UNIT 8 SPECTATORSHIP, CENSORSHIP AND CRITICAL ANALYSIS

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8.1 INTRODUCTION

In the previous two units, you have read about how gender can be represented or analysed a film, and about the relationship between gender and 'the gaze'. In this unit, we will look at the issue of spectatorship, censorship and critical analysis. We will learn about validating authorities and certification procedures, and try to understand the nitty-gritty of spectatorship from a critical perspective.

8.2 LEARNING OUTCOMES

After reading this unit, you will be able to:

- Define censorship;
- Evaluate the various kinds of censorship operational in society;
- Define spectatorship and discuss the impact of censorship on audiences;

- Analyse representations of gender and sexuality in mass media; and
- Compare certification processes as an alternate to censorship.

8.3 WHAT IS CENSORSHIP?

While describing the 'ideal State' in his philosophical and political treatise *The Republic*, Plato recommended that official censors should prohibit mothers and nurses from 'relating tales deemed bad or evil'. While the idea of monitoring and regulating nursery rhymes and bed-time tales may seem absurd to a modern day reader, similar acts of regulation have been used to muzzle expression in literature, art, cinema and even mundane speech over centuries.

While Plato is perhaps the first thinker to have formally recorded a rationale for intellectual, religious and artistic restriction, every society has had customs, taboos, or laws by which speech, dress, religious observance, and sexual expression have been regulated. Even in Athens, where democracy first emerged, opposition to orthodoxy was treated as a crime and it was proposed that laws be enacted to suppress acts that would be considered heresy. In ancient Rome, freedom of speech was the privilege of those in positions of power. Authors of so called 'seditious' writings were punished severely, including poets Ovid and Juvenal who were banished for their liberal views. Critics of the emperor Nero faced the same fate and their books were burnt.

As citizens of a country that constitutionally guarantees 'freedom of speech' we are theoretically open to the idea of debate, difference and diversity of opinion. However in practical conduct we encounter, oppose or even collude with restrictions on our actions and expressions. These may arise out of personal beliefs, social conditioning, lack of information and even coercion. In fact the phrase, 'reasonable restrictions' (Article 19(2)) which is conjoined with Article 19(1) that guarantees 'Freedom of speech' in the Indian constitution should be examined closely to see whether it is useful, effective or relevant and how it affects each of us as citizens, audiences and private individuals.

Censorship can be defined as the control of information and ideas being circulated within a society. It involves examination of books, plays, films, TV and radio programmes, new reports, internet posts and other forms of communication for the purpose of altering or suppressing ideas found to be 'objectionable' or 'offensive'. This suppression of knowledge and thoughts is carried out through a framework of laws and procedures that are used by governments or organizations to prevent the free and unopposed circulation of material in society (Nigel Watson, 1991).

The rationales for censorship vary, with some censors targeting material deemed to be indecent or obscene; heretical or blasphemous; or seditious or treasonous. According to Sue Curry Janson (1991), censorship is a form of surveillance, a type of mechanism for gathering intelligence that the powerful can use to tighten control over people or any ideas that threaten to disrupt established system of order (Janson, 1991). Over the centuries, ideas have been suppressed under the guise of protecting three basic social institutions: the family, the religion, and the State.

Censorship is in fact as much an act of commission as an act of omission. This is because certain kinds of images/texts are funded, promoted and circulated widely by individuals, organisations and the State at the expense of others. This makes them seem natural or normal and therefore self-evident and standard. Other expressions which are not allowed to be showcased and discussed then get associated with the non-standard and acquire the label of deviant and unacceptable. Over time, social tolerance and acceptance of these materials becomes lower and their censorship continues unquestioned and unchallenged. A case in point would be the acceptance and integration of sexual minorities in secular, religious and political spaces. Historical texts, paintings, sculpture and biographical accounts point to an inclusive existence up until religion and state decorum were invoked to suppress individuals. It is here that Elisabeth Noelle Neumann's '*Spiral of Silence*' theory seems to be an apt fit. According to Neumann, "people fear social isolation" and so they tend to speak openly in favour of what they believe will be perceived positively or is majority opinion (Neumann, 1993, p. 139). As a result, status quo is maintained and alternate views do not get ample representation or articulation. Interestingly, Neumann was associated with the dictatorial regime of the Nazis during her formative years as a journalist.

8.3.1 Regulatory vs. Cultural Censorship

As discussed above, not all censorship is regulatory i.e. arises from government or external force. According to Beate Müller (2004), "censorship is a cultural phenomenon that transcends time and place". Society too employs individual and collective censorship on an informal basis. This is often expressed as prejudice and the avoidance of certain topics and people. One such taboo concept is sex and sexuality (Muller, 2004, p. 14)

The Delhi High Court, while referring to novelist Arthur Koestler, observed in an indecency case seeking to ban Khushwant Singh's novel *The Women and Men in my Life* that most "Indians have a notoriously ambivalent attitude towards sex. On the one hand there is this cult of lingam, the erotic temple carvings, and the Kamasutra, and on the other hand, prudery, hypocrisy, lip service to the ideal of chastity, but all combined with spermal anxiety"(Singh, 1996, point. 20).

During several periods of history, Indian society was accommodating of sexual minorities and expression of individual opinion. Even in cinema and art currently taboo topics were the subject of many creative expressions. Nudity was not considered obscene nor was kissing on screen.

Check Your Progress 1:

What, according to you, are some of the reasons behind censoring a film before public release?

8.4 PRE-CENSORSHIP FRAMEWORKS IN INDIA

Regulatory censorship functions through various mechanisms. Soli Sorabjee (1997) in his book *The Emergency, Censorship and the Press in India 1975-77* categorises censorship into three kinds based on the Censorship order. These include: pre-censorship i.e. screening and deleting of all 'objectionable' material prior to public notification or release; news management i.e. monitoring of which news gets released, when, where and how; or a complete and outright ban of certain news reports and other information.

Prior-censorship controlled by the State or religious authorities remains the norm in many parts of the world. Someswar Bhowmik (2009) provides a historiography of censorship laws in India in his book *Cinema Censorship: The Politics of Control in India* where he says that in pre-Independence India, the colonial censorship has growing anxieties among the Indian audiences, while watching inflammatory films or morally imprecise films. Under the colonial rule, film censorship was used as an instrument for restraint and thus after independence became a medium of reinforcement of the British rule. The same approach was inherited by postcolonial India and remains largely unchanged today. He also argues that censorship under postcolonial India is even more tightened and centralized than the rather diffused structure of colonial censorship. According to him, the proponents of control have been unanimous that the extraordinary powers of the 'live' visual medium can be restrained only by pre-empting the 'objectionable' subjects or themes in this realm. Thus, pre-censorship has come to be accepted as the most effective method to contain the 'supposedly' evil influence of cinema. (Bhowmik, 2009, pp. 66-105).

In India the clause 'reasonable restrictions' is often appealed to for the same. Censorship in India can be studied through the constitutional laws which govern the country. Article 19 (2) states "Nothing…shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions…in the interests of the

sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence" (Bhowmik, 2009, p. 75).

Since the declaration of the Constitution, many subsequent acts have been passed pertaining to censorship. And these have largely centered on the control of broadcast media. Some of these Acts have been listed below:

Box 8.1: Censorship Acts

Dramatic Performances Act (1876)	For better control of public dramatic performances WHEREAS expedient to empower the Government to prohibit public dramatic performances that are scandalous, seditious or obscene.
Cinematograph Film Rules (1948)	Rules applying to storage and transport of Nitro-Cellulose based cinematograph films.
Cinematograph Act (1952)	To make provision for the certification of cinematograph films for exhibition and for regulating exhibitions by means of cinematographs.
Punjab Cinemas (Regulation) Act (1952)	To make provisions for regulation and exhibition by means of cinematographs in Punjab.
Young Persons (Harmful Publications) Act (1956)	To prevent the dissemination of certain publications harmful to young persons.
Copyright Act (1957)	To prevent reproduction, circulation and modifications without authorization of Copyright owner.
Prevention of Insults to National Honour Act (1971)	To prevent insults to national honour including provisions with respect to the use of the national flag, Constitution of India and singing of the national anthem.
Cinematograph (Certification) Rules (1983)	Rules made by the central government with regard to the exercise of the powers conferred by section 8 of the Cinematograph Act,1952 and in supersession of the Cinematograph (Censorship)Rules,1958.
Indecent Representation of Women (Prohibition) Act (1986)	An Act to prohibit the indecent representation of women through advertisements or in publications, writings, paintings, figures or in any other manner and for matters connected therewith or incidental thereto.
Prasar Bharati (Broadcasting Corporation of India) Act (1990)	An Act to provide for the establishment of a Broadcasting Corporation for India, to be known as Prasar Bharati, to define its composition, functions and powers and to proved for matters connected therewith or incidental thereto.
Cable Television Networks (Regulation) Act (1995)	An Act to regulate the operations of cable television networks in the country and for matters connected therewith or incidental thereto.

Moreover, India also has an Obscenity Law under Sec. 292 of the Indian Penal Code which states that "the selling, letting, hiring, distributing, publicly exhibiting or putting into circulation in any manner for selling, letting, hiring, publicly exhibiting, distributing, making, producing or having a book, pamphlet, paper, writing, drawing, painting, representation, figure or any other object that is obscene is punishable by law. A text is considered obscene if it is lascivious or appeals to the prurient interest, or its effect(s) is to deprave or corrupt the persons who come across the matter" (Bhowmick, 2009, p. 226-228).

It is these anonymous persons and possible/intended audiences in whose names the rationale and supporting ideologies of censorship are furthered. While many oppose censorship on the grounds that healthy debate can help address prejudices and that out of sight, does not always mean out of mind, you will find that there exists an instinctive impulse to censor in order to maintain status quo. Try this simple self-assessment test: Have you ever objected to any portrayals or depictions in art, literature, cinema or music? Which elements would you want removed or censored? What are your reasons for the same? Would that not contradict someone else's right to freedom of speech and action? It is therefore essential, that arguments in favour of and against censorship are analysed in detail.

Check Your Progress 2:

What are the different acts for censorship in India? When were they implemented?

8.5 SPECTATORSHIP

The term spectator is conceptually different from the terms viewer and audience. According to Annette Kuhn (1987), "…audience members become spectators in the moment they engage in the processes and pleasures of meaning-making attendant on watching a film or TV programme" (Kuhn cited in Buccola, 2004, p.137). The anticipated pleasure of spectatorship is perhaps a necessary condition of existence of audiences.

Spectatorship refers to the consumption of visual media but also identifies and interprets the manner in which audiences are represented, addressed and positioned vis-à-vis the medium. An ideological framework, spectatorship traces the complex task of viewer reception.

John Ellis (1982) while differentiating between film and television spectatorship says, "…film spectatorship, it may be argued, involves the pleasures evoked by looking in a more pristine way than does watching

television. Whereas in classic cinema the concentration and involvement proposed by structures of the look, identification and point-of-view tend to be paramount, television spectatorship is more likely to be characterised by distraction and diversion" (Ellis, 1992, p. 77-91).

In this unit we will restrict our analysis of spectatorship vis-à-vis the medium of Cinema. According to Ravi Vasudevan (2003), "…intersections with other media forms and visual industries such as music, fashion and advertising have also made for a more dense understanding of the cinematic sensorium" (Vasudevan, 2003). Spectatorship therefore looks at how audiences receive cinema by taking into account genres of films, exhibition formats and spaces (kinds of theatres, locations etc) and contemporary socio-cultural and political events and their collective impact on the patterns of viewership. Over the years, spectatorship studies have begun focusing on how the viewing subject i.e. the 'I' is defined in relation what is seen. This in itself is multi-step and ranges from studying representations and viewers' negotiations with them (acceptance, rejection or rationalization) as well as looking at how viewers look at and interact with fellow audience members. Tracing the flow of information beyond cinema halls and exhibition spaces is an integral part of spectatorship. Since spectatorship is a study of individual and mass mediation of cinematic representations, the attempt to control these through censorship becomes a critical area of enquiry.

Censorship assumes that it is possible to entirely anticipate an act of reception and that these acts are standardized and mass based. However, it has been proven empirically that individual responses to, and readings of, images are diverse and not entirely predictable. Then what strategies do supporters of censorship adopt to advocate its implementation?

8.5.1 Images and their Impact

Shohini Ghosh, in her *Looking in Horror and Fascination: Sex, Violence and Spectatorship in India,* questions "the assumption that there is a single and unified interpretation of the text" (Ghosh, 2005, p. 29-43). According to her the discourse that interprets images as having 'negative effects' finds it origins in the 1940s theories of 'direct impact'. Known as the hypodermic needle and magic bullet theories, they stated that mass media has a direct, immediate and irreversible impact on the receiver. According to these theories, audiences accept what is being shown wholly and unquestioningly. This in turn fueled the premise that mass media content could induce audiences to become 'copycats' and reproduce the 'harmful' and 'anti-social behaviour' that might be shown.

Ravi Vasudevan (2003) says, "…attracting families and women audiences, [was] always considered crucial to the cinema's social legitimacy" (Vasudevan, 2003). Ghosh, also points to the sexism in profiling vulnerable audiences as

women, children and the socio-economically weak. Rather than protecting these sub-groups, censorship prevents viewers from deriving their own meanings. According to her, the spectatorial repositioning brought about by "empirical studies of the 1960s" revealed the complexity of the relationship between the image and the spectator. They emphasised that larger social reality helped shape a person's responses to a form of media.

"Media has consequences. It does influence, inflect and mediate, but in ways that are unpredictable and non-determinate" (Ghosh, 2005, p. 43). Christine Gledhill (1988) in her work *Pleasurable Negotiations* explains that "meanings are not fixed entities to be deployed at the will of a communicator, but products of textual interactions shaped by a range of economic, aesthetic, and ideological factors that often operate unconsciously, are predictable and difficult to control" (Gledhill, 1988, p. 14). Some scholars suggest that that media spectatorship forms a 'trialogue' between texts, readers and communities, thereby making it a negotiable site. Kuhn also believes that "…the model of the spectator/subject is useful in correcting more deterministic communication models which might, say, pose the spectator not as actively constructing meaning but simply as a receiver and decoder of preconstituted 'messages'" (Kuhn cited in White, 1999, p. 14)

Bhowmik says, "Within film theory, spectatorship is a theoretical concept that informs us how…films position and construct certain ways in which spectators are able to view films. The relationship between Indian cinema and its viewers has been primarily theorized from the perspectives of the films themselves" (Bhowmik, 2009, p.48). He is critical of representations in films per se and says that "the film censorship in the Indian context is more in the nature of a restrictive and prescriptive practice, and also shuns transparency by witholding information. That is what makes it such dubious and at times a suspect institution" (Bhowmick, 2009, p.337). His argument is similar to the point regarding commissioning that we have discussed in section 8.3 above. Majority mass media content reproduces structures and situations already present in society rather than questioning or replacing them and censorship can be used to withhold or blunt those which do.

In an article-series titled "My Name is Controversy" by *The Pioneer*, authors, filmmakers and social scientists reflect on how cinema becomes a site of contest. According to Kishwar Desai (2011), "As India grapples with modernity, cinema is a common casualty because it is the premier medium which reflects social change in a free society. Whenever new ideas are explored, there is always a backlash from the die-hard conservatives who prefer to maintain status quo." She also observes that the appointment of a Censor Board, "somehow gave the false notion to the moral police that everything on screen had to be viewed very strictly through a moral lens" (Desai, 2011, 16 Januaray).

Nikhat Kazmi (2009), a film critic, has blogged, "Sex and erotica have been an intrinsic part of Indian cinema since its inception". It was way back in 1928 in *Shiraz* that Indian audiences first saw an onscreen kiss between actors Enakashi Rama Rao and Charu Roy. Kazmi points to other films like *Throw of A Dice* (1929), *Light of Asia* (1925) and *Karma* (1933) which showed kisses being exchanged between Rai and Devika Rani. Whether, one calls it the "rising tide of nationalism" or '"bowing to Gandhian-Victorian values", kissing on screen was soon regarded as 'unpatriotic' and 'un-Indian' and disappeared from the screen. While it resurfaced a few decades later in Raj Kapoor's film *Satyam Shivam Sundaram* (1978), Kazmi (2009) quotes Kapoor's dilemma on not being allowed to show a breast in the same film. According to Kapoor, "what's immoral in showing a beautiful girl…If a Fellini shows a woman in the nude, it is considered art. If I show off a woman's beauty, it is called exploitation!'' (Kazmi, 2009, June 8).

The GD Khosla Committee (1975) that was appointed to review the functioning of the Censor Board in order to suggest a more progressive application of the Cinematograph Act of 1952, stated: "If in telling the story, it is logical, relevant or necessary to depict a passionate kiss or a nude woman, there should be no question of excluding the shot'' (Noorani, 2011). The committee deemed the Censor board guidelines 'archaic' and found them wanting in terms of being up to date with the norms of conduct and ideologies of contemporary Indian society.

The committee suggested among other provisions that:

- the use of sex and nudity in art does not automatically imply that is it is obscene;
- the obscene part must be considered by itself and separately to assess if it is truly so gross/obscene that it may corrupt vulnerable minds;
- the interests of the society and the influence of the book is to be considered;
- obscenity without a pre-pondering social purpose or profit cannot have the constitutional protection of free speech or expression;
- representation of sex as appealing to the carnal side of human nature is offensive, etc

A little over two decades later after the G.D. Khosla Committee Report of 1975, in 1996 Shekhar Kapur's film, *The Bandit Queen* contained a brief scene of frontal nudity lasting about 20 seconds. The High Court of Delhi ruled that this scene was indecent and should be deleted. The Supreme Court however reversed the decision and ruled: "Nakedness does not always arouse the baser instinct." The judgement read: "Scenes of nudity and rape and the use of expletives as permitted by the censor board were in aid of the film's theme and not intended to arouse prurient and lascivious thoughts but revulsion against the perpetrators and pity for the victim".

8.4.2 The Female Spectator

Kuhn states "…each medium constructs sexual difference through spectatorship in rather different ways." In agreement with a fellow thinker she says," Pointing to the centrality of intuition and emotion in the construction of the woman's point-of-view, Pam Cook regards the construction of a feminine spectator as a highly problematic and contradictory process" (Kuhn cited in Buccola, 2004, p.142). In the book, *Sexuality Gender and Rights: Theory and Practice in South and South East Asia* contributing author Shilpa Phadke (2005) observes that, "The presence of real life heterosexual couples in public spaces blurs the boundaries that distinguish public from private, threatening the boundaries that distinguish the good women (who's sexuality is located firmly in the private) from the bad (who's sexuality is for public consumption). Built into these binaries are efforts to control and regulate the sexuality of women by the State accomplished largely by defining subtle codes of behaviour and attire deemed appropriate for respectable women. These codes have been reflected in a variety of restrictions." (Misra & Chandiramani, 2005, p. 67-79).

Such restrictions are not limited to cinema, books or advertisements but also extend to paintings and female beauty contests. The attempted justification for such acts is rested interalia on Article 51 (A) of the Indian Constitution which prescribes certain fundamental duties, one of which is 'to renounce practices derogatory to the dignity of women'. It is the fervent desire for the preservation of a society uncontaminated by supposedly immoral Western influences that is the main impulse behind censorship.

And yet, a country which saw widespread protests to the lyrics '*sexy sexy mujhe log bolein'* (People call me sexy, *Khuddar* 1993) and led to the re-dubbed version '*baby baby mujhe log bolein*' today dances to the beat of *'I'm too sexy for you…Sheela ki Jawani.'* (*Tees Mar Khan*, 2010) This proves that spectatorial realities are fluid and changing and the same is projected on to and expected from the screen. Globalization and media led discussions on sexuality have meant that some transformations have taken place. But, as Shilpa Phadke notes, "they do not necessarily allow for open-ended creative interpretations or definitions of sexual behaviour by individual women" (Phadke cited in Misra & Chandiramani, 2005, p. 67-79).

8.6 OBJECTING TO OBSCENITY

The contrast in Indian and western perspectives of indecency is sharply brought out by the provisions of the Indecent Representation of Women (Prohibition) Act 1986 and its enforcement. Posters of women and magazine cover shoots have seen many court cases against the models or actors involved. One of the most long drawn out cases was against Madhu Sapre and Milind Soman along with the photographer, publisher, distributor and

advertising agency for an advertisement campaign for Tuff shoes. All were acquitted after the matter was sub judice for 14 years. The actor Shilpa Shetty too was summoned by the courts when a still frame from her film *Auto Shankar* (which was given a 'universal viewing' certificate) was used by a paper. The petitioner has submitted that the "very sexy blow-ups and medium blow-ups" violated the Indecent Representation of Women (Prohibition) Act 1986, Young Persons (Harmful Publications) Act 1956, and IPC Section 292 (Sale Obscene Books) etc. The case was finally decided in favour of Shilpa Shetty and other co-accused. Shetty claimed, "If navel-showing is obscenity, then…the traditional sari-should be banned in the first place".

The Cinematograph Act 1952 provides that a film shall not be certified for public exhibitions if, in the opinion of the authority competent to grant a certificate, it is against decency or morality (section 5 (B)). Filmmaker Madhur Bhandarkar was asked to remove on-air promos of his film *Jail* (2009) which showed a frontal nude of actor Neil Nitin Mukesh. However, John Abraham's nude back shot was cleared in one go for the film *New York* (2009). Filmmakers are also directed to avoid using visuals or words depicting women in ignoble servility as a praiseworthy quality in women (Rule iv-a) and yet Indian cinema is replete with plotlines where women are raped for revenge or shown accepting male domination, abuse and infidelity in the name of honour, sacrifice and Indian values. Oddly, censorship has never questioned such passive and victimized portrayals of women.

In India, eroticism is often treated as interchangeable with obscenity. Though the word obscenity is rarely mentioned, courts in India have inmost cases equated indecency with obscenity. There are demands for bans on sustained kissing, use of swear words and songs with double entendre even though they may be used widely in reality. Oddly, sexual relations between husband and wife are seldom shown while those between lovers are shown, even though Indian society is conservative about the latter. Also, despite the decriminalization of homosexuality with Article 377 being amended there is very low tolerance of same-sex relationships on screen. The film *Na Jaane Kyun* (2010) directed by Sanjay Sharma which shows a gay couple was returned by the censor board with recommendations for several cuts. Even though the director maintained that the Indian society is mature enough to handle such themes, while the censor board did not think so. In fact, conjunction with this regulation, the actors and filmmaker were subjected to social censorship as well. One of the actor's family has publicly disowned him and the cast and crew routinely get threats from political parties and religious outfits. In contrast films like *Girlfriend* (which is a gross misrepresentation of lesbians) and *Jism* (which is centered on infidelity) were passed by the Censor Board without cuts. A similar prejudice is seen in the case of films like *Gulabi Aaina* (2003) which is on trans-sexuals.

Directed by Sridhar Rangayan, the film has received great critical appreciation abroad, but has been dismissed as 'vulgar and offensive' by the censors in India. While the filmmaker has appealed twice unsuccessfully to the censors in India, his multi-award film which has internationally been dubbed a 'sensitive and touching portrayal of a marginalized community' has never been screened in India. Even Bishaka Dutta's documentary film on sex-workers called *In the Flesh* (2002) has not been passed by the censor board.

Here we can see how concern about the portrayal of violence and sex is used to reflect the kinds of sexualities the State thinks should exist. There is an obvious attempt to control the private lives of citizens by preventing certain realities from being reinforced through onscreen portrayals. This, conjoined with the fact that the film distribution system does not support films that support alternate points of view makes it all the more necessary to question the contradictions in the decisions of the censorship frameworks of our country.

Check Your Progress 3:

Do you think obscenity should be censored? Why or why not? Defend your argument based on what you have read so far.

8.7 PORNOGRAPHY

No debate on censorship is complete without addressing the issue of pornography. If the dictionary definition of pornography i.e. "portrayal of obscene writing, painting, and the like" were to be examined then sex education classes, medical schools and pharmaceutical kits would also have to be banned. Hence, across countries and legal systems, there is an addendum which reads – "that is primary designed to produce sexual arousal in viewers" (Kirkpatrick, 1991, p.1000).

Despite laws against creation and consumption of pornographic materials, the profits accrued by producers of pornographic material are proof of its widespread existence and demand. According to Wendy McElroy (2004), "Pornography is free speech applied to the sexual realm…Pornography, along with all other forms of sexual heresy, such as homosexuality, should have the same legal protection as political heresy. This protection is especially important to women, whose sexuality has been controlled by censorship through the centuries" (McElroy, 2004).

According to many critics and feminist activists, pornography enables women to express themselves freely and derive pleasure from their bodies, something

which is not possible in the visual realm of censored images. Some, like Nadine Strossen, have even gone on to claim that if images do corrupt and influence their spectators so wholly then all films on war should be banned as they glorify violence and those which showcase uninhibited expression of intimacy should be widely accessible as they would lead to calmer and happier audiences. Nadine Strossen in her book *Defending Pornography* (2000) describes how it is an intrinsic part of our sexuality and believes it to be a healthy exercise, which should not be condemned (Strossen, 2000, p. 10-14).

The suppression of sex may lead to an eroticization of violence in sexual relations. The more abnormal a sexual expression will be deemed, the more deviant and defiant the depictions are likely to become. Also, the fact that pornography too promotes sexist attitudes goes unaddressed and unnoticed because it is not subject to open, public scrutiny and debate. The representation of men's and women's bodies and their relationships is never called into question, even though such films and materials may be recycling and promoting a hetero-masculine discourse.

Vis-à-vis censorship Strossen uses scientific studies to refute the statement "monkey see, monkey do" where she states that seeing sexually explicit expression does not necessarily mean translation of kind. Numerous surveys have rejected the purported link between sexual expression and aggression. And even though an area of concern remains access by children and minors, the sexually charged and explicit language and images employed by popular culture at large is indicative of over-exposure outside of pornography.

India's first pornographic graphic novel – *Savita Bhabhi* – had a female protagonist and chronicled her sexual experiences. A huge success online, it was finally banned by the Indian State and is now a paid service accessible only to those who can afford the same. Once again, social stratification is operational in this regulation as the ordinary, middle class woman that *Savita Bhabhi* depicts cannot access, discuss or decide for herself if the material is indeed corrupting and degrading. According to Bhowmik (2009), censorship has evolved into a siege on the 'political rights of the citizens' of a democratic India, on the pretext of societal interest.

Check Your Progress 3:

What is pornography? Who are the spectators of pornography?

8.8 IMPACT ON GENRE

Outside of the realm of regulatory censorship operates the far more pervasive cultural censorship. The commercial basis of filmmaking dictates the kind of films that can be made or not. Most often, filmmakers avoid making films that are critical of existing power structures because their production and circulation may be severely restricted. In that regard, documentaries, small budget features and experimental cinema are able to showcase and address issues for a wider spectatorship base. The film *My Brother Nikhil* is one such example, where the hitherto socially taboo issues of homosexuality and prejudice against AIDS victims were addressed very sensitively. The film was also allowed by the censors without any comment or cut.

Further, the fact that different genres have different audience expectations may lead censors and social groups to approach them differently, thereby discriminating against them. Feminist films and films made by women are also approached differently. The direct resonance of the filmmaker with target audiences converts the 'trialogue' (Previously referred in Section 3.4.1) into a dialogue. Women, representing women is therefore a more alarming phenomenon than men depicting semi-clad women in item songs.

A filmmaker who has borne the brunt of this most severely is Deepa Mehta. Her strong female protagonists have met with violent resistance from orthodox religious factions. Her film *Fire* (1996) which depicts a comforting lesbian relationship as an alternate to patriarchal abuse and neglect is the first film in the history of Indian democracy to be returned to the censors at the behest of a political party for review. The censor board passed the film again without any changes. The screenings of the films, like before, were marred by violence, destruction of property and protest marches. In the documentary *Controversy: Firestorm* (1996), Deepa Mehta is shown grappling with death threats and the realization that fascism is appropriating free speech in public discourse and there is no censor board that can stem that. She was faced with even more violent protests when she tried to film her next film *Water* (2005) which was about the plight of widows from Benaras. Despite submitting her film script to the Information and Broadcast Ministry and getting all approvals, Hindu religious groups disrupted her schedule. Mehta finally shot the film in Sri Lanka with a new cast.

Girja Kumar in *Censorship in India: Studies in Fundamentalism, Obscenity and Law* observes that "There is censorious impulse, latent or overt, in all those who wield power through political, religious, cultural and literary institutions….Fundamentalism is the upholder of status quo and while defending its own version of religious faith, it has its eyes on a larger objective of capturing state power. All creative and dissenting writings are by definition skeptical of the given 'truth' and prone to questioning and are

for new interpretations of existing knowledge" (Kumar, 2009 p. 207). Fundamentalism and by extension, the censorship it insists on, denies pluralism and diversity.

According to the educationist Krishna Kumar (2000) "TV has enabled cinema to reach our living spaces" And the sheer pervasiveness of the medium has also triggered off moves to control the images relayed on it as well. Broadcasters have to adhere to the Program and Advertising Code under the Cable Television Network Rules (1994) and TV content is monitored and pre-censored under an amendment to the Cinematograph Act 1952 that is applicable to cinema.

8.9 THE CENTRAL BOARD OF FILM CERTIFICATION

The major institution of censorship in the country is the Central Board of Film Certification (CBFC) which is a statutory body under Ministry of Information and Broadcasting, regulating the public exhibition of films under the provisions of the Cinematograph Act 1952. Under 5B (2) the central government has issued the following guidelines – "A film is judged in its entirety from the point of view of its overall impact and is examined in the light of the period depicted in the film and the contemporary standards of the country and the people to whom the film relates, provided that the film does not deprave the morality of the audience."

Censorship even extends to film titles and posters. The 1952 Act does not cover posters or film advertisements and these come under the common law of the land relating to obscenity, particularly section 292 of the Indian Penal code. Furthermore, this issue comes within the purview of the State Governments and Union Territory Administrations, particularly their law enforcing agencies including Police. After discussions with the film industry representatives, it was decided that the film industry would deal with this matter on its own. Thus, the Film Publicity Screening Committee was formed with headquarters at Bombay and regional chapters at Bangalore, Hyderabad, Madras and Thiruvananthapuram. The committee, which began its work in April 1990, screens film posters and other publicity material for obscenity and depiction of women in a derogatory manner or highlighting violence.

The CBFC can rate a film "U" i.e. universal, "U/A" i.e. open to children under parental guidance, "A" i.e. for adult viewing only. The certification process is simple involves sending the final cut to an examining committee comprising of an equal number of men and women, who may or may not be trained in analyzing films. Post viewing, the group conveys a consensus about any cuts and the rating. Directors have the option to appeal to a revision committee, which comprises many members from the film industry, for a revised verdict. Her/his final recourse could be to appeal in the court of law.

The CBFC's guidelines amended up to May 1983, clearly laid down its three-fold objectives of censorship: (a) that the medium of cinema remains responsible and sensitive to the values and standards of society, (b) that artistic expression and creative freedom are not unduly curbed, and (c) that censorship is responsive to social change. Whether the CBFC has indeed striven to achieve the above in the spirit of the letter is debatable.

Check Your Progress 4:

What are the major reasons for censoring a film?

8.10 ALTERNATE SYSTEMS OF CERTIFICATION

In the United States of America, in 1968, a classification system was adopted by the Motion Picture Association of America. Applicable to all Hollywood movies, it involves voluntary adherence and merely rates films as a cautionary warning. There are no cuts or deletions suggested or enforced. Considered as a progressive system of film rating, it rates films as G (for a general audience), PG (parental guidance), PG-13 (Inappropriate for Under 13s), R (restricted, 17 and under allowed only with adult guardian) and NC-17 (no one 17 and under admitted). (You can read more about the system on the website www.mpaa.org).

In the United Kingdom an independent, self financing regulator called the British Board of Film Classification classifies and certifies films for public distribution. The ratings are U (suitable for all, usually 4 years and above), PG (parental guidance is advised), 12A (12 and above, A stands for viewing in cinemas), 15 (suitable for 15 years or over), 18 (adults only), R18 (specially licensed cinemas, sex shops and only for those 18 and over). The BBFC not only classifies cinema but also videos and video games. (Detailed descriptions of their work above can be found on the website www.bbfc.co.uk).

While most filmmakers prefer classification to censorship, one needs to analyze which groups and organisations have an influence on these independent bodies and how that impacts their analysis and reception of films submitted to them. Also, it is critical to see if the classifications are an endorsement of current standards and in that sense patronizing. If classification has no bearing on our viewing habits and choices, does it still remain necessary? These are some of the questions that we must continue to grapple with.

8.11 LIMITS OF CENSORSHIP: CENSORSHIP AND TECHNOLOGY

Developments in technology are increasing rendering censorship obsolete. The ability to mass produce and disseminate digital copies has been complemented by the reach and dynamism of the internet. Films that are banned can be downloaded and distributed for as good as free and filmmakers upload 'uncut' versions for spectators via the worldwide web with increasing frequency. Further, technological developments and software enhancements have meant that portrayals on screen are increasingly more life like, impactful and evocative. Special effects, CGI and 3-D have made the medium far more powerful and difficult to subdue. The complex sensorium triggered by viewing cinema is perhaps even more nebulous and difficult to regulate. The question before us is to what extent censorship is really necessary? People may indeed self-censor out of free will but as artist Ben Shahn states, "You have not converted a man because you have silenced him" (Shahn, 1968).

8.12 LET US SUM UP

Censorship operates in society through visible authority as well as through non-formal socio-cultural resistance. Premised on the powerful and indelible impact of images on spectators, the argument in favour of censorship hinges on notions of 'obscenity', 'decency' and 'appropriateness'. In India, regulatory censorship is implemented through a series of Acts and cultural censorship is the recourse of many political and social lobbies. Film censorship is enacted via the Central Board for Film Certification which suggests deletions prior to certification which is a pre-requisite for public release of a film. Freedom of expression is therefore constantly being negotiated by artists, thinkers and individuals. In this, the spectators' right to see what they prefer is compromised and there is a homogenization of audiences in to a standardized, passive receiver. In reality, spectators establish unique and diverse relationships with media texts based on their location, gender and cultural realities.

8.13 GLOSSARY

3D : Acronym for three dimensional models and scales. It is also applicable to film formats where there is an enhanced illusion of depth while viewing films. Audiences feel part of the onscreen action as a result.

Addendum : An addition to a document or text, after it has been published.

Audiences : An aggregate of individuals who listen to/view the performance and broadcast of media texts

Ban : To prohibit entirely usually through an official directive.

Blasphemous : Irreverence towards religious beliefs and symbols

Blog : A website entry i.e. web log that is regularly updated by people to convey their opinions on various matters to other internet users

CGI : Acronym for computer generated imagery that is used to create special effects in film.

Censorship Order : When 'emergency' was declared in India during 1975-77, on June 26, 1975 an order was passed which required every newspaper, periodical and publishing unit to submit for scrutiny, to an authorized officer, all the contents to remove all 'objectionable matter' that could lead to 'rumour mongering', 'enmity between people' and 'cause disaffection among the armed forces or civil servants', etc. The order was an attempt to intimidate the press which was critical of the imposition of Emergency and the then ruling party.

Coercion : Using force to bring about compliance

Discourse : Written and spoken communication associated with a practice. It employs specific vocabulary and terms related to the ideology behind it.

Eroticism : Sexual desire and the aesthetics involved in sexual excitement.

Fellini : Critically acclaimed Italian filmmaker Federico Fellini (1945-1992). He employed fantasy in his narratives and his works were largely biographical in nature.

Heresy : Opinion contrary to an established system of religion

Hetero-masculine : That which privileges the male, heterosexual point of view. Feminists employ the term to signify patriarchal control.

Historiography : Scholarly historical research and presentation

Mass media : All media technology employed for mass communication i.e. cinema, television, radio, press, internet etc

Mundane : Ordinary and lacking novelty.

Obscene : Any act or expression that offends prevalent morality.

Orthodoxy : Strict adherence to a form of monotheism and set doctrines.

Rationalization : To provide reasons or logic in defense of.

Reception : The act of receiving. In mass communication studies it also refers to the receipt of messages embedded in media texts. Reception may not always be as intended by the sender as is contingent on the position of the receivers

Re-dubbed : Recording and replacing original voices and sound during the post-production stage in filmmaking i.e. after filming.

Seditious : That which incites discontent or rebellion against an authority, regime or government.

Sensorium : Similar to the word sensation, it is the faculty of perceiving and refers to the reception, processing and interpretation of sensory stimuli.

Sexist : The fostering of sexism which is the belief that one sex is inherently superior to the other.

State : A governed entity like a nation or a province,

Status-quo : Continuation of conditions as before.

Sub judice : A matter or case currently under trial in a court

Taboo : Social prohibition

Text : A compilation of symbols i.e. words, images, numbers or characters that conveys some information or message.

Treasonous : Betrayal of one's nation or sovereign.

Viewer : An onlooker. Some one who views and examines a media text.

8.14 UNIT END QUESTIONS

1. Discuss the differences between Regulatory and Cultural censorship.
2. a. What are the Acts laid down by the Constitution to control the broadcast media?
2. b. What strategies of censorship are adopted to advocate their implementation?
3. Elucidate the meaning of 'female spectator'.
4. Discuss the complex relationship between gender, pornography and censorship.
5. According to you, can there be any other forms of censorship which would be better suited in the Indian context? Discuss.

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