary judgment.34

Before the jury was the question of whether I Am Curious (Yellow) was obscene in a legal sense, and in their deliberations jurors were instructed by

34 “Grove Press Movie on Trial as Obscene,” NYT, 21 May 1968, 42.
Judge Thomas F. Murphy to consider three questions: did the film’s dominant theme appeal to prurient interest, was the film patently offensive, and did it utterly lack social value? The three-part test proposed by Murphy was based on several recent rulings by the U.S. Supreme Court that had thoroughly changed obscenity case law in America within the span of a decade, during a period that legal scholar Richard F. Hixson calls “the most active and most chaotic obscenity years for the Court.”

The Supreme Court had first defined obscenity in the 1957 case *Roth v. United States*, which established that materials that are deemed legally obscene do not have First Amendment protection and thus can be banned and censored. It also suggested, however, that not every depiction of sex was necessarily obscene, because only sexually explicit materials “utterly without redeeming social importance” fell into the category of legal obscenity. Sex portrayals appearing “e.g. in art, literature and scientific works” did not.

Nine years after *Roth*, in the *Memoirs v. Massachusetts* case, the Supreme Court reshaped the general definition into a three-part test that considered whether materials at issue appealed to prurient interest, was patently offensive and was “utterly without redeeming social value”—essentially the test in Judge Murphy’s instruction to the jurors in the *I Am Curious* trial. Another ruling a year later, *Redrup v. New York*, mandated that the three-part test be strictly followed and was, in the words of Richard Hixson, “about as far to the left” as the Court would go in its attitude toward obscenity. In 1973, a more conservative court changed the community standards that were offended by obscene materials from national to local and substituted “lacks serious literary, artistic, political, or scientific value” for the *Memoirs* phrase “utterly without redeeming social value,” thereby reversing what Hixson calls “the liberalization of obscenity protection under the Constitution.”


37 Hixson, “Obscenity and Pornography,” entry in *History of the Mass Media in the United States: An Ency-
It was, however, the more liberal *Memoirs* definition of value that faced Sjöman’s American distributor Grove Press as its attorneys sought to overturn the customs ban in May 1968, arguing that the social criticism and satire and the experimental cinematic techniques of the director of *I Am Curious (Yellow)* should be sufficient reasons to balance the film’s sexual explicitness. To make that case, Grove Press called a number of expert witnesses—film critics, psychiatrists, a minister and author Norman Mailer. A general theme in the testimony was that the sex scenes were an integrated part of the film’s overall content, showing that Lena’s attitudes toward sex were in accordance with her attitude toward political and social issues and that they constituted an essential element in an honest and complete portrayal of a modern young woman. The experts also stressed that the film had broken new ground in the way it mixed documentary material with fiction and thus had artistic qualities. To Mailer, for instance, *I Am Curious (Yellow)* was “a major work … one of the most important motion pictures I have ever seen in my life.”

Vilgot Sjöman himself also took the stand, explaining that he had wanted to make “a portrait of Sweden in the late ‘60s as I experienced my country.” Characterizing the exchange between Sjöman and U.S. Attorney Lawrence W. Shilling as “downright hostile,” a correspondent for *Expressen* thought it developed into “a revealing confrontation between the puritanical USA views of sexuality and Vilgot Sjöman’s more realistic vision of young love in Sweden of today.”

*Dagens Nyheter*’s New York correspondent related to readers how the attorney for Grove Press “in monotonous voices” asked witness after witness to affirm that the sex scenes in *I Am Curious (Yellow)* were “artistically...”}

38 Excerpts from the testimony of eight witnesses—film critics Stanley Kauffmann of *The New Republic* and John Simon of *The New Leader*, the Rev. Howard Moody of New York’s Judson Memorial Church, psychiatrist Tom Levin of Albert Einstein College of Medicine, Commissioner of Customs Irving Fishman, the Rev. Dan M. Potter of New York’s Protestant Council, and Mailer—are in “Trial Transcripts.” *Jag är nyfiken—en film i gult/Jag är nyfiken—en film i blått*, DVD; according to *Dagens Nyheter*, Grove had notified the court that it had some 30 expert witnesses ready, and at least six more are named or alluded to in other newspaper accounts; Sven Åhman, “Federal domstolsjury såg ’Nyfiken-gul,’” *Dagens Nyheter*, 21 May 1968, 21; “Sjöman vittnade om Nyfiken-gul I USA-domstol,” *Sydsvenska Dagbladet Snällposten*, 24 May 1968, 8; Eric Sjöquist, “Nu har Vilgot Sjöman fått hela rätten riktigt nyfiken: Älskar amerikaner på balustrader som Lena Nyman?” *Expressen*, 23 May 1968, 11.

39 Mailer testimony, “Trial Transcripts.”

warranted,” explaining that the film had to have social value to avoid being judged obscene.\(^{41}\) Shilling had driven home that aspect during his questioning of New York Customs Commissioner Irving Fishman, suggesting to him that the film’s sexual content had to be “balanced or weighed” against “the social values or ideas of social value.” Shilling had, moreover, indicated the lack of such value by telling the jury that *Curious (Yellow)* was “a series of bizarre sexual episodes, designed to shock and linked together by what can charitably be described as a soap opera.” In the end, the jury accepted the prosecutor’s argument, answering in the affirmative to all three questions posed to them by the judge.\(^{42}\)

In his denial of summary judgment for Grove Press, Judge Murphy had touched on the value argument, which if vindicated, would have been sufficient to release the film. He had viewed *I Am Curious (Yellow)* and found it “was repulsive and revolting, the sexual scenes having no relationship to the story line or plot—if there was one.”\(^{43}\) The judge then went on to dismiss the opinions of experts in affidavits submitted by Grove about the film’s purpose:

> If the film has a message, whether it is public poll taking on the social structure of the Swedish society or the advocacy of non-violence or anti-Francoism, I would suspect it is merely dross, providing a vehicle for portraying sexual deviation and hard core pornography.\(^{44}\)

The film, moreover, was “insulting to the American public” and “devoid of social value.”\(^{45}\)

After the New York jury had agreed with Murphy in the subsequent trial, it fell to the U.S. Court of Appeals for the Second Circuit to consider the value of *I Am Curious (Yellow)*, as Grove Press filed an appeal. The court’s ruling, by a three-judge panel, was 2-1 in favor of reversing the district court. Writing for the Majority, Justice Paul Raymond Hays first argued that sex was not the dominant theme of the film (although he seemed uncertain what exactly the main theme was, as even the experts testifying on behalf

\(\text{\(^{41}\) Åhman.}\)


\(\text{\(^{43}\) United States of America v. A Motion Picture Entitled “I Am Curious (Yellow),” 285 F. Supp. (1968) 472.}\)

\(\text{\(^{44}\) United States of America v. A Motion Picture Entitled “I Am Curious (Yellow),” 285 F. Supp. (1968) 472.}\)

\(\text{\(^{45}\) United States of America v. A Motion Picture Entitled “I Am Curious (Yellow),” 285 F. Supp. (1968) 472.}\)
of Sjöman’s work seemed unable to agree on that point). He found it even more clear that *I Am Curious (Yellow)* had social value, as “it is quite certain that ‘I Am Curious’ does present ideas and does strive to present these ideas artistically.” It thus represented an “intellectual effort that the First Amendment was designed to protect.”

Hays was supported by Justice Henry Friendly, who in a concurring opinion also voted to reverse the district court. Doing so with reservations and “no little distaste,” Friendly voiced his clear dislike of *I Am Curious (Yellow)* and stressed that “redeeming social value” could not rescue a film “if the sexual episodes were simply lugged in and bore no relationship whatever to the theme.” Still, he could not find that there was no connection whatsoever between the “serious purpose” of Vilgot Sjöman’s film and its “sexual episodes and displays of nudity.”

The third member of the panel, Chief Justice J. Edward Lumbard, dissented vigorously. To Lumbard, sex was the main point of *I Am Curious (Yellow)*, as a plot was “non-existent.” Sjöman’s purpose, argued the judge, was simply to shock audiences by breaking “sexual taboos and clichés,” as the director had clearly stated when he testified in the trial court. The sexual acts in the film, more explicit than “anything thus far exhibited in this country,” bore “no conceivable relevance to any social value, except that of box-office appeal,” according to Lumbard.

**Continued Legal Battles: Maryland**

The ruling by the Second Circuit Court of Appeals cleared the way for the importation of Sjöman’s film into the United States, but *I Am Curious (Yellow)* continued to face legal actions as it was distributed to theaters across the country, being subject now to state and local standards rather than federal ones. The first attempt to stop the film from being shown was made in Philadelphia in late May 1969, and by November 1970, a year and a half after the federal appeals-court ruling, the film had been banned in ten states (a figure that would rise to fifteen a year later), according to what Edward De Grazia, one of the attorneys for Grove Press, told the *New York Times*.

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47 United States of America v. A Motion Picture Entitled “I Am Curious (Yellow),” 285 F. 2d (1968) 201.
49 Fred P. Graham, “Court Ban Urged on ‘I Am Curious,’” *NYT*, 11 November 1970, 29; Edward de Gra-
It was readily evident that the Second Circuit’s ruling that the film did have social value had far from settled the matter of whether *I Am Curious (Yellow)* was obscene.

A year after the appellate court ruling, Sjöman’s film was taken up by the Maryland state Court of Appeals after the Maryland State Board of Censors had refused to license the film for theatrical exhibition and a trial court had upheld that decision. In a 4-3 decision, the court found *I Am Curious (Yellow)* to be obscene and lacking redeeming social value. Writing for the majority, Judge Thomas B. Finan found that the director’s attempts “to use social questions to depict the restlessness of youth and its search for identity, against an intellectual ambience, were patently strained and contrived.” The protagonist’s “concern with social and political problems, so artificially depicted,” did not supply “the redeeming social quality required to sustain the film.” Even Sjöman’s mix of fact and fiction, so impressive to some of the critics who had testified in New York, was suspect to Finan, who thought that “the sexual sequences appear artificially interjected into the film” and that “the many interviews seem a contrived ruse to give the movie social value.”

Writing for the three dissenters, Judge William J. McWilliams thought the defense had presented “an impressive array of witnesses” speaking on behalf of the film (while the state’s witnesses were “less impressive”), and their arguments by themselves gave the film the “modicum of social value” required by the Memoirs test.

**The Issue of Social Value: New Jersey, Ohio, Georgia and Arizona**

A month after the *Wagonheim* ruling in Maryland, Sjöman’s film surfaced in a state farther north. Judge Nelson K. Mintz of the Superior Court of New Jersey had agreed to review the film after prosecutors in three counties has sought to stop its exhibition in local theaters. Mintz, like his Maryland colleague McWilliams, weighed the testimony by experts from both sides

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and found that the testimony of the defense witnesses “was clearly more persuasive than that of plaintiffs and amply reflects the required ‘modicum of social value.’” (Like Maryland and New York judges who argued that the film was not obscene, Mintz made a point, however, of stating his personal dislike of the film, which he found “offensive and for the most part a bore.”)

While the year 1969 showed that there were courts that acknowledged the social value of *I Am Curious (Yellow)*, the years that followed were harsher when it came to the film’s legal fate. In the spring of 1970, the possible obscenity of Sjöman’s film was taken up by a federal district court in Ohio, where theater showings in Youngstown had led to police arresting projectionists and seizing copies of the film. A three-judge panel ruled those actions and the ordinances that authorized them valid on the grounds that Sjöman’s film was obscene. In the majority opinion, Judge Frank D. Celebrezze admitted that there might be a “tangential” relationship between the sex scenes and the film’s “political and social themes,” but the “graphic and unrelenting repetition of sexual suggestion and activity” was bound to “shock and impose upon the sensibilities” of audience members, many of whom, moreover, had gone to see the film “in the expectation of seeing such sexual episodes.” The result was that “a psychology of titillation” was created that made viewers “fail to perceive whatever social value the movie may purport to convey.” Thus, the court seemed to suggest that if audiences were unable to perceive social value because they were preoccupied by sex scenes, the film forfeited whatever value it might have.

The issue of value was given even shorter shrift when the Georgia Supreme Court dealt with the film a year later. A trial-court judge had found *I Am Curious (Yellow)* obscene and subject to seizure by law enforcement officials, and the state Supreme Court upheld that ruling. To Judge Carlton Mobley, writing the opinion, the film’s “predominant appeal is to prurient interest in nudity and sex,” and he thought “it would never have been brought from Sweden to this country had it not had in it the explicit sexual scenes.” The theater owner’s argument that the film had some social value was rejected by Mobley, who thought the singular films so offended “all sense of decency” that “the fact that it contains some non-obscene matter

does not preclude a finding that, considering it as a whole, it is utterly without redeeming social value.”

In Arizona, as in Georgia, judges dealt with the question of possible social value by simply suggesting that the mere presence of sex scenes meant that no value existed. *I Am Curious (Yellow)* had been showing in theaters in Phoenix for a month before it was seized in the fall of 1969, and two years later the case had wound its way to the Arizona Supreme court. Like its Georgia counterpart, the Arizona high court upheld a trial-court ruling that the film was obscene. Dismissing the argument that it had value, Judge James D. Cameron placed it in the category of “hard core pornography,” which included material that “is obscene on its face and is not protected by the First Amendment.” It could “not be made publishable by interspacing it with items of alleged redeeming social value,” according to Cameron, and the social value test simply did not apply. (When the Supreme Court of Missouri dealt with *Curious (Yellow)* in the summer of 1971, it did not even raise the issue of value but merely declared the film obscene.)

In March 1970, as the Arizona case was going through the state court system, the U.S. Supreme Court agreed to review whether *I Am Curious (Yellow)* was obscene in an action that arose from the 1969 Maryland case. A month later, Justice William O. Douglas announced that he would recuse himself from the case because an article he had written had appeared in the Grove Press journal *Evergreen Review*. His absence opened up the prospect of a divided court, and that was the eventual outcome, as the remaining eight justices deadlocked 4-4 in their ruling in March 1971. As a consequence, the Maryland ban stood, and the issue of whether Sjöman’s film was obscene remained unsettled and likely to differ from one location to another.

**Critical Approval**

Outside the legal system, the merits of Vilgot Sjöman’s film had been argued since the film opened in New York in March 1969. (A number of critics had

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already seen the film a year earlier during the court proceedings concerning the Customs seizure where they were called as expert witnesses or asked to provide affidavits, but their opinions of it did not reach a wider audience then.) Not surprisingly, given that they belonged to a category of experts who had been called to testify to the film’s value on behalf of Grove Press, critics generally rejected the argument that Sjöman’s film was obscene.

It was not, wrote Joseph Morgenstern in *Newsweek*, “the tawdry sex-exploitation film that the government tried to pretend it was.”60 The reviewer for the *New York Times*, Vincent Canby, thought the sex scenes were “explicit, honest and so unaffectedly frank as to be non-pornographic—that is, if to be pornographic means to be offensive to morals.”61 Any “full-length portrait” of the film’s protagonist, Canby suggested, had to include the sex scenes. Writing from Stockholm, *Look* magazine’s reviewer Leonard Gross thought the “sad” way in which sex was depicted in *I Am Curious (Yellow)* was used by its director “to make a political point: lack of commitment in affairs of state is as disastrous as in affairs of heart.”62 The reviewer for *Look*’s main rival, *Life*, used the appellate-court ruling that released the film as a starting point. Richard Schickel noted that “because its heroine’s search for values includes a lot of political and social as well as sexual experiment and because of its earnest portrait of questioning, questing youth confronting the smug liberalism of an enlightened middle-class society” the film was neither dominated by sex nor lacking in social value.63 Hollis Alpert, writing for the *Saturday Review*, sought to downplay the sexual content of the film:

> For one thing, there simply is not *that* much sex in the film. Oh, certainly the girl and boy of the film do make love frequently, and in a variety of positions and circumstances. They *are* seen in the nude, but not suggestively.64

To Alpert, what was important about *I Am Curious (Yellow)* was “the evident purpose of Vilgot Sjöman to explore and say something, through cinematic methods, about the political and social climate of his country, Sweden.”65

65 Alpert.
Alpert, Canby and Gross were three of the more enthusiastic reviewers of the film. Other critics, while treating it as a legitimate work of cinematic art, were less positive. Morgenstern of Newsweek characterized it as “a slightly confused and confusing movie” that would bore its audience, and his nameless counterpart at Time, who thought the sex scenes “not much more erotic than the Fannie Mae cookbook,” dismissed it as an “artistic failure” that was “too interminably boring, too determinedly insular and, like the sex scenes themselves, finally and fatally passionless.”

Schickel of Life did not find the film boring but thought it lacked “heart.”

One critic, Judith Crist of New York Magazine, appeared to agree with some of the judges who were hostile to the film, although she stopped short of calling it obscene and fit to be banned. Crist dismissed Curious (Yellow) as “a pretentious film that exploits sexual intercourse in all its varieties” and declared herself “tired of movies that grind out the nudity and voyeurisms and intersperse them with simple-minded statements about Vietnam or pacifism and thus make claim to being ‘art’ rather than ‘exploitation’ films.” Crist had testified in support of 491 four years earlier but declined to do so for Curious (Yellow).

Sjöman’s film was not only noticed in mainstream newspapers and magazines but also in America’s burgeoning underground press. Anticipating that the social issues introduced in the film and the generally controversial nature of Curious (Yellow) might resonate with the readership of the alternative press, Grove Press had placed advertisements in several underground newspapers and magazines, but among the ones that chose to review the film, reaction was mixed. The Rat in New York considered Sjöman’s film “remarkably successful … funny, pointed and incisive.” The magazine’s reviewer had enjoyed the sex scenes, “the only completely honest and direct ones I have ever seen in the movies,” but he also expressed the hope that the film’s “reputation as a ‘dirty picture’ will not blind too many people to its very real achievements,” among which was its “concern with modern political youth.” The reviewer for Extra in Providence, Rhode Island, was also positive, although he had to see the film twice to truly appreciate it.

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67 Schickel.
second time around he “dug the love-making scenes” because they “had a sense of humor without the art of seduction we’re raised with,” and he also seemed to like the film’s themes of “the dilemma of personal aggressiveness and pacifism, and the non-violent or violent approach to social change.”

The *Los Angeles Image*, by contrast, considered it “a work of what might be called ‘manipulative art’” that was “calculated to make enough money to enable its producer to do the kind of film he really wants to do—truly creative ones.” *Curious (Yellow)* “aimed to please the exact (young) people who go to the movies the most,” and neither its sex scenes nor the social and political issues it dealt with were “really relevant to the contrived plot.”

**Conclusion: Looking Back at *Curious (Yellow)***

*Time’s* reviewer ended his piece with the observation that *I Am Curious (Yellow)* was notable primarily as a “cultural curiosity” whose sex scenes—“more raucous than revolutionary”—would “establish a new standard by which subsequent films will be judged,” and that turned out to be a rather prescient observation. For all of Vilgot Sjöman’s emphasis on the film as a portrait of Sweden in the mid-1960s, it was the sex in *I Am Curious (Yellow)* that established the film as a phenomenon in American popular culture. A 1993 reference to the film’s long-standing box office record in the *New Orleans Times-Picayune* called *I Am Curious (Yellow)* “a once-scandalous Scandinavian import that viewers of Baby Boom age or older may fondly recall,” and the film frequently appears in press reminiscences about the turbulent 1960s, as well as when writers reminisce about the lure of foreign films in art house theaters. In one such piece, *Dayton Daily News* entertainment reporter Jim DeBrosse remembered that the local Art Theater’s transition from being a venue for New Wave films and folk music concerts to “porn palace” began when its owners realized the appeal of “soft-porn fare” such as *I Am Curious (Yellow).*

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71 Norman Sturgis, “I Am Curious (Yellow),” *The Los Angeles Image*, 13-26 June 1969, 17; Sturgis thought Sandrews, the film’s Swedish distributor, was the name of the director.
Other references to it in U.S. newspapers in recent decades routinely use terms such as “Swedish sex shocker,” “sex documentary,” “semi-pornographic,” and “porn movie.”73 Going beyond two-word labels, a 1993 article in the *Kansas City Star* dismissed the claim of Sjöman (and the view of American critics who first reviewed the film in 1969) that the sex scenes were part of a larger whole, calling *I Am Curious (Yellow)* “a banal Scandinavian skin flick masquerading as a serious work of art.”74 Apparently dismissing any artistic intentions on the behalf of the film’s director, a 2005 article in the *Oregonian* saw *I Am Curious (Yellow)* as one of the “porn film” predecessors of the openly pornographic film *Deep Throat*.75 (Not all recent references to *Curious (Yellow)* disregard the artistic ambitions of its director; the 2005 obituary for Sjöman in the *New York Times* characterized *I Am Curious (Yellow)* as a “story of the social, political and sexual journey of a young Swedish woman” and noted “its documentary-style techniques, hand-held cameras and interpolation of real and made-up events,” as well as its connection to the tradition of French directors such as Jean-Luc Godard.76)

As is evident from the reaction to *I Am Curious (Yellow)* in the 1960s, there is little doubt that the film crossed a threshold with its explicit depiction of sex. The sex scenes of the film generated attention and publicity for it in its home country as well as the United States. In Sweden, however, Sjöman’s ambitious attempt to combine sexual explicitness with social and political criticism and unconventional techniques of film-making had a greater resonance with audiences, as they were familiar with the institutions and attitudes that the film attacked. As *I Am Curious (Yellow)* crossed the Atlantic, it faced viewers for whom the criticism had little relevance. The politics and social issues of a small country on the periphery of Europe were not universal enough themes to engage audiences in the United States. Explicit sex scenes—and the controversy they caused—were, and they be-

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came the main legacy of one of the most successful foreign-language films in American motion-picture history.

On a final note, *I Am Curious (Yellow)* appears to be remembered even in its homeland mainly for its “sexual provocations” and “world-famous sex scenes,” as newspaper articles looking back at the film in the last two decades put it.\(^7\) Vilgot Sjöman himself appeared to have sensed that the depiction of sex would be the main legacy of his controversial work. “Bring out this film in ten years,” he wrote in a diary that he kept while making *Curious (Yellow)*, “and you will remember—as if it were yesterday—the tiresomely mad porn years in the early 1960s.”\(^8\)

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