

# Yours Censoriously

## Censorship in Cinema

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**W**hy does India's film censor board (henceforth, the censor board/the board) exist? No other modern institution of the state is presumably beset by such extraordinary lack of clarity as to its very purpose. Legally, the Central Board of Film Certification exists because the Cinematograph Act, 1952 (Section 5(2)) translated into the cinema Article 19(2) of the Indian Constitution, the provision on "reasonable restrictions" to the doctrine of free speech. Such reasonable restrictions, says Article 19(2), include specific political limitations concerning India's integrity and its relations

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**Censorium: Cinema and the Open Edge of Mass Publicity**, William Mazzarella (*Orient Blackswan*), 2013; pp 296, Rs 795.

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with other countries, defamation, maintenance of public order, and the one that has generated the greatest controversy: "decency and morality".

Many opponents of the board take the debate back to the parent doctrine. They contend that the Constitution's "reasonable restrictions" clause and its physical manifestation in the censor board are both, on the very face of it, incompatible with the very concept of free speech.

But, is the misfit specific to the nature of the actual restrictions? Or, is the problem more foundational, and is the stand that needs to be taken – the stand that the great Hindi and Marathi theatre director Satyadev Dubey took when he faced censor attack for the Marathi play *Gidhade* (1970) – logically against any speech restriction whatsoever?

It is a curious fact of history that, even amid wide anti-censor feelings, Dubey's stand remains largely unique. Most conventional oppositions to the board tend to stop short of opposing the idea of censorship itself. The general belief, it appears, is that while the combination of politics and moral conservatism that defines censorship today may be deeply problematic – for, in theory it makes all films potentially liable, if read in a sufficiently rabid way – it does not necessarily negate the in-principle need for restriction, even though the

terms of such restriction are by no means agreed upon.

And thereby hangs a fascinating tale that William Mazzarella's *Censorium: Cinema and the Open Edge of Mass Publicity* vividly recounts. Everyone agrees that the censor board is a mess. All the film-makers who have ever engaged with the horror of the state-sanctioned moral brigade performing hatchet jobs that appear more like Lewis Carroll's Queen of Hearts and her blind fury, routinely testify to the fact that the actual practice bears no obvious or overt connection to the theory.

Who are these people anyway? What qualifies them? We get an avalanche of questions, all grist to Mazzarella's mill, from an astonishing cross section of people on all sides of that particular fence. Should a censor board make political or aesthetic judgments *at all* of any sort whatever? Indeed, should it be chopping at all when it is in specific fact a board of "Certification"? And, if it has to, what qualifies a censor to chop? Should those wielding the hatchet be specialists who "know" the cinema? Should it not be, in the very theory of it, the man on the Clapham Omnibus?

### 'State of Permanent Exception'

Few people who vehemently oppose the board oppose the principle of censorship itself. In the process, even progressive opinion tends to buy into a condition that Mazzarella describes as the "state of permanent exception". What is extraordinary about that state, common to both the philosophical debate and the specific criticism of the board's functioning, is the veiled threat at the back of it all. Nobody, least of all the censors, argues that the system is perfect. Indeed, it is hard to even imagine what a perfect censorship mechanism in a society would look like. But, imagine, they say, even for a moment, what would happen were the board abolished, the floodgates of sex, sleaze and vituperation that would be let loose. The feeling that we need a board, if just for the moment, however problematically it may function, appears to be widely shared, even in progressive circles who all feel the need for the institution to exist to protect them from

an "other", defined by class, religion and politics.

There is an "ideological loop" here that says censorship exists today because earlier conditions of censorious repression prevented our audiences from becoming mature publics, so that we need new kinds of censorious repression to protect "these illiterate unfortunates from their own worst instincts" (p 15). The censor board therefore exists, Mazzarella contends, at a time that is permanently in transition: between a once-upon-a-time of tradition and a future state of socio-moral order when today's board would give way to a more socially ubiquitous practice, whatever that might be.

Arguing that such a loop is in its very nature incapable of addressing either the institution or the theory, Mazzarella begins the entire argument from a fundamentally different standpoint. He uses the institution's actual practice – which he studies at a particularly critical time in its career, between 2001 and 2003, when it was controversially chaired by film-maker Vijay Anand, and actors Arvind Trivedi and Anupam Kher – to open a new historical inquiry around how the institution arose in the 20th century in India, and why it was deemed in the first place necessary. The board plays on a familiar stage, and most of the key players in the saga – the censors themselves, from Anand to Kher, and their key challengers from Vijay Tendulkar to Anand Patwardhan, from Shyam Benegal to Shabana Azmi – are all present. On the way, what we get is the tale of an astonishing institution, which throws astonishing new light on the concept of the modern public sphere, and the condition of the citizen who occupies that space.

The "state of permanent exception" arrived in India at an interesting time, in the late colonial period when the British authorities and the Indian nationalist elites faced an unprecedented cultural and political massification. The rise of mass publicity, contrary to general understanding, takes place in India before political democratisation, and then causes major problems for such democratisation. The key problem posed by the rise of mass publics to modernity itself is that of a new mode of subjective formation: anonymity.

Although "I" configure myself as the addressee of the several new forms of public communication that arose since the 1870s, "I" can "anonymise" myself amid the numerous unknown others who also partake of the same forms. Such anonymisation generates a tension between bounded social orders where meanings and interpretations could be controlled and a new and unbounded domain that Mazzarella calls the "open edge of mass publicity".

Both late colonial India and, in startlingly similar ways, the India of the 1990s, faced a problem that was inherent to mass-mediated societies: of a volatile capacity for "excitement", impossible and unrealisable fantasies that symbolic orders cannot contain. States addressing such tension did something bizarre. They assembled an "institution" to contain and administer what appears to be on the face of it an "impossibility". The anxiety, and the means to resolve it, not only brought the colonial British administration together with India's indigenous elite, but also saw independent India continue the practice into its own administration.

The problem itself, generated by what Mazzarella calls (slightly infelicitously through the book) as the "pissing man" – a problem repeatedly reproduced throughout Indian cinema's history by responses to scenes like, to take an example that he discusses at length, the masturbating servant boy in Deepa Mehta's *Fire* – would see India's elite make "an unintended alignment with the censorious imperatives of the colonial state" (p 64), an attitude he discovers in his various interviews being reproduced into the present. Such an alignment has meant that

post-Independence Indian governments ended up opting for an indigenized version of the white man's burden: a kind of permanently institutionalized discourse of historical crisis according to which censorship becomes necessary because India is (always) in a time of transition (p 75).

### The 'Inherent' and the 'Contextual'

In the late 19th century, the specific problem was around how to regulate interpretation. The British realised soon enough that both traditional Indian texts, including and especially mythologicals, often contained political content. An

important solution that was fabricated at the time would have a long-term impact: namely, for the censors to make common cause with traditional patronage structures. When the 1876 Dramatic Performances Act defined a political dimension, described as the capacity of the text to generate “disaffection from the government”, as well as a moral one, that which could “deprave and corrupt”, there were some rough-and-ready solutions like separating out traditional religious spaces of performance, where the patron was expected to play censor, from the space of the modern public domain. The division, he shows, continues into the present, with art production that circulates within more contained symbolic domains still largely freer than that which can go to “illiterate publics”, and where, also, the traditional patron has often been replaced by the modern “police” administration.

The legacies of this strategy of control and containment are evident even in the present-day implementation of Sections 292-294 of the Indian Penal Code (IPC) that deal with obscenity. The division between “inherent” and “contextual” meaning – that, say, a particular kind of explicit representation is in and of itself obscene, or that it depends on where it appears and how it is used – is first translated into controlled and uncontrolled domains of publicness, and then into modern and traditional. So, the IPC clearly exempts both traditional forms (from Khajuraho to naked sadhus), and controlled conditions where the contextual interpretation can be enforced. The matter only enters the domain of the state – the board and the police – when, it enters a “public place” to the “annoyance of others”, as Section 294 of the IPC defines it.

Soon enough, however, arose a more complicated problem that made such divisions impossible, where, as with examples like K P Khadilkar’s play *Kichak Vadh* (1907), it became impossible to keep the moral and the political separate. Performative intensity of a ritual kind began combining the salacious with the seditious, or what Mazzarella calls “content beyond content”, capable of releasing dangerous political energies.

And then came the cinema. Until the cinema came along, says Mazzarella, the “infinity of mass publicity” and the “corporal intensity of performance” had remained relatively autonomous; now in the experience of the moviegoing spectator, publicity literally translated into bodily impact. From its earliest days, the cinema has been credited with peculiarly vital powers, and now in India, from those days into the present, the “vividness” of cinema, the – Mazzarella is quoting the 1969 G D Khosla Enquiry Committee on Film Censorship – “realistic colours... unique among all art forms and media for its evocative potential” (p 61), made the cinema a volatile and dangerous entity from which the people needed especially to be protected.

Mazzarella’s own work over the years has focused on modern forms of publicity, and he would still be known in India mainly for his work on Indian advertising (*Shoveling Smoke: Advertising and Globalization in Contemporary India*, 2003). In this book too, a major focus remains the phenomenon of mass publicity, the fear of which often defines the censor board, and makes the board into an expression of a “frozen ideological form”, a permanent instrument of protection from the anthropoid incarnation of the “gap between collective

effervescence and the symbolic order” (p 105). The volatile tug of war between these provides for Mazzarella the founding predicament of mass publicity that characterises modernity itself. Censorship in its most basic form is to him a “persistent phenomenological experience of a tension between the sensuous force and the significant meaning of mass-mediated objects” (p 113).

### Tug of War

The model he draws on, a three-cornered tug of war, however, has the possibility of opening some very basic questions for why the cinema offers such extraordinary investigative possibilities for political science in India. In one corner of the contest is the “spectator” – a split creature, at once the transcendent ideal of romantic union and ethical citizenship, a “continent spectator-citizen” well able to hold it in, as well as its mirror opposite, the hot-headed intemperate spectator capable of violence. Importantly, the two are not always apart. They can also inhere within the same person. Mazzarella speaks of a particular turn in the obscenity debate in which, as he quotes lawyer Indira Jaising, obscenity laws are all about protecting people not from other people but from “themselves”. In another corner is the cinematic object

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itself. Eternally elusive, the cinema appears to a nervous state machinery to be a rampant meaning-generator, a “visceral force of image-objects” capable of quasi-autonomous meaning-generation beyond the control of any available interpretative community. And, there is in between all this, the board.

Once censorship is defined in this way, however, it opens up other floodgates. Just as there is the content beyond the content, there is also the state beyond the state. Several extra-constitutional claimants to the censor’s role begin making the same claim to authoritative cultural order, responding to the same “performative dispensation” as the censor board itself did. The most substantial part of Mazzarella’s work constitutes the detailed analysis of some famous films made in the 1970s to the 1990s – Shyam Benegal’s *Nishant* (1975), Shekhar Kapur’s *Bandit Queen* (1994), Mani Ratnam’s *Bombay* (1995) and Deepa Mehta’s *Fire* (1996) – where he moves within and outside the film text to reveal the extent to which the film itself, in its very form, along with the discourse around it, a surreal dance involving those who made it, those who supported it, those who opposed it, and those who censored it, seems to effectively perpetuate the same three-cornered discursive contest from late-colonial India into the present.

### Sleight of Hand

*Nishant*, to take a major example, faced censorship trouble during the Emergency, but cracked that problem through both sleight of hand (one censor board member stage-managing the post-screening discussion) and the direct intervention of Indira Gandhi herself. Paradoxically, however, the film – which in its public image passed through with no cuts at all – may have, long before it faced any censorship, actually internalised the problems it might have faced in the way it was put together, its use of sound, and several other aesthetic decisions on the display of explicit violence. What we get, with such a reading of *Nishant*, a film that has often been interpreted by film studies scholars as representing a statist position, effectively becomes like a thin narrative membrane vibrating

with the flows and counterflows of censorship discourse, only some of which was articulated by the board.

This entire episode was especially curious because it happened at a time of a major inversion of the “state of permanent exception” within which censor boards usually function, when the Emergency – itself a moment of “exception” – created a normalised fiction of everyday life, illustrated by the only (temporary) requirement of the then censor board, that *Nishant* introduce an intertitle saying that it was set in pre-Independence times.

### Tightrope

*Bombay*, to take another example, was clearly where the state was out of its depth in addressing the problem of the film’s capacity for uncontrolled meaning-generation, something that the film itself had apparently included as an organisational principle. Walking a controversial political tightrope that has left viewers undecided to this day as to just what the film was trying to say, *Bombay* echoes – in its address as well as the way that the censor board, the police, and Bal Thackeray negotiated among themselves the solution for how to show it – a considerably longer discursive and formal history fashioned around censorship. Is it based, for one, on fiction or fact? The film repeatedly claims both conditions. Is it a realist work, as *Bandit Queen* was claimed to be (which might have situated some of its more unstable representations), or it is a work of melodrama, as we see in *Bombay*’s use of songs? Both these questions are situated within a well-established discourse, but the third fact, the film’s representation of the Muslim, is what really opens the film to historical interpretation – to the role that “representation of Islam” has played, since the 1920s, as the “paradigmatic obstacle to achieving continent spectator-citizenship” (p 140).

The obscenity debate forms both the centerpiece of the book and, eventually, the point that allows Mazzarella to propose a possible resolution to the problem of “permanent exception” into which all positions, pro and anti, seem locked. The problem is what he calls an “extimate” (at once external and intimate) obstacle to the ideal, unachievable condition to

which all censorship apparently aims: a condition where patron and police shall entirely merge into one single entity. This external-intimate obstacle, humanised as the “pissing man”, is actually an essentialised, anthropomorphic embodiment of Mazzarella’s “open edge of mass publicity”. What it does is to create a comfortably routinised role for the censor board as permanently isolating image-objects and giving them a “heightened value”, the better to keep them within the predictable and familiar limits of what he calls “restricted obscenity”. On the other hand, a generalised obscenity cannot be symbolised as such, but it can be put to other kinds of work.

Of greatest relevance, perhaps, here, is the possible connection between this entire model of censorship and the cinema. Invented before the cinema came along, the censor board’s ultimate model of apprehending the “open edge of mass publicity” and translating it into the obscene obstacle of the “pissing man” came to be par excellence the cinema. The movie theatre, capable of anonymity, now enshrines what he calls the “obscene superego loop”, namely, the “moralized attachment to the laws of the symbolic order” that is “inextricable from the pleasures of transcending them” (p 216).

It is certainly the case that post-celluloid technology has diminished the censor board significantly. It is also true that we see an exponential increase in the volume of digital moving images in the public domain, only a minuscule part of which are actually censored. It is also evident that more and more film-makers working in informal and community-based exhibition contexts are simply choosing not to bother to get a certificate. Mazzarella, however, suggests that such technology can only eventually be judged for its position on censorship – or its own capacity to transcend that obscene loop – when it finds its own way to channel what he calls the “affective potentials of collective effervescence” through the intimate and anonymous forms of mass publicity.

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