

Censorship and Public Access: 100 years of Documentary Films in India

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There has been an easy equation in popular perception between public morality, state control and censorship. The prevalent argument follows a simple linear line that responding to the periodic outbursts of public morality the government as a populist measure steps in with censorship clauses to curb the freedom of expression of the progressive section of the population – writers, filmmakers, artists and so on. There is also this notion that censorship is the major, if not only, way of curbing freedom of expressions. This means, if censorship is abolished opinions and expressions would float easily and freely in the public domain. When it comes to documentary film it gets even more erroneous with the thinking that documentaries do not reach the people because it is censored by the state fearing its political potential.

But the actual story is far more complex where censorship is just a generic name for myriad ways of controlling the information and entertainment sector; morality and political opinion play only a small part in that. All control on film exhibition is not related to the censorship laws. As I write this text a message flash in my inbox – a festival of documentaries on Kashmir is vandalized in Hyderabad by some goons wearing T shirts inscribed *I am a Kashmiri Pundit*. On September 6, the group had stormed into the Prasad Lab preview theatre, broke the equipments and assaulted the filmmakers present there. The scheduled films were an assorted lot – some of the films are produced by Govt. agencies such as NFDC, PSBT-Doordarshan, Films Division; some have received awards and acclaims in prestigious film festivals; out of the 16 films 14 are made by Kashmiri filmmakers, both Pundit and Muslim. The vandals did not even enquire whether the films are certified by the board of film certification or not. It was they who did not want these films to be exhibited and that was good enough reason for them to disrupt the screening. Most likely, it will be flushed in international media in coming days as *Films on Kashmir is Banned in India*. My discomfort stems from this – the blanket use of the terms ban and censorship. The Central Board of Film Certification only certifies a film as fit for public, read commercial – ticketed, exhibition. But it cannot ever dictate term on the content of any films that is not intended to be exhibited commercially. But as this case of films on Kashmir shows, even a non-commercial exhibition of films in possession of censor certificate can still be stopped by unauthorized people. This is a law and order issue where a group of people attack others' fundamental rights and not a constitutional issue as the term 'ban' suggests. The state is responsible to the extent that it failed to protect the basic rights of its citizens, the filmmakers in this case. Yet the state has not banned these films. In my opinion, this is not a simple case of nomenclature and has deep political consequence.

Most documentaries never make it to the commercial exhibition circuit. One obvious reason is that the compulsory exhibition of state produced news reels and propaganda documentaries in theatres before each feature films since 1940s till early 1990s have killed the audience's appetite for this genre. Documentaries in India have forever become a form of blatant and non-entertaining propaganda in the mind of cine goers. Hence the cine exhibitors shun documentaries like plague. But a more important reason is the business structure of film exhibitions. Most of the influential exhibition houses have investment stake in film production and their main interest is in getting the return from the star studded

expensive films. Additionally, despite the phenomenal popularity of cinema India records one of the lowest ratios of screen to population - 13 screens per one million people as against 30 screens in UK and 117 screens in the USⁱ. This makes the booking of the screen highly competitive and renders the exhibitors most powerful in the field. For the interest of the small circle of exhibitors the exhibition outlets have been stopped from expanding. Obviously, sharing the precious screen time with documentary films is far from these exhibitors' business scheme and in this context it becomes completely irrelevant whether the documentary has been certified by the censor board or whether it is capable of attracting ticket purchasing audience.

But it was not always like that. In the silent era and till the beginning of WWII all major film studios in Bombay also produced documentary films and screened them commercially.

ⁱⁱ1920 Newsreels of Balgangadhar Tilak's funeral procession from Crawford Market to Chowpatty in Bombay were shot by Kohinoor Studio, Suchet Singh's Oriental Film Manufacturing Co. and S N Patankar.

1921 The visit of Prince of Wales to Bombay was filmed by some Indian studios who edited out the huge public protest led by the nationalist leaders. But an American cameraman shot Gandhi, Sarojini Naidu, Maulana Shaukat Ali and others leading a large number of protesters at Chowpatty and burning foreign clothes at Rambaug maidan near Elphinston Mill. The feature-length documentary, *Great Bonfire of Foreign Clothes* ran at West End and Globe Theatre for two weeks.

1930 Gandhi's Dandi March was shot by leading studios - Sharda Films, Ranjit Movietone and Krishna Films. The police commissioner banned the films without even referring them to the Censor Board. The entire film industry, supported by many theatre owners across the country, shut down for two days in protest.

1938 Wadia Movietone, more known for its extremely successful female stunt films, launched newsreel magazine - *the Indian Screen Gazette*. P V Pathy filmed the Haripura Congress for the Gazette, but during the Quit India movement in 1942 the British government seized and destroyed all films in the possession of the Indian National Congress.

1944 At Victoria Dock in Bombay an anchored British-American cargo ship carrying cotton bales, ammunition and gold bars caught fire and exploded, destroying 27 ships, killing around 800 people and raining gold in the surrounding households. Military officers confiscated the footage shot by independent cameraman Sudhish Ghatak (brother of legendary Rwitik Ghatak) and the official coverage by the state owned Indian News Parade was widely distributed instead.

1946: In the weeks following 15 August 1947, three documentaries on the Independence Day were made from assorted footage shot by private initiatives and released in theatres in Delhi, Bombay, Madras and Calcutta.

1948: Independent Govt. of India founded Films Division (FD) to produce newsreels and documentaries on the agenda of nation making. It was made compulsory for the exhibitors to screen FD films at the beginning of every show.

Hence it can be said that till the time of independence the relationship between film producers, documentary filmmakers and exhibitors were not so antagonistic. Though the British Govt. often flexed its muscles against the political content of some films the exhibition end of the business was not as guarded against documentaries as it is now.

Contrary to popular perception, morality and public opinion have played a very minor role in the evolution of censorship practice in India. The first state control on film exhibition was enacted in 1918 by drafting Indian Cinematograph Act. The first major instance of applying the act was banning of the film *Bhakta Vidur* in 1921 as the protagonist strongly resembled Gandhi. But in 1919 in the film *Mahasati Anusuya* actress Sakinabai appeared in nude and that was passed by the censor. Gandhi's appeal was in the middle of ascending to a great height around that time and controlling that phenomenon became far more essential than dealing with the issues of morality and nudity. This blended well with the British resolve of not interfering with the local customs and practices as long as their economic interest was safeguarded. The only time the British Govt. tried to intervene in the film trade on the pretext of morality was when the expansion of Hollywood silent films in India threatened the business proposition of the British films. Citing the low moral fabric of the American films that could influence the Indian audience to such an extent that they might lose their respect for westerners in general, the Govt. appointed Indian Cinematograph Committee (ICC) in 1927. The committee was instructed to enhance the moral condition of the film enterprise and to create a greater space for the exhibition of British productions. That the committee ended up recommending measures to strengthen the Indian film industry was another story.

Thus the instances of the state acting on the dominant and conservative morality or populist politics that we have experienced in the case of film exhibitions is a development related to vote bank based politics of independent India. Even there remains a catch. In most cases of controversy around a film on the ground of public morality we can see that the censor board had actually passed the film and later, some group of people either illegally stalled the exhibition (like in the case of *Fire* (1996) by Deepa Mehta where the right wing party Shivsena vandalized the cinema halls to stop screenings) or invoked cases in the court to stay the exhibition (like in the case of *Viswaroopam* (2013) by Kamal Hassan – the film was certified by the censor board and yet the exhibition of it was stopped by the Tamil Nadu state following an appeal from a Muslim organisation and later the same was revoked by the Madras High Court). These were not cases of censorship but the former was an example of breaking of law and order by the cadres of a political party and the latter was a public negotiation between a citizens' group, the Govt. and the Court. Both are distinctly political events and also related to the issues of governance, as well as law and order maintenance. Disrupting a film screening either by the self styled keepers of the public morality or by the overzealous police is a criminal act. Terming them generically as censorship or ban only validates the whims of these stray outfits for the official voice of the country. Some affected filmmakers, though, like it to be portrayed as *banned* in the hope to garner greater media attention and public opinion.

In this general context of ambivalent role of the state and transient public opinion strive the documentary films to reach the public domain. Whether they hold a censor certificate or not, the outreach more or less remains the same – international and national level film festivals, occasional telecasts, class room screenings, film club events and DVD sell. The attacks on any of these outlets by the bigots too are unrelated to the films' status vis-à-vis censor certificate. My first film *I Live in Behrampada*, made in the context of Bombay riots of 1992-93, was denied censor certificate in the first attempt. The film attained great popularity, got sold in thousands of VHS copies, received some

prestigious awards, was taught widely across the globe and was much written about, while remained without a censor certificate. After two and a half years of its completion it was certified by a review committee of the censor board without any cut. But by then the life of the film was over and the sheet of paper remained in the file. It was my conscious choice not to publicize the issue of censor certificate denial as well as other difficulties in making the film. That was an open season of bigotry and generally people were made to believe that it was impossible to take a public stand against the prevalent identity politics. I did not want to add to the fear and decided to play it down signaling a venture such as making films against communalism a simple act of responsible citizenship. Consequently my later films were given censor clearance without too much hassle but none could garner the outreach that *Behrampada* enjoyed. There is also a logistic side of it. Earlier sometimes the censor certificate was demanded by the custom officials for transporting the film prints abroad. But with video copies or hard disc even that is not required anymore.

So, am I arguing that censor certificate is irrelevant for documentary films? No, the official paper may in occasions come handy as some kind of protection against the political vandals and the police, who more often than not assist the former. But I am arguing against two other presumptions – one is that the act of applying for censor certificate exposes the documentary filmmakers to state surveillance. The state surveillance functions way beyond the institution of censor board and simply dodging the censor office is unlikely to protect the filmmaker from any possible state onslaught due to her/his political opinion. The second presumption, which is far more problematic in my view, is that outreach of films is controlled by the censor board. Let us for the time being leave aside the films that are either not submitted to the censor board or denied clearance certificate by the board. Let us concentrate only on the documentary films that are censored, even produced or awarded by the state, written about, maybe acknowledged as a masterpiece, and yet could not reach the public domain guarded by the market mechanism. When denied censor certificate one can go on appeal to a higher body. When national award winner films were not telecast on the state owned Doordarshan channel certain filmmakers took the matter to the court. When state run documentary festival MIFF required censor certificate as entry criterion the filmmakers en masse boycotted the festival and the rule was changed from the next edition. That is our legacy – uncompromising, principled and virtuous. But where will we go now? Can we ask the state to make it mandatory to screen documentaries in PVR or Fame multiplexes? Can we petition in the court for telecast slots in private television channels? Whom can we ask for protection from the political goons during the screening of documentaries, if not the state? Who could we lobby with to construct art house cinema halls to screen non-mainstream films, if not the state?

With time the definition of radicalism must change. As the Vietnamese-American filmmaker Trin T Min Ha said there is no 'fixed anti-position' in politics and film making. Today the state does not control the access but the market does. The market has decided that the non-fiction format has a popular appeal and the television got flooded with the reality shows. The market has decided that the 'real' faces have commercial values and the ad world got swamped by the real-life-look-alike protagonists selling detergents and lotions. The market has decided that political polemic makes good entertainment and the news anchors have turned into stars. Hence though the documentaries have been denied access its language of non-fiction and reality is converted into a commodity. Censorship laws of the state, in this

context, neither can kill nor can help a documentary. The skirmishes have now shifted to the open and liberalised market, and a documentary that opposes the state, to even an oblique benefit to the market, may even get showcased in its window. Maybe it is time to deeply contemplate over the politics of cinema exhibition in the country as a probable theme for a political documentary. Hence it is the documentary maker who needs to decide to whom the next note of dissent will be addressed - the old patriarch of the state and its archaic regulations or the agile and 'liberal' CEOs of the open market?

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ⁱ *Bollywood: A Guidebook of Popular Hindi Cinema* by Tejaswini ganti, Routledge, 2004

ⁱⁱ *From Raj to Swaraj: The Non-fiction Film in India* by B D Garga, Penguin Books India, 2007

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