



International Research Journal of Interdisciplinary & Multidisciplinary Studies (IRJIMS)

A Peer-Reviewed Monthly Research Journal

ISSN: 2394-7969 (Online), ISSN: 2394-7950 (Print)

Volume-II, Issue-VII, August 2016, Page No. 80-85

Published by: Scholar Publications, Karimganj, Assam, India, 788711

Website: <http://www.irjims.com>

A Study on Artistic Freedom and Censorship issues in Hindi Cinema

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Abstract

The present study is determined to investigate the co-existence of Artistic freedom and censorship as well as the challenges that are being faced by Hindi Cinema. Since cinema is a form of art that is inspired by the society we live in and vice versa, certain challenges have always been faced by the film fraternity. Issues like improper content and violence have stalked cinema for ages. The Central Board of Film Certification, henceforth called the Censor Board, has also faced severe allegations of being detrimental to artistic freedom. It has often been accused of being politically motivated. The recent slicing of the 'kissing' scenes of the James Bond movie by the Censor Board and the complete pass given to the upcoming adult sex comedy "Mastizaade" and various other likewise incidents have shown a difference of attitude towards the treatment of movies. The present study is taken up thus to understand whether truly regulation is a threat or a necessity for artistic productions. In the process of the study, the researcher will also try to find out whether there is a difference of attitude in the treatment of movies and whether censorship is a necessary guardian when it comes to cinema and its impact upon the society.

Introduction: "The emergence and growth of commercial cinema everywhere in the world coincided with the rise in democratic politics. Hindi commercial cinema too was the expression of the aspirations of a people long bound by the traditions of a divisive society and colonial rule who now aspired to self rule. The cinema was an expression of the freedom struggle itself, which was more than just a political movement" (Dasgupta; 2003).

The cinema in India is thus perceived as something more than just entertainment. It is a mirror image of the society we live in. It provides an insight into the social and cultural lives of people but definitely the perspectives may vary. Artistic freedom may apply in film making because being a form of expression of thoughts, film can bring out various aspects of life that can vary in perspectives from person to person, hence the question of freedom. One's way of expression may seem provocative to someone else. There have been conversations about self-censorship so as to build up maturity and sensible action among audience and film makers. But how much sensible will it be to control artistic flow and how

is it possible to decide what is good and what is bad? What will be the parameters to decide what kind of movies should be termed as watch-worthy?

The Censor Board of Film Certification has provided certain guidelines to make it possible for the film-makers to produce film of apt quality. But still there have been various controversial decisions according to different perspectives which have shown difference of attitude of the Censor Board while the treatment of certain movies.

“The guidelines ensured that very prim and proper films were made. Kissing was not allowed in any Indian film, and even embraces were allowed only if they did not offend the very acute moral sensibilities of the Board members. Thus, romantic sequences began to include surrogate amorous scenes. A different attitude was taken to films from the west; the board issued guidelines that assumed that since the West had different social values, kissing, embracing and other romantic expressions could be allowed --- within limits. The guidelines which are modified and amended from time to time, relate to a variety of subjects. These include child abuse, violence against women, racism, religious sectarianism, communalism and anti-scientific, anti-national and anti-constitutional attitudes. There are also explicit guidelines regarding vulgarity and violence.” (Chatterjee; 2003)

The guidelines of the Censor Board have always been altered depending upon the various issues that keep revolutionizing society’s perspective of real life and hence its impact on cinema. Thus, the present study is undertaken in order to understand the various ways in which the guidelines are established, and how appropriately they are done at present times.

Rationale:

“Without freedom, no art; art lives only on the restraints it imposes on itself, and dies of all other...” Albert Camus.

“Freedom of speech is the most important freedom in any democracy, without which, it would be impossible to reach at political truths in public life. It promotes a 'marketplace for ideas' and allows society to progress continuously by spreading new ideas, thoughts and discussion. It is equally necessary for self-expression, which is an important vehicle of free conscience and self fulfillment, playing a pivotal role in facilitating artistic and scholarly endeavors of all sorts” (ijustice; Legal Guide to the Freedom of Artistic Expression)

If there is the assurance of free speech, then ideas will occur naturally to human minds, which, is fundamental for artistic produce. If an artist knows that he will be or may be arrested for his thoughts, then this might prove detrimental to free thinking, which is a basic human right. As film making is also an art, the artist here, may find it tempting to show certain images of the society in which we live in. These pictures may not always be full of beautiful demonstration and may at times bring out the negativities. Now, whether, the film-maker is at times stopped from doing so in the name of obscenity and vulgarity and in the process, curbing his artistic talent.

“Freedom of artistic expression can be justified in at least two ways. First, to express oneself artistically is part of an individual’s right to personal fulfillment. Secondly, in the course of artistic expression it may be discerned that certain truths are made apparent, and these truths contribute to the noble search for truth as a general human endeavour. But art possesses other virtues more peculiar to it that militate in favour of promoting artistic efforts. On a spiritual or religious plane, it is arguable that being creative is a natural imitation of our Creator’s creativity, whatever form one considers that principal creative entity to take.” (Kearns; 2013)

The argument in the above expression is that God created us as free spirits and hence we should remain that way. Putting shackles on someone’s thoughts may hinder personal fulfillment.

“In India today it is surprisingly easy to silence people with whom you disagree. An overlapping network of vague, overbroad laws and a corrupt and inefficient justice system have given rise to an environment in which speech can quickly be censored. Legislative overreach and problems with the police, courts and judiciary reinforce one another, creating cumbersome, complicated and time-consuming legal processes that deter many citizens from exercising their right to free expression. The resulting chill silences many who might otherwise have spoken out, often those with marginal voices, or critics of incumbent politicians.” (Tang, Rankin, Caires and Beesley; 2015)

“Art has its own distinctive ontology and, because of this, should be respected as an autonomous phenomenon, as evidenced by its own rules, within its own canons, however much these might mutate over time. A difficulty faced by the art-law relation is that law tends, in its public-moral capacity, to censor putatively offensive objects in a contrary, undifferentiated way which sometimes results in art’s cultural autonomy being ignored, even though its independence of characteristics and operations is socially and culturally acknowledged.” (Kearns; 2013)

Thus, it can be seen that there is the co-existence of artistic freedom and censorship when it comes to any kind of artistic produce and as such the researcher has taken up this study in order to know about the nature of co-existence of artistic freedom and censorship.

Aim of the Study: The topic of artistic freedom and censorship has been taken up by many researchers (Kearns; 2013; Chatterjee; 2003; Tripathy; 2015) in order to understand the treatment of controversial movies and artistic freedom. Cinema, being an art and a process of illuminating the audience about the variety existing in the society, has often faced censorship in name of obscenity, vulgarity and improper content. The Censor Board has often been accused of being biased and showing difference of attitude towards to treatment of various films.

The aim of the study herein, is, therefore to examine cinema as an art and its co-existence with censorship and also if there is any difference of attitude while dealing with different types of films.

Methodology: The study is conducted in two cases by taking two movies of recent times as individual cases for the study

Selection of movies:

A study was conducted by the researcher to know the most controversial movies of recent times which faced criticism. The selected movies are “Mastizaade (2016)”; “Mohalla Assi(2015)”

Delimitation:

The study is limited to the two controversial movies of recent time

The study is limited to the controversial elements and their treatment by the censor board and its impact.

In the discussion, the characters will be referred to with their real life names

Discussion

Controversial content in the movies and their treatment: The two movies that have been taken up for the current study have controversial content of various nature, be it in the way of explicit sexual content or religious and political views. Among the three movies, Chandraprakash Dwivedi’s “Mohalla Assi”, starring Sunny Deol, Sakshi Tanwar and Ravi Kishan was banned by the Censor Board. Loosely based on the well-known novel “Kashi ka Assi” by Hindi litterateur Dr. Kashinath Singh, “Mohalla Assi” is a sarcastic evaluation on the touristic commercialization of the Holy city of Varanasi. But even before the film could be submitted for Censor Board evaluation, various scenes along with the crass language were leaked online. The film was initially delayed for three years and finally, it was banned by the Censor Board considering the fact that the explicit content may cause emotional unrest among Indian audiences. The movie has criticized extreme right-wing politics of the then period. It has brought about the intricate details of the foreign tourists who come to Varanasi and also explains that even though the residents do not like them, they have to tolerate them because of money. The movie opens with scenes that describe the uniqueness of the Holy city of Varanasi, with explicit references to the presiding God, Lord Shiva. Sexual innuendos and crass language are abundant in the film. The extremely abusive hindi term “Bhosri-ke” is equated with the chant “Har Har Mahadev” in the trailer. Even when Lord Shiva appears in dream, he is shown to be using the same abusive term. When Sakshi Tanwar’s neighbor, a woman, with whom she gossips, says that the tenant at her home says “Bohot garmi hay” Sakshi asks “Kaha, Varanasi mey?” the lady replies, “Nahi, dono tango ke beech mein (between the legs)”. Sunny Deol plays the role of a priest who tries to keep himself and his family away from the immoral activities going on in Varanasi. The right wing political issues are also shown in the riots in which Sunny Deol injures himself. The film was thus denied a censor certificate and banned.

Milap Zaveri’s “Mastizaade”, starring Sunny Leone, Tusshar Kapoor, Veera Das, was released on 29th January, 2016, is an Indian sex comedy. The movie’s trailer opens with the following words, “This horny season, rub it, spank it and blow it” The movie is thus full of sexual implications. The movie is about twin sisters, Lily Lele and Laila Lele, both played

by Sunny Leone, who organize a centre for the treatment of sex addicts. Tusshar Kapoor (Sunny Kele) and Veera Das (Aditya Chotia) are two sex addicts for whom 'masti' (enjoyment) is the most important theme of life. They join the centre and both of them fall in love with the sisters. The story thus, revolves around various twists and chaos in their lives. Various words with dual meaning such as "lena(taking)" and "dena(giving)", "khada hay(stand)", "Baitha hay(droop)" find abundance in the movie. Even the names of the characters also suggest sexual depiction. Coins leap up and land on unmentionable body parts. Suresh Menon plays the role of a gay caricature, bits his lips and gives a very foolish hint to the movie. The movie does everything apart from making us, audience, laugh. The movie has brought about distaste in its complete sense. Nudity and naïve sense of humour is what the movie is replete of. Though the movie was initially denied a censor certificate, it was finally passed by the Censor Board with an "A" rating, without even cutting a single scene.

Conclusion: The movies taken up for the study have equal amount of polluted content. All are replete with sexual innuendos and nudity. All the movies have exercised their freedom of expression and artistic freedom in their own way. There is more than the fair share of crass language and double meaning words. The only difference among the movies is that in "Mohalla Assi", religion plays a vital role as the story revolves around Varanasi and involves Lord Shiva. A little political association can also be attached to the movie with its criticism of right wing politics. "Mastizaade" is just an adult comedy movie with sexual content and funny chaos and twists. As we know that religion is a very sensitive area and exploring that area in such a funny way, as has been done in Mohalla Assi, may bring about the fury of people. If the bigger picture is considered, then it can be said that these type of movies bring out the question that whether certain scenes like Lord Shiva coming in the dream and uttering crass words are required. Whether there could not be any other effective way of showing that. Though all of us want to be free and think free, don't we sometimes censor ourselves from saying certain things that go on in our mind? "Mastizaade" was not banned and was released without any cuts. That does show a difference of attitude by the Censor Board and it may be due to the absence of any religious or political content.

The researcher thus believes that artistic freedom is not questioned until it reaches a certain parameter. It also depends on person to person how they perceive a particular scene. Something that might offend one person may not bother someone else. It is thus the maturity of the audience that comes to be questioned here. The audience to whom the film is finally addressed needs to understand that there are certain aspects that cannot go unquestioned for life. Sometimes certain movies are banned due to "fear of the mob". There are also certain laws that make it extremely difficult to release movies with religious content apart from "reasonable restrictions", Section 295(A) of the Indian Penal Code makes it a criminal act to "outrage religious feelings" with malicious intent and Section 153(A) outlaws "promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony". Thus with the presence of these laws, it becomes extremely difficult to consider movies like

“Mohalla Assi”. India being a country of diverse groups, there is unity in diversity but this unity come with the sacrifice of certain aspects, in this case, maintaining harmony by silencing extreme religious criticism and caricature.

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