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Film Censorship, the State and Hegemony

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ABSTRACT

This thesis is a study of New Zealand State film censorship. It seeks to understand the nature and operation of film censorship as a State practice. In contrast to conventional approaches to censorship, this work seeks to understand the censorship of film in terms of Marxist theories of the State. It is argued that the process of film censorship is underpinned and explained by the hegemonic strategy that constitutes the New Zealand State's operation.

The process and action of New Zealand film censorship is described through an ethnographic study and discussed in terms of this hegemonic strategy.

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CHAPTER ONE

Introduction

1 Introduction

1.1 Aims of study

The aims of this study are (1) to critically review current conceptions of film censorship; (2) to develop an alternative perspective for considering film censorship, based on an analysis of the State and with particular reference to the concept of hegemony; (3) to examine the historical development of State film censorship in New Zealand in the light of the theoretical perspective elaborated in (2); (4) to examine, via an ethnographic study, the current process of film censorship in New Zealand. Part I. (chapters 2 - 4) incorporates the first three aims, providing the theoretical and historical context for the ethnographic study which forms Part II. (chapters 5 - 8).

1.2 Theoretical perspective

The theoretical perspective adopted in this study is similar to that of the neo-marxist concern about the mass media. Emerging in concurrence with a wider revisionist Marxist perspective, the media have come to be seen as a set of institutions closely linked to the dominant power structure through ownership and legal regulation. In

this view the contents of the media and the meaning carried are seen as controlled and determined by the economic influence of the organizations in which they are produced. Political economy studies of the media note the increase in monopolization of the media by multi-national corporations and the controlling power which they may exert. (see Murdock and Golding 1977, Golding and Murdock 1979, and Murdock 1982). While political economy studies trace potential sources of control and influence and do identify possible sources, they do not often show whether this control is actually exercised or exactly how it affects production. However, failure to take such influence into account, that is, not to give serious attention to economic determinants affecting media production, is bound to render any media study partial. The financial sources of control over film do get exercised in a number of cases (see below). Developing from the recognition of capitalist ownership and control of the media is a concern with the ideological content of the media and the consideration of the mass media as ideological agencies. This has, unfortunately, at times been extended to its extreme position in which the mass media are seen as ideological weapons, mass means of indoctrination, through which capitalist ideology is inculcated into the population to the exclusion of any opposing views.

Allied to this image is the idea of media imperialism, in which cultural atrophy is considered the result of international media consumption, especially with regard to television. The media are American, and americanization will be the result from the indulgence of media contact (see Tunstall 1970 & 1977, Guback 1969 & 1973). These views find sympathetic articulation in popular thought and, as

Guback reports, also in government action. He notes that:

foreign service officials assist American [film] companies abroad in overcoming a variety of local political and trade obstacles. Film companies have received this kind of help because they are seen as a great asset to the U.S. foreign propaganda programme. (Guback 1973:95)

Complicating this imperialism and ideology issue is the second world's attitude to media summed up by the Cuban experience, where films may be banned at the script or production stage for being too bourgeois.

Radio, television, the cinema and the press... are powerful instruments of ideological education, moulders of the collective conscience, whose utilization and development should not be left to improvisation of spontaneity. [Furthermore, cinema] constitutes the art par excellence in our century [in which the revolution must strive to develop its own] forms and revolutionary cultural values. (Hernandez 1977)

But such a conception of the ideological content of film and the power of the media is far too instrumental. It renders the transmission and reception of ideology as an unproblematic, ~~one~~ passive process. It assumes a perfect expression of the media creators into their products, and an undifferentiated single ideology. Media imperialism has been a recurrent theme which has informed a number of studies but is generally considered to have been highly over estimated (see Boyd-Barrett 1977A & B and 1982).

Contemporary Marxist analysis of the media has preferred to work instead from a more moderate position, seeking to recognise the ideological content actually distinguishable within media, via at first content analysis and later with more sophistication through semiology (see for example Woollacott 1977A, 1982; Cohen & Young

1981). Concentration has been particularly focused on the reporting of news by the mass media, especially television (see Glasgow University Media Group 1976). Within the Marxist concern for the ideological nature of communication and the capitalist control of the media can be found a large portion of the current media research which is being carried out.

The approach taken for this study comes from a slightly different angle. It must be able to explain and take into account the nature of censorship as a state intervention, not capitalist ownership, and consider the control of ideology, not the specification of it. It has become increasingly apparent that the media do not simply reflect a single ideological perspective, nor do they always reflect the capitalist class which produces them. A more comprehensive explanation of the media for the purposes of this study arises from the use of Gramsci's concept of hegemony. This concept will be developed in greater depth in chapter three, but for the moment we need to note the twin advantages it provides. Hegemony offers both a sophisticated and dynamic conception of society and the role of the state, as well as a means of considering the direct role of the state intervention via censorship. It locates censorship as a means of negotiating and domesticating contentious film.

Gramsci rejects the cruder and more orthodox Marxist conceptions of "Class-domination" in favour of a more nuanced and sophisticated coupling of "force and consent" (or "coercion and hegemony" as he puts it). He is primarily concerned with the ways in which a whole complex series of cultural, political and ideological practices work to "cement" a society into relative - though never complete - unity. (Bennett 1981:192)

Hegemony involves both the seeking and winⁿing of consent. Connell (1977) conceives of hegemony as a situation, a moment in history in which control is effectively exercised, but a control which is of a particular type. It is the alliance of classes to the dominant class so that their power appears both natural and legitimate. The greater extent to which a government is considered as having the authority to give orders, the less it has to rely on persuasion and punishments, or threats of violence to get citizens to obey. When a government is recognised as having this right, as being legitimate, violence and coercion need only be used in exceptional situations, to secure the compliance of deviants. Hegemony is the alliance of various groups in society, such that their interests are articulated to the dominant group, or as Gramsci referred to it, the ruling bloc. The dominant group exerts a form of leadership in society, but to do so and maintain the support of the subordinate groups it must:

genuinely concern itself with the interests of those groups over which it wishes to exercise hegemony - "obviously the fact of hegemony presupposes that one takes into account the interests and the tendencies of the groups over which hegemony will be exercised, and it also presupposes a certain equilibrium, that is to say, that the hegemonic groups will make some sacrifices of a corporate nature". (Mouffe 1981: 223 citing Gramsci, Quaderni vol.1 p.461)

Hegemony should not be seen as a static situation, it is better described as a dynamic process, continually being negotiated and renegotiated, to maintain its societal consent. It will be proposed in chapter three that film censorship, is an instance of State hegemony. It is an ever forming and changing negotiation between on the one hand the corporate capitalistic interests of the film

companies and on the other hand the liberal and conservative poles of society.

This research will develop the concept of hegemony to explain film censorship. But first by way of a contrast it will look at the conventional conceptions of film censorship before the alternative strategy for the explanation of film censorship is discussed. In chapter four the history of film censorship in New Zealand will be considered, leading up to the present day where the current practice of censorship will be evaluated.

There is a great paucity of material relating to film censorship in New Zealand. By contrast Britain has been well covered with work by, for example: Phelps 1975 & 1981; Jarvie 1970; Brown 1982; Wistrich 1978; Tribe 1973; Trevelyan 1973; O'Higgins 1972; and Hunnings 1967.

Likewise America has been covered by: Randal 1968; Young 1971; Walker 1968; Vizzard 1970; Harley 1940; Farber 1972; Dailey 1973; and Clark & Hutchison 1970, to name but a few.

In Australia film censorship has been covered by Dutton & Harris 1970; Coleman 1974; and Burns 1972. While an example of Soviet censorship is found in: Dewhurst & Farrell 1973 and Conquest 1967.

In New Zealand there have been quite a large number of works relating to the Indecent Publications Tribunal, see for example Perry 1965, 1967, & 1980; Burns 1968. Whereas film censorship has generally been referred to in passing. Most writing directly related to film censorship tends to be both brief and overly

topical. The Listener has proved to be one of the most prolific sites for this discussion (see Wright 1977; Munz 1966; MacLeod 1972; McGill 1974; Jackman 1977; Gibson 1971; and Blackburn 1974). New Zealand books on film are scarce and consequently have such a large area to cover that censorship is a small section of their consideration (see Colgan 1963; Horrocks 1973; Horrocks & Tremmewan 1980). Two of the censors have written a fair amount of material on both film and censorship over the years (see Mirams 1945, 1953, 1961, MacIntosh 1970; Film Censorship 1963), however, these all tend to have been along the lines of explaining the certificates to parents, with the exception of Mirams 1945 which was written prior to his appointment as a censor. The most informative piece of work on the New Zealand situation is a reader for schools by MacLachlan & Scott 1973. But this is ten years out of date and deals with the 1961 Act. Such is the paucity of material that Westbrook went so far as to describe the operation of film censorship in New Zealand as secretive (1973:22).

With the lack of an adequate information base on which to work, an ethnographic research programme was selected to gather a wide variety of information about all aspects of the operation of film censorship in New Zealand (see appendix D. on Methodology).

1.3 Film Censorship: Mise en scene

It is important to put State film censorship in context. It must be noted that censorship is just one of many interventions that take place in film production and distribution. State film censorship is an intervention near the end of this production and dissemination process.

In refusing certification of the French documentary Exhibition, a biography of the sex film star Claudine Beccarie, because of the "extent and degree to which it depicted and included sex", the New Zealand film censors permitted only two further courses of action for the film's distributors. Cinemedia Publications could either withdraw the film and return it overseas or appeal the decision. The film, which was imported for the annual film festival programme due to start in Auckland (and cover the main centres), had already had a stormy career overseas. It was reportedly the first "hard-core" movie to be shown in the New York film festival, and apparently the staff had been charged with obscenity afterwards.⁽¹⁾ It had been refused certification in Britain by the British Board of Film Censors (BBFC), although it was subsequently certificated "X" by the Greater London Council (GLC) for local screening in Britain's two tier censorship system.

In New Zealand the choice was made to appeal the censor's decision and Exhibition went before the Films Censorship Board of Review. Although recognising that the film contained "a number of

scenes demonstrating techniques used by actors and actresses in pornographic films, and include[d] explicit scenes of cunnilingus, fellatio, lesbian love-making and masturbation" the Board noted that these were not linked to violence and were relevant to the theme and content of the film.(2) The Board thought the film had social and cultural value and passed it with a RFF20 certificate (restricted to persons twenty years and over, for exhibition as part of a film festival only), for festivals in Auckland, Wellington, Christchurch and Dunedin.

The film attracted the maximum permissible of four screenings per festival in each of these cities and outraged the Society for the Promotion of Community Standards which immediately called for the Board's resignation or dismissal.(3) Also outraged, but for entirely different reasons, were the smaller centres of Palmerston North and Hamilton who were unable to procure this lucrative film for their festivals. What, they cried, was so different about the people in Wellington and Dunedin from Palmerston North and Hamilton? Why couldn't they "handle" the film? But these questions were irrelevant. They merely highlighted the lack of understanding of the censorship process by even those very close to it. The nature of the certificate restricted the film to the four main centres because these were the cities originally applied for. There was no implication of regional backwardness. To extend the film to other centres, a move which the Board of Review had considered entirely appropriate in its decision (see note 2.) involved recertification, which was at the discretion of the chief film censor. Normally a film would not be eligible for recertification for a period of three

years unless the chief censor felt that circumstances warranted an exception.(4) Clearly, with a film that he had just banned, and which had caused a minor storm, the censor felt no obligation to widen the scope of this controversial film. This action on the part of the censor needs to be placed in historical context.

Intervention in the exhibition of films in the form of censorship began in 1916, with the enactment of the Cinematograph-Film Censorship Act, which established ex officio film censorship. From October of 1916 all films produced in or imported to New Zealand had to be approved by the censor of films before they could have any public exhibition. But film had always been subject to legal control. From its inception, generally credited as 1895 in Paris (5), film had to conform to customs, police offences and crimes acts if it was to remain unhindered. What a film censorship act achieved, was the implementation of a means of dealing with film in a systematic way. Film could be rejected outright as unsuitable for domestic consumption, or it could be approved, perhaps subject to certain excisions which tailored it for the local clientel. It is this official intervention into film that will be the primary concern in this research, but it must also be noted that this is not the only intrusion film is subjected to.

Considerable interaction may occur between the director, producer, and studio executives during the production of a film prior to its arrival at the censors desk. In fact this interaction at the production stage is the most potent of all influences on film. The varieties of production intervention are numerous: from

additions to deletions; to totally changing the pace and content of the film. But the first major hurdle imposed at the production stage is the securing of financial support to make the film to begin with. Many potential movies never get made. The script for Richard Rush's Stuntman was rejected by every studio when it was first proposed. Then seven years later after being independently financed, the finished film was turned down by every distributor, and it was only after Rush opened the film in Seattle without a distributor and broke all box-office records that Fox finally took it on. (It subsequently won several festival prizes, was nominated for two Oscars - for Best Direction and for Best Actor - and was a financial success, although it only toured New Zealand as a festival film.)(Phelps 1981:8) Similarly Roman Polanski's film Tess had trouble with distribution. It only found a distributor in England after it proved to be a huge commercial success in America.(Phelps 1981:8)

Films, once embarked upon, may also be modified considerably, and turn out severely differently from the way the director intended. Film history is littered with examples of production and studio interference but the locus communis must be John Huston's The Red Badge of Courage.(Jarvie 1970:91; Phelps 1975:264) What is so intolerable about these instances according to Jarvie is:

allowing a director to make a film that is out of the ordinary mould, and then to try to force it into the ordinary mould after its completion - as a sort of box-office insurance. (Jarvie 1970:91)

It is often the most respected names in the industry which suffer. For example, Polanski had his name removed from the

American version of Dance of the Vampires because it had been so severely cut. (Phelps 1975:257) Sam Pechinpah has suffered similarly, Major Dundee lost fifty five minutes and Pat Garrett and Billy the Kid had the whole structure of the film altered when MGM rejected the four hour rough cut and reedited it down to two hours for American release. (Phelps 1975:258) In a similar fashion films may be added to during production to conform to the producer's expectations. Caligula started as a screenplay by Gore Vidal, based on Suetonius' Lives of the Twelve Ceasars. Financed by Penthouse Magazine, the director Tinto Brass interpreted Vidal's screenplay in a way which provoked the writer to have his name removed entirely from the film. However, Brass' adaption did not come up to the expectations of Penthouse's boss Bob Guccione who had set out to make the ultimate sex epic, to include as Phelps reports:

all the (historically quite accurate) horror and varied sexual activity portrayed in glorious close-up. [Guccione] himself filmed additional episodes which can accurately be described as "hard-core" pornography. At which point Brass too cried "Enough" and his only credit on the finished film is as cinematographer. (Phelps 1981:8)

The very small proportion of film ideas that get selected for production are subject to constant supervision and pressures prior to arrival at their final form. But there is yet another form of intervention to account for, briefly mentioned above in the form of distribution.

Something like 4,000 feature films are made each year around the world, but only 300-350 are seen in New Zealand. The film distribution companies not only select which films will come to New

Zealand but also what to do with them once they are here: where and when they will be shown, and whether they will be released at all. Kerridge-Odeon gave up its first rights to Woodstock because of Sir Kerridge's objection to the film (it was picked up by Amalgamated).(6) And Costa Gravas' important film Missing, although on commercial release with four prints in the country and awards for the acting, only received a showing in Palmerston North by its inclusion in the 1982 film festival. Otherwise it would not have been seen. Films may also be shortened in distribution. Up to five percent of a film may be removed from a film after it has been censored without the need for resubmission to the censors. Although primarily related to forced deletions owing to breakages, there can be other factors involved, such as projectionists' collections of "choice" scenes. Not a Love Story: A Film about Pornography seemed to suffer this fate when a few explicit scenes were "stolen" from an Auckland cinema projection booth. Ultimately, however, the final distribution intervention in film is in the hands of parents and individuals in either attending or staying away from a film.

Nestled in between this production, distribution, and viewing of a film is the official process of censorship. With many of the powers of the production intervention stage, albeit purely in a reductive manner, film censorship processes the distributors' selections for the New Zealand market and domesticates the content of those which it approves. It is this external control, this intervention of the state into the film that this research seeks to explain. Rather than asking the more obvious question of why do we censor, which conjures up somewhat traditional responses and focuses

concern primarily on the film itself, this study seeks to question why the state censors. This immediately suggests a wider frame of reference than film. It positions film within a social environment in which censorship is a structural process. Although it still asks the question why, it involves the parallel question of what are the results of this state intervention? What does censorship do or achieve?

There is no current information on the process of film censorship in New Zealand from which to base this research. Therefore an ethnographic examination documenting the features of the operation of the film censors office will form the groundwork from which an examination of the hegemonic situation of film censorship can become possible. Chapters five to eight examine how the censors process films; how films are classified to fit social categories of acceptability which will not cause controversy; then how films are cut or rejected to diffuse conflict yet maximize audiences; and finally the relationship between the censors and industry and public. In chapter nine a summary of this research will be presented along with conclusions and suggestions.

FOOTNOTES.

1. Truth. 1982 July 13 pg 3. "Film Board 'Oui' Bucks Censor 'Non'."
2. The New Zealand Gazette. No.67 June 24. Decision of the Films Censorship Board of Review. The film is a documentary, much in dialogue form, about

the life of Claudine Beccarie, an actress in French pornographic films. The film sets her work in the context of her life, her friends and her family and deals in some depth with her values and attitudes. It contains a number of scenes demonstrating techniques used by actors and actresses in pornographic films, and includes explicit scenes of cunnilingus, fellatio, lesbian love-making and masturbation.

It was noted that while the sex scenes were explicit, they were not linked with violence, and were relevant to the theme of the film and its content. The explicit scenes in question were erotic rather than pornographic. The film had overall artistic merit. Members of the board were agreed that the film would be of social and cultural value in the context of a film festival as defined by the Act, and that in such a context it would not be injurious to the public good with an RFF20 classification. The board considered that this film could be shown without injury to the public good as part of a major Film Festival of the type which exhibited say 30 feature films covering a broad range of film, over the space of a fortnight. Such festivals in New Zealand conditions are usually confined to metropolitan centres.

In terms of section 28 of the Cinematograph Films Act 1976, Exhibition was approved for exhibition with the classification RFF20, Auckland, Wellington, Christchurch and Dunedin. The board noted that it was open to the distributor to seek, subject to section 31, a geographic extension of this classification from the Chief Censor should other appropriate film festivals warrant it.

3. Evening Standard 1982. Sept 20 pg 1. Filthy Films Passed.
4. In a parallel case with the film Not a Love Story: A film about Pornography the chief censor had given an RFF20 certificate and subsequently recertified the film as R18 with a Censor's note. This film also contained explicit material and was shown at first with its RFF20 certificate at the same festivals as the film Exhibition.
5. See Robinson 1981. The Lumiere Brothers of Lyon gave the first cinema show before a paying audience on the 28th of December 1895.
6. Thanks to Dr R. Horrocks for pointing this out. See Jesson 1975 for further details.