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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, ~~com~~ 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 ⁿwining 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 & Tremewan 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 severerely 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.

PART I. Theoretical and Historical Context

CHAPTER TWO

The Conventional Approach to Film Censorship

2 The Conventional Approach to Film Censorship

2.1 Introduction

Film censorship is a topic which can be addressed from a variety of positions. The most familiar of these approaches to censorship can be grouped together into a general category called the conventional approach. Film censorship is a topic that is both under-theorised and wrongly theorised. The theoretical development accompanying the conventional approach is haphazard and in a reasonably adumbral state with many internal inconsistencies and divisions. To clarify this confusion within the conventional approach to censorship, the major theoretical positions will be isolated and their relevance to film censorship discussed. While it is film that is the primary concern it will be necessary to consider other media and their development as well in order to locate the film situation adequately.

The first position within the conventional approach is the quite widely held "common-sense" concern about the "effects" films have on people. That is, the consideration of the direct influence a film may have on the behaviour or attitudes of its audience. Within this effects position can be found three distinct perspectives on film which debate the behaviouristically defined extent and degree of effects. These consist of a "hypodermic"

model, a "personal influence" model and a "new look" at previous research which ties in with a later consideration of the ideological nature of film.

Probably the most familiar belief encountered in the discussion of film censorship is this concern about the direct causal influence of film. The "effects" paradigm has generated a considerable quantity of research over the years seeking to determine the extent and degree to which a film may influence people in terms of attitudes and behaviour. It has proceeded as an over researched yet under theorised approach. The results of these empirical excursions has been a plethora of contradictory findings. (See Tunstall 1970; Jarvie 1970; Bukalski 1972) Researchers and the results of their studies have at times been the butt of embittered attacks centred on their research methodology and credibility by those opposed to their findings. (See Eysenck and Nias 1978; Howitt 1982) As a consequence there has been a general polarization around preheld views entrenched with whatever supportive results can be gleamed from the research and totally scathing of any work to the contrary.

An equal and related concern with film, and correspondingly film censorship is the consideration of the cultural value and moral standards involved in the medium. This second position within the conventional approach will be discussed in terms of film as a manifestation of a historical clash between popular culture activities and high cultural definitions. This position considers film to be just one example in the long process of high cultural domination (and assimilation). Film from this position offends not

just because of its content but also because of its "popular" nature. This concern stemmed from the largely working class origins of the cinema and is still obvious in the division of film into popular (commercial) film in contrast to the emerging "Art" or high cultural appraisal of film. (Robinson 1981) The clash between high and popular cultural definitions and activities is a feature of the development of each new medium. (Williams 1977) Within it there is a tendency to invoke the effects paradigm, for example by imputing various unsavoury results from the engagement in popular culture activities. However, one of the main concerns that can be noted within this high culture popular culture confrontation in regard to film is the threat popular culture is felt to impose on high culture standards of excellence and morality. Popular culture is not only seen as an homogenizing force, but it also raises concern where it appropriates high cultural material and "debases" it by incorporating it into mass media form. The denouncement of film as a cheap form of inferior "theatre" may in fact be seen as merely part of the normal high culture resistance to a new media prior to its acceptance and eventual assimilation. Yesterdays popular culture becomes todays high culture (eventually) in a slow process of incorporation (see Williams 1977). High culture provides standards of morality and behaviour which film successfully challenges. These challenges, in the form^f of film explicitness are always more acceptable when packaged primarily for the (emerging) high culture audience, the film societies and the film festivals.

The third argument also of considerable persuasion, but largely out of favour now, was that developed by the Frankfurt school. Put

simply, it can be said that they considered the media to not only be a homogenizing challenge to elite cultural values but also be an ideologically stultifying block to critical consciousness itself. Adorno, Horkheimer and Marcuse, the major theoretical spokesmen for the Frankfurt School proposed that the media inhibited critical thought. Media provided pat answers and debilitated the questioning and assertive thought necessary for the masses to recognise their exploited position. (1) The media obscured the lines of capitalist control by reproducing the capitalist mode of production in cultural production.

The fourth consideration of film revolves around the ideological composition of a film's text. This is particularly pertinent to the censorship concerns of Second World and Totalitarian states. The concern centres on the nature of the ideological messages and whether they are appropriate to the audience that will view them. Early Marxist consideration of the ideological nature and function of film was at first structured very much in terms of an "effects" perspective, with film taking a totally indoctrinating role. (A notion which is also characteristic of the Frankfurt School) Subsequently the ideological consideration developed a less pugnacious position in which a variety of conflicting and variable ideologies are proposed. At one level this is the consideration of the propaganda potential of film and is tied up with the consideration of effects again, while at the other, it is a more subtle yet pervasive consideration. Ideological concerns rely on considering the whole style and nature of presentation, what is left out is as important as what is left in. Films are seen in

terms of their support or antagonism to the dominant system of social organization - capitalism - and shaping the ways of conceptualizing the world. It addresses subtle but complex levels of communication, the very frames of reference. How are trade unions presented on the news? (See Cohen and Young 1981; Glasgow University Media Group 1976) How are women portrayed in film? (Stern 1982; Downing 1980) The recognition of the ideological content of film is a major thrust in the marxist analysis of the media, but one which at the same time has the propensity to spill over rather problematically into concepts of cultural imperialism and indoctrination. (Boyd-Barrett 1977A & B and 1980; Murdock 1982)

There is to be found in the conventional approach the popular arguments that are built up and submitted in the form of a censorship debate, but essentially it will be noted that these positions do not provide an adequate explanation from which to analyse New Zealand film censorship. It will be noted that each position while important and in its own right polemical, remains at best partial in an attempt to conceive of state film censorship.

2.2 Effects studies

Within the effects perspective there are three major positions which represent the evolution and the developments of the behaviouristic concern with film material. Concern about the persuasiveness of film developed very early in the history of the medium. (Young 1971) During and after the First World War there was considerable feeling that film had brainwashed people and had been a significant factor in the rise of fascism. (2) Initial thought about film often centred on a concept of film as a hypodermic which injected doses of media messages into susceptible and passive audiences. (Gitlin 1978) The model developed in a mass society paradigm in which society was characterized by amorphous social organization in which the mass media were a potent and powerful stimulus. (Bennett 1977A:20ff) Classical sociological theory of the late 19th century European schools was emphasizing the breakdown of interpersonal relations in urban and industrialized society. Without the intermediary of community ties, the emergence of new forms of impersonal organization was assumed. Marx's and Durkheim's concepts of alienation and anomie were used to describe the social milieu of industrialized democratic states. (Bennett 1977B)

The early audiences of films were made up of high proportions of children and lower class persons, who, it was considered, were especially at risk from the power of the media. Educationalists began to realize at quite an early stage the enormous potential of film in education, if only they could harness it for the right

purposes. During the Second World War the Americans made a serious effort to enhance patriotism through a series of films called Why We Fight along with many more orthodox skills training programmes. Educational considerations fueled the hypodermic conception of the media as a powerful propaganda tool just requiring the correct direction and input. Consequently media research developed as a field of interest and began undertaking studies to measure the extent of the penetration of media, that is, to quantify effects, an approach which can be seen to be largely influenced by the American empirical tradition. (See for example Lazarsfeld's Office of Radio Research, Katz & Lazarsfeld 1955)

Film history is littered with examples of the seemingly powerful influence of film, a fact that was certainly not unnoticed by the general public and indeed prompted this conventional research approach. (See Hart 1971; Longford Committee 1972; Rose 1950) Audiences were mimicking styles of dress, mannerisms, and with the development of sound they were copying language and idioms, and even stars' names for their children. When Clark Gable took off his shirt in It Happened One Night to reveal that he was not wearing a singlet, it was estimated that this simple action caused a 40-50 per cent drop in men's singlet sales within a year in the USA. (Mirams 1945:30) The film The Great Waltz has been said to have been released as a vehicle to promote the revival of the old fashion waltz, and succeeded doing so, and likewise, the sport of archery seems to date its revival to the success of Errol Flynn's The Adventures of Robin Hood. (3) While these effects seem trivial, they form the foundation of an uncomplicated generalization to much

more extreme behaviour. (Reid 1972) Throughout screen history there have been many tragic incidents considered to have resulted "directly" from film viewing. Children were seen as especially susceptible, and cases were noted where they had for example, leapt off garden sheds pretending to be superman, or they accidentally hanged themselves after seeing a western. Other cases are even more notorious. Recently for example John Hinckley, the man who wounded President Reagan claimed to have watched the film Taxidriver fifteen times before the shooting. The content of the film was used by the defence as an excuse for Hinckley's action and consequently the jury for the trial were instructed to watch the film as evidence relevant to the case. (4) With highly visible and emotive examples reoccurring throughout film history (and now extended into the realm of television), this uncomplicated view of direct media influence, or effects, remains a powerful force in the conservative calls for more censorship (See Eysenck and Nias 1978; Whitehouse 1971; Bartlett 1982)

In the 1950's a challenge to the Hypodermic model arose within American media research. Stemming from the work of Katz and Lazarsfeld (1955) the "Personal Influence" model was proposed as a direct attack on the Hypodermic model. Positing a "two-step" approach to communication, the personal influence approach felt that the media were mediated by opinion leaders who in turn influenced wider groups. Rather than the passive receptors of a dubious, manipulative medium, this model portrayed people as active social organisms, interacting in stable and meaningful networks, and not directly affected by the media. Commensurate with the newly

developing psychological theories of cognitive dissonance and selective perception, the media were seen as disseminators of information, reinforcing existing opinions rather than changing minds. (See Blumler 1977:16; Howitt 1982; Curran et al 1982:14ff) The media provided messages which would be picked up only if they coincided with the views of the audience. Not only was perception seen as selective, but so also were retention and recall. Change in attitudes and behaviour, it was suggested were the perogative of opinion leaders, not the media.

[It] appears that communication studies have greatly underestimated the extent to which an individual's social attachments to other people, and the character of the opinions and activities which he shares with them, will influence his reponse to the mass media. We are suggesting, in other words, that the response of an individual to a [political] campaign cannot be accounted for without reference to his social environment and to the character of his interpersonal relationships. (Katz and Lazarsfeld 1955:25)

The attack on the hypodermic model of the media, gave an active and strong role to the audience, one of processing media messages rather than being manipulated by them. Instead of a diverse and alienated, susceptible population of victims (developing in the mass society concept), a positive view of society was proposed in which personal ties and community relationships were seen to shield people. The most notable research that emerged surrounding this position was on voting behaviour and attitude change specifically addressing the fears of the political propagandist potential of the media. It was found by Lazarsfeld and his school (especially in the work of Joseph Klapper) that voting patterns were not being determined by the media, but instead social and personal ties were the most important factors in influencing the choice of a political

candidate. (Gitlin 1978) Political broadcasts were attended to by people already convinced, rather than floating voters. (See Blumler 1977) They were in essence preaching to the converted. People select out from what they see in a way that is controlled by their own preconditioned prejudices and preformed opinions. Thus the media performs the social function of reinforcing people's blindspots, rather than enlightening or correcting them. (See Jarvie 1970:102-3) The two-step flow of communication, expressed a hierarchical importance to personal influence over and above the media found considerable favour as a more positive and self esteeming model. With the integrity of the individual restored from that of a victim, to that of an active agent, attitudes to the media could, it was felt, be much more liberal. Followers of the personal influence model are numerous, and the model appears as a widely held view on the media, especially among the more liberal people in the censorship debate. (See Boyes and George; Hausknecht 1978; Kauffman & Bickel 1971; Wistrich 1978) It can still to be found in some current media research work today (see Weimann 1982; Halloran 1977; Blumler 1977).

However, from the 70's the personal influence approach has been increasingly challenged. The personal influence paradigm had already had to concede a major point to the notion of the power of the media with regard to the dissemination of new information. Where there were no existing opinions, and experience could not be relied upon, the media were seen to fill in the gaps as an important source of opinion and understanding. (5)

Reinforcement and conversion can, of course, occur

only where there is an opinion to reinforce or oppose. It cannot occur in the absence of an opinion. Although there has been relatively little research on the subject, the media appear to be extremely effective in creating opinions. (Klapper 1968 cited by Gitlin 1978:216-7)

Situations where the audience has few or limited existing opinions and little access to alternatives are routine fare for radio and television in national and international political news coverage. People are constantly expected to know something about the situations they barely knew existed the day before. The issues presented in this way are often among the most momentous; issues of war and peace; of international stance and alignment; and of economic policy. Thus the media it had to be conceded, did have a potential and direct influence on its audience.

In the 70's there developed a third position within the effects debate which took the form of a "new look" at the early studies of the personal influence model which challenged the no effects claims of the personal influence model. In the early personal influence studies, the lack of change in attitudes or behaviour was equated with the absence of influence, however, the new look directed at these studies proposed that instead of no influence there were in fact strong socializing forces involved. (Gitlin 1978:216ff) Most media effects studies looked for a change away from established patterns, for example by showing a pornographic film and studying the subsequent change in sexual activity or showing a violent film and studying the change in violent behaviour following the often single exposure. (See U.S. Commission on Obscenity and Pornography 1970 for examples) This lead towards a tendency for psychological,

and behaviourist notions in particular to dominate the research field. The new look approach argued that media effects would be more in keeping with reinforcing established social patterns. Media it was felt, would always only ever present limited effects while the criteria for effects was the change away from existing established norms and patterns.

[Empirical] researchers in the liberal tradition have tended to examine media portrayals of violence in terms of whether they promote and encourage violence in everyday life. They have consequently defined the potential influence of these portrayals of violence in a form that is opposed to deeply engrained moral norms supported and maintained by a network of social relationships and powerful institutions actively opposed to "anti-social behaviour". (Curran et al 1982:14-5)

The single factor, causal approach, implicit in behaviouristically oriented media effects research was thus inappropriate because it involved a film decisively working against all the other past and present socializing influences on an individual and consequently could only ever be expected to produce limited results. As such the best media research could expect to find were partial results, that is, limited effects in terms of change. Instead the "effect," the influence of a film could, it was felt, be better described in terms of the tendency to reinforce existing social norms and patterns. This view developed in conjunction with a consideration of the ideological role of film which will be discussed further later within the discussion about the Frankfurt School and Ideological approaches In regard to voting, it was also noted that in the 70's, voting behaviour became more volatile and that the media themselves were becoming increasingly important in influencing voting behaviour.

Effects research is still very much a part of the consideration of modern media. Many attempts are still being made to determine causal links, between media portrayals and real life activities and attitudes. A major debate persists between the hypodermic and personal influence models which is reflected in public opinion and discussion (See Howitt 1982 for a criticism of modern effects research from within the media research tradition). Any discussion about film which is undertaken within the popular press is generally in terms of this effects perspective.

However, at present results remain contradictory, conflicting and at best, limited. (See for example Belson 1978) The tendency within this effects approach (either denying the existence of effects or supporting the notion) is to content analyse the media in simplistic ways and make unproblematic assumptions from the results. This is found for example in the manner of counting the number of acts of violence occurring per hour which the press are so fond of reporting. The generalization from these rates to damage is left implicit, i.e., "New Zealand children who watch more than 20 hours of television every week see about eight acts of violence an hour,"(6) From these rates of presentation, the assumption is made that a programme of desensitization, brutalization or habitualization is the automatic result. (See Eysenck and Nias 1978)

We must see that our children are being habituated to violence, are being "normally adjusted" to it, and that if we do not intervene in the conditioning violence must result. (George 1966:40)

Thus from this train of thought Mirams (1945), who later became

New Zealand's fourth Chief Film Censor said:

After you have seen, for instance, a dozen or so films in every one of which the heroine is a poor little rich girl who is so bored with being enormously wealthy that she willingly gives up all her possessions in order to serve behind a counter and marry a man of the people, then you may begin to believe that it is customary for rich girls to behave like that. You are in danger of accepting the abnormal (or the impossible) as the normal way of life. And you are becoming easier meat for any unscrupulous propagandist who wants to put one over you. (Mirams 1945:44)

Results of media effects studies are picked up by each side of the liberal conservative debate about censorship as tantamount to proof, while opposing results are belittled. Thus President Nixon, when presented with the report of the US Commission on Obscenity and Pornography (1980) which recommended repeal of laws prohibiting the exhibition of sexual material,(7) said:

so long as I am in the White House there will be no relaxation in the national effort to control and eliminate smut from our national life... The panel has concluded that the proliferation of filthy books and plays has no lasting harmful effect on a man's character. But the history of civilization and plain commonsense indicate otherwise. (Cited in MacLachan and Scott 1973:31)

This is perhaps a testimony to the difficulty involved in the discussion of film censorship as a practice in terms of effects. The crucial point missed by effects studies, is not how many people steal minis after seeing Goodbye Pork Pie (8), but how many people not only do not, but also live enjoyable "normal" lives after seeing the film. The case for specific effects is small, it should not be ruled out but equally it should not be over emphasized.

The new look at effects raises new questions in terms of effects which are only just beginning to be investigated. This

involves resiting the effects debate into a wider sphere than just the narrow behaviouristic definition of physical action. It takes form in the consideration of the ideological nature of film which will be considered again later.

2.3 Popular culture

The second factor in the discussion of censorship centres on the question of morality. Standards of moral behaviour are felt to be in jeopardy and film has been blamed as a major contributing factor in this change. This argument is in fact a reflection of the antagonism between popular and high culture. Popular culture activities have always been a source of contention to the ruling elite who decry them as barbaric and uncivilized, and have in turn imputed undesirable or harmful effects to these activities. (See Malcolmson 1982; Burns 1972; Dearn 1975; Mishan 1980) In contrast, high culture has tended to be espoused as culture incarnate, universal in its appropriateness, and without such disreputable side effects. In the 16th and 17th centuries, cultural production primarily in the form of literature and the arts, was for the consumption of the ruling elite. (Hartley and Hawkes 1977:22) As the primary consumers of artistic and literary works, cultural production was geared to their tastes and social definitions and discussed the upper class situation. Popular culture activities of the period, especially the blood sports were, by contrast, seen as crude and barbaric. (Malcolmson 1982:30; Cunningham 1982:68)

Whereas, upper class blood sports such as fox or game hunting were never seen in the same light as the popular sports like "throwing at cocks", "bull baiting", and "cock fights" which were all challenged and slowly eliminated.

The traditional blood sports, along with most of the common people's pastimes, had been sometimes condemned and vigorously attacked during the Tudor and Stuart periods, but it was not until the eighteenth and early nineteenth centuries that they were subjected to a systematic and sustained attack. (Malcolmson 1982:20)

This movement against popular activities peaked during the first forty years of the nineteenth century and by 1840 most blood sports had been eliminated. Throwing at cocks was the first to be seriously attacked and the first to be generally suppressed. This was not immediate, the practice had had a long history and was a reasonably deeply rooted activity which gave it at least a short term resilience. It was probably the first to succumb because it was widely regarded as exceptionally unsporting, without even minimal aspects of fair competition. (9) Malcolmson notes that the:

fact of unfairness, the fact that the cock was put in such a weak competitive position, was mentioned by many of the critics, and it probably served to draw attention of people with doubts about animal sports in general to cock-throwing first, and to the other sports, those with one or two extenuating features, not until later. In addition, since cock-throwing was more a game for small groups than a major community activity, it lacked the underlying strength of a broadly-based social support (the more a community was united en masse behind a festive event, the more difficult it was to suppress)... Finally, it was of some importance that throwing at cocks was almost exclusively a plebian sport, for it was always easier to suppress a recreation when there was little risk of encroaching on the interests of gentlemen. (Malcolmson 1982:22)

Bull baiting was another controversial popular activity which was slowly eliminated. Sermons were given on humanity to animals

and newspapers and journals carried letters of condemnation to the editor. Cock fighting was more resilient as a pastime, partly because it could be conducted secretly, which was not possible for bull baiting, but also because of a considerable genteel following.

The criticisms of these popular culture activities came from moral and religious groups, which declared them to be inhuman and uncivilized. Civilization meant the overcoming of such primitive impulses and these activities were seen as undermining the civilized social morality.

It was thought that "all such trainings of the mind of a people to delight in scenes of cruelty, are as dangerous of the young and uninstructed, whose most natural principles, (benevolence and compassion) they extinguish, and pervert their hearts to the contrary".(10) The logical consequence of indulgence in such sports could be crime of the highest order: "whatever is morally bad cannot be politically right. The monster, who can wilfully persevere to torture the dumb creation, would feel little or no compunction, to serve a purpose, aiming his bludgeon at the head, or in engulfing the murderous blade within the warm vitals of his fellow creature".(11)(Malcolmson 1982:27)

But aside from conceptions of effects, popular culture activities were also seen to undermine social discipline. They tempted men from productive labour, disrupted orderly routine and encouraged idleness. Football matches in the streets curtailed business, and boxing matches and prize fights were accompanied by large crowds and public disorder. Alehouses, fairs, wakes and festivals were all considered as not conducive "to the morals of the public". (Malcolmson 1982)

The development of mass means of literary and artistic

production and the widespread emergence of literacy with the introduction of compulsory education and the requirements of the industrial revolution saw the development of not only working class newspapers but a popular press. (See Curran 1977:36ff) Encroaching now into the previously exclusive realms of high cultural production, these new media were seen as introducing considerable problems.

Every successive penetration of capital into cultural production has produced an outbreak of "moral panic" in its wake. In the eighteenth century the rise of the novel produced widespread attack, allegations that it was morally pernicious in its effects upon weak-minded women and servants who were avid consumers of the new form. It was universally slammed, from pulpit to review. The same spectacle was repeated in our country over film in the thirties, and television in the fifties. The panic this time centred on equally weak-minded children and adolescents, for fear they would indulge in an orgy of imitative violence on exposure to the media. (Lovell 1980:62)

The concerns of today with film and television, their corruption of popular taste, their dilution of high culture, their effects on the young were registered with equal concern to the development of popular journalism, the rise of circulating libraries and the development of the Penny Dreadfuls.

Film itself represents probably the first truly mass medium, requiring no literacy and reaching a large "popular" audience simultaneously. At first a predominantly working class medium, it soon attracted considerable concern about the effects it might have on the lower echelons. This kind of elitist concern with the cinema can still be quite easily seen in the pronouncements of moral rights

campaigners like Patricia Bartlett and the Society for the Promotion of Community Standards.

[T]he visual is the strongest medium and a certain lower intelligence learns through looking, those who haven't the concentration to sit and read. They pick up the wrong values from films where the good boy and girl are no longer the heros. (Bartlett cited by McGill 1974:14)

As with all new media, film was repugnant to elite. Film, as a cheap form of theatre, at first required actors and actresses to change their names for screen performances so that they would not spoil their careers with the "legitimate" stage. But as with other forms of popular culture, there is a slow process of assimilation in which certain forms are developed and become enmeshed in high culture. (Cunningham 1982:67; Hartley & Hawkes 1977:28ff) This can be discerned in the movement of a medium to "art" status. With film, it can be noticed that there has been a long but slow appreciation of its art potential, which is currently realized in the form of festivals and film societies (the more serious use of film?).

The most notable work proceeding in this perspective is that of the Birmingham Centre for Contemporary Cultural Studies. The cultural studies approach has been a major development over the past decade and has extended the nature and appreciation of culture, to that of a whole way of life, rather than one particular group or classes position. (See Working Papers in Cultural Studies 1977; Sparks 1977; Johnson 1979; Hall et al 1980) These studies (see for example Shepherd et al 1977) are useful in determining the arrangement of cultural definitions in terms of social organisation

rather than as arbitrary and permanent artefacts of an elite. Cultural studies provides a framework for looking at the nature of film content in terms of moral and cultural definitions. It notes the link between high cultural definitions and sources of power. (Williams 1977 and 1981B) As such it is a particularly useful perspective with which to understand the target of film censorship, in terms of content; and the reasons for censorship, in terms of cultural encroachment. However, it is not sufficient to explain New Zealand film censorship. An explanation of film censorship must also include discussion of the role of the state and explain the relationship between elite cultural definitions and their emergence in state practice.

2.4 Frankfurt School

In common with the popular-high culture clash, the Frankfurt school feared the degeneration of high culture standards through homogenization caused by the involvement of capital in cultural production. By extending consumption of cultural artefacts to the masses, through mass production, popular taste would dominate as the most commercially viable, thereby causing production to cater predominantly for this market and thus threatening elite definitions of excellence and art with universal mediocrity. However, the Frankfurt school's concern with this development was not a simple case of elite contamination. Instead their concern was that such a process would smother the potential for intellectual

opposition necessary for social change. What Marcuse and the Frankfurt school contended was

that the media define for us the very terms in which we are to "think" the world, that their influence has to be assessed not in terms of their impact on what we think about this or that political issue, but in terms of the way in which they condition our entire intellectual gestalt - a gestalt which, according to Marcuse militates against conceptual thought. Crudely put this means that the threat which the media embody is that they either inhibit or confuse thought itself by inducing us to live, mentally in a world of hypnotic definitions and automatic ideological equations which rule out any effective cognitive mediation on our part. (Bennett 1977:42)

The Frankfurt school considered the capitalist culture industry to be totally determining the manner in which its messages were received and thereby denying any form of opposition to the process. Differing from the mass society social disintegration conception, the Frankfurt school emphasized an excess of order and control available to those who wield the effective power of the media. The media (and popular culture in general) is seen as a passifier, befuddling people into submission. Horkheimer and Adorno

view the media as offering men and women release from the world of work without nourishing in them the wants and aspirations which would induce them to question the rationality of their work-a-day lives. Mass culture replenishes the worker as a capitalist worker - that is, as the stunted individual he or she must necessarily be in order to willingly accept his or her place within the process of production. It redefines individuals' wants into the spheres within which they can be satisfied as routinized leisure constitutes the counterpart to routinized production. (Bennett 1977A:65)

Marxist concern fundamentally centres on the mechanism of class conflict as the moving force in social change. But the Frankfurt School considered this process to have ground to a halt. History

they felt had not gone according to plan. The opportunity of a socialist revolution had been forgone, replaced instead by the emergence of fascism. The prospects of social change had been lost they posited because the consciousness of a need for change had been eliminated. The Frankfurt School looked to explain this development in terms of superstructure changes, changes in ideological forms instead of in purely economic considerations. (Bennett 1977A:36) The human agencies, such as families, were no longer capable of resisting the influence of capitalist ideology which transformed and subverted all forms of opposition to it (Bennett 1977A:38).

The Frankfurt School's theory of mass society considered that capitalist society involved the collapse of the family as the traditional socializing institution in the face of massive economic and technological changes, and its replacement by the "culture industry". (Swingegood 1977:13) However, the change to culture industry as a primary socializing force involved a consequent openness to manipulation. Unlike the high cultural concern (considered above), over the barbaric practices of the lower echelons being reproduced en masse, the Frankfurt School considered the mass media as providing a new "mass culture". In its need to appeal to a vast public, mass media produced a new mass culture which usurped both the earlier popular cultural forms and high cultural forms. The media invaded and subverted high culture. By making it widely available, the media deprived it of its separateness. (Bennett 1977A:38) Mass culture they felt, was homogenous repetitive and infantile, and contaminated the traditional high cultural forms, thus leading to an increasing

cultural homogeneity. (Bennett 1977:36) It allowed no scope for individual imagination, instead it constituted the individual as a passive manipulated object (cf Katz and Lazarsfeld above). (Swingegood 1977:16).

The Frankfurt School was concerned about the disintegrating effect this culture industry had on the potentially revolutionary working class. Whereas mass society theory argued that the widespread dissemination of mass media involved a dissolution to anarchy and chaos, the Frankfurt School feared an excess of order and rigidity. (Bennett 1977A:11). The culture industry involved a class dominance but not one which was exerted over classes. Instead this dominance was exerted over the deceived masses, who although interacting with the forces of production as class members, are constituted by the media as atomized individuals.

Adorno holds firmly to his conspiratorial view that "the culture industry intentionally integrates its consumers from above" through an ideology in which "conformity has replaced consciousness" and where no deviation from the norm is tolerated : "the total effect of the culture industry is one of anti-enlightenment..., that is, the progressive technical domination of nature... a means of fettering consciousness. It impedes the development of autonomous, independent individuals who judge and decide consciously for themselves." (Swingegood 1977:8 cites Adorno [Culture Industry Revisited]).

Not only did the culture industry provide ready made solutions and explanations it also incorporated oppositional values and definitions into capitalism and wove them into the social and cultural fabric. This incorporation deprived them of their oppositional value and status. For example, in the case of film,

oppositional values (or for that matter, topics of sex and violence) are harnessed by the market and deprived of their critical value by being reduced to the level of the mere reproduction of capital. However, these formulations had a number of problems. The Frankfurt School viewed the culture industry as capable of totally determining the way in which its messages would be viewed. They also believed that the culture industry could not be used by oppositional forces within society. (Bennett 1977A:43) Therefore, the media were a totally one-sided ideological force acting to deceive the masses (and reproduce them as consumers). Understandably such a strong consideration has fallen somewhat from favour. It fails to adequately allow for the concept of Socialist Cinema, and implies a completely hypodermic, indoctrinating conception of the media. It paradoxically, denies any critical interpretive role on the part of the audience to "read" the media for alternative ideological messages and interpretations.

Film should not be seen as necessarily the legitimating agent of capitalism as a whole. There is no question that there is an ideological presentation within film, but, as will be shown below, film is fraught with conflicting ideologies, both oppositional and alternative. (see Gitlin 1982) The overriding emphasis within the industry is profit seeking, which may at times involve the production of films whose ideological content is antagonistic to the financial backers of the film itself. (See Lovell 1980) Not only is film not totally domesticated by contact with capitalism, but there is also the possibility of a variety of ideological readings.

A shift from the conception of the media as a stupifying force as expressed by Marcuse and the Frankfurt school to a less instrumental and domineering position in which the media relay and help create dominant meaning systems, has occurred within Marxist research on the media to which we now turn.

2.5 Ideology

The role of ideology in the reproduction of the social system has become a source of considerable debate within Marxist circles, in which the function of the media is seen to be of vital importance. Consequently Marxist media studies focusing on the ideological role of the media have been relatively prolific. (See Hill 1979; Glasgow Media University Group 1976; Cohen and Young 1981; Gardner 1979) The term of ideology was coined by the French philosopher Desult de Tracy in the late eighteenth century (Williams 1977:56). While it did not originate in Marxism, it is an important concept in almost all Marxist thinking about culture. The difficulty is that there are three common versions of this concept in Marxist writing. These are,

- (i) a system of beliefs characteristic of a particular class or group;
- (ii) a system of illusory beliefs - false ideas or false consciousness - which can be contrasted with true or scientific knowledge;
- (iii) the general process of the production of meanings and ideas.

In one variant of Marxism, sense (i) and (ii) can be effectively combined. In a class society, all beliefs are

founded on class position, and the systems of belief of all classes...are then in part or wholly false (illusory). The specific problems in this powerful general proposition have led to intense controversy within Marxist thought. (Williams 1977:55)

In its extreme formulation, the media, owned and controlled by capitalists (or the state) are seen to give expression to capitalist ideology which indoctrinates the working classes. The origins of this ideological position can be found in a passage in The German Ideology.

The ideas of the ruling class are in every epoch the ruling ideas: i.e., the class which is the ruling material force in society, is at the same time its ruling intellectual force. The class which has the means of material production at its disposal, has control at the same time over the means of mental production, so that thereby, generally speaking, the ideas of those who lack the means of mental production are subject to it. The ruling ideas are nothing more than the ideal expression of the dominant material relationships, the dominant material relationships grasped as ideas; hence of the relationships which make the one class the ruling one, therefore, the ideas of its dominance. The individuals composing the ruling class possess among other things consciousness and therefore think. Insofar, therefore, as they rule as a class and determine the extent and compass of an epoch, it is self-evident that they do this in its whole range, hence among other things rule also as thinkers, as producers of ideas, and regulate the production and distribution of the ideas of their age: thus their ideas are the ruling ideas of the epoch. (Marx and Engels 1976:61)

Marx himself did not place a great deal of emphasis upon this dominate ideology thesis that he and Engels subsequently set in motion with this passage. (Abercrombie et al 1980) The acceptance of ruling class ideas was for them a false consciousness which would become transparent and be transcended, a process which they considered to be already in operation. (Bennett 1977A:53) Marx considered that the very subjection to the extended circumstances of

capitalism would eventually render bourgeois culture obviously irrelevant to the working class. The conditions of material production would cause a polarization, a split of society increasingly into two fundamental hostile groups, bourgeois and proletariat, which would come to hold radical - cultural - differences. The very subjection to capitalist circumstances of production would remove bourgeois culture from the realm of the working class and its irrelevancy would be apparent.

The proletarian is without property; his relation to his wife and children has no longer anything in common with the bourgeois family relations; modern industrial labour, modern subjection to capital, the same in England as in France, in America as in Germany, has stripped him [the proletarian] of every trace of national character. Law, morality, religion, are to him so many bourgeois prejudices behind which lurk in ambush just as many bourgeois interests. (Marx and Engels 1959:18) (12)

For Marx, the ideological reflected the material conditions of production, and was determined by these conditions, rather than determinating them.

The mode of production of material life conditions the general process of social, political, and intellectual life. It is not the consciousness of men that determines their existence, but their social existence determines their consciousness. (Marx 1970:20-21) (13)

Whereas bourgeois ideology may reign supreme, proletarian consciousness (which was seen as false when aligned to bourgeois ideology) would arise from the material conditions of their exploitation. However, when it became patently obvious that capitalism was showing no signs of succumbing to "insoluble contradictions" and "inevitable collapse", a reevaluation of the base superstructure division gave a new importance to Marx's passage in The German Ideology and a major concern about the power

of ideology, and the concept of a dominant ideology developed, to explain capitalism's resilience. It was considered that if the proletariat did not revolt then this must be because they were under the spell of bourgeois ideology.

Insofar as men in their labour practice only reproduce the objective power and its contradictions and insofar as they do not set about destroying them by means of a revolutionary practice, the conscious account of these contradictions is bound to be distorted. Men can only solve in consciousness what they can solve in practice. As long as men, because of their limited material mode of activity, are unable to solve these contradictions in practice, they will project them into ideological forms of consciousness. Ideology therefore, is a solution in the level of social consciousness to contradictions which are not solved in practice. The specific effect of these distorted solutions is the concealment of the very existence or character of these contradictions. (Lorraine 1979:15)

Through the ownership of the media (as one of the apparatuses of ideological incorporation), the capitalists are able to indoctrinate the working classes into bourgeois ideology and effectively exclude alternative or oppositional ideologies. (14) They thus are able to enforce a false consciousness upon the dominated classes. This concept of a dominant ideology, created and disseminated through the capitalist media has a great many pitfalls. (See Abercrombie et al 1980; Heath 1981; Abercrombie 1980)

The assumption that film has an ideologically legitimating function lends itself to the corresponding role of film as a form of cultural imperialism. (See Guback 1969 & 1973; Mattelart 1979 & 1980; Tunstall 1970). But this coherency within media presentation remains difficult to substantiate (see Gitlin 1982, Woollacott 1977:47). While the multinational and corporate interests are

clearly established within film (see Stanbrook 1981, Tunstall 1970), the extension of this to an indoctrinating ideological function for film is overly simplistic and could be described as "vulgar Marxism" (Woollacott 1977:47). Film emerges from a variety of sources, not solely the responsibility of capitalist financial backing and cannot therefore be simply ascribed a legitimating capitalist function. Essentially it renders the media as the unproblematic tool of capitalists; a coordinated, unified organization. It also renders the production and interpretation of media as completely unproblematic, implying not only the perfect correspondence between a media producer's intent and result but also a perfect reception of the ideological message. (Hill 1979:115)

The assumption of a single, functional ideology pervading the entire social formation reduces broadcasters to no more than relatively unproblematic ideological agents of their political and economic masters. (Wood 1982:176)

Even when a much less instrumental position is maintained the classical ideological concern with film expressing a dominant ideology still has difficulty in explaining the production of alternative and oppositional ideological material. (See Gitlin 1982; Goldman 1982)

Particular capitals invested in the entertainment industry have an interest in maximising profits through maximising the popularity and therefore the sale of entertainment. They have only class interest in securing the ideological needs of capitalism. This collective class interest may cut across the interest in the search for surplus value. If surplus value can be extracted from the production of cultural commodities which challenge, or even subvert, the dominant ideology, then all other things being equal it is in the interests of particular capitals to invest in the production of such commodities. Unless class restraints are exercised, the individual capitalists' pursuit of surplus value may lead to forms of

cultural production which are against the interests of capitalism as a whole. (Lovell 1980:60-1)

It must be recognised that film presents a huge variety and not a single homogeneous and controlled set of messages and interpretations.

Hollywood films are not all the same, they don't necessarily carry identical ideological messages. A view of Hollywood films which sees them as an undifferentiated manifestation of a dominant ideology inevitably fails to come to grips with the differences among films and the range of messages which they embody. (Woollacott 1977B:48)

2.6 Conclusion

While each perspective within the conventional approach is interesting and important to the discussion of film, they each remain partial and limited in the discussion of film censorship. They each have a tendency to consider films in terms of the effects that film might potentially have, but this has lead to an approach which is overly concerned with film as a causal agent, a single factor externally influencing the individual. While it is certainly not the case that effects research should be abandoned (especially in the light of the "new look" advances which have taken place, see Blumler 1977:42 Halloran 1977:37), it is apparent that some of the connotations of effects must be reinterpreted. In an unsophisticated way, these aspects of film tend to be lumped together into rates of presentation, from which unproblematic

"commonsense" assumptions about corruption, desensitization and ideological incorporation result.

The consideration of popular culture provides a very fruitful insight into the origins of standards which may be applied in censorship but fails to adequately describe how these come to be enforced. In contrast the Frankfurt School's analysis of modern society has many extremely challenging formulations but suffers from its over emphasis on the determining characteristics of media. Likewise, in some formulations of the ideological perspective the media are credited with a hypodermic effectiveness. In less extreme formulations the ideological approach provides exceedingly useful analyses of the content and messages incorporated in films which, in turn are interpreted in a variety of ways by the recipient audience. What this conventional approach lacks is a clear position from which to base an explanation of why censorship should exist and how it operates. In the next chapter the alternative approach of hegemony will be considered as a means of providing such an explanation.

FOOTNOTES.

1. See for example Horkheimer and Adorno's essay The Culture Industry: Enlightenment as Mass Deception 1972 in The Dialectic of Enlightenment Herder and Herder New York.
2. See for example the discussion by Kraucuer 1947 From Caligari to Hitler.
3. Miriams 1945:30-31

4. Evening Standard. 29 May 1982 pg3. The film has a particularly violent ending, and includes screens in which a young man attempts to shoot a government candidate to impress his girlfriend.
5. It should also be noted that although Lazarsfeld's work on the personal influence model has been used a great deal in relation to television, he acknowledges in a footnote that his research took place prior to the widespread development of television.
6. Evening Standard 5 October 1982 pg 6. Content analysis has developed in sophistication in recent years and has been augmented by the emergence of a consideration of semiotics and the semiology of media.
7. US Commission on Obscenity and Pornography 1970,
alternatively see US Commission on Obscenity 1971.
8. Evening Post 20th July 1982 "18 Helpings of 'Pork Pie' and a Mini Chase" pg 11
9. In this game a cock was tied to a stake and beaten or stoned to death.
10. Bury and Norwich Post 18 November 1801, cited by Malcolmson 1982:27
11. Barry, E. Bull Baiting. A Sermon on Barbarity to God's Dumb Creation. Reading 1802, cited by Malcolmson 1982:27
12. From the Communist Manifesto. Edited by Feuer 1969
13. From the Preface to the Critique of Political Economy.
Edited by Dobb 1970
14. See Goldman 1982 and Gitlin 1980 for examples relating to television

CHAPTER THREE

Film Censorship and Hegemony

3 Film Censorship and Hegemony

3.1 Introduction

As a state practice, film censorship should be explainable in terms of state theory, and in turn be predictable. A Marxist theory of the state should to a certain degree be able to act as an hypothesis for the analysis of film censorship, guiding the analysis and highlighting certain aspects. Marxist consideration of the nature and function of the state has undergone a considerable revival in the last few decades. (See Jessop 1977; Gold et al 1975) Developing in contrast to the more orthodox theories of the state, a revisionist Marxist analysis has emerged. Centred on the concept of hegemony it will be suggested that Marxist thought provides a very useful analytical tool with which to consider film censorship in New Zealand and underpins the more directly media oriented approaches. To locate the emerging revisionist Marxist position it will be necessary to briefly work through the Marxist conceptions of the state. These will be divided into three formations, instrumentalist, revisionist, and hegemonic conceptions of the state.

3.2 Instrumentalism

The instrumentalist perspective of the state maintains that the state is the instrument of the ruling (capitalist) class. That is, that the state is the political arm of the ruling class, wielded by the ruling class for its own purposes and benefit. This orthodox view stems from the classical Marxist division of base and superstructure, which renders all elements of social organization down to their ultimate economic determination. The state is merely the superstructural organization, the manifestation of the economic control available to the ruling class. (Gold et al 1975:32) There is no real question as to why the state should serve the capitalists, it serves simply because the state is controlled by the capitalists. The state then, is used by the bourgeoisie to promote conditions favourable to their maximum expansion and development.

In the Marxist scheme, the "ruling class" of capitalist society is that class which owns and controls the means of production and which is able, by virtue of the economic power thus conferred upon it, to use the state as its instrument for the domination of society. (Miliband 1969)(1)

As a powerful tool to be wielded in the organization of society the state could perhaps be seen as the goal of political struggle, the prize to won, wrested from the hands of the capitalists. But this conception presumes the state to be a neutral instrument capable of being wielded by whatever "owner" should have control. (Jessop 1977:356) It implies it would operate with equal scope and efficiency if it could be won by the proletariat instead. Lenin and to a degree Marx and Engels conceived of the state as much more

partisanly associated to capitalism than this neutral conception implies.

Lenin stated his belief in The State and Revolution that "[a] democratic republic is the best possible shell for capitalism and therefore capital, once in possession... of this very best shell, establishes its power so securely, so firmly that no change of persons, or institutions, or of parties in the bourgeois democratic republic can shake it." (Jessop 1978:27 emphasis in original)(2)

Lenin, rather than looking towards capturing the state endorsed instead the total smashing of the state to enable proletarian rule. The staffing of the state is irrelevant he maintained, the state structure is inherently capitalist and the only sufficient way to overcome this required its complete destruction. (Wilkes 1980:16)

Instrumental Marxist considerations of the state have a number of problems and have now largely fallen out of favour. (Wilkes 1980:17; Gold et al 1975:35) By presuming control by the capitalist class, orthodox Marxist studies of the state have focused on the ties between the capitalist class and the state and have been very useful in determining a number of influential factors, but instrumentalism fails to make adequate account of the many examples of state reforms and policies which serve broad interests rather than those specific to the the corporate interests of the bourgeoisie. (Gold et al 1975:35) An instrumental analysis of state film censorship would tend to suggest that legislation was in the interests of, and the result of the more general interests of capital. While it will be noted later on that indeed there are certain benefits which accrue to the film industry as a result of censorship legislation, these were not sought nor considered

desirable at the time by the New Zealand industry. (See Chapter Four)

There are important realms of State-related activity which are clearly not manipulated by specific capitalists or coalitions, such as culture, ideology and legitimacy. These possess a degree of autonomy which tends to place them outside the realm of simple manipulation. (Gold 1975:35)

Instrumental notions of the state are most appropriately reserved for considering a particular moment in capitalist development. They speak quite lucidly of the control by the ruling class prior to the political representation of the dominated classes, that is, prior to the emergence of universal suffrage and monopoly capital. But with the development of popular democratic forms of state government, the once instrumental control shifts to a more subtle and sophisticated bourgeois hegemony. With the failure of western capitalism to result in socialist revolution Marxist analysis of the state and social organization has moved away from an economically reductive determinism to a more complex analysis. However instrumentalism retains an important role in Marxist analysis, and in particular sets out to challenge pluralist conceptions. The pluralist appraisal of the state (of Weberian extraction) argues that the state is open to influence from a variety of sources in society resulting in government by public interest. Pluralists argue for the consideration of the state as a neutral tool, which can be used with equal force and efficiency by any class or social force. Orthodox pluralism therefore: "attempts to explain governmental decisions in terms of the conflicting play of group interests in society." (Skocpol 1979:9) And thus, the

pluralists try to explain change in terms of democratic evolutionary principles. In contrast (if perhaps slightly overstating the case), the modern instrumentalist explanation argues and seeks to demonstrate that there are decisive and historical privileges involved in influencing (controlling) the state. And unlike an elitist approach these privileges are centred on class origins. Miliband argues that:

What is wrong with pluralist-democratic theory is not its insistence on the fact of competition (i.e., open political competition over state policies in capitalist democracies) but its claim (very often its implicit assumption) that the major organized "interests" in these societies, and notably capital and labour, compete on more or less equal terms, and that none of them is therefore able to achieve a decisive and permanent advantage in the process of competition. (Miliband 1969:156)(3)

In capitalist society the class which controls the means of production is by virtue of the power of its economic position able to influence the state. Instrumental considerations of the state, like instrumental notions of ideology, have now largely fallen out of favour as being too instrumental and a less reductionist argument is generally found in current discourse.

3.3 Revisionist Marxist theory

Orthodox Marxism considered the fundamental contradictions of the capitalist economic production would lead to its inevitable destruction. However, with the failure of any successful industrialized revolutionary movement, and faced with the apparent

strength of capitalism and the alarming emergence of fascism, a reformulation of Marxism emerged. Moving away from the economism of orthodox Marxism, the twin spheres of politics and ideology were reassessed in importance and imbued with a degree of autonomy.(4) In terms of the current analysis it is important that the Marxist reformulation of the state and the ideological role of the state be considered. The revisionist Marxist view of the state, while still fundamentally maintaining that the state serves capitalist society, is far less reductionist than the instrumentalist position. It introduces a degree of autonomy to the state vis-a-vis the capitalist classes. (Martin 1951A) Structuralists fundamentally argue^{that} the

functions of the State are broadly determined by the structures of the society rather than by the people who occupy positions of State power. (Gold et al 1975:36)

Rejecting the simplistic notion of the state wielded by the ruling class, the structuralist perspective proposes that the state is relatively autonomous from the machinations of the ruling class, that is, not completely autonomous nor completely subservient. (Poulantzas 1975:255ff) The functions of the state are broadly determined by the structures of society and political economics. (5) Poulantzas is credited with the most elaborate Marxist structuralist analysis of the state (by Gold et al 1975), which challenges instrumentalism on a number of points. Structuralists deny that the state can be seen as the simple tool of the capitalists. As a simple tool, instrumentalism implies that the capitalists form a unified and coherent class capable of articulating their position into state policy. Whereas the

structuralists point out that capitalists are in fact far from a unified class, indeed they can be seen as a highly fractionated class, competing in a highly parochial and at times in a mutually antagonistic manner. On the other hand, Poulantzas argues that as the contradictions between social production and private accumulation inherent in the capitalist mode of production deepen the working classes are more and more thrown together in common plight, in a manner which threatens to potentially unify them in opposition to capitalism. (Gold et al 1975:37; Jessop 1977:355; Jessop 1982:43; Therborn 1980:66-67) Broadly speaking the structuralist perspective is interested in the means by which the state acts to cope with this inherent problem in capitalist development, and ensure the reproduction of capitalism. The structuralist answer suggests that the state's role is to unify the capitalist class and effectively atomise the proletariat to ensure the long term reproduction of the capitalist means of production. (Gold et al 1975:36-37) The state it is suggested is a better manager in the long term, of the interests of capital than individual capitalists, whose parochial competitive interests may at times be contradictory to the broader issues of system maintenance (for example issues of environmental conservation and business ethics, see Skocpol 1979). The state, in order to be able to regulate the excesses of capitalism, must have a degree of autonomy from individual capitalist control. (Martin 1981A:1ff) In order to reproduce itself and capitalism, the state must perform the dual function of dissolving any potential unity of the working class and at the same time function to guarantee the long term interests of the capitalist class as a whole. (Gold et al 1975:38) Therefore the

class struggle extracts through the relatively autonomous state whatever concessions are deemed necessary in the long term interests of the capitalist mode of production (to keep the dominated classes appeased). Thus the state may appear in the short term to be working against the sectional interests of capitalists. By appeasing the proletariat in this fashion the state can undermine any potential for unity or antagonism against the capitalist mode of production.

The state serves the function of atomizing the working class, of disintegrating its political unity through the transformation of workers into individualized citizens while at the same time representing itself as the integrated universal interest of the society as a whole. This is accomplished through the institutions of bourgeois democracy and justice, which created the appearance of equality, fair play, due process, etc., and through various kinds of economic concessions made by the state which help to transform the political struggle of the working class as a whole into narrow, economistic interest group struggles of particular segments of the working class. (Gold et al 1975:37)

In many ways the structuralist position appears to fit in quite effectively with the situation of the film industry. Film is part of a highly capital intensive industry, involving considerable quantities of money invested in high risk products. Film companies are in continual competition for the limited film market and each tries to "outdo" the other in terms of spectacular production. Because of the highly obsolescent character of films, film-makers are continuously trying to rerender trusted themes (of which sex and violence have proved particularly successful in guaranteeing consumption). But as the film companies move into more explicit material they run into moral boundaries. Unregulated, the

exploitative competition of the cinema industry, it has been suggested by film censors and moral campaigners alike would result in the influx of pornography and violence surpassing the audience's tolerance and presumably creating a moral backlash adversely affecting the film industry. (See Bartlett 1982; Whitehouse 1971; Burns 1972) (6) Within this structuralist perspective film censorship could be described as the state's long term attempt to manage the social production of goods, to moderate the excesses of capitalistic (competitive) film production, (which has the potential to cause its own destruction), while at the same time atomizing the unification that this antagonism to film could generate. (An interesting yet unstable unification has emerged between Feminists, and Rightwing groups on the issue of pornography, see Stern 1982). However, while film censorship does tend to provide a concise example of the structuralist perspective on the intervention of the state against individual capitalists in the interests of capital as a whole, it tends to imply an overly conspiratorial tone to his intervention. Crucial to film censorship analysis is the notion of a level of moral decency which the structuralist analysis leaves undertheorised. Structural analysis focuses primarily on class behaviour, yet the unification implied by the maverick development of film, if anything suggests an elite or bourgeois reaction rather than a proletarian one. The challenge of film as we have seen is in terms of high versus popular cultural definitions, which serves to distort the class basis of the capitalist film industry by realigning the individual to other institutions such as the church.

A further difficulty within the structural perspective lies in

explaining the guarantee that (appropriate) state intervention will actually occur. The structuralists can provide important and valid reasons for this intervention, but the explanation of why the state actually does act this way remains problematic. According to Skocpol, Block (1977) provides probably the best response to this structuralist omission by noting that state managers (parliamentarians), are intrinsically tied to the operation and success of the economic viability of the state and the reproduction of capitalism for their social location.

[T]he state managers depend for their power and security in office upon a healthy economy. For the state needs to tax and borrow and politicians need to face reelection by people who are likely to hold them responsible if the economy falters. Thus state managers willingly do what they can to facilitate capital accumulation. And given that most economic investment decisions are controlled directly by private capitalists, state managers are especially sensitive to the overall state of "business confidence", that is "the capitalists' evaluation of the general political/economic climate". (Skocpol 1979:52)(7)

It is in this underlying tie to the capitalist economy that state autonomy can be seen to be only ever relative, never complete. Thus the liberal democratic state is in turn restricted and confined in its activities and interventions by the need to maintain business confidence and is therefore indirectly subordinate to the economic and social pressure of capital. As it was stated above, the fundamental thesis of the structuralist perspective is that the functions of the state are broadly determined by the structures of the society rather than the people who occupy positions of state power. Therefore, the starting point of the structuralist analysis is generally an examination of the class structure in society, particularly the contradictions rooted in the economy.

Structuralists then analyse how the state attempts to neutralize or displace those various contradictions. The structuralist theory of the state thus attempts to unravel the functions the state must perform in order to reproduce capitalist society as a whole.

~~functions determine the specific policies and organization of the~~

The aim of every independent state, whatever its form of government, is to ensure that its citizens accept the ideas and principles embodied in its social and political system, willingly obey its rules, and live together in peace and good order. (MacLachlan and Scott 1973:1)

This simple appraisal of the fundamental necessity of the ideological reproduction of the state appeared on the first page of a reader for schools about all forms of censorship in New Zealand.(9) The ideological reproduction of the state is a factor strongly emphasized by Althusser (1971) in his Ideology and Ideological State Apparatuses essay. The reproduction of the State is dependent on the reproduction of its individual parts, for example the reproduction of labour power is vitally important to the ongoing process of capitalist production. The labour force, which is exploited under capitalist rule, must somehow be woven into the fabric of the state without threatening it. Not only must labour produce more labourers, but these new labourers must also be subservient to the system they are nurtured in. Therefore Althusser states that:

the reproduction of labour power requires not only a reproduction of its skills, but also, at the same time, a reproduction of its submission to the rules of the established order, i.e. a reproduction of submission to the ruling ideology for workers, and a reproduction of the ability to manipulate the ruling ideology correctly for the agents of exploitation and repression, so that they, too, will provide for the domination of the ruling class

"in words". (Althusser 1971:127-8)

Ideology is disseminated through a wide variety of sources which make up the ideological apparatuses. However, there is some difficulty in ascribing all such apparatuses to the state as Althusser does. (See Johnson 1979:69) His rejection of a notion of civil society as a distinct entity in his Ideology and Ideological State Apparatuses essay results in the inclusion of churches, political parties, trade unions, families, communications and cultural activities as State apparatuses. (Althusser 1971:137-8) This blurring of the boundaries of the State and civil society is challenged by Anderson who considers that:

once the position is adopted that all ideological and political superstructures - including the family, reformist trade unions and parties, and private media - are by definition State apparatuses, in strict logic it becomes impossible and unnecessary to distinguish between bourgeois democracies and fascism. (Anderson 1976-77:36)

Instead Anderson suggests that the state itself, as opposed to civil society is hierarchically important in the ideological process.

The fundamental form of the Western parliamentary state - the juridical sum of its citizenry - is itself the hub of the ideological apparatus of capitalism. The ramified complexes of the cultural control-systems within civil society - radio, television, cinema, churches, newspapers, political parties - undoubtedly play a critical complementary role in assuring the stability of the class order of capital. So too, of course, do the distorting prism of market relations and the numbing structure of the labour process within the economy. (Anderson 1976-77:29, emphasis in original)

Therefore in a Hegelian-Marxist manner we can view the state as a mystification. (Gold 1975:40) The state is an institution which functions to obscure the class recognition of the capitalist means

of control and consequently the State (and the media) forms the site of conflict not the prize of this struggle.

3.4 Hegemony

The most sophisticated Marxist consideration of the state for our purposes lies with Gramsci's concept of hegemony. Gramsci's writings, mainly penned in Prison from his arrest in 1926 to his death in 1937, were at first not widely available outside of Italy, but now form a major thrust in Marxist thought. (Anderson 1977:5) Gramsci sought to determine the reasons behind capitalisms success in resisting the socialist movement. His transformation of the notion of hegemony from Lenin's use of the term for proletarian rule, to the fulcrum of bourgeois rule has been very useful in Marxist analysis. The term's origins are in the conception of "the class alliance of the proletariat with other exploited groups, above all the peasantry, in a common struggle against the oppression of capital," (Anderson 1976-77:19). What is sought with hegemony is a unison of economic and political aims as well as an intellectual and moral unity. (Williams 1977:108) The Prussian origins of such an alliance were between non-antagonistic classes - the peasantry and the proletariat - whereas when applied to the West by Gramsci, capitalist rule involved an inherent conflict between antagonistic classes, entrenched around the modes of production. Therefore, in capitalist society hegemony describes consent between antagonistic classes backed up by coercion.

The revolution which the bourgeois class has brought into the conception of law, and hence into the function of the state, consists especially in the will to conform (hence ethicity of the law and of the state). [Gramsci SPN p260] (in Bennett 1981:217)

Whereas consent has previously existed in other political systems, that is, while it is not unique to capitalism, the form that this consent takes is special.

The novelty of this consent is that it takes the fundamental form of a belief by the masses that they exercise an ultimate self-determination within the existing social order. It is thus not acceptance of the superiority of an acknowledged ruling class (feudal ideology), but credence in the democratic equality of all citizens in the government of the nation - in other words, disbelief in the existence of any ruling class. (Anderson 1976-77:30, emphasis in original)

Thus while consent of exploited classes may be obtained in other epochs in history the feature unique to the consent in capitalist hegemony is the belief in the fairness of the democratic system. As with the structural approach the state in bourgeois democracy is itself seen as the ideological lynchpin of western capitalism. While men and women remain confined to different social classes in terms of the capitalist mode of production, the political and juridical rights attached to individuals are represented as being equal.

The economic divisions within the "citizenry" are masked by the juridical parity between exploiters and exploited... The code is all the more powerful because the juridical rights of citizenship are not a mere mirage: on the contrary, the civic freedoms and suffrages of bourgeois democracy are a tangible reality, whose completion was historically in part the work of the labour movement itself, and whose loss would be a momentous defeat for the working class. (Anderson 1976-77:28)

However, the alignment of classes, the engagement of their

active, political consent requires certain responsibilities on the part of the dominant group. In order to achieve this leadership, its concern with the interests of the social groups over which it seeks to exercise hegemony must be seen as genuine:

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 [Gramsci. Quaderni vol p461] (cited by Mouffe 1981:223)

However, hegemony is still, fundamentally to be seen as the dominance (through leadership) of one group over another designed for the former's advantage.

The state is seen as the organ of one particular group, destined to create favourable conditions for the latter's maximum expansion. But the development and expansion of the particular group are conceived of, and presented, as being the motor force of a universal expansion, of a development of all the "national" energies. In other words, the dominant group is coordinated concretely with the general interests of the subordinate groups, and the life of the state is conceived of as a continuous process of formation and superseding of unstable equilibria (on the juridical plane) between the interests of the fundamental group and those of the subordinate group. [Gramsci. SPN p118-182](cited by Bennett 1981:198-9)

It can be seen that Gramsci's notion of hegemony is a sophisticated Marxist concept with which to consider the state and the operation of capitalist society. Hegemony is to be seen as both the winning and shaping of "consent", so that the power and position of the dominated classes appears to be both legitimate and natural.

[The] state is the entire complex of practical and theoretical activities with which the ruling class not only justifies and maintains its dominance, but manages to win the active consent of those over whom it rules.[Gramsci SPN p244] (Bennett 1981:216)

But this is not an ideological unity created through mere ideological inculcation. (Willaims 1977:109) Hegemony is not reducible in this sense to ideological instrumentalism. Ideology is not produced by individual classes, but instead is articulated by particular classes and by association develops a class characteristic.

It is by their articulation to a hegemonic principle that the ideological elements acquire their class character which is not intrinsic to them. This explains the fact that they can be "transformed" by their articulation to another hegemonic principle. Ideological struggle in fact consists of a process of disarticulation - rearticulation of given ideological elements in a struggle between two hegemonic principles to appropriate these elements; it does not consist of two already elaborated, closed world views. (Mouffe 1981:231)

Hegemony amalgamates society through the active seeking of consent from the dominated classes. The greater the extent to which a government can be recognised as having the authority to give orders and control society, the less it will have to rely on persuasion, rewards, punishments and threats of violence, and coercion need only be used in exceptional circumstances, to ensure the compliance of individuals and minorities. This allegiance, recognition of the legitimacy of the ruling bloc, is won by concessions and the extension of power, in such forms as the provision of universal suffrage, juridical equality, and welfare provisions, etc.,. Hegemony, however, suggests more than the structuralist perspective. Hegemony is a moral and intellectual leadership as well as a political leadership (see Mouffe 1981:221; Sassoon 1980:115).

[E]very state is ethical in as much as one of its most important functions is to raise the great mass of the

population to a particular cultural and moral level, a level (or type) which corresponds to the needs of the productive forces for development, and hence to the interests of the ruling class. The school as a positive educative function, and the courts as a repressive and negative educative function, are the most important state activities in this sense: but, in reality, a multitude of other so-called private initiatives and activities tend to the same end - initiatives and activities which form the apparatus of the political and cultural hegemony of the ruling classes. [Gramsci SPN p258] (Bennett 1981:216)

The state thus seeks to maintain a single dominant moral position to which the other class are aligned. These subordinate classes recognize this cultural hierarchy and accept it while not necessarily preferring its components. Thus subordinate classes may be encouraged (taught) to rate opera "higher" than rock music while not actually preferring it for themselves. Hegemony describes the situation in which the ruling class has been able to articulate the interests of other social groups to its own.

Hegemony as a situation, a moment in history, in which control is effectively exercised through leadership, is a continuously negotiated and renegotiated balance in which the ruling bloc seeks to rule. (Connell 1977:206) Hegemony must continually be won and maintained, or capitalist rule will resort to mere physical coercion. Society moves much more smoothly if its rules and definitions are willingly accepted, internalized, and not externally enforced. Therefore, an important aspect of hegemony is not just the winning of consent but the active shaping of this consent in an ongoing manner through apparatuses such as schools, churches, and even the architecture and the names of streets. (Mouffe 1981:227) However, hegemony is more than ideology (to which it is sometimes

reduced), it is the whole cultural process but in a politicized manner. It is not just the ideas and ways of conceiving of society but also the cultural and political organization working to "cement" a society together.

The concept of hegemony often resembles ideology, but it is a culture, a culture which has to be seen as lived dominance and subordinated to a particular class. (Williams 1977:110) But hegemony also goes beyond culture in its insistence on relating the complete social process to distribution of power and influence. Hegemony should always be seen as a process, not a system or structure. It has to be continually renewed and recreated, defended and modified (see Connell 1977:206; Adamson 1980:364; Anderson 1977:18ff)

A static hegemony, of the kind which is indicated by abstract totalizing definitions of a dominant "ideology" or "world-view", can ignore or isolate such alternatives and opposition, but to the extent that they are significant the decisive hegemonic function is to control or transform or even incorporate them. In this active process the hegemonic has to be seen as more than the simple transmission of an (unchanging) dominance. On the contrary, any hegemonic process must be especially alert and responsive to the alternatives and opposition which question or threaten its dominance. The reality of cultural process must then always include the efforts and contributions of those who are in one way or another outside or at the edge of the terms of the specific hegemony. (Williams 1977:113)

The concept of hegemony is a useful bridge for taking into account the other factors relating to the consideration of film censorship which cannot themselves offer a sufficient explanation of a state film censorship practice. Censorship as a state operation

must balance the capitalist imperatives of the film industry isolated by the structuralists. Film companies vie against each other in the securing of audiences, yet the state must maintain a viable industrial climate while at the same time balancing this against the commitment to a moral and intellectual standard of high cultural origins. But the state is not controlled by a moral elite or capitalists, it is hegemonic, and therefore elements of popular culture, and popular cultural definitions in the form of alternative and at time oppositional ideology are produced and must be dealt with. (Gitlin 1982) The hegemonic principle is one of incorporation, of domestication. The incorporated alternative becomes a further hook in the negotiation of consent and allegiance to the system. Of course this is not to say that all material will or can be domesticated, some will remain out of bounds and be ignored or excluded till a later period.

One point should be made clear: the hegemonic system is not cut-and-dried, not definitive. It has continually to be negotiated and managed, in order to override the alternative and, occasionally, the oppositional forms. To put it another way: major social conflicts are transported into the cultural system, where the hegemonic process frames them, form and content both, into compatibility with dominant systems of meaning. Alternative material is routinely incorporated: brought into the body of cultural production. Occasionally oppositional material may succeed in being indigestible; that media is excluded from the media discourse and returned to the cultural margins from which it came, while elements of it are incorporated into the dominant ideology. (Gitlin 1982:263)

The state, having made a commitment to the intellectual and moral leadership through the educational and judicial apparatuses must balance the box office (democratic?) appeal of particular

topics against the propounded (assumed) consensus of values its seeks to align the subordinate groups to. The state seeks to align the population to an elite definition of moral propriety and use this as a basis from which to work.

[It] depends, finally, on a consensus version of the "public" or "national" interest: a consensus which is first assumed and then vigorously practiced, rather than a consensus which has ever been openly arrived at and made subject to regular open review. (Williams 1975:39)

3.5 Conclusion

Hegemony is the organization of the state primarily through consent rather than coercion. The state has an ethical, educative role through which it seeks to align the population to a single (high) cultural form. Operating on the basis of consent and the alliance of various groups in society, conflict is seen as indicative of problems which the state therefore seeks to remove. Censorship represents a two pronged attack. At one level it seeks to squash conflict over film which jeopardises its appearance of authority. At the other, the state seeks to constitute the population to a single cultural, ideological consensus. However, as it was noted in regard to the ideological nature of films, there is not a single or unproblematic ideological component in films. Instead, they represent a variety of ideologies and may be interpreted in a variety of ways. Nevertheless, censorship is an attempt to constitute a single hegemonic ideological position on

film. However, given the nature of hegemony, this (high cultural) position is open to negotiation and adaption. While fundamentally maintaining its definition of what areas will be of concern (e.g. sex and violence) the practice of censorship understood in terms of an hegemony which is a negotiated equilibrium, constantly challenged by both changes in society and in films themselves.

FOOTNOTES.

1. Miliband 1969 pg 22 cited in Gold et al 1975 pg 32
2. Jessop 1977:27 cites Lenin 1963 pg296 *The State and Revolution*.
3. Miliband cited by Skocpol 1979 pg 14
4. Both of these have themselves been subject to equally reductive tendencies in various formulations as for example in the concept of a dominant ideology.
5. Structure does not refer to the concrete social institutions that make up a society, but rather to the systematic functional interrelationships among these institutions. (See Gold et al 1975)
6. This appears to have been a major factor in the establishment of the Hays Office in the USA to deal with the problems the film industry was running into. Hay was employed by the film industry to clean up the disasterous image and reputation it was developing. The Chief Film Censor Mr. Tunnicliffe holds this opinion, that a flood of pornography would result from the removal of restriction, thus resulting in a moral and consequently political backlash.
7. Skocpol refers to Fred Block's *The Ruling Class does not Rule: Notes on the Marxist Theory of the State Socialist Revolution* no.33 1977
8. See Gough 1979 for the United Kingdom, and Martin 1981 and Wood 1982 for New Zealand examples.
9. This book is now unfortunately ten years out of date and refers to old legislation, otherwise it represents one of the most informative books to be found on the local situation.

CHAPTER FOUR

History of Film Censorship in New Zealand

4 History of Film Censorship in New Zealand

4.1 Introduction

The history of film censorship in New Zealand is punctuated by a number of Acts and Amendments. Of these only two are of importance to the present discussion. The 1916 Act brought about the introduction of the separate operation of film censorship. The second milestone was the 1976 Act which substantially changed the orientation of the original Act. The other Acts and Amendments retained the original censorship legislation but included various other cinema related legislation.

This chapter is divided into four sections. {1} In the first section the introduction of film censorship will be looked at in a general way, taking account of the early development of the cinema and the early development of censorship operations in other countries. {2} Then in the second section the introduction of censorship will be located as a component part of the emerging strategy of State intervention. {3} Following this, the third section considers the commercial imperatives involved in a capitalist film industry and notes the changes that have occurred in film and the pressure it puts on censorship. {4} Finally in the fourth section, the hegemonic moral alignment of audiences is considered in the face of changing circumstances within the cinema,

and the response of film censorship is discussed along with a brief chronological description of film censorship events.

4.2 The Background of Film Censorship

The introduction of film censorship is relatively easy to date. New Zealand officially began film censorship as a separate practice with the introduction of the Cinematograph-Film Censorship Act, 1916. The first international calls for censorship or some form of control of film date back about twenty years to the inception of the cinema. Soon after the premiere of the cinema on the 28th of December 1895 by the Lumiere brothers of Lyon (their first commercial screening taking place in Paris), film was finding topics which caused controversy. As early as 1896 The Kiss, a film with an untypically explanatory title was a sensation in America where it also came under attack.(1) The kiss was between May Irwin and John C. Rice. It ran for only fifty feet, and thrilled thousands, but at the same time was decried as a "lyric of the stockyard".(2) However, the subjects that this new found medium was ready to depict were many and varied, and a variety of topics were defined as objectionable. Phelps considers the first call for censorship in Britain to have been concerned with a block of cheese.

Public film shows in Britain date from 1896 and concern about their contents arose immediately. The first call for censorship was heard within two years following the exhibition of a film in London. Using a microscope, Charles Urban had filmed a study of Life in a Stilton Cheese, revealing altogether far too much for the British

cheese industry which protested vigorously. Such complaints, however, failed to stir public opinion and film censorship was eventually introduced [in Britain] as much by accident as by design. (Phelps 1975:26)

The introduction of cinema control was in fact first oriented to licencing and fire precautions.

Early cinema was an exceedingly dangerous proposition up until the widespread introduction of safety film in the 1940's. Prior to safety film, movie stock was made of a highly flammable nitrate base and tended to be used in conjunction with somewhat unsafe illuminants. In addition, especially in the very early days of film, the shows were often given in quite inadequate makeshift premises, making the possibility of fire very real.

The reputation of the cinema suffered a severe blow in May 1897. It was still novelty enough to provide a sideshow at the smart "Bazar de la Charite", a grand annual social event when all the aristocracy of Paris gathered to raise money for good causes. A projectionist's carelessness began a conflagration which blazed through the flimsy and inflammable stalls and side-shows of the Bazar. The 140 fatal victims included the Duchesse of d'Alencon. Although it would be a mistake to over-estimate the set-back this melancholy occurrence produced in the exploitation of the cinema, it certainly discouraged some of the more timid sections of the audience, and opened the door to police and local authority control of cinema shows, not only in France, but also in England and America where the event was spectacularly reported. (Robinson 1981:26)

Thus early censorship control of the cinema was typically achieved through the indirect use of local licences and fire regulations. (Likewise early printing and publishing was controlled through licencing, see Curran 1977) For example, by 1909, Britain had introduced a Cinematograph Act designed solely to establish fire regulations and precautions. However, the powers conferred in this

act were interpreted very broadly to give local councils powers controlling not only the circumstances of screenings but also the content of films. In reaction to this considerable regional power, with its potential ramifications of confusion and disruption of business, the previously uncoordinated film industry felt the appointment of a 'trade' censor would be appropriate. Whereas the Industry had been unable to rally in response to the threat of the 1909 Act because of sectional interests, when the ramifications of this Act began to be felt the industry began to seriously consider its options. As a consequence, at a

meeting of exhibitors in July 1912 a motion was passed that "a censorship is necessary and advisable" and plans for an examining board were drawn up. In November the formation of the British Board of Film Censors [BBFC] was announced. (Phelps 1975:28)

The idea was to be able to pre-empt local authority intervention with a trade based central body which would coordinate decisions. The BBFC began operation on the 1st of January 1913. While submission to the BBFC has always been voluntary, as the trade had hoped, individual councils gradually stipulated that films shown in their boroughs had to have a BBFC certificate. This delegation of control was not total, the councils still retained and at times exercised their powers to go against BBFC decisions; both more liberally or more conservatively. (3)

In America, similar developments were afoot, with cinema attracting heavy licence fees and regulations as a means of control. As early as 1907 prior-censorship (4) was introduced in Chicago and New York as a combination of local government licencing and non

governmental regulation voluntarily supported by the film industry (which was itself based in New York).

Chicago passed an ordinance requiring police inspection and licencing of all films to be shown in the city. It gave authority to the chief of police, with the right of appeal to the mayor, to withhold a permit if in his judgement a film was "immoral" or "obscene". The city had more than one hundred nickelodeons at this time, many of them open all night. Two years later in *Block v. Chicago*, the first American movie censorship case, the ordinance was upheld by the Illinois Supreme Court. At issue was the refusal of permits for The James Boys and Nightriders. According to the court, the purpose of the ordinance was to secure decency and morality in the motion picture business, "and that purpose was within the police power" unless constitutional rights were transgressed. In this case the court was satisfied that none were. The standards of "immoral" and "obscene" were adequate, since "the average person of healthy and wholesome mind" knew what the words meant. Furthermore, the court thought that films like the two in question could "represent nothing but malicious mischief, arson and murder. They were both immoral, and their exhibition would necessarily be attended with evil effects upon youthful spectators".
(Randall 1968:11-12)

In 1911 Pennsylvania enacted the first US State censorship law with Ohio and Kansas following in 1913. In 1916 Maryland became the fourth State to adopt a State form of film censorship.

In August, 1921, New York State established a licensing system for motion pictures. Though four other States had already set up similar boards of censors, New York's action was an especially hard blow to the industry. Not only did the State represent the country's major film market, but the censorship law, which was bitterly fought by the National Association of the Motion Picture Industry, a trade organisation mainly of producers, marked the failure of what was once considered a noble experiment in voluntary censorship....

In March, 1922, the movie industry reached into President Harding's Cabinet to hire the Postmaster General, Will H. Hays, and put him at the head of a new organization, the Motion Picture Producers and Distributors of America. His was a difficult, twofold task: to launch a public relations campaign, and to persuade individual moviemakers to tone down their more sensational and lurid films for the good of the entire industry. (Randall 1968:16)

It was only in 1952 when the film The Miracle was put before the Supreme Court that the coveted First Amendment of the American Constitution was deemed to be applicable to films. Earlier, in 1915, the Mutual Film Company had challenged the legality of film censorship but failed to get support for its action from the Supreme Court. Justice McKenna ignored the freedom of speech claim by simply defining film not to be considered as speech. Movies were a business pure and simple (see Randal 1968:18-32, and Phelps 1975:53). This early confinement of film to commercial enterprise only, can also be seen in the approach of the BBFC. Films about the effects of certain diseases (contracted or hereditary), about illegal operations, white slavery, race, suicide, etc., (although the flourishing diet of modern film and television) were in the opinion of the Board

"not suitable for exhibition in places maintained for the purposes of entertainment and recreation". The Board had no doubt that this was the true and only aim of the cinema, and any educational or artistic aspects were strongly denied. As O'Connor [the second president of the BBFC] remarked: "My business is with the cinematograph manufacturer and the cinematograph proprietor who produces film for the purpose of profit, and I am a bit unwilling to enlarge my sphere." This attitude prevailed throughout the twenties and thirties and was not seriously questioned within the Board until after the end of the War. (Phelps 1975:31)

New Zealand's entry into film censorship runs along different lines. Subject to the same sorts of criticism over the content of films, parliament was lobbied to "do something" about films. Gordon Mirams, who was later to become New Zealand's fourth (chief) film censor described what he thought were the origins of New Zealand film censorship. (5)

In 1916 a film called Women and Wine was on circuit in this country and had reached Wanganui; complaints were made to the local police; they went into the theatre and stopped the show on the ground that it was indecent. Their action aroused a great deal of public interest, and three months later the first censorship legislation was introduced. The first film passed for screening under the new Act was - Women and Wine. Business at the box-office was wonderful! (Mirams 1945:77-78)

Unfortunately this account, although precious as one of the few available, is somewhat too anecdotal. Concern had actually been fermenting for a number of years and censorship should therefore be seen as more a matter of policy and government style than a sudden issue. Mr Russell (Minister of Internal Affairs 1916) spoke of this agitation surrounding film during the introduction of the Bill in 1916.

Matters were brought to a head in this country largely by the Catholic Federation, which drew public attention to the abuse of film pictures, and sent out circulars to the whole of the Borough Councils of New Zealand and a number of educational authorities. Many replies were received from the Borough Councils and educational authorities supporting the proposal for a censorship of films...

The churches came into line in connection with the demand, and the educational authorities, and a number of women's associations of New Zealand - all asking more particularly that the children might be protected from the disastrous effects that would result from film pictures of not necessarily immoral, but highly suggestive character being placed before children...

I may say that during the last few months information has from time to time reached me, as Minister of Internal Affairs, and also the Hon Mr Herdman, Minister in charge of Police; and in consequence films regarding which complaints had been made have been removed from exhibition, the proprietors being instructed that unless they did so a prosecution would result. (Russell 1916:572 Parliamentary Debates)

As a result of the pressure Internal Affairs was feeling they set out to gain information on what was being done overseas. Interestingly, the proposals they came back with did not include the

fire prevention ordinances which were the precursive elements overseas, but instead concentrated directly on censorship in its own right (it was not until the 1928 Act that the elements of licencing and fire regulation were introduced with the consequence that the Act's name changed from the Cinematograph-Films Censorship Act 1916, to the more general title of the Cinematograph Films Act 1928).

In introducing the 1916 Bill the Minister noted the considerable development and change that had taken place in the film industry. Up until around 1914 most films were only one reel long, that is, between five and fifteen minutes. After 1914 American and British film makers, New Zealand's primary suppliers, began to follow the Continental trend for multiple reel films. Contiguous with this change in film length was a change in subject matter and style:

 during the last ten years there has been an enormous development in connection with film pictures. At first these pictures were largely confined to scenic and industrial works, but during recent years there has been a large development. They have taken on the representation of drama and melodrama and, unfortunately, very questionable elements have in some cases been introduced. (Russell 1916:572 Parliamentary debates)

Robinson in a recent book on world cinema history noted this trend as well, suggesting that it is not just a case of New Zealand parochialism.

 The films of the pre-war era favoured bible stories, morality dramas and melodramas in which virtue was rewarded and vice suitably punished... The films stressed the virtues of home-life and the sanctity of marriage; they frowned on get-rich-quick schemes and people, or those who sought to rise above their natural station. (Robinson 1981:73)

However, around the start of the First World War there was a marked change with the camera instead of dealing mostly with the working man turning toward the new middle class audience which demanded a greater sophistication.

The cinema, previously so cautious with its precarious reputation, was emboldened to tackle "daring" subjects - divorce, birth control, sex in general. Undress, formerly restricted to French productions marketed for gentlemen's smoking concerts, became habitual, if by later standards fairly modest. (Robinson 1981:75)

The introduction of film censorship could be seen to be the result of this moral challenge that film topics began to involve, but there was also another factor to consider, that of social order.

[Some] months ago a series of pictures were shown representing war in its ghastliest and most dreadful aspects - men wounded and dying being dragged out of the trenches, and all that kind of thing. No doubt these pictures were "fakes". It could not be said that they were against public order or decency, but they certainly were very detrimental to the recruiting that was going on through-out New Zealand. (Russell 1916:573 Parliamentary Debates)

Concern with circumstances such as this was considered sufficient to warrant the extension of the bill to exclude films which were "undesirable in the public interest", which gave a very broad mandate from which to work. As anxiety had also been expressed about the exhibition of films euphemistically referred to as "dealing with contagious diseases of certain classes", it was felt it would be appropriate to be able to restrict certain films to adults or at times even single sex groups. (6) The bill met little opposition in both the House and the Legislative Council, owing to its being considered as "giving effect to the wishes of the people", and came into force on the first of October 1916. (7) The

explanation of the introduction of film censorship purely in terms of moral challenge is too simplistic. It implies an easy unproblematic relationship between high cultural definition and its consolidation in law, without ever coming to terms with the actual relationship involved. While the influence of an elite definition of moral standards is fundamentally accepted it remains important to locate this definition within a wider trend within New Zealand society.

4.3 The Precursors of New Zealand Film Censorship

The introduction of the 1916 Act was not an isolated event without precedent in New Zealand legislation. It followed on the heels of a considerable emerging tradition of State intervention. In this section the development of censorship will be shown to be a part of an emerging tradition of State intervention. The State can be seen to have increasingly involved itself in social and welfare provisions. This section builds heavily on the extensive and scholarly work by Martin 1981B, to whom the reader is directed for a detailed historical analysis of the development of the State in New Zealand.

From its colonial development, New Zealand had relied on trade and outside contact for many of its resources. Not the least of which included literature and high cultural artefacts. Commensurate with most countries, Customs authorities controlled these imports,

ensuring appropriate levies were made to the government and restricting certain goods. From 1858, the customs department was playing a role in censorship by confiscating indecent or obscene prints, paintings, books, cards, lithographs or obscene articles" (Beeby 1981:5) although any definition of the these terms was avoided (an avoidance which is characteristic of most censorship legislation). (8) The operation of customs was very important for New Zealand in its early stages of development, not only in its role of excluding infected and diseased cattle and crops, and excessive quantities of spirits, snuff, and tobacco, but also as one of the goverment's major sources of revenue. Up until 1890, taxation was wholly dependent upon customs and excise. During the Vogel era in the 1870's considerable overseas borrowing by the government had occured to finance extensive public works, especially the development of transportation and communication networks, and the encouragement of immigration. In 1876 the provincial government system was abolished in favour of a stronger more central government apparatus. Before this happened, national policies were very difficult to organise. In 1877 free secular compulsory education was introduced. Apart from minor class based wishes to maintain class differences and privileges this welfare provision generally appealed to the community and in terms of government expenditure remained the most important government intervention up until the 1930's. From the mid 1870's (until the mid 1890's) a serious depression developed which limited the revenue available to the government (the depression was also reflected in the development of trade unions, which were recognised in 1878 by a Trade Union Act). Large estate owners became increasingly agitated about the

possibility of being saddled with a land and income based tax in order to pay for the huge overseas debt that was the legacy of the Vogel period, and fought to resist any such move.

Thus by the 1880's the conditions were appropriate for the development of political parties in contrast to the regional landowner dominated system that had persisted in central government following the abolition of provincialism. First a conservative party emerged in response to the threatened changes in taxation. Consisting of predominantly rural and large property owners they advocated free trade and severe cuts in government spending, including education and civil service. In 1885 the Hospitals and Charities Act appeared, which, in keeping with the conservative approach, sought to enforce local (financial) responsibility for charitable work and projects. But local charity, a system operative in Britain, was not sufficient owing to the insecurity and instability of local economies at that period and government subsidies and involvement was forced to increase. For example government provision of lunatic asylums was a case where there was a lack of local or private funds. By 1889 the shift to conservatism was effectively responded to by the emergence of a newly formed alliance, the Liberal party. Consisting of a coalition of small farmers, manufacturers and working class labour this shift in political force enabled the abolition of landowner's multiple voting rights in 1889 and the institution of male suffrage (with female suffrage following in 1893).

The Liberal party consisted of a hegemonic coalition

specifically aimed at breaking the conservative landowner oligarchy. Each came to the party with different features they wished to pursue. Small farmers had become more numerous and important following the breakdown of some of the larger estates (after provincialism was replaced). The advent of refrigeration increased the profitability of small farms and pressure was put on the large landowners to release land for smaller intensive farms to be formed. The small farmers became at least temporarily, a reasonably progressive force. Manufacturing had weathered the depression fairly well aided by low wages, the employment of women and children, and the expanding domestic market. To foster the emergence of import substitution industries, manufacturers felt a need for tariffs and a form of local industry protection. Labour, in the form of the working class and the unemployed had increasingly turned to politics rather than direct industrial action, especially after the failure of the Maritime Strike in 1890. (Walsh & Hanson 1981:16) The alliance of these three major groups into an hegemonic political force was successful enough for the Liberal party to take office in late 1890.

The election of the Liberals in 1890 (with the support of labour) was the culmination of the changed balance of forces. The key to their success was the support of the small farmers and potential farmers for their land settlement, taxation and general small property policies. The basic political cleavage lay between large landed property and small property both in land and industry, with the latter supported by those who desired small property among workers. (Martin 1981B:11)

Following the election of the Liberals, the tax base changed to include income and land taxes, making considerably greater resources available to central government. From 1891 welfare interventions on

the part of the Liberal government highlighted the need to make economic and social concessions to the working classes to maintain this alliance. With the failure of the local and charitable system of welfare, in its place was substituted a system of centralized funding and control. Censorship legislation at this time was merely administrative rationalisation rather than innovative policy, but it was commensurate with extended government control and interventionism. In 1892 the Offensive Publications Act was passed, based on British law. This bill was considered necessary to prohibit the dissemination of locally produced indecent material as opposed to that which was being dealt with by customs.

Mr Downie Stewart in introducing [the Offensive Publications Act 1892] claimed that there was considerable demand for it throughout several parts of the colony. It was based on Imperial statute, though it was a little more extensive in respects in which it was thought that that Act had been found defective (the addition being against any publication mentioning venereal disease or any "other complaint of infirmity arising or related to sexual intercourse"). The bill was not much debated at any stage. It had not been brought down in consequence of any general desire to tighten up the law or to deal with any circumstances which were causing the government concern, but rather to tidy up existing procedure. (Perry 1963:32)

The bill was merely an extension to internal operation of the procedure the customs had been administering at the countries boundaries. However, other policies which the Liberal government (under Keeves) formulated (from 1891 to 1894) included a considerable amount of innovative legislation especially related to labour, which solidified the States' role as an hegemonic interventionist agent.

From 1891 with the establishment of the Department of Labour, and a veritable flood of legislation the State became equipped with the means to intervene

comprehensively in the sphere of labour. The following acts were passed: in 1891 - Truck Act (payment in money wages); Coal Mines Act (regulating working conditions); Factories Act (superseeded 1894). In 1892 was passed the - Shop and Shop Assistants Act (superseeded 1894); the Contractors and Workmens Lien Act; and the Servant's Registry Office Act. The legislation of 1894 represented Reeve's greatest achievement. In that year the Liberals passed the Factories Act (regulating working conditions, hours of work for children and women, working age); the Shop and Shop Assistants Act (along similar lines); and the Industrial Conciliation and Arbitration Act (provision of compulsory conciliation and arbitration mechanisms for registered unions of employees and employers). [Emphasis in original] (Martin 1981B:17)

But this legislation was a double edged sword. While it extended concessions it also involved a corresponding submission to a particular mode of social administration. The Industrial Conciliation and Arbitration Act for example attempted to economically stabilize employer employee relationships through the mediation of the State. (Walsh & Hanson 1981:16) Strong control was considered necessary to avoid industrial class conflict (of which the 1890 Maritime Strike was seen as an ugly example). While this act was initially viewed with suspicion by employers it soon was realized that its provisions, for example limiting the right to strike, were quite advantageous to industrial stability. (See Walsh & Hanson 1981:10ff)

By 1895, labour had become increasingly dissaffected with its association to the Liberal party. The party itself was becoming increasingly rural in orientation and in consequence was having difficulty maintaining its ideological alliance with the other two groups. Once the small farmers settled, they tended to revert to a more conservative outlook and as a consequence there was a slowing

down of labour legislation and its replacement by policies of land settlement. But the withdrawal of labour support was delayed by the temporary appeasement in 1898 with the enactment of the Old Age Pension Act. Being non contributory and disseminated at a flat rate the Old Age Pension set a precedent for later State welfare developments. (9) In 1901 the pension was extended to include Maoris. However, despite these provisions there were already moves afoot to establish a more radical political structure than the Liberal party had become. Between 1901 to 1908 the Socialist party developed and from 1904 to 1910 the more moderate Labour party. Meanwhile, the conservative shift in the Liberal party and the closer association with conservative opponents became the basis for a new political party - Reform.

Massey became the effective leader of the opposition in 1903, in 1909 he founded the Reform Party advocating resistance to unions and a halt to "socialist legislation". This party represented agrarian and business interests, but it would not overturn the popular Liberal legislation, apart from granting freehold. Conservative politics in New Zealand now accepted the necessity for a more developed interventionist State.
[Emphasis added] (Martin 1981:27)

In 1910 two censorship acts were prepared. The first was part of the Post and Telegraph Amendment Act and gave power to the government to introduce the censorship of telegraph messages if the circumstances were deemed necessary (a practice which the government availed itself of four years later), while the second was the Indecent Publications Act. According to Perry (1963) the establishment of this second act was in response to a finding in Britain and a similar case in Christchurch (Kennedy vs Rankin) that a person charged under the Obscene Publications Act was eligible for

trial by jury, a right which the Indecent Publications Act 1910 sought to remove.

From the time the Reform party took office in 1912 till they lost it in 1928, they never held a working majority and were always forced to negotiate and manoeuvre for opposition support to bring down legislation. This situation, quite unusual in New Zealand political history, left the State unstable and especially open to issues and lobbying. It was during this period that we find the introduction of film censorship as a discrete practice.

In 1915 the Customs Act was coordinated with the other legislation and made it illegal to import documents within the consideration of the Indecent Publications Act. With the beginning of the First World War, the circumstances were considered appropriate for the introduction of telegraph censorship in 1914. By this time film had been around in New Zealand for a considerable amount of time. Far from being an unknown medium, film had been seen and recognised as an important development. The government's first official involvement in film took place in 1901 when they commissioned the Limelight Department of the Melbourne Salvation Army to make a film about the Royal visit of the Duke and Duchess of Cornwall and York. (10) In 1907 the Tourist department had begun its own film making of scenic attractions, while later in 1914, filming of New Zealand's participation in the war in Europe was undertaken culminating in the eventual formation of the National Film Unit. Although film was already covered by existing Customs, Police Offences, and Indecent Publications Acts, in 1916 the

government as a whole felt it was under sufficient pressure to need to be seen to be taking action against film. A rising lobby of womens', educational and church organizations felt that films were a potential danger to the community and were to be seen as extremely corrupting of children. Parliament did not agree with the effects argument, but they did feel that film represented a problem in terms of social portrayals of decency and the social organization of society during a war. (Parliamentary Debates 1916:572) It was claimed that certain material (in particular graphic war films) appeared to be potentially hindering the operation of the State in the recruitment of soldiers. Therefore in response to the pressure the government was feeling and the nature of the war situation, the introduction of State censorship of films met with little resistance in parliament. Not only did this legislation fit well with moral campaigners and people worried about film effects, but also the extraordinary situation of war gave easy justification to any implied delimitation of intellectual freedom.

It can be seen that two developments were occurring simultaneously to culminate in the introduction of a film censorship act in 1916. On the one hand the New Zealand State was developing its interventionist hegemonic character. Without traditional or historic bases on which to rely the State was increasingly forced into centralized provision of amenities and services in welfare and administration. Whereas the traditional moral definition, while still being maintained and accommodated in the legislation, required periodic reworking to cope with new technological innovations, such as sound and colour. The arrival of film with its popularity and

its cultural challenge, provoked a reaction that was considered to require action. The interventionist State was the logical organ for such an operation in New Zealand.

4.4 The Imperatives of Capital

Any description of censorship must include a consideration of the fundamental relationship between the requirements of the industry to reproduce itself and its audience. Censorship once instituted provides both an obstacle and a form of protection to the film industry. At one level the censorship process is a hindrance restricting audiences or even barring a film altogether, while at the other level it provides a protection from a moral backlash and provides a useful and exploited source of free promotional material. The film and cinema industries must cope with censorship and other circumstances as best they can to remain viable. Since the introduction of film censorship in New Zealand a number of developments have occurred some of which, for example 10 o'clock closing of bars, have had a considerable influence on the profitability of the cinema industry. This section will briefly consider some of the financial factors and constraints involved in the interaction of the cinema with film censorship.

The film companies claim that the box-office is a barometer to public taste and film appreciation. (Mirams 1945) While there is an element of truth in this, it completely ignores the extremely high

degree of promotion and advertising that is now a feature of commercial film making. The film industry, in the struggle to reproduce itself and its mode of production has continually searched for sure-fire hits and safe-bets which will return on their investment. The method of ensuring this return has never been infallible, and has consequently varied quite capriciously over time. (Currently it appears to be locked into the snowballing effect of "Megabuck" productions which are so expensive that the commitment to make them return is total). However, it must be admitted that while there is a large amount of force feeding as far as the box-office is concerned, the film companies do respond, if somewhat slowly and cautiously, to changes in popular taste.

Because film success is subject to the often fickle response of both its audience and reviewers, any attempt to guarantee even a modicum or at least a higher rate of success is clutched at. To this end, once a new theme has developed and proved successful it is inundated with clones, remakes and spinoffs to further capitalize on the new "formula". Alien is a good example of this. An amalgamation of Sci-fi space movies with horror. Although the original is generally well received (because it is generally well done), its successors tend to be cheap imitations, not made in expression of an original idea, but rather to clean up a new market potential.

Formulas are addictive, they become compulsory and consequently foreign inserts may be made into films to satisfy the desire for a guaranteed return for the financial backers. Sex and violence have

always had a fundamental formula character associated with their portrayal which results in their widespread occurrence in films throughout the cinema's history. The problem with these two particular formulas is that to maintain their attraction they are forced to become ever more explicit, with the consequence that they are always teetering on the edge of current standards of acceptability (especially since these vary considerably throughout the world, for example the film E.T. which was made with children as its major target audience was restricted to children over 11 years old in Sweden). At each moment in history it is hard to envisage the level of acceptance existing prior to the present lived one. It is equally difficult to visualize what future standards might be, that is, to define the ultimate limits of acceptability that could be reached (if there are any). Mirams, writing in 1945 quite incorrectly believed that the cinema had exhausted the explicitness that could be portrayed as far as sex on the screen was concerned.

The camera has investigated [Betty Grable's legs] from every angle, has travelled from the ground up as far as possible, from the top down as far as possible. The camera can go no further. If it ever does it will mean that Western society and civilization as we have known it has finally collapsed. Only about half-an-inch separates us from moral chaos. Hollywood has therefore reached the end of one road. (Mirams 1945:277)

As levels of acceptability change the movie industry moves to become more explicit to rekindle audience interest (this argument could perhaps be extended to the belief that the general acceptability of explicit sex in current movies has forced pornography to find new avenues such as "snuff movies" with which to attract their audiences). Censorship seeks to keep the explicitness of film to a relatively stable level. Therefore to the film

industry it generally represents a hindrance to their commercial viability, a block to their exploitation of a market.

Film, it must be reiterated, is a business. One of the most vocal arguments raised against the introduction of the 1916 Act was the unfair harm it would do to the cinema business, which was felt to be sufficiently self regulatory to not need external censorship. (Parliamentary Debates 1916:572) This however, is probably being too generous to the film industry which learnt extremely early what some of the basic formulas were for titillating audiences. The early achievement of the film industry, designed to secure and maintain audiences for their films, was the development of the star system. (Woollacott 1977B) The early film companies were in quite heated competition for their newly developed mass audiences and promotion by company name never met with much success until aligned with stars. With the development of the star system, the cost of making movies soon became exorbitant. Stars became a guarantee card for the industry, without which a film could not be imagined to succeed. But as stars rose in popularity, so too could the appearance fee that they charged. When Chaplin (whose rise coincided with the first boom of the star system - see Robinson 1981:69) in 1916 began to produce his own films his earnings shot to over a million dollars a year. At the same time, the cinematic language of film was still very much at an experimental stage, only slowly developing concepts of montage and cross cutting. However, even without a great deal of cinematographic sophistication film was still quite able to cause major moral upsets in the community. Apart from issues of sex and violence (both of which were exceedingly discrete by modern

standards), the cinema was seen as a corrupting agent, and even subversive. (See appendix C. for the guidelines of the BBFC in 1922 and the MPAA in 1940) In 1915 Walter Eaton proclaimed films to be a proletarian institution which would foster revolutionary class consciousness unless (remedial) live quality theatre could be made available cheaply to counteract film's debasing effects. (11) But in New Zealand there was not an adequate alternative. Indeed theatre, colloquially became synonymous with cinema. Isolated and sparsely populated, New Zealand could rarely afford to host visiting high culture enterprises. Instead the cinema filled this cultural void, and drew a wide cross section of the public for many years.

Inevitably....some class-distinction was at first attached to "going to the pictures": the best people pretended to regard it as a socially inferior pastime, like reading Penny Dreadfuls, and to place those who indulged in it in the same category as those who took baths only on Saturday nights. This phase fairly soon passed, however.... Nor could you find many people in New Zealand who refuse to go to any films because they consider them all to be artistically beneath contempt, and fewer still who stay away for snobbish reasons. (Mirams 1945:6)

Early cinema, was extremely widespread and popular in this country. Mirams noted in 1945 that New Zealand had more cinema seats and theatres per head than the USA, although through sheer size the US was the largest cinema audience in the world. (12) Film going was ^aregular social activity for a large proportion of the population up until the advent of television.

After the First World War, the British film industry slumped badly. Hollywood had become the undisputed cinematographic centre of the western world, and creamed off the best talent it could find

in the fledgeling, or war damaged industries of other countries. However, Britain saw an important role for film and sought to maintain its industry. It instituted a protective quota system designed to foster local film and guarantee a market for local production. When the New Zealand Prime Minister, the Rt Hon Mr Coates, returned from an Imperial Conference he brought with him a gentleman's agreement to introduce a similar quota in New Zealand with regard to Commonwealth films. In 1928, legislation to this effect was introduced along with fire and safety standards, and cinema and projectionist licencing. This was all put together into a package along with the censorship legislation (which remained unchanged except for the additional provision for the consideration of sound) to form the Cinematograph Films Act 1928. The quota was claimed at the time (in a cultural imperialist manner) to be a vehicle by which New Zealand's national (White/British) heritage could be maintained.

[Its] purpose is to give our people, particularly the younger ones, a clearer idea of British history, of British countries and of British customs and ideals.... I am certain that honourable members will agree with me on the desirability of our young people having films produced by their own people - films, for example, presenting certain outstanding facts which are inseparably associated with the history of our Empire. (Coates 1928:324 Parliamentary Debates)

The idea was to introduce a 20% quota on feature films. The quota provisions were almost identical copies of those set up in Britain to revive its industry. (13) But the quota was opposed by the local cinema industry. They claimed they were already screening more than the minimum 20% and considered that the necessity of registering all film (for quota records) and maintaining exhibition

statistics would be an unnecessary burden which they, of course, would be expected to pay for. Mr Howard (Christchurch South) commented in the House.

We had evidence from the importers of British film that they do not want the Bill - that they are satisfied that they can produce films and keep the quota up, and that the British film industry is now on such a strong footing that it can compete with our American cousins or anyone else. (Howard 1928:331 Parliamentary Debates)

This form of imposed cultural protectionism continued up until the quota was relinquished in 1976. The year 1928 was also significant for the increased development of sound films, which necessitated extra specification within the act (see appendix A).

By 1929 three quarters of the feature films made in Hollywood had at least some sound sequences; and practically every sizeable cinema in the United States had installed equipment - though as late as 1930 most sound films were made in silent versions also. The politics of competing systems and the industry giants which backed them involved an elaborate jockeying which only was resolved by an international agreement on standardization of sound equipment in July 1930. (Robinson 1981:164)

The year ending 31st March 1930 was coincidentally the peak year for the outright rejection of films in New Zealand, with 102 out of 2,626 or 3.9% of all films being rejected by the censors. Perhaps by way of explanation the Chief Censor commented in his annual report that:

with the addition of sound to the films, the pictures now approximate and in some ways are superior to the legitimate stage. For instance the breaks necessary for shifting scenery or for changing the apparel of actors are obviated and the mind follows the play without interruption. Again, great mass scenes with people, animals, trains, motors also shipwrecks, can be presented with ease in the pictures in a manner that would be impossible in the stage. The addition of colour makes the presentation even more life like.... The pictures of today frequently deal with present day problems, and the

more vivid presentation of life made possible by the addition of sound and colour has made it necessary to issue an increased number of certificates recommending films as being more suitable for adult audiences. It would not be proper to curtail cinema entertainment to the mental level of minors and parents and guardians must accept responsibility, which is a real one, of selecting the class of entertainment that their children may be permitted to attend. (Department of Internal Affairs Annual Report H.22 1930)

The addition of sound and colour is merely one example of developments which made film increasingly more difficult to cope with, especially when assuming an homogeneous audience.

The introduction of licencing in 1928 set the scene for the development of monopoly control by two companies within the New Zealand cinema industry (see Jesson 1975). Cinema chains which had developed in conjunction with film importers and distributors were able to make existence very difficult for independent cinemas. While licencing set safety standards, it also functioned to protect existing venues from the establishment of new cinemas which would have created new competition. (14)

With the outbreak of the Second World War the film distributors in New Zealand were requested by the censors to withdraw nine previously released films. (Harley 1940:169) They were all anti-war films.(15) Concern was expressed in a similar fashion to that surrounding the introduction of censorship, that they might unduly influence the war effort or morale. There was no legal mandate for these films to be withdrawn, instead this was accomplished by the cooperation of the film exchanges. In subsequent years a number of films were deferred till after the war was over for the same

reasons, that is, they were "considered to be unsuitable for exhibition during the present situation". (16) The US entry into the war brought not only US servicemen to New Zealand cinema seats but also a flood of patriotic US war films which apart from saturating the market boosted the cinema patronage considerably.

Prior to World War Two Britain had introduced television, but this new medium was abandoned due to the commitment to the war effort and the concern about the navigational assistance it might provide to the Germans. However, after the war the development of television was very rapid, especially in less war torn America. The effect on Hollywood and film making in general was dramatic, and an extensive competition for markets developed that has never been totally resolved. In response to the very real threat that television was posing, film making turned to both technology and content specialization to secure its position. Technology offered 3-D, giant 70mm screens, different varieties of widescreens (the most successful of which was cinemascopic), and stereo and four track sound. Film looked to offer huge vistas and panoramas to offset the small grey screen. Film also changed its topics and style, moving to a greater sophistication and explicitness. It looked increasingly into sensitive areas and abandoned concepts of "middle of the road", and "least objectionable programme" to television. These changes reached the New Zealand screens well before the alternative of television was available and provoked a minor crisis for the hegemonic alignment of cinematic audiences to a homogenous cultural definition. This increased specialization of the cinema invoked specialized genre audiences which did not mix well with the

universal film going habits of New Zealanders. To remain viable in the face of the challenge of television and the changing priorities of entertainment the film industry put considerable pressure on film censorship operations to give the cinema more scope for sensitive material. In order to cope, and remain hegemonic, censorship had to relinquish its generalized audience model for a "genrealized" one.

4.5 The Crisis of Consensus

The change in film over the years following its technological development and general sophistication, plus the style and content changes encompassed by the imperative of capitalistic film production, has meant that the cinema in New Zealand has correspondingly changed its role and position in society. When the 1916 Act was introduced the Minister could say unconditionally that:

the approval of the censor shall not be given in the case of any film which depicts any matter that is against public order and decency - as to that, of course, there can be no question. [Emphasis added] (Russell 1916:572
Parliamentary debates)

It was felt that any "normal person" was in a position to know the difference, the consensus was either universally held or at least universally understood. As the twentieth century progressed such an invocation of an hegemonic moral position became harder and harder to maintain. When the 1916 Act introduced film censorship it gave three options to film, that of being passed untouched, passed subject to excisions or not passed at all. Banning and cutting

films was the method available to the censors to fit film to local standards of acceptability, of which two classes were initially defined, (U) universal and (A) adult. Neither carried any restriction, but instead were seen as a guide. Films were, at first, passed on the basis that they were acceptable to New Zealanders as a whole. This implied a consensus of values and acceptability (a consensus which has never been tested or researched by the censors). (17) It may partly be based upon the family orientation the cinema had developed in New Zealand (and partly through the lack of alternatives). But as the sophistication of film changed and it addressed more mature subjects, the hegemonic character of high culture definitions of decency and propriety were challenged, and the audience splintered into new groups, no longer wholly definable as family. In order to cope with the increased explicitness of films and the disintergration of the homogeneous concept of the audience the censors had two avenues open to them. The first was to increase the amount of cutting with which to domesticate films to the local (assumed) levels of tolerance. This option can be clearly seen in the statistics of the percentage of films cut presented in Figure 1. While film cutting rates remained fairly steady till after the Second World War, with the introduction of television in the United States in the late forties, the content of films markedly changed. This is reflected in the sharp rise in cut films being seen in New Zealand. The second approach available was to fractionize the audience officially through the use of restricted certificates. (See Table One.) While this possibility had been available since the censorship Act's inception it was first used experimentally in 1935 and then forgotten until Mirams in 1950

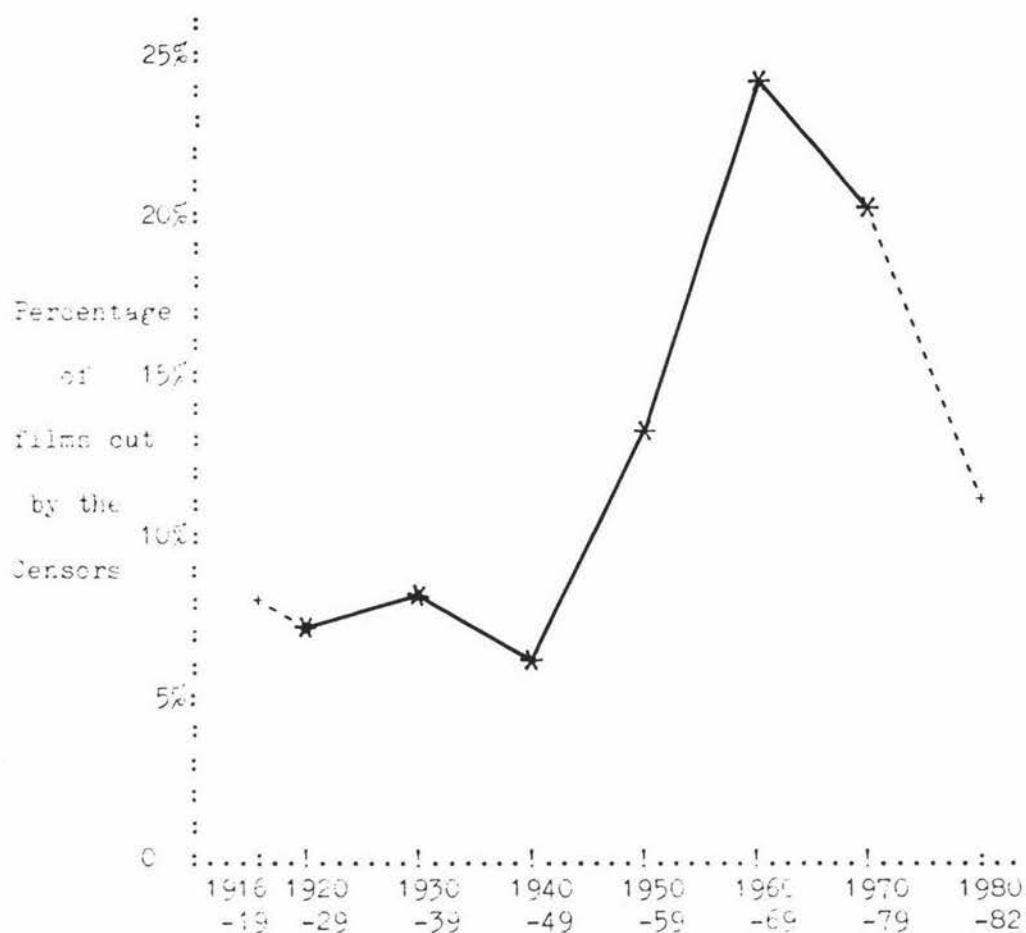
Figure One. Cutting Statistics

Figure 1. Percentage of all films which were subject to excisions by the Censors averaged by decade.

began to use it quite extensively. It is worth mentioning that this initial use was first applied to high culture or "Art" definitions of film, that is, the early dispensation was for film societies. The introduction of restricted certificates was at first very limited, but once they had proved acceptable they became much more widespread and the number of film being cut was correspondingly able to fall (see Figure 1.).

Table One. Film Classification Categories.

| Date | General Certificates | | | Restricted Certificates | | | |
|------|----------------------|----|-------|-------------------------|---|-----|-----|
| 1921 | U | A | | | | | |
| 1935 | U | A | | R | | | |
| 1957 | U | A | SpecA | | | | |
| 1950 | U | A | SpecA | R | | | |
| 1955 | G | A | SpecA | R | | | |
| 1957 | G | Y | A | S | R | | |
| 1970 | G | GY | GA | G* | R | RFS | RFF |
| | | | | | | R* | |

Table One. Changes in certificate names and types over time.

The Cinematograph-Film Censorship Act 1916 made it an offence to exhibit any film unless it had been approved by the censor. The censor, appointed by the Governor, issued a certificate to each film he approved. The clauses surrounding this approval (given in appendix A.), are in terms of a film being defined as against public order and decency, or undesirable in the public interest. It can be seen in Table 2. that a considerable number of Amendments have been made to each of the four principle Acts. The only substantial change specific to film censorship in all this legislative manceuvring is contained within the 1976 Act. The 1928 and 1961 Acts maintained positions virtually identical to the 1916 guidelines. The essence of the amendments and the 1928 and 1961 Acts was to deal with cinema related issues, such as licencing. Instead of censorship being an isolated Act, it became buried in the general concern for cinematographic film, and this was reflected in the dropping of the reference to censorship in the titles. There are three notable facets to the 1928 Act. As mentioned earlier it made provision for the newly developed sound technology, it also incorporated what had been an offending irritant, film posters and

Table Two. Cinematographic Film Acts and Amendments.

| |
|--|
| Cinematograph-film Censorship Act 1916 |
| Cinematograph-film Censorship Amendment Act 1926 |
| <u>Cinematograph Films Act 1928</u> |
| Cinematograph Films Amendment Act 1929 |
| Cinematograph Films Amendment Act 1934 |
| Cinematograph Films Amendment Act 1953 |
| Cinematograph Films Amendment Act 1956 |
| Cinematograph Films Amendment Act 1960 |
| <u>Cinematograph Films Act 1961</u> |
| Cinematograph Films Amendment Act 1962 |
| Cinematograph Films Amendment Act 1967 |
| Cinematograph Films Amendment Act 1969 |
| Cinematograph Films Amendment Act 1970 |
| <u>Cinematograph Films Act 1976</u> |
| Cinematograph Films Amendment Act 1977 |
| Cinematograph Films Amendment Act 1980 |

advertising into the jurisdiction of the censor. The third feature was that while the 1916 Act gave the ability to specify a particular class of audience, the 1928 Act provided for approval of a film on the basis that it would be shown at a film society screening only.

New regulations brought down in association with the Amendment Act of 1956 gave the opportunity for certain classes of films to be exempted from examination, although always with the proviso that they could be recalled at a future date for examination. (See appendix B.) This was consolidated in the 1961 Act which was an administrative tidy up to bring many of the aspects of film legislation out of the Regulations and into the Statute. Thus the Cinematographic Films Censorship Board of Appeal was established within the Act. The Board of Appeal, operating from around 1922, had previously been functioning under the guidelines of the 1916 regulations. With the deployment of television in New Zealand, film for broadcast was specifically excluded from the rubric of the

cinematograph films legislation, however, by an administrative arrangement all films televised in New Zealand were in fact censored by the film censors up until 1969. The 1961 Act also imposed a restriction in the use and importation of inflammable film stock, determining to phase out the use of the dangerous nitrate based film. The development of safety film was a welcome relief from the previously ever present danger of cinema fires. It also gave much greater rein to the private use of film, specifically in regard to 16mm. Not wishing to control what happened in the private home the 1961 Act redefined "exhibition" in terms of all screenings of films other than screenings in private dwellings (and broadcasting). This compromising position is now the source of censorships most recent enfant terrible - domestic videotape. (18) The 1961 Bill was passed unopposed.

Fifteen years later the legislation was again considered in need of revision. A private members bill on censorship was introduced and followed up by a government bill. These were considered together and eventually made up the 1976 Act. The Hon Mr Hight stated some of the reasons behind the need for new legislation..

Even though the effects of television may have been beginning to be felt when the 1961 legislation was drafted and considered, its substantial subsequent impact was not foreseen. Nor could those concerned have foreseen the advent of 10 o'clock closing for bars and the effects on the numbers attending the cinema regularly. The situation when the cinema was the major provider of entertainment would have influenced those who dealt with the draft legislation in 1961. That situation was to alter rapidly, and for the worse as far as the commercial interests in the film industry were concerned. There was a dramatic drop in the number of licenced exhibitors when television

first became available throughout the country. The decline has continued since, but at a lesser rate so that this year there are the fewest number of licenced exhibitors since licensing was instituted in 1928. Because of this and other changes the 1961 legislation is well overdue for revision. (Hight 1976:4010 Parliamentary Debates)

Apart from one major difference over the retaining of licensing which Labour had intended removing, the new National government endorsed the Labour introduced legislation as its own. (19) However, this licensing position was eventually retracted and licensing was repealed in the Amendment Act 1980.

The Social Services Committee received over 100 submissions on the 1976 Bill from various organisations. The Society for the Promotion of Community Standards and New Zealand Federation of Film Societies represented the opposing poles of the continuum. The resulting legislation took quite a different form from the previous guidelines. Instead of public order and decency, the focal point of the 1976 Act was whether or not a film was Injurious to the Public Good. This can be seen as a concession to the Effects consideration of the nature of film. To determine injury, a number of considerations were listed in the Act (see appendix A.), but no definitions of decency or obscenity were attempted. Having oriented film to injury, the legislation then made special provision for considering the nature of the type of audience that was likely to view a particular film. Film societies were again given special consideration and they were joined by the addition of a special consideration for film festivals. The Act can be seen to be specifically recognising that the cinema was no longer "family"

entertainment, and that it was certainly not the principle form of entertainment available. Film consideration had to take into account the likely audience and the circumstances or occasions surrounding the proposed exhibition.

The key change in the 1976 legislation was the new orientation to effects. The concept of "injury to the public good" manifestly changes what is possible in cinemas (a fact reflected in the approval of Last Tango in Paris under the new legislation after it had been rejected twice under the 1961 Act). Images and sounds had to be deemed harmful rather than just inappropriate, offensive or indecent. There was no definition of what harm constituted under this act but there were guidelines on areas of concern (see appendix A.).

The Act also provided a wider variety of classifications, to which, in addition, censor's notes could be appended to give an almost inexhaustable classificatory system (for example R13 [restricted to persons 13 years and older] - Censor's Note: contains violence and offensive language). The 1976 Act also provided a new system of appeal. Called the Films Censorship Board of Review, consisting of a chairman plus six members (as opposed to the old three member Board of Appeal), the new Board did not consider the censor's decision on a film, but instead gave an independent fresh assessment of a film. The larger size of the Board was supposed to represent a wider "representation of the various sections of the community". (19) The Board of Review's decision is final, although there is provision for appeal to the

Supreme Court and the Court of Appeal on points of law if they were to arise. However, after the statutory period of three years films are entitled to a completely fresh evaluation by the censor and in turn by the Board if the censor again refuses a certificate.

While Broadcasting was specifically excluded in the 1976 Act there was considerable criticism at the time of the fact that television was showing unrestricted films which cinema managers were forced to restrict entry to. Recommendations from the committee dealing with the 1976 Act were forwarded through the House to be considered in the drafting stages of the Broadcasting Act 1976. This resulted in the requirement, under that Act, that all films which had been cut or banned by the film censor be resubmitted to the censor for approval before any television screening (with or without the original cuts). The film censor therefore receives his statutory powers from within two Acts. (20)

4.6 Important Developments in Censorship

To conclude this historical consideration of censorship, a brief chronological overview of some of the important developments affecting the position and work of the censor will be discussed.

The first censor to be appointed, Mr W Jolliffe, was specifically excluded from the public service. Although no reason was given it may be because the censor's position was to be self

funded from the fees charged for the censorship operation and therefore not a tax on the State. It was considered that censorship should be paid for by the industry, an arrangement which has continued over its history. However, from 1928, with the introduction of new legislation and the appointment of Mr W A Tanner as the second (chief) censor the job was relocated within the public service.(21)

From the 10th of September 1916, when Mr Joliffe was appointed till the 31st of March 1917, the end of the first accounting year, 2,107,510ft of film was examined resulting in 17 films being refused certificates and 114 being approved only subject to cuts being made. One appeal was made against the banning of a film but this was dismissed. In the first full year of operation 2,825 films were submitted for censorship (5,761,570ft of film). Fortythree were rejected outright while 279 had to be cut. There was one appeal against a rejection but this was again dismissed. Perhaps through disillusionment with the appeal results no appeals were made for the next three years. In 1919, an assistant censor was appointed to relieve the pressure on the the censor. The use of the "A" certificate did not become significant until 1925 from whence its increasing use caused considerable concern. A short description from the 1921 Internal Affairs annual report gives some indication about the standards and high cultural orientation of this period.

As from the 1st of May [1921] any film or part thereof in which thieving, robbery, murder or suicide is made the feature of such films shall not be passed for exhibition; but this does not apply to classical works.
[Emphasis added] (Internal Affairs 1921 H.22)

With 41 films banned under this edict in 1922 the film industry once again tried the avenue of appeals, and nine cases were brought forward. To cope with these a Board of Appeal, provided for within the 1916 Regulations was constituted. They accepted four of the nine appeals, but over the next three years the ratio of successes dropped to only a quarter and consequently appeals largely went out of favour again until 1930. With the introduction of sound, 102 rejections out of a total of 2,626 films (6,474,990ft of film) represented a 3.9% rejection rate in 1930. Eleven appeals were made compared to none for the previous year. But once again the success rate was not high, only two were accepted and the use of appeal died away again slowly, capped off by the drop in the late 30's to single figure rejections. (22) By this time some of the appeals that were being heard were for decisions about excisions rather than solely about rejections.

The first tentative use of a restricted certificate was made in 1935 but this was not engaged on regular basis until 1950, instead a new category was utilized cautioning that a film was not considered to be suitable for children ("Special A"). This category developed into what we presently call a "GA" while the then "A" has become our "GY" (see Table 1. above).

To get a better picture of the kinds of things that could be cause difficulties at this period, Appendix C. contains the guidelines used in the US Production Code. It is important to note that films arriving in New Zealand had already, in most cases, been subjected to censors' excisions in the US, Britain and Australia.

At the end of the 40's Gordon Mirams replaced Mr W A von Keisenberg to become the fourth chief censor. Mirams had had an acclaimed career as a film critic and author, and had greatly helped the development of film societies in New Zealand. His choice as a film censor was welcomed from many quarters. Mirams influence can be seen in 1950 with the reintroduction of the restricted certificate - always available under the other Acts - and the classification of two films as restricted to film societies only. In this way, for the first time, no films were rejected. The Board of Appeal did, however, meet to consider appeals against decisions from the previous year. By comparison, in 1951, the percentage of feature films cut in New Zealand was 27.1 while for Australia the figure was 25.6%. (Internal Affairs Annual Report 1951) These figures were bandied about at the time to support the success and general universality of standards, etc., but they do not actually provide an adequate comparison at all. There was little chance of knowing how many of the same films were involved (New Zealand only gets a portion of the total number of films that are available in any one year), or in determining how different the end result of cutting would be between the two countries in terms of length and content.

The restricted category continued to gain in acceptance, and while it usually restricted those under sixteen, in 1952 a film was passed for those 21 years and over. This period was the beginning of the crisis for American film making in response to the development of television. The flight to more "mature" subjects, was considered impossible to deal with without the increased use of

restricted certificates. In 1953 a challenge was made by the New Zealand Film Institute about the finality of the censors' or the Board's decisions. The Film Institute had acquired a 16mm print of a German film which had been banned by the censor, and its appeal dismissed in 1931. The question was whether a decision should stand 22 years later. A legal ruling was made enabling resubmission, and the film was eventually approved for film societies only. (Internal Affairs Annual Report 1953) The ability to resubmit films began to be used reasonably extensively after this. Whereas previously films which were re-edited (euphemistically referred to as re-constituted) had access to a fresh evaluation, this new procedure allowed for the film to change only in its age, that is, in relation to the acceptability of the times. In 1956 the film The Wild One was resubmitted after having been originally banned by both the censors and the Board in 1954. However, resubmission was no guarantee of approval, and the film was once again banned. The cycle of resubmissions was limited in the 1976 act to a three year period.

In 1966 the film The Collector was taken to the Board of Appeal in regard to a cut that was required by the censor. However, in an unprecedented move the Board banned the film outright. Since the Board was meant to adjudicate on the censor's cut, the distributor felt a point of law was at stake and took the matter to the Supreme Court, and lost. Undeterred, the case went to the Court of Appeal which on the 6th of December 1966 decided that the Board had indeed acted beyond its jurisdiction. The situation was resolved when the Board of Appeal consented to a request by the distributor to withdraw the original appeal against the censor's cut. To date this

is the only example of a point of law arising in film censorship decisions in New Zealand.

In the annual report of the censor for 1968, the impact of 10 o'clock closing was considered and juxtaposed with the difficulties the cinema industry was facing and the increasing production of controversial films. Interest in films that year was quite high, partly because of the surprising classification of Ulysses for segregated audiences of eighteen years and above. While restrictions for some films spell financial doom, there are others which revel in a certificate. Often, highly restricted, controversial film are left with their original certificates purely as a commercial draw card, which helps to publicize the film. The censors do not have the power to withdraw a film and repeal its high classification as time passes. Instead it is left up to the distributor to reapply for a new classification, which at times may not be in their interests to do so. Aghast about the developing "permissiveness" Miss Patricia Bartlett and 41,199 others petitioned Parliament in 1970 to demand a statutory definition of "Indecency" within the Cinematograph Films Act 1961. The Parliamentary petitions committee made a majority decision not to make any recommendation to Parliament in response to the petition. But work did begin in 1972 on the production of new legislation.

The number of controversial films rose at an exponential rate in the seventies. Only a few, for reasons of space, can be mentioned here. A Clockwork Orange was the *bete noire* of 1972. The entitlement to appeal the censor's decision is the prerogative of

the film distributor, with no corresponding right or access awarded to the general public. The only other person who can be involved in a censorship decision is the Minister of Internal Affairs, who can if he deems the situation to be appropriate, require a film to be withdrawn from exhibition and reconsidered. The outcry over A Clockwork Orange was great enough for Mr Hight to request to see the film himself (he viewed it in the censor's suite), but after seeing the film he decided not to take any action. The media, of course, had a "field day". Although the only access the public has to censorship decisions is via the Minister, in the opinion of the Chief Censor, the Minister's "fingers were sufficiently burnt" by this experience to have avoided taking action again. The next year's agent provocateur was Last Tango in Paris which was submitted and rejected, appealed and dismissed, resubmitted and rejected, and awaiting appeal all in the one year. It was only under the new terms of the 1976 Act and with the appointment of the sixth and current chief censor, Mr B Tunnicliffe in 1976, that the film finally found approval.

The new legislation is an improvement. When the film was first submitted, Mr MacIntosh was dealing with the 1961 Act which said a censor was not to approve any film which in his opinion was contrary to the public order or decency or undesirable in the public interest. In other words, he was not able to approve, fullstop. The present legislation says we must look at the dominant effect of a film as a whole. I think for most cinema patrons point of view that is a step forward.
(Tunnicliffe quoted in Jackman 1977)

In 1982 there were two controversial films of note, both of which were initially restricted to film festivals only and for persons 20 years and older. Exhibition and Not a Love Story: A Film about Pornography were both discussed during the period under

study and will therefore be considered within the ethnographic description of film censorship operations in the following chapters.

4.7 Conclusion

Censorship developed overseas through a concern over effects, but utilized fire safety and licencing as a means to gain control. New Zealand moved directly into censorship legislation and left the licencing and safety considerations alone for many years. This introduction of a separate body for film censorship, when there were existing mechanisms and provisions such as police and customs officials, can be seen as part of the developing interventionist style of State organization in New Zealand. It did not need the side door of licences and fire provisions to directly attempt to control the imagery of the cinema.

Faced with censorship and the dramatic changes taking place in entertainment priorities, the cinema can be seen to be in a continual flux, attempting to maintain its audiences and viability. Its method of relying on increasing levels of explicitness had the consequent effect of challenging ascriptions of a homogenous character to cinema audiences. The pressure on the industry to remain profitable, plus the development of society itself combined to require a fundamental change of film censorship legislation. By moving to an effects orientation in contrast to the original public order and decency legislation, the censorship of film can be seen to

have abandoned its homogeneous consideration of audiences and accepted a fractionated and specialized conception quite different to that considered in 1916.

FOOTNOTES

1. Phelps 1975:19
2. Randall 1968:10
3. See Wistrich 1978 for a good description of the workings of the local councils' censorship activity. The Greater London Council, of which she was chairman for three years had a tendency to be more liberal than the BBFC, however, this has subsequently changed and very few councils now pass films not accepted by the BBFC. (Brown 1982)
4. Films are generally censored prior to their release, as opposed to censorship occurring following a complaint as is the case with most literature, see for example the Indecent Publications Tribunal. (Perry 1965)
5. My thanks to the Chief Censor Mr Tunnicliffe for pointing out this book to me. Speaking Candidly, 1945, was written five years before Mirams became the chief censor.
6. See Parliamentary Debates (Russell) 1916:573, while the restricted category was available from the outset it was not made use of for many years. The single sex audience was used once in the controversial film Ulysses.
7. Ibid 572.
8. See Beeby 1981, see also appendix C. where the early British and American requirements are listed.
9. Martin 1981E notes that this simple form, which later was the basis for other welfare legislation was in fact due to administrative simplicity more than any other factor.
10. N.Z. Film Archive - The Tin Shed 1981:7
11. Class consciousness and the Movies. Atlantic Monthly 115, pg 48-56 bibliographic reference in Jarvie 1970.
12. New Zealand had one seat for every six people compared to one in twelve in the States, and one theatre for every 3000 people compared to one to 8700. Mirams 1945:6.
13. The quota largely backfired in Britain. It encouraged a spate of cheap low grade films which were guaranteed a market and often subsidized quite heavily. Eventually Hollywood moved considerable production to Britain which did have the effect of giving employment to local artists and film crews, but made a mockery of the cultural maintenance and eventually meant the invasion and to a large degree

- subsequent control of the British film industry. Thus Hollywood began to produce in England and later in many other countries where cheap film crews and locations could be found.
14. The licencing of cinemas was only repealed in 1980, in the Cinematograph Films Amendment Act 1980.
 15. The films were:
The First World War (20th Century Fox)
Calvalcade (20th Century Fox)
All Quiet on the Western Front (Universal)
Hell's Angels (distributed by British Empire Films)
Idiot's Delight (MGM)
They Gave Him a Gun (MGM)
Shopworn Angel (MGM)
Three Comrades (MGM)
Dawn Patrol (Warner Bros)
Harley 1940:169
 16. Department of Internal Affairs Annual Report H.22 1940
 17. Polls have been taken by research organisations to gauge public reaction to censorship, see for instance the Heylen polls and McNair surveys, but the question format has typically been loaded, and the censors quite rightly have tended to ignore the findings even though they largely indicated that people were relatively happy with the current level of censorship. The censors were in the process of putting together a survey during the period of this research, however, they were clearly undertaking it with a degree of trepidation.
 18. Domestic videotape became available through the removal of import restrictions in 1980. Since then there has been a flurry of price cuts on machines and a great increase in the programmes and films available on tape. But since their use is located in the home they are outside the jurisdiction of the cinematographic films legislation. This has effectively introduced a third standard for audio-visual censorship; one for cinema, one for broadcast television, and one for videotapes in the home. Ironically the one film may be presented in each of these forms and require, or receive different censorship treatment. Currently the only source of control that is effectively being applied to videotape is by customs, and some form of new legislation or a change of legislation is called for to tackle the problem. Left as is, videotape can be seen as a major argument for the relinquishment of all audio-visual censorship as a wasted gesture.
 19. Higher Parliamentary Debates 1976 pg4013. Although how this could be envisaged with seven members is hard to see.
 20. From 1961 to 1969 the Film censors office was involved in censoring for television and the number of 16mm television films viewed climbed from 50 in the first year to peak at 1,426 in the second to last year of this arrangement, outnumbering cinema features four to one. When this arrangement with Broadcasting ended in 1969 there were five censors, but this dropped soon afterwards to the regular

level of three. Censoring for television once again became a job for the film censors with the directive of the 1976 Broadcasting Act to review banned and cut films. While at first this involved over one hundred films a year it has subsequently dropped to under one hundred for both 1981 and 1982.

21. There have been a total of six chief censors.

| | |
|---------------------|-------------|
| Mr W Jolliffe | 1916 - 1926 |
| Mr W Tanner | 1927 - 1938 |
| Mr W von Keisenberg | 1939 - 1949 |
| Mr G Mirams | 1950 - 1959 |
| Mr D MacIntosh | 1960 - 1976 |
| Mr E Tunnicliffe | 1977 - |

22. Although in 1933 twenty films were taken to appeal and eight were successful. A possible explanation for the lack of success of the appeal mechanism may lie in the board itself which consisted from 1922 till 1933 of Mr H M Gore (chairman) Mrs K Preston and Mrs F Righton. In 1933 Mr Gore was replaced by Mr W G Riddell while Mesdames Preston and Righton stayed on.

PART II. An Ethnography of Film Censorship

CHAPTER FIVE

Viewing Films

5 Viewing Films

5.1 Introduction

In this ethnography the following conventions have been used. The speaker is represented by the initial of their first name, with the researcher as "A." (...) indicates the concatenation of passages, and [square brackets] enclose explanatory notes.

The transcription is essentially "as is", complete with the normal amounts of speech errors and hesitations. Punctuation has been added where possible to make the reading of live speech as easy as possible.

5.2 The Theatrette

The censors enter their theatrette. The room is small and dimly lit. From the wider seating area at the back it tapers down to a bright blackmasked screen. Carpeted floor, curtained walls, and low chairs in two rows with plenty of foot room indicates immediately that this is a specialist cinema. Hard up against the back wall, under the projection ports is a raised tier, which

accommodates three armchairs. These are the censors' seats. Between them are two low tables. Each table has a pivoting, sprung desklamp with a low wattage yellow bulb. On the wall is a phone and in front of it is an intercom to the projection box. Genevieve Orr, the acting deputy censor is taking the notes for this session. She moves in to take the middle seat. Bernie Tunnicliffe, the chief censor takes the seat to her left, and I take the vacant seat to her right. There are normally three censors with a fourth position currently frozen, but at present the third censor is only an appointment awaiting arrival. (1)

The censors' office is part of the National Film Unit's premises in Lower Hutt. At times the censors must split up and watch films individually, an action which they prefer to avoid. However, if circumstances necessitate it an adjacent NFU theatrette is requisitioned, albeit not as well appointed, to cope with either a rush of films or a backlog. Similarly, while the censor's office has triple standard VHS video gear, it relies on the NFU for 3/4" Umatic equipment. Any further formats of video or film must be provided for by the applicant of the film themselves, 70mm for example, requires the censors to go down town to a commercial cinema for the screening. With that particular gauge of film there are just not enough films to warrant the purchase of equipment. Censorship is primarily concerned with 35mm and 16mm films. These are both well catered for in the censor's theatrette.

On the table beside the censors is an intercom to the projection box. When the censors are settled they signal the

projectionists on the intercom to say they are ready to start viewing.

5.3 Screening the film

The projectionist, dims the lights and the film begins. Both the censors immediately switch on stopwatch calculators to record the length of the film. They refer to the running time when they are making notes about a film. The deputy has a large A4 calender open on her knee. She positions the desklamp beside her to illuminate the pages and begins writing in the production details of the film: the company; the country of origin; year; title of the film, etc. These are required for the film register and are Gazetted along with the resulting decison that is made on the film.

- G. You have to be very precise.
- B. We can only register the title we see on the screen and even the difference of one word, in otherwords, like the Americans spell centre CENTER, as far as we are concerned most of us will spell centre CENTRE. But that is a slight variation. But it must go down as it is on the thing.
- G. Like neighbours. We did a film called Neighbors which obviously ends with BOHC and everywhere we wrote it down, like when it was, when we had the typing done for the Gazette extract they spelt it BOURS and I corrected it, then it went to the government print and they spelt it BOURS and I corrected it again.
- B. Yeah, of course colour is another. And that's why its important, and we get, perhaps the projectionists get a bit frustrated when we ask them to check titles out and so forth. But its the only way you can be certain.

If any of these details are missed, or undecipherable,

especially in the case of foreign films they buzz the projectionists who make a note to go back and get the production details on an editing suite later. While the production details are screened the censors may remind each other of where and when particular details have cropped up before and what important characteristics are attached to particular names. Who acted in whose film last. What the last film directed by the director was like, etc. Not unexpectedly, they are both well versed in the who's who of performers and directors. Sometimes, however, the opening scenes under the titles demand more consideration, and their attention is taken up fully by the film.

While the deputy is taking notes about the film the chief censor settles back to take the film in as a whole. Making mental notes of the content, his viewing is very much like that of a regular cinema audience, that is, a passive engagement.

B. I put ourselves very much in the position of a judge of the supreme court who tends to drowse upon the bench but doesn't, he is listening, you know that sort of thing, like the long distance lorry driver who drives eight hours a day, just day in day out. He learns to relax behind the wheel but he is concentrating, he is aware of what is going on around him but he just tends to relax. Its a relaxed concentration, sorry not a relaxed concentration but concentrated viewing but in a relaxed way in effect. And invariably, like most things, your intuition starts to work at times.

But for the person taking the notes, things are not quite so passive. It involves doing the nuts and bolts work of writing a content analysis of all the censorship points and other points of interest that will help in recalling the film at a later date.

These are put into the "day book" along with their approximate running time position.

- G. There are certain details that we have to get. The Act stipulates that we get details for the register so that's your skeleton. The rest is a matter of personal taste. We all obviously do our notes slightly differently. Really it depends on your recall. I take quite detailed notes. I note down details that are required in section 26 [of the Cinematograph Films Act 1976 - see appendix A] : sex; violence; language; cruelty; horror; that sort of thing. And we use these calculators for timing. We are going to get footage counters, automatic ones, installed but in the meantime we use these. I personally say at ten minutes in someone beheads someone else, medium shot, male beheaded, close up view blood pouring from neck, this sort of thing, if that is what happens. Then I have reasonably good recall. (...) You also add things that are of interest to you, if you want to put down important or interesting plot developments then you can, but we are not required to, or you may put down important dialogue.

The day book forms the basis for later consideration of the film when a classification will be decided upon, therefore it must include all the relevant censorship details to accurately permit the reconstruction in their minds of the parts of the film they will be considering. They need to know what incidents in a film were important in terms of the Cinematograph Films Act, and how the general theme of the film was handled.

- B. We don't sought of want so much the story as the incidents which occur. They will give you a gist of the story in other words. (...) You have got to note more than just a, perhaps a fight occurs fullstop. It depends on how it goes. You might note that okay the guy was sort of, his head was banged against the wall, for example, or he was held by two guys and slugged, beaten up while held. So you describe as quickly as you can and you haven't got much time to write as you

- are watching. (...)
- A. Do you record pace?
 - B. All you would say is attempted rape, off screen, short, no visual, but you have got to put down a couple of words. Just to describe it in your own mind. (...) On the sexual assault [in a Chinese movie we had just watched], if it has been much more, if it had gone into detail, if her dress had been ripped off and if she was there naked to the waist and the guy then proceeds to rip off any underclothes that are there and throws her on the bed and you get full nudity, this type of thing. So you note all these details down. Again it hinges upon the extent and degree. Language, much the same way, whether its coarse language or four letter words or whatever they are. When you are writing it becomes difficult particularly when you get a repetitive lot of them.
 - A. Have you developed a code or shorthand?
 - B. Not really. You just tend to take a few letter words. Sometimes you will get an expression, it might be sort of 'fuck you' sort of style you see. Its repeated say four times and I'll put fuck-you repeated four times. (...) When you have got to write out dialogue, that's more difficult because as fast as you are writing they are spouting on other bits and you have often got to sought of fill those bits, do a few words and if you have to write more than one sentence [then you fill in the gaps later].

Note taking can vary considerably between films. It will all depend on the quantity and extent of 'censorship' incidents that occur. In some films there will be no points of concern and a short synopsis is all that is necessary to remember the film. But because there are no incidents to note there is little likelihood of it ever needing to be recalled, that is, at least in terms of office work. A film with censorship points is another matter however, as this example from the film Attack Force Z shows.

- G. A very predictable and most unimaginative war story.
- B. Yeah. I didn't get time for all that prologue. [He had been called out of the theatrette to a telephone call]
- G. Oh well. That was Z Special Force were a secret operations unit of the Australian armed forces in World War Two and it was quoted as being an honest and

unflinching account of what happened. There was some reference to 23 dead but I missed that and it was signed by some dignatory of the Special Force NSW so presumably it still exists. Then it was just 10th January 1945. (...)

- G. Just going through it. Quite alot of machine gunning in the beginning with no impact views, or few impact views. Screams. Close up of the wounded knee, the shot knee. No views but the killing of the wounded man. Reel two, some more clean tidy deaths and that fight inside the house, the father fights the Japanese soldiers, does some kung fu chops. Sword is held above, about to be brought down on somebody's head. Chop to neck and shoulder. Oh, that's right then there is the close up of the Japanese soldier in the foreground, blood coming out of his mouth as he is chopped on the neck. Few Australianisms, "I'm a bloody sailor not a mountain goat". Shooting medium shot. Knife. Knife thrown in chest. Bullet entrance hole, medium shot and close up views. "where's sodding Finch", Cockneyism I would imagine. The little boy being questioned and the sword being held aloft and then his giving the information. Um. Oh, that's right the torture of the young woman by holding her hand in the boiling fat. Close up face reaction. (...)
- G. That actually happens four times, close up of her bandaged hand so there is no doubt as to what has happened. Medium shot, man shot, exit wound. These aren't all my notes, they are just a potted summary of violence which is definitely the most important aspect of the film. Knife thrown in the chest of the captain close up. Then very long battle scene in the street, lots of soldiers shot, wounds, close up fighting. (...) Lin that was the man's name, the father was shot and there were a few views of that, blood spurting out of his arm, stands up bloodied but unbowed. Bodies scattered all over the village and that was basically it. Some coarse language, bloodies used a few times, shit used four or five times, sodding.

As each particular scene appears on the screen, the censors are evaluating its intensity. They gauge their reactions to it, and relate it to the intensity they have experienced in other films. While watching another military type film, Who Dares Wins (a spin off from the Iranian-SAS embassy raid in London), a long fight is

shown with two men against one. The 'hero' is being beaten up, swung around the room with a rope around his neck and viciously punched and kicked. The scene just keeps on going and going. Amidst writing furiously in her book, the deputy censor turns momentarily to buzz the projectionist on the intercom. There is a brief delay before they ring back to say which reel they are screening and confirm that they have noted that particular spot. The senior projectionist explains.

J. When a film's got cuts in it we don't stop or anything. The censor will buzz us and we put paper in. We work in the old style of 1000ft reels. On each 35mm, most reels are 2000ft so we work in an old style, which goes back probably 30 or 40 years, because originally film used to be on 1000ft reels. Of course now with the modern day projectors they joined the film up to 2000ft. So what we do is put the paper in and we buzz Tunny or Genevieve and we say part 1 reel 1 A and we give them the running time which will be say ten minutes. The first eleven minutes is part 1 reel 1 A. And once you have got past that you are going into part 2. You would ring back and say part 2 reel 1 B. And that's how they have worked for the last 40 years. When we get the film with the paper in there, so we know where the cut is and we'll work out what we'll cut out.

But not all spots marked in such a way will automatically be subject to cuts. They merely represent sensitive areas or parts which may require further attention later, and consequently need to be able to be found easily.

B. Now if you have got doubts about a thing, well the thing is to buzz, and they will put a piece of paper in the thing. Then you can go through it on the editor and run it through again, or run it in the theatre again. Various. Sometimes we have got to do that for a check of dialogue. We think there may be a four letter word in there, and when we stop and listen again its not, its something close.

5.4 Interruptions during screenings

While the censors are viewing a film there can be a number of interruptions. The infuriating commercial intermissions may be forgone, but other reasons may force the abandonment of a screening, or at least its partial interruption. Occasionally, the office secretary may be out, in which case the censors will answer the telephone in the theatrette, but more often than not the telephone is for one of the censors anyway so that the call will end up routed through into the cinema. Naturally this interruption can be awkward within a film.

- B. If I'm in the middle of screening and I get this sort of thing [repeated calls] I've really got no option but to stop the film which is bad from that point of view. If the two of us are there one can carry on taking notes, I can carry on a conversation and. But if I am carrying on a conversation that can be disturbing to the person who is taking the notes yet at the same time you get toll calls and there is no use in saying well ring back in three hours time when they come out or two hours time. Sometimes they want an answer there and then. You get people who ring up and they say, "Aw sorry, the chief censor is not there and nobodies there. No he's in the theatre". They ring up in the afternoon "Sorry the chief censor is not available, can I ring you back". So that's why we tend to take certain conversations. If I get to that stage what I'll do is leave whoever is in the theatre screening and come out and answer it. I saw the U.K. censors in action and I saw the Australian censors in action and I'm certain that there is no calls at all. So you've got two ways. Sometimes if I'm by myself examining films and we get telephone conversations I'll carry on, depending on the film. If its a fairly, and if you are doing a 16mm re-do that's fairly straight forward, it may be argued its a bad practice but you've got to make your own decision at that stage. But if you are into a controversial film well the answer is no calls. Very often we will say to Molly no calls unless its really urgent. At that

stage she will sort of buzz and say I have got somebody in that's really urgent, so at that stage you either stop or let it go through.

Such an abandonment of a film is an avoided practice. It breaks up the flow and engagement in a film. Also, the 1976 Act stipulates that the censors consider the film as a whole, and this becomes more difficult if it is seen in segments. However, films vary in their treatment of topics and in their predictability, therefore it soon becomes fairly obvious what can be done in a particular film. It is also important to note that only about one third of the films watched by the censors are new commercial release 35mm films. Yet it is these new feature films that are likely to cause the most concern.

The censors watch about a thousand films a year, but only about 300 are new commercial feature films. They must also watch all the cinema advertisements, the shorts as well as the variety of non commercial films. In one Chinese children's film (part of a set of four submitted by the Chinese embassy for local exhibition to the Chinese community) we were able to adequately watch the whole film and still hold a conversation. In general, the incidents, where they occur, are sporadic and there is time for comments in between.

When the censors watch a film they watch a full frame print, that is, they see the edges of the print which would normally be masked in a commercial cinema. Film is increasingly being shot with a dual framing size in mind to enable the film to fit the requirements of both the wide cinema screen and the smaller squarer

television screen. Watching the full frame picture uncovers cases of poor film coordination in which boom microphones or other equipment accidentally enter the shot. Generally this prompts some comment from the censors. Likewise production continuity and inaccuracies are noted with some amusement. Continuity is especially relevant to the censors. If they decide to cut a film then continuity is an aspect they must take into consideration. Apart from the Act specifying it, continuity problems can point to or highlight their cutting, which is something the censors prefer to avoid. But matters are not helped when the production itself already includes continuity problems and errors. These may sometimes end up blamed upon the censor by the audience when in fact the censor has not touched the film.

5.5 Trailers

Once a feature film has been watched, the trailer for that film can be considered. The censorship procedure for trailers is essentially the same as that for the feature, but there is a preferred classification to be aimed for. Trailers are all supposed to be classified as "G" certificate (in terms of their own content) even though they may advertise films of any classification. The idea is that a trailer should be able to get as wide a circulation as possible, and be combined with any feature film that is showing in a cinema. Therefore, the censors look at trailers in terms of fitting them to a "G" certificate and make their notes accordingly.

Sometimes however, this is not possible and the trailer will a receive restricted certificate, or perhaps be rejected in total. With this constraint on the classification of trailers there is a corresponding tendency to try to cope with them by excisions. Since trailers can not readily be classified and must instead be cut, they will be considered again in chapter six which deals specifically with cutting.

5.6 Television films

Films which are to be shown on television, under the 1976 Broadcasting Act must first be cleared by the censor of films if he has previously cut or banned them. This necessitates Broadcasting submitting a list of films to the censors for them to check their files to see if they have dealt with the films previously.

- B. They cannot televise without my approval, a banned film or a part which has been cut so as a matter of practice they give me a list of all the cinema films they are televising and we check it out through our index. Now a proportion of those we have got no record of. Now either because A, there is a slight change of title we wouldn't know of, we've got them under one title, they've got the thing under another title or these days very often its a film television, a feature film made for television so we've got no record. So if a film is cut, has been cut, or banned, if the film has been banned in terms of the cinematographic films act I'll usually get it over from broadcasting and have a look at it and make a decision either that its still banned or as far as I am concerned its not banned, or its approved subject to cuts. As far as the cuts are concerned, I usually check these out, look at our day notes, books, notes we have got on the film. Consider it in relation to

decisions today I think. I've got to try and relate to what decision I would make on that film today. A 1953 film, would I still make the same cut today in relation to that film if it was produced today. Very often the answer is no, particularly on language. And if you get back to the 1930's words like bum for example, you know. But where the violence is in many cases, yes I still continue and most of the cuts are still continued. In some of the early westerns I still continue a lot of the violence cuts that are there because I think its the overall impact of the violence that is coming through on television. You look through a day's programme, you get this films got violence in, half an hour later another films got violence in. Violence in, violence in, you get your news reels, violence all the way through. (...) These are the things of the Broadcasting Act that, I sort of look at these things and I'd say yes or no. And they are informed that those are the things that I want. Okay so I just basically say reduce so in so or delete so in so. Okay approve no excisions required and that is communicated back to them again and they take action. Now I look at A, the film, the cut, the time it is scheduled for programming. And probably the later at night there is less likely the film, of the cut being maintained. Sometimes it will be approved because of the time of programming but they suddenly bring it down to a time when kids are watching then I might sort of, and they will tell me again, I'll say oh, no, now I want these cuts made because of the different audience

If however, a film has only been restricted by the censor previously, then the censors have no control over what Broadcasting does with it as far as programme scheduling is concerned.

- B. But if a film is restricted and has no cuts then I have no control over it whatsoever. And this is the area of controversy. Because Lolita for example which is running around on R21, you own a cinema, you have got to keep all the R21's, all the under 21's out. But they could go home the next night and see that on television. So its ludicrous.

5.7 Sixteen Millimetre Film

Film arriving in the 16mm gauge can be of two types, either new feature films (or shorts), in which case the same procedure is undertaken as for 35mm prints, or the 16mm print may have already been released and censored in 35mm. The censors must view a film in each different gauge that it appears but if it has already been classified in one gauge, (generally with 35mm being the gauge worked on first) the censors already have a list of the points that they considered poignant in the film, and the list of the cuts they made, if there were any. Sometimes there are slight variations, most notably in the shortening of the 16mm prints, but normally the prints are identical between gauges. These re-runs provide an opportunity for the censors to catch up on films that for some reason they (individually) may have missed.

- B. Occasionally you pick up something which you missed before. If you missed it the first time around so often it is just something which you look at for your own personal point of view. I hadn't seen Kagemusha, so I watched it the other day when the 16mm print came in. Normally I don't really watch 16mm unless there is something I have missed.

The 16mm re-runs are usually the junior censor's responsibility. They are primarily a verification. If there were cuts made in the 35mm print then these cuts must be identified in the 16mm print so that they can be correspondingly cut. But reruns do also offer a unique feature to the censors' office. They provide the base from which a new person can learn to censor to the same standard as the other censors.

5.8 Learning how to Censor

Sixteen millimetre reruns provide the opportunity to go through a film and see exactly what the existing censors took note of and what they did with a film. This is seen as a valuable asset to the training of new personnel and means these new people can develop some sort of consensual position with the censors, or at least know what their position is.

- A. How do you learn to be a censor, is it a learning process?
- B. Most of us have come up through the department or other government departments and having an interest in films. But you don't really learn until you get on the job. One of the things of course is you must be able to relate to legislation, be able to interpret legislation because you have got an Act to apply but then from a practical point of view we all start off on the 16mm re-examinations, taking notes. You will get a period of training, two or three days perhaps of what to do, like how to take notes, to take titles and all that sort of thing. You will be told certain things to watch for, how to take your notes, set them out and that sort of thing, the key factors to watch for. If the film has got cuts, you will have the cutting book notice with you and its your responsibility to ensure that those cuts are there and marked. So that's how. You should then be starting to look and say alright, well question if necessary the reason why those cuts are made, and say I agree. There is not way in which you can change, unless, you won't change as between 16mm and 35mm, not usually.
(...) The next stage would be that you would get to carry on the 16mm and have the cutting book but not in fact use it till the end of the film. Your responsibility then is to assess the film and put in the cuts where you think are necessary and then see how close you are to a decision that has already been reached. At the same time as you are doing that then you will work in with the other censors, the more experienced censors, just sitting in and watching, to get a balance between the two. In other words, being brought into the decision making but not having to take notes and certainly not being left on your own

with a brand new film because its a bit difficult to get in. (...) This is part of your training, familiarize yourself with the things, watching, very much what you are doing, listening to our conversations, getting involved in discussions, if there is cutting involved, seeing what's involved in the cuts and see how cuts are made and seeing for example if you put a cut in a film, it being put on the machine and saying well if you do that, this is going to happen, and you are going to end up with a bad continuity problem. So that's basically the training around really. Getting involved, reading various articles and literature and so forth, both in relation to here and overseas censorship issues. Then its a matter of progressing on and on. The more experience you get, you will tend to be given the lead a little bit more and gradually you will progress into 35mm, like taking notes, probably just as an exercise having one of the more experienced ones taking notes side by side and then comparing the two. Gradually as you get more experienced you work into the full role of censor, and be given new film, certainly in the 16mm variety anyway and, but there would be odd times in that when perhaps you would do a commercial 35mm on your own, it might be a question of having to do it because there is nobody else here or we are short of staff, but it would be a fairly straight forward type of film because I think its unfair to put a lot of weight on the individual.

But training new staff is not a regular event and unless there is particular interest in seeing a film again the 16mm prints become one of the more mundane tasks and it is normally left to one censor only.

For new commercial films the standard procedure is to have all the censors in to watch. After the completion of a film the censors may have a break, or screen some trailers or a short, all depending on their timetabling and backlog. The censors must see an average of six to seven new feature movies a week to be able to keep pace with the flow of films. This flow is far from steady with surges occurring for film festivals and summer holidays. During the course

of this study four Chinese films and three German films (all previously uncensored 16mm prints) suddenly appeared, and were required at short notice. To cope the censors split up and did the films individually, otherwise a considerable backlog might have developed. The censors run on an approximately three week turn around time which they would prefer to be about two weeks.

The viewing process is the data input stage, collecting information from which an informed decision can be made. The decision about a classification itself is rather more complex. It is the heart of the censors' duties. Although it is the evaluation stage, there have also been evaluations going on in the viewing. Data gathering in such a context is not a neutral process. A continual evaluation is taking place with regard to note taking. That is, when is an aspect of a film sufficiently important to warrant a note, when does violence become violent? However, the controversy over film is generally focussed at the other end of this continuum, that is, when it is too much, rather than whether it was actually there or not, and therefore, the censors are spared an intensive consideration of the thresholds of notability. But it is an aspect of their decision that must be remembered. When the censors evaluate their notes they are to a degree evaluating an evaluation. In the next chapter the use that these notes are put to will be considered.

5.9 Conclusion

The viewing process is accomplished within the guidelines of the Act's definition of the major areas of concern. These provide the central points on which the censors must focus to generate a detailed content analysis of a film.

Censorship of sixteen millimetre films provides a useful way to train new personnel. It emphasizes that individual censors are not "naturally" attuned to the cultural definitions which are applied by the censors, but instead must be assimilated. This learning process helps reinforce the consensus of the standards the censors seek to maintain amongst themselves. The consideration of television films also has this effect. It brings back old decisions which must be compared with current ones. Television, however, also provides a somewhat unfair comparison of standards as there is considerably less control over the audience which will view a programme. Nevertheless programme standards on television are used as a point of comparison by the public and the censors are conscious of the exploitation this may involve in terms of press sensationalism.

FOOTNOTES

1. She had been a censor before for two years, but transferred to other duties within Internal Affairs. She was due to return to take up the deputy censor's position near the end of 1982. However, it subsequently transpired that she decided against returning and the position was advertised nationally.
2. The editing desk is a flat desk top viewer which projects the film onto a small screen in front of the operator. It can either be operated automatically or wound by hand. Through a prism arrangement a picture is always on the screen whatever speed the film is moved and wherever it is stopped. With the editor individual parts can easily be watched again to verify aspects or to check on whether anything can actually be done to modify a scene. It is on the editing desk that the cut, if there is to be one will be subsequently worked and executed.

CHAPTER SIX

Classification

6 Film Classification

6.1 Introduction

The essence of film classification is to work from the impression gained of a film to arrive at a certificate (or a rejection) for that particular film. This operation on the part of the censors costs the film company \$23. for a feature film. The decision is usually formed in a case conference, rather than during, or directly after a film, although if an urgent examination has been requested the film might be discussed immediately. However, there is no obligation on the censors to do so. If they can fit an urgent examination request in they will, but if they can not then the urgency fee of \$115 is refunded and the film is classified as soon as possible in the normal way.

6.2 Film Certificates

There are a large number of possible categories in which films may be classified in the New Zealand system. The Regulations specify these as:

- a. "G" - "Approved for general exhibition"; or

- b. "GY" - "Approved fro general exhibition: recommended as more suitable for persons 13 years of age and over"; or
- c. "GA" - "Approved for general exhibition: recommended as more suitable for adults"; or
- d. "G*" - "Approved for general exhibition" followed by any recommendation (the recommendation being introduced by an asterisk) that the Chief Censor may specify (not being a recommendation specified in paragraph (b) or paragraph (c) of this subclause); or
- e. "R (followed by such age as the Chief Censor may specify)" - "Approved for exhibition only to persons years of age and over"; or
- f. "R-F.S." - "Approved for exhibition only to members of approved film societies"; or
- g. "R-F.F." - "Approved for exhibition only at the following film festival(s)....."; or
- h. "R*" followed by a statement (the statement being introduced by an asterisk) of the class or description of persons (not being a class or description of persons referred to in any of paragraphs (e) to (g) of this subclause) to whom the film may be exhibited or, as the case may require, the places and times at which or the occasions on which the film be exhibited.

(Cinematograph Films Regulations 1977:357)

In addition to these classifications the censors may append Censor's notes after the category. For example On Golden Pond "GY" Censor's Note: Contains coarse language. These censor's notes must be displayed along with the category specified and form part of the decision. They give an almost limitless number of variations to cope with the many possibilities encountered in film. With these certificates the audience can be divided up into more specialist groups than a single, universal one.

Another very important certificate is the Exempted certificate. The exempted certificate is applied to films which are intended for a specific purpose, which generally means that they are non commercial films. (1) Exemption is particularly important in the respect that it considerably reduces the fees involved in having a

film censored (to \$15). The exemption refers to the full feature film examination fee rather than the examination itself which remains at the discretion of the censor. Exempted films do not necessarily have to be examined by the censors if they are satisfied that the films are indeed of a specified class. But an exempted film is always subject to recall by the censors for examination if they decide that circumstances warrant it. These circumstances would include public reaction and screenings outside of their intended environment.

A further possibility at this stage is the refusal of a certificate altogether, that is, the rejection of the film. In this case the film is registered, but is not certificated. The film is returned to the distributor who may then either send it before the Board of Review (at a cost of \$700) for appeal or alternatively wait the statutory three years and resubmit the film to the chief censor once again. A resubmission is considered as a new film and given a completely fresh appraisal.

6.3 The Classification Decision

Unless an urgent examination is requested by a film distributor the normal procedure is to wait for a few films to build up before the censors make a classification decision. (2) In some cases it may be quite clear within the screening of a film which classification would be the most appropriate, as for example with a

simply "G" certificate film. But as a rule the censors prefer to sit and mull over a film, especially a controversial one. For this reason they prefer not to have members of the film trade present when they watch films. Apart from inhibiting their comments to each other during the screening of the film, they find that trade personnel try to put pressure on them for an instant decision.

B. Sometimes we will do it fairly straight after it but often it just pays to sit and think. If you come to a controversial one you might sit 24 hours, 48 hours. That's one thing why as a matter of course we don't have the owner or distributor sitting in with us, which as you know would be awkward for a start but even if they are there, from time to time they come to Wellington and they sit in with us but there is very little discussion goes on because I hate to be and Genevieve is the same, we hate to be pressured into making a decision on the spot. They're very talkative and I think we are entitled to be able to sit and think and then come to conclusion ourselves. And then if they want to say something, they can say something at that stage. For them to be sitting in, when you are doing it, if you want to chat about the film and there are times in most films when you can stop for a chat on something it rather tends to inhibit you.

However, this does not mean that the censors do not generally have a good notion of what classification they would give immediately after watching a film. This can be seen in the chief censor's comments as we leave the cinema after watching Who Dares Wins.

A. That one I presume will give you more of a problem.
B. Well it does in way because it has language for a start and it has got a certain amount of violence in it and its quite strong. But with less violence and no language it would come into something like a GA but I just don't think its there at the moment. [It was subsequently cut.]

However, the censors are aware of the dangers of leaving a

decision for too great a period of time.

- B. You can't leave a decision too long. Very often your initial thoughts are probably more right than wrong, because you have got the feeling of the film at that stage, whereas two days later you haven't the same sort of thing.

As long as the decision is not left too long the film can remain relatively fresh in the censors' minds. While some delay is seen as desirable there are limits to how long it is best to leave things. This delay should be seen then as a system for providing room to manoeuvre with regard to controversial films where the censors may wish to screen the film a second time or seek outside help in the form of consultation.

When the censors decide to get together to work through a set of films, they use their day books to refresh themselves about the film in question. The case conference takes the form of reading aloud their notes from the day book to re-establish the film in their minds. At this juncture there are two functions being performed. First, the content in a condensed form is being recreated in terms of its quantity and extent. The isolated incidents are accumulated to form a summative impression. And secondly, other similar films and incidents in films are considered and used as reference points, to give life to past and current standards.

- B. [Refering to a scene in Attack Force Z in which a hand has been forced into a hot wok] We've seen much more dramatic, if you remember Battletruck. A guy in there

gets tortured, his hand put into the thing. You don't see his hand put into the thing but you see his hand afterwards and its bandaged up and they undo it and its of course, flesh all peeled off and its all bloody and gory, which I agree is more realistic than this. On the violence in this particular film compared to the Chinese film, half of those blows you saw struck, they were so slow and the guy was falling away before the fist got within six inches of his face, sure, I think you look at that and how often they repeat it. (...) This type of film if they are going to extend it and keep repeating, the camera come in close up, you see a guy being hit and you see bits of flesh, sort of shooting blood this way and the other. Sure that's where realism does come back in. But this wasn't too bad. But the violence in this compared to Mad Max [2] is totally different. Different sort of theme I know, but the extent and degree in which they portray the violence in Mad Max 2. The violence for example which we saw in Galipoli.

- G. Had far greater dramatic effect.
- B. Yes, it was and it would be stronger than this. Yet they are both basically war films.
- G. We haven't done many films even remotely like it. I was thinking of Lion of the Desert which was actually busier in terms of blood and guts.

The use of previous films acts as a guide, and provides continuity between previous decisions and the current consideration. With other films invoked, their censorship decisions can be used as a reference point from which to suggest a classification.

- G. I was tending more towards a GA.
- B. Yeah, that's my opinion, round about GA. Its hard to say sometimes it might be a GA it might be GY. Perhaps this one a GA because part of the thing would be its got a title called Attack Force Z. Now with ordinary parents or even average common sense Attack Force Z is going to mean something. Its going to be a bit of violence in it. Probably you would be right. I was just wondering how you would relate this to Firefox, which again is probably not a fair comparison.
- G. No because this was a standard cut and thrust battle violence.
- B. Yeah sure, but Firefox had about three episodes four episodes, but it was vicious, it was strong, it was really out of kilter with the rest of the film.
- G. That's the problem, you might get more violence in one

film than another but the film with the greater amount of violence will have a lower classification but it all depends on the context in which it appears. As a matter of interest, what do you think of that as a certificate?

- A. I wrote down "me = GA". (Laughter) That was the other day. (3)

The type of incidents within a film have particular effects on how the censors decide to deal with that film. The way a theme develops and the kinds of content in a film all alter the kinds of categories that may be seen as possibilities. Immediately after watching An Officer and a Gentleman the chief censor commented:

- B. Again, as you see, very much of a standard sort of film. Its soap opera type. No real problems there. You have got a bit of visual from the sex aspect. The one sequence. That would be a factor. You have got a fair amount of language there, four letter words, which again would be a factor but, one would look at those in question of, more classification than anything. There is no way for example you could eliminate them. You have got to look at the dominant effect, you come back to that section 26, [see appendix A] you take the dominant effect of the film as whole. You also have to take into account the audience that its intended for, its not for example intended for a family audience so immediately you start wiping out your lower classifications anyway.

These considerations then resurfaced again in the case conference for the film where they discussed the incidents in the film and relate these to other films.

- B. Its an upgraded Annapolis movie.
G. It reminded me more of Taps than Stripes or Private Benjamin.
B. Yes. I don't think its quite Private Benjamin. Taps perhaps. I thought there was a bit of Stripes. Not the end of Stripes but the initial part of Stripes. The way they drill the infantry. (...) Stripes had a 13. I think Taps had a GY or GA. Basically the theme

- is similar but the incidents are different. (...)
- G. Its a traditional story, but the updating has meant that certain scenes are fairly explicit. They don't pull any punches . Its quite clear to you the seediness of Zac's family life or lack of it. Especially at the beginning. (...)
- G. I think the level of language is fairly realistic for, given the milieu. I haven't been to a military school so I don't know an awful lot about it.
- B. Given the characters involved also.
- G. But whatever the reality these movies would have us believe that people talk like this in that situation. The language is quite intense and frequent. Coarse and offensive so I think perhaps a note would be, is a possibility.
- [Pause] Considering the suicide, which is not actually shown but is certainly clear.
- B. You get the end result.
- G. Violence that happens or things that happen to the trainees, which was quite effective, dramatically effective, like the, oh that's right when the, what's his name, the drill sergeant is giving a martial arts demonstration and he almost chokes one of the trainees and its not in jest. Its quite clear.
- B. No. No. That's right, that the point he is trying to make. This is what happens, this is reality so again its a psychological sort of thing. If you are not prepared to accept that sort of treatment in training well okay you are not going make it. Oh yes I agree its quite intense, its quite strong in that sense.
- G. Most of my notes are actually about language and there is that motel scene.
- B. That short brawl.
- G. Oh those four boys attack the young Zac, yes the close up of blood coming out of his mouth and nose.
- B. [Ignoring Genevieve carries on about the brawl] And Zac has no intention of just to hold off mate, its bang, bang, bang.
- [Pause] [They have briefly been talking about separate incidents and pause a moment to recoup].
- B. And the hotel scene.
- G. Yeah, it was quite explicit. Fairly, I thought perfectly justifiable within the limitations or [undecipherable] of the relationship. The whole seediness in contrast with the way the relation was formulated. But he, you know the motel sort of venue and the whole notion of grabbing a trainee and getting pregnant. Because I think to a certain extent Paula was influenced by that, whether or not she would go through with that is a good point. [Pause] Most of its language.
- B. Until you come to the end fight.
- G. Yes which is quite nasty in itself.
- B. Quite strong in other words.

- G. They are obviously injured though they are not, you don't see all the blood but its not a fight where they have what we call bounce back body.
- B. Yeah it was perhaps more realistic in that it was short and what perhaps to me the average person could take, in other words they didn't carry on for fifteen minutes fighting one another as they do in Kung Fu films and so many others. (...)
- G. The end result as far as a, well I see no reason not to approve it. So I was basically at a 16 with a note about the language.

6.4 Approving Film

The first actual task of the censors is to decide whether a film is or is not injurious to the public good. Only then will a classification be appropriate. The concept of injury to the public good is a crucial one yet it is a question which is hard answer. The Board of Review considered this question too sensitive and had the question deleted from the questionnaire they answered for the purposes of this study. (4) However, in answering other questions the Board's position can be reported to be similar to the censors. Injury to the public good is described by the censors and the Board alike in terms of a negative reaction, that is, it is identified by the amount of controversy that is generated over a film.

- A. You say [Not a Love Story: A Film about Pornography] has proved itself as not injurious to the public good. How would you expect to find that out once a film has gone out, would you expect a flood of.
- G. Yes, that statement, a negative reaction.
- B. Well most of the time all you get is a negative reaction.
(...)

- G. It is our policy that we reflect what is acceptable to the community. But obviously if a lot of people are disgruntled with your decisions and they feel they are way out of line with other media and with material that they can handle at various age groups then we are not doing our job.
- A. Would that be the film going community or the community at large.
- G. That's very difficult because your decisions, there can be a certain amount of contradiction there. We hope that its the film going public who are directly effected but we get our most violent reactions from people who don't go to films very often, who may be found outside that film going public. So a certain amount of reconciliation has to take place. But obviously you can't make decisions for large numbers of people who don't see films. Because A. we don't know what is acceptable to them except in very unusual circumstances because we don't get positive feedback.

The reflection of what is injurious is found in the public statements and media reactions that surrounds a particular film. This is a second hand, indirect measure that the censors must use, and will be discussed further in Chapter Eight when the public relations and contact of the censors is considered. However, it should be noted here that the censors work to an assumed level of tolerance (specific to particular types of film/audience) beyond which they can expect a public reaction. By definition they gauge this reaction as indicating problems, that is, it is either an indication that the film is injurious, or that the audience does not understand the criteria which enabled the film to be approved. Either way any public reaction is considered as bad press.

6.5 Achieving consensus

The chief censor maintained that classifications which are suggested for films by individual censors are never very far apart from each other, implying a close consensus between the censors. However, he also maintained that the division between a rejection and a classification is not to be seen as being very large, a point which the deputy takes issue over.

- B. We are never too far apart. We don't always agree. There can be differences. Sometimes we differ on classifications but for different reasons. But its never very far apart.
- G. Only in very exceptional circumstances.
- B. I don't know that we have ever been.
- G. One or two but generally no.
- B. you see sometimes its a difference between 16 and 18 or GA and 13 but nobody says R18 and G or anything like that.
- G. Interpret that how you will.
- B. But we are never that far apart. Okay we might get the difference between approval and rejection.
- G. Yeah, that's what I was referring to.
- B. There is never a great deal, if somebody says reject and somebody says approve, to me there is not a great deal of difference between the two.
- G. Sometimes.
- B. A film can be borderlinish. One says approve, one says reject.
- A. How do you resolve that situation?
- B. As chief censor I get last say.

But this overall conformity is not exactly surprising. As members of the public service and selected for their appropriateness for looking after the morals of society, there is a tendency for the censors to be from a high-cultural background in the first place. Apart from the continuity aspect of referring to previous films, there is also the specific consensual training that is given to the

censors. They are enmeshed into the existing consensus and standards of decisions by the training they are given to achieve independent censorship status. Once the new person is experienced in the types of decisions that are going on then it becomes a matter of them blending in to take a more forthright role, that is, in leading the discussion and suggesting classifications. This role of discussion ensures that the consensus is continually reestablished with each decision. Thus while the chief censor has got the veto, he does suggest that he tries to operate democratically as well.

B. It works both ways. There is a lot of tolerance, there has got to be. As Genevieve knows when Lee was here there were many times when I was outvoted two to one. I might still disagree with them, but if that's the consensus, that the film should be so and so, I will go along with it. Because any decision that we come up with to me is a fair and reasonable decision in terms of the legislation but there is always an alternative decision which can be equally fair. So I don't ever be dogmatic, that is the one and only decision fullstop.

At times, with controversial films, especially those which have already made a name for themselves, the censors will call in outside people to give their comments on a film.

G. We have the power to consult people if we think its particularly difficult. We have this power to consult who-so-ever we see fit to help us make a decision.

A. Do you do that very often?

G. No. Not all that often, no, but we do it. I can't think what sort of statistical basis but it really depends on the type of films we are getting. Sometimes we get a whole batch of films that are difficult and require services.

A. What sort.

G. Well they, a specialist, they need a Joe Bloggs, it depends entirely on the film and who we think will

give us the most information. Maybe individuals, it may be a group. And those views, they are not binding, they can help us make a decision. We may entirely disregard them or we may follow them entirely, it just depends.

(...)

- B. Life of Brian had a big storm overseas when it was released in the States. Various church organizations and Jewish organizations were very concerned about it, expressed their points of view in no uncertain terms. That was October, when it hit the screens overseas. But by November of that year, anyway the protests were coming in to me. The Minister was getting some, I was getting some, 'ban this film'. I hadn't even seen it. It wasn't even in the country, but that's notoriety. It wasn't until February that we actually got the film. At that stage my correspondence was building up, and the protests were coming through. Okay, we saw the film, and I approved it and the protests continued very much so, all formula type. (...) We got Archbishop Williams putting his protest in. And yet he hadn't seen the film. Although we did have clergy, and one in particular was a very high ranking clergyman in to see the movie as well as a top lawyer who is now a judge, in to see the movie.
- A. Was that after you had seen it the first time?
- B. It was before we made a final, we made, we had virtually decided what our decision was, we'd seen the film a couple of times and had a couple of other groups in. You might argue it was a safety precaution. But I knew both these people. I know them reasonably well and the clergyman was a high ranking one and he wasn't just a clergyman. In fact he had been our local Vicar before he got higher elevation. I don't say they enjoyed the film but they were people who said, alright, we told them what the law was and the lawyer knew anyway, well our feeling is this, what's your reaction. And they said yeah, there is no reason, in terms of the Act, although they didn't even like the film, there is no reason in terms of the act that you can turn the film down. That only confirmed what we already knew.

In a similar fashion the censors contacted the police over the film The Warriors, to get their reaction to its proposed release.

- B. They saw no harm in that particular film. They saw it as almost a, the violence was choreographed more or less. It was about gang violence and yet it wasn't a film which was intended to ferment gang thing or increase...

Likewise with the film Poltergeist the censors had a group of parents and their young children in from a local school to watch the film and report on their subsequent reactions. This eventually resulted in one of the lowest (widest) classifications the film received in the countries in which it was screened.

6.6 Film Resubmissions

Under section 31 of the Act a film may be resubmitted to the censor, at his discretion for a reconsideration within the usual stand down period of three years. After three years any film may be brought back to the censors for a fresh appraisal (this is a regular avenue for films which have been previously rejected). An example of a film resubmitted after the three years for a new certificate is Deliverance which was cut and distributed with an R13 certificate and reran later as R16 uncut. This change, to the chagrin of the censors is usually accompanied by a fanfare of promotion about the film's new uncut status. But use of the censors' certificates to boost advertising is an established hazard, and one that the censors have to put up with.

- G. Deliverance is on at the Embassy now. We have done a few films lately under section 31, whereby they have been reclassified. Well they have been resubmitted and in some cases the classification has changed and some it hasn't. With Deliverance it was R13 with cuts when it first came out in 72 -73, now its uncut with R16. I was quite surprised to see they weren't advertising it, you know, the uncut version. (Laughs)
- B. They did.

- G. Oh no.
B. Yes.
G. Oh really, where?
B. In the Post, did you see it?
A. Yes its in the Post as uncut.
G. Oh its not in the Dominion, its just.
B. No the early ones, not the latter ones, but the first
ones yes, before it started.

In these cases the film industry uses the censors' classification as a feature to exploit the movie, to bring back people to see it perhaps for a second time. To this end, such a resubmission may often be accompanied by the release of a larger gauge print, as was the case with One Flew over the Cockoo's Nest, and Deliverance.

Perhaps a more important feature of section 31 resubmissions, although not a component of its design, is found in the potential for movies which have been restricted to film societies or film festivals only to be recertified for a wider audience. Here, films that the censors may have been unsure of may be passed for societies or festivals only, to test the public response to them. If the film does not prove too contentious it can then be widened if the distributor reapplies. Film society and film festival audiences, while made up of the general public, have particular characteristics which make them useful testing grounds to the censors.

- A. Would film festivals and societies give you a venue for testing the water?
B. Yes. I think that, that's not the purpose they were put there but they can be used very much as a testing ground, particularly I think now since film festivals tend to have much wider and larger audiences. See film societies in themselves would be fairly restricted audiences, in other words they are very much a small group of people, their numbers in New

Zealand, say they number 10,000 spread all over the country. They are a very small group, certainly average or above average intelligence probably, they look on film as a form, a medium of the arts, but they are looking at a particular field, so they are not altogether always a good selective group. They are a good testing ground but you are never certain what is acceptable for them would be acceptable to the general public. I am not trying to say that they are any better or any worse than the general public but there is a wider cross section within the general public who go to cinemas. So that's why film festivals are probably a wider cross section again although again you are still looking at a group who go to the cinema, not because they think it is something they might just see, but because there are certain films or they enjoy films of a particular medium. But they have helped there is no doubt about that. (...)

- A. You can classify specifically for a society, specifically for festival.
- G. Yes, if that's, if its requested. And then they request for film festivals in which case we may grant that film for four film festivals and see how it goes, see what sort of reaction, especially with controversial films, that's quite good feedback.
(...)
- B. I find it perhaps better myself and it may be conservatism, it probably is, to make haste slowly particularly when we can get a reaction and if we feel its not an adverse reaction and the film has some potential in that sense we can infact come back under section 31 if they apply.

When the Board of Review made its decision on Exhibition it recommended that the censor extend the boundaries of the four centre festival certificate to other centres under section 31 if it was requested. However, there is some indecision as to whether the chief censor is indeed entitled to review a Board's decision in such a manner. In any case it was a film which he had disagreed with and therefore did not deem to be appropriate to have the three year period waived.

- B. I turned it down. I questioned for example whether it has artistic merit, if you consider pornography has artistic merit well okay. Its true there was no

violence and its true that the sex scenes were explicit. (...) Exhibition is purely, is purely pornography. Okay it talks about it, its a pseudo documentary because the woman who stars in it talks about it, okay and then they get into their explicit sexual acts. (...) Not a Love Story has an amount of pornographic material in it. But it is dealt with in a different way. It is produced by a feminist group really in association with the National Film Board of Canada. To me its a true documentary. This [Exhibition] is a pseudo documentary and made for exploitation purposes and just didn't meet the criteria.

The deputy censor was not quite so antagonistic to the Board's release of the film and commented on it during a discussion about Not a Love Story.

G. There have been two other documentaries, so called documentaries about the pornography industry, one was Exhibition and the other was by the same man featuring the same actress. And they were, I thought they were very interesting but they were fairly dubious in an educational sense, because of the use of footage and they were rejected, although Exhibition was subsequently approved by the Board. An educational note might have been a benefit to those and I think it probably could be but a lot of people wouldn't see them as educational and would decide to go along and see them for what they are visually. I don't think there is anything wrong with that but peoples reactions, like the backlash to Exhibition has been on the basis that it had a lot of porn movie footage in it. Regardless of the context in which it appears although the total effect I felt quite effectively debunked the various myths about pornography, the glamour of it, the attractiveness. And it showed Claudine Beccarie, showed her to be quite a stunted individual and a very repressed person as a result of both her upbringing and her career.

The censors gave Not a Love Story an RFF20 certificate. It was later joined at the four main centres by Exhibition when the Board of Review approved it. Although Exhibition did not meet with success under the resubmission criteria of section 31' Not a Love Story on the other hand was considered favourably. The chief censor

was firmly behind this film. To him it was a true documentary. The difference apparently being due to the commitment of the film makers against pornography. In fact one could argue that such a strong bias (admittedly all film is biased, with documentaries being no exception), made it less of a documentary and more of a political polemic. Exhibition, it could be argued was much more a neutral documentary, much closer to a formal documentary style. The footage involved, however, given the nature of the topic, made it somewhat more susceptible to the potential for exploitation. Not a Love Story on the other hand had to its ready defense, its overt antagonism to pornography as an excuse for the inclusion of similar but slightly less explicit material. Not a Love Story also contrasted in the rudimentary hand held, newsgathering way it was filmed compared with the professionally made, polished appearance of Exhibition. Exhibition is no less a documentary, just because some of its scenes may be viewed for their eroticism rather than their intended meaning. But because there was not the condemnation of pornography being expressed overtly, it was felt to be less defendable. Therefore, in terms of injury to the public good, the outcry which could be expected as a result of the public release of the film would have been defined as injurious unless the censors felt they could justify their decision in terms of artistic, social or cultural merit (see the Board's explanation of their decision, chapter one, note 2). With a definition of artistic, social or cultural merit the film can then be left to weather the publicity, with the reaction being defined as parochialism or extremism or lack of understanding of the censorship process on the part of the protagonists and consequently ignored, or at least pushed aside.

Without a commitment to social, cultural and artistic merit or some other extenuating reason, the public response would be defined as injury, and be seen as an indication that the current level of "taste" had been exceeded. In the case of Exhibition it is interesting to note that the Board felt it had a defense in artistic and social merit, while the chief censor considered the subsequent public reaction as an indication of difficulties. With the film Not a Love Story the censors felt they had reasonable extenuating circumstances and dealt with the film in a similar way to the eventual decision on Exhibition.

After Not a Love Story had run in the film festival circuit the censors were requested to let it have wider exhibition under section 31.

B. I'll tell you this Not a Love Story, okay, I did the same way, that RFF20. I'm just in fact going to drop it to an 18, it may be a straight 18 with a note on it, it may be an 18 with another tag on it which will make it pretty open but much more flexible than what it is at the moment. Its a film which I think has some merit and some social value, cultural value. Okay, now I may be stretching the point on that and I may get an argument on it but in terms of section 31 I can in fact do that. I have had no, actually so far, touch wood, I have had no criticism of Not a Love Story. It hasn't had as much exposure, it is in fact to me more of a documentary film and its is a true documentary type film more than anything else. So I will do that. But sure I agree the other opportunity, and not only the Board have done it but also the film industry will do it. They will bury films in there that they don't want to release commercially, if it takes off that's it away it goes.

On the strength of the film's merits and the lack of adverse reactions, when the request for a reclassification came through the chief censor decided to consider it favourably and therefore

instituted a fresh case conference.

- B. These are two suggestions I have come up with. First I drop the age to 18, fair enough?
- G. Alright.
- B. Now I came up with this and I have got two options. Either it remains limited, but much more open than it is or we make a straight restriction 18 and that leaves it wide open. This is the first one. Only to persons 18 years of age and over, or film festivals or film society screenings or for educational purposes.
- G. We have never done that before.
- B. I know we've never done that before but actually I'm thinking of an R* here too. (...) That to me is pretty wide, it covers film societies, it covers film festivals and if somebody wants to use it for educational purposes which is a very very wide term it is there. So that is the limitation. Its a limitation but a very wide limitation, its an extended limitation.
- G. That covers the situations.
- B. Tertiary education.
- G. Hecate Women's health.
- B. Secondary, National film library. That's why I put in the education purposes. Now it may be better that if we use that terminology that we reverse those around and put for educational purposes, for film festivals or film societies. Now that's one wording, now the second is a straight R18 with a censors note contains matter which may offend. It leaves us open to perhaps criticism from the Society for the Promotion of Community Standards. They're the most active people but that's something we've got to wear because having approved the film or having made this decision to change then I'm quite confident that we feel its justified. This film is a film which can have wider viewing. So we put up with the criticism, we have got an answer for it. What do you think?
- C. I'm addressing this more to Anthony than to you. Our request to change has come from other groups but our willingness to go along with it is based on the fact that the film has already been screened and we have received very little feedback, practically none, because its been overshadowed by Exhibition totally, and Exhibition has been splendidly exploited by all parties involved, all parties. And this film which is a very very valuable film, a very harrowing but nevertheless a very good film has just been left out in the cold. And its not apparently injurious to the public good.
- B. All I've heard is that those who have seen the film thought it was a good film. Its just intermittent feedback. There's no real consensus coming from the

public, its just we happen to talk to individuals. But on the other hand we have had no feedback, we've had no criticism. So all we can take is that as a matter of acceptance. (...) [Discussing the first option]

- G. Well presumably your option is to prevent any commercial exploitation.
- B. Well I'm not. Sorry Genevieve, I don't want to prevent commercial exploitation. I don't even want to attempt to do that. I feel its more. Its a film that wants more for discussion groups so that's why I put it there.
- G. All the while preventing commercial distribution of it by that certificate.
- B. Except they can make a bit out of film festivals, but I don't see them doing that because there isn't enough in it. There isn't enough in it to exploit.
- G. No doubt a certain percentage will go along to perv. There's no doubt, I mean we can't stop that. That's not for us to stop anyway.
- B. That's right. If they want to sit through the whole film to get those odd pieces then fair enough, it won't matter. So that's why on the other hand I'm not too disturbed or concerned about the last one, about the alternative of R18: contains matter which may offend.
- G. Somebody put it rather well, they said if anyone went along to see it, perv and actually enjoyed watching the film they would be a confirmed misogynist anyway. (laughs)
- B. Yes I heard about that, well perhaps we should put only for confirmed misogynists. (general laughter) (...)
- E. What do you think because we didn't finalize it before. How do you see the second one.
- G. Well I don't really object to the second one. I think the film, its title, which we requested Bill [Bill Gosden, New Zealand Federation of Film Societies] use the full title and he did agree to do that. Its Not a Love Story: A Film about Pornography so your audience has very little confusion about the subject matter. I think the first one covers the possibilities but I don't see any problem with the second one. I think the first one is quite good but perhaps we could have started off with the first suggestion, though we weren't aware of its potential at the time, but I don't see the problem of the 18. (...)
- G. One thing I would possibly change Tunny is offence, I wonder if disturb might not be more appropriate considering the nature of the material.
- B. We could use them both.
- G. This is semantics.
- B. Well disturb may offend but it may not.
- G. Some people can be offended by a sex comedy but they

won't necessarily be disturbed by it. And this has scenes of women being tortured and all sorts of cheap things like that. (...)

- B. Yes okay we'll do that.
- G. Well how do you feel about that. That may be a rather feminist reaction.
- B. Disturb, in some respects disturb can be a stronger one.
- G. That's what I thought, because I thought some of the material in the film was quite, well certainly to women, quite distressing. It tended to distress me.
- B. Lets say disturb.

It can be seen then that the use of a film festival or film society tag can be useful to the censors in determining the reaction (or lack of reaction) of the public to particular material and treatments. However, this is not the avenue it might appear to be on the surface. To be restricted to festivals or societies only, the film has to be submitted in terms of festivals and societies only, it is not a category that is assigned by the censors to get a film out of the way or test things. It is for films which are brought in for a festival or society run, without initial commercial aspirations. Another reason for festivals and societies not being reliable testing grounds is that it is not generally the festival and society films that cause problems, although Exhibition and Pixote proved exceptions to that in 1982.

- G. The films that cause the most trouble are not the film society films.
- A. What sort of films cause you the most trouble?
- G. Well, not trouble but the films that tend to be the most controversial are, really not, and this will sound very snobby, but they are not, they are very seldom your better type of film. They tend towards exploitation movies. They are films that may have caused a fuss overseas and therefore have generated a certain amount of interest here. Pixote was a festival film of certain merit which was an exception to my previous statement. But that caused a fuss prior to its being screened here, it didn't seem to,

or we haven't had any feedback of people who have been particularly upset after they have seen it. That caused problems in Australia and therefore that was publicised here but they have different legislation so it really wasn't directly applicable.

Commercial films have commercial aspirations and are not therefore generally amenable to the film festival or film society concession.

- A. How does Not a Love Story fit into film festivals?
- B. You come back to the Act and the definition and this is not a particularly good definition actually because I think its a little bit off beam. [reads] "Is requested to approve any film for exhibition at any film festival only, he may if he is satisfied that the overall effect of the film festival will be to demonstrate technical, artistic, social or cultural aspects of film making" and I think that's wrong. Its in the Act I know but I think that's wrong. "And that the film in question forms a proper part of a festival". Okay so yes they do have recognition, while the wording is wrong we interpret that fairly generally and so forth. The thing was that as far as Not a Love Story was concerned I think it is in fact educational, and I think it has social value and social importance so that is one factor and it has a certain amount of artistic merit. The extent and degree to which it depicts indecent or offensive behaviour you could look at this factor. And in that type of film I don't think its excessive although one or two bits of it are explicit. "And other relevant circumstances relating to the proposed exhibition of the film including the place and times at which or the occasions on which the film is intended or is likely to be exhibited" which rather, sort of brings you back to the film festival so you take that into account.
- A. I just wonder how being in a festival modifies a film.
- B. Any film in a way could qualify for a film festival but I think its got to have some perhaps artistic merit for a start, that's an important one, its not a key factor. I think these days in New Zealand its got to have, its probably a film which is probably not likely to have a commercial release in New Zealand. Very often most of them are foreign films. You get the odd New Zealand one thrown in but most of them are foreign
- A. Chris [Watson, President of PN Film Society] has picked up Missing because it wasn't coming to Palmerston North.

- B. Sure, alright Missing was a commercial film that's what its made, but its not a great success. Its got to have some you might argue dramatic impact. Now I know that's arguable. Now usually, perhaps in more serious films, you rarely get light but I think also film festivals will tend to introduce to New Zealand other cultures because they go around the world they don't just concentrate on these are Australian films and those are American films, European. And that's where the social and cultural aspects come in I think really. There is nothing defined really, its a pretty loose definition I appreciate but you are looking at all these factors but basically I think the thing is you are, and there are certain directors who are known for dealing with films in perhaps not the normal way. In other words they deal with life and attitudes which are not normally produced in commercial cinema films. You have certain recognised names like, lets go back to the old ones like Bergman and you, a person like Fastbinder, Bertolucci. Although Fertolucci produced Last Tango in Paris which was commercial. But on the other hand you see I would say for example if possibly that had been only for film festivals it might have been through earlier, I don't know. I'm not saying it would I'm not saying it wouldn't. But that's the sort of thing, all the factors that you are looking at, but for example to go and throw, you could argue its so open that say you had a list of films say you suddenly threw Startrek in there for example or not Startrek but Star Wars, does it form part of a festival or not, its a film which deals with certain technical aspects of film making. Its not out of place yet basically its a commercial film. And yet Star Wars on the other hand, a film festival, you could have a festival dealing purely with science fiction films, horror film, in terms, although I doubt, but you could also have a festival of pornographic films and they would have to be considered in terms of that legislation.
- A. There is an appearance in the legislation that you could also bury a film in a festival. The Board of Review seems to express the fact that Exhibition could be buried within a festival.
- B. I appreciate that to. They feel that that's the only place, now I'm not certain, I think that any film which is in a film festival should at least have a, a, as I say a reasonable chance of being available on the commercial circuit. Now alright some of them I have done myself, are I consider very borderlinish films one way or the other. Exhibition I don't really, don't really think so.

6.7 Cutting Decisions

During the case conference, notes will be suggested to cope with certain aspects of films such as fights, language, horror etc.,. But elements will emerge which are considered to be too strong within the context of the movie. Incidents which probably provoked the censors to buzz the projectionists on the intercom during the screening.

The censors are at pains to point out that the cutting of films is less than that of previous years (see history chapter, this is a recent drop in cutting). The censors prefer to cope with the incidents that are portrayed on film by classifying, with perhaps the addition of notes, rather than by cutting. Cutting is difficult and the censors would prefer to avoid it were possible. However, most people's persistent image of censors is that of bureaucrats wielding scissors.

P. We decide firstly whether we are going to approve it. Then how are you going to classify it and thirdly, lastly if you are going to classify it whether or not your are going to (cut it). [Pause] You see. So one of the things you often find out is of course people think your first action is to actually decide how many cuts you are going to make then having done that then you decide you are going to approve it. In other words they think that the censor works cuts first rather than classification. Simply put actually, if you can classify a film and leave it alone at that it makes it alot much easier in several ways. Sometimes its not all that possible.
(...)

G. Its probably been repeated to you ad nauseam. That [cutting] is not our first consideration.

Films all vary in the potential to which they can be cut. In some cases it is just not possible to take a certain piece out. But more importantly the concern over a film may not necessarily be related to isolated incidents, the concern may be over the more intangible and certainly less modifiable tenor of the film as a whole.

G. There are very few films in which you can snip out one or two scenes and change the effect entirely. Like you can't cut the theme and if the theme is essentially an adult theme and not suitable for children then there is no point in cutting. We had a film recently that was very violent all the way through and we both agreed it was an R16 but the applicant, they were quite interested in us considering cuts and there was no way. Where would we have started. There was violent incident one after the other and it wouldn't have made a scrap of difference.

At times the distributors will look favourably towards the cutting of a film like this to ensure a wider distribution potential. But where these incidents occur they have to be balanced against the general theme and against the continuity they play in the film as a whole, that is, if they could realistically be removed without making a logistical or conceptual hole in the film.

When a cut is considered to be required to get a particular certificate, a cutting notice is issued to the film distributor specifying the pieces to be cut and the relevant reasons within the Act (for example, Section 26 2.c Violence). The cutting notice also gives the intended certificate for the film if those cuts were made. The distributor has the choice of whether to accept these cuts. If he does accept them then the film is cut according to the cutting

notice by the senior projectionist at the censor's office. However, the distributor may refuse the cuts, in which case the censor is then asked to consider the film on the basis of no cuts being made.

E. Now a case in point, which I have used many times is the Muppet show which I cut for violent action. Okay the company accepted it, but in the law they had a right to come back and say consider that on the basis of no cuts. Today I still don't know what I would have done if I had been asked because to put that into a restricted is just ludicrous because of the type of film. If you had put it into a GY or GA it is still general exhibition, anybody could go. What I was trying to get was, I didn't feel it was a suitable incident for a general exhibition film.

The problem with this option of the film company's is that under the present legislation if the censors still insist on certain cuts being maintained, that is, they felt it cannot be just released under a restricted category, then they must reject the film entirely. The distributor cannot get a partial decision, it becomes either no cuts or no film, with the option of the cut disappearing. If it is rejected, under these circumstances then the distributor would have to turn to the Board of Review to get the film approved, in whatever form the Board feels appropriate.

The problems of cutting will be considered in further detail in the next chapter. A preferred alternative is to use the censors notes to cover the incidents in films. Thus censors notes become a warning, informing the public about aspects of the film that might offend some sections but which at the same time may be found acceptable by others. It may alert people to what may be found in a film. But the semantics of what the censors mean by their notes may become a bit confusing. For example the deputy censor's preference

for the term "disturb" rather than "offend" being appended to the certificate of Not a Love Story may be lost on some people. Indeed it may be the case that they are not well understood at all. The sheer variety of certificates and notes may cause a certain degree of confusion and hinder their effectiveness.

- A. Do you think your audience actually understands your classifications?
- G. That's something we always ask about when we have groups. Most people understand the distinction between G's and R's, that's some consolation. I think we could do more public relations work. People often don't understand that GY is a recommended for somebody over 13. People don't always understand that a G movie isn't necessarily simply for children but is for all ages. We have a very very wide range of certificates and although they have been established since 1976 I think there may be some confusion, but I also think that the wide range gives us a lot of flexibility. (...)
- A. Would you like to see more categories?
- G. I don't think so, I think that's quite, that's a very large number and most countries have 4 or 5 at the most and we have got about 12 or 11, 13 and endless possibilities so I don't think we need any more.

But this has not stopped the consideration of yet another category. One of parental guidance, in which an age restriction applies unless a person is accompanied by parent or guardian.

- G. We are considering a certificate whereby there may be a restriction on a film but people under that age may go if accompanied by a parent or guardian. That's a certificate which seems to have worked reasonably well overseas and would give us more flexibility, and put more responsibility in the hands of the parents or guardians. But that would require an amendment to the act and that's a pretty major undertaking.

The variety of certificates reduces the need to take physical action against a film and permits the classification decision to

become a more specific and independent guide by which an audience (or parents) can assess a film before actually patronising it. It becomes a form of warning - *Caveat Emptor*. However, cutting has not been entirely eliminated. At times there are portrayals which the censors feel to be unsuitable for the type of audience they have in mind for the film, and therefore wish to remove that section. This action will be considered in more detail in the following chapter.

6.8 Conclusion

The current practice of censorship revolves around the use of a large variety of certificates. These permit a wide range of classifications to be made. In addition, the range and function of these certificates can be extended by appending censor's notes to the certificate as part of the classification decision.

The aim of censorship since the 1971 Act has been to focus on the likely and intended audience which will view a film. This is a major step from the universal, homogeneous, family audience at the introduction of censorship. It constitutes specific audiences with individual traits. While still collectively falling within a "general public" they are individually sited at differing positions within that public which permits a variation in treatment. The increasing use of specialist certificates can be seen as a shift from the nature of censorship as cultural and moral protection, to that of a warning, a warning from which individuals make their own

decision about whether they should see a film.

FOOTNOTES

1. The criteria relating to exempted films are given in appendix B.
2. If urgency is requested then the whole censorship process is condensed in timespan and films are reshuffled in the queue. The cost of an urgency request is \$115 for a feature film.
3. A consensus had coincidentally been reached. This actually gave some relief to both the censors and myself as a participant. It served as an indication that I did not present a radical challenge to their criteria or standards, whereas, from my standpoint as a participant observer it confirmed that I was beginning to assimilate their position.
4. This questionnaire appears in Appendix D. The censors' office placed no such restriction on this research but it was noted that they monitored and selected which films were to be watched during the period under study. Thus while Caligula was in the queue and due to be watched, it was reshuffled out of the research period.

CHAPTER SEVEN

Cutting Films

7 Cutting Films

7.1 Introduction

In New Zealand, unlike Britain and the USA, a film in which the censors require cuts is cut at the censor's office rather than sent back to the film company for cutting. This arrangement developed out of logistics and cost. The film companies in New Zealand were cinema companies, importers of foreign films, not film makers themselves. Therefore they were not equipped or staffed to cope with the process of editing. In addition the censorship office was established in Wellington, whereas the majority of the film importers and distributors were located in Auckland. Freight costs of 35mm film complete with insurance are quite substantial and an extra return journey for the company to cut the film and then return it to the censors for approval would be quite expensive.

The cutting of all film is the responsibility of the senior projectionist. It is his job to decide how to cut the film and exactly what will come out to meet the requirements of the censors on the one hand and the continuity of the film on the other. When he has made a set of cuts that he is satisfied with, the censors will verify the cuts on the editor or perhaps if warranted, back on the projectors in the cinema, before the film is certificated and despatched back to the distributor.

7.2 Cutting procedure

When the censors require a cut to be made in a film, a cutting notice is issued specifying the pieces to be removed, the reasons for the removal in terms of the Act and the type of certificate the film will be eligible for when those cuts are made. This cutting notice is then sent to the film's distributor for their approval. The print and a copy of the cutting notice will then be taken to the editing room where the senior projectionist begins to consider how he will deal with the film. But he can not proceed with the actual cut until he has written approval. The distributor may in turn have to seek permission from the studio to allow the film to be shown cut.

The editing desks used by the censors are production editors and are not designed for censorship operations. Editing in production is usually done on core, with the film wrapped tightly on a spindle and laid on the flat bed of the editing desk. The addition of spools at the distribution stage tends to create extra strain on the editors but otherwise the process is the same. Utilizing a prism system instead of shutter, a stable image is kept on the viewing screen at any speed. This enables the editor to run the film either backwards or forwards at any speed (either automatically at normal speed or manually at any speed) to locate the appropriate sections. Generally, during the projection, the film will have been marked at the approximate point where a cut might be necessary by means of a piece of paper so that the incident

can be easily located again. Otherwise the projectionists use a footage gauge to measure how far through a spool they are.

In principle the mechanics of cutting seem very simple. You simply find the piece you want to take out, cut between the frame lines and remove the section. Then rejoin the film with a splice. However, to decide where to begin a cut and where to finish the cut can be exceedingly difficult. If done well, and most of it is, you will probably not realize a film has been censored. It will look like any other normal scene change or camera angle change. But if it were cut in the simple mechanistic way suggested above you would probably realize immediately that the film has been cut. There are many things to take into account when editing, especially at this final stage when the film is a finished product. A cut may cause a jump in the picture, a jump in the music or a jump in the dialogue. With language for example it may not be enough to take out an offending word. The sentence might not make sense without it. A further problem with the mechanical cut is the fact that the sound track of a film is not recorded at the same point as its corresponding picture. Depending on the particular gauge, or the sound format (ie either optical or magnetic) the sound appears either before or behind its corresponding visual. This means that every dialogue cut removes the mouth movement, the lipsync of a different sentence and vice versa. The removal of a particular visual scene may also interfere with the dialogue of an adjacent scene. The temporary loss of lip sync is a particular obvious cue to the occurrence of a cut in a film. The censors (and the film distributors, for obvious commercial reasons) prefer the cuts to be

as invisible as possible. Therefore, it may be necessary to take out a larger portion than that of actual concern to maintain the "appearance" of the film. However, occasionally the circumstances in a film do permit single word cuts as the senior projectionist explains.

- J. Coming Home, we had a scene there and he says "you Jodie motherfucker". Now Tunny [Mr Tunnicliffe] objected to the Jodie motherfucker, he doesn't like that word motherfucker. So what we did is we took out the mother which was inbetween. Now the cut was only 3 frames. So we matched up, we got the mother and he had his back to the camera so it didn't matter about the lips, because the sound is 18 frames ahead as you know. And that's where the problem is when you are taking out mouthing, so you have usually got to take out the whole scene. And Jodie mother fucker we took out, and when it went back it sounded like, it just said "Jodie fucker". Now days its used in all films, motherfucker, so its pretty hard to take out. This was Coming Home, what three or four years ago. And it was the only time it was used in the film. And the same for this Hanky Panky which I am waiting for an okay to cut, the only bit of bad language in it is she says "go and get fucked". And why they put it in that, just that one particular scene, she could have said, well, bugger off or something. So he wants that taken out.
- A. There is no way you can actually take out that and leave the picture in. Put a blank over the top?
- J. No. (...) We have tried to mask it but that's not been very successful because they tend to wear off.
- A. At a festival in 1975 that I attended the director reinstated two occurrences of the word "fuck" in his film.
- J. A lot of those festival films they may have done that because they only have a couple of screenings. They are not going to bother cutting it. But we did have a film here, it was before my time, it was the Exorcist, and they didn't cut the film because it was impossible, they just blanked it out and of course after about a week going through the projector and the sound head, the rollers, it started to wear off, and it started to come back. So in the end they had to take all the prints off, bring them back and they had to be cut.

The sound is probably the most important consideration in choosing how to cut a particular section in a film. Sometimes the censors are lucky and the film may not have lipsync complications as was the case with Coming Home, and the sentence may still fit together in its new form. But in other cases the situation might not be quite so fortuitous.

J. Well see this [shows me a cutting notice] delete word or remark "why don't you tell her to go" well see now in a thing like that you couldn't go "why go yourself", you would have to take the whole lot out.

To avoid the cuts being obvious the dialogue must make sense, and music should not jump too much.

J. One thing when you are cutting film. The first thing to always do is match up the sound, then look at the picture because the sound is always the problem.

If possible the projectionist prefers to cut one frame before a change of visual so that when the other prints of the film are presented for cutting it is easy to match them up. If there are more prints than the one submitted for viewing, then the appropriate reels are sent down to the censor for cutting. These cuts are not usually done on the editing desk. Instead the reels are spooled through by hand over a light table and when the correct spots are found they are cut accordingly by matching up the sections of film frame by frame. This job of "second copy" cuts, the matching of multiple copies to the original cuts is the responsibility of the second projectionist.

J. See what happens is Jim will bring the film in here, will bring the eight tins and we just use this guage and get an idea where the cut is. [Demonstrates guage] And when we cut a film I always try to leave a frame, of the previous scene so it's a lot easier to match up. You could cut on the frame [scene] line. One frame won't make any difference. There's once or twice if it's a dialogue cut and we always mark the film "cut on frame [scene] line".

The soundtrack is the area that you are most likely to pick up a cut on. In some cases the projectionist has found that he has had to cut to the music soundtrack and sometimes scenes have matched up better by running the film backwards than forwards, especially with a musical background.

7.3 Cutting trailers

The censors are at pains to point out that the practice of cutting films is considerably reduced from that of previous years, and the projectionists confirm this. The projectionists' cutting log book is practically empty.

- A. You've been here what six or so years?
J. Yes.
A. Have you noticed much change in what's being taken out?
J. Aw yeah, well the cutting's been chopped down to virtually nothing. This year I would only cut, this is the cutting book, have a look through. Hasn't been very many.
A. And that's quite a marked change from before?
J. From previous years, yes. When I first started here we used to have a guy doing virtually, that's all he did, was cut. And we had another girl and all she did was second copy. But see the exchanges used to bring 15 to 16 prints of some of these films, that's all she did. The work has been definitely reduced right down.

- Trailers mainly.
- A. Is that what you would mainly cut?
- J. Mainly.
- A. For example this one here Reds, was that just a trailer?
- J. It was just the trailer, it was a compilation of scenes, which was very brief. I had 54 trailers to cut, just one little scene about that long, about 2ft.
- A. Has this place got less staff now than it used to?
- J. Yes, well there used to be three censors, a senior projectionist and two other projectionists plus an assistant projectionist. Now there is only myself and Jim, and as you know Molly, Tunny and Genevieve.

The difficulty with trailers is that they may advertise restricted material, and yet the trailer itself may be shown with "G" - general exhibition certificate - films. Therefore there is an attempt to bring all trailers to a straight G certificate themselves and consequently a fair amount of cutting is engaged in whereas feature films may be just given restricted certificates to cope with the material.

- J. All trailers are G unless they are otherwise classified. So say for instance they have got a scene that's been taken out of a feature, well we've got to take it out of the trailer, but not, they look at a trailer differently altogether, and a trailer, as I say, if you get a trailer where there is a lot of bad language or something like that, well that will have to come out. You don't normally get bad language taken out of a trailer, they don't put it in the trailer in the first place but there might be scenes that offend them, the censors. This is the hardest thing at the moment because a lot of trailers are getting through R16 because they are impossible to cut. Because they are hard version trailers. I spend most of my time cutting trailers.

These trailers can be particularly difficult because apart from them being a compilation of the more commercial scenes they are often overlaid with narration or titles advertising the film, which

makes cutting while preserving continuity even more complicated.

7.4 Changes in cutting

There are two main changes to be noted in cutting. The first relates to the general decline in cutting as mentioned above, with the move to restrictive classification and the extensive use of notes.

J. A lot of dialogue used to come out of film, bad language, now of course well like that film yesterday [An Officer and a Gentleman], when he calls him a motherfucker well even two years ago that would probably come out, that word. We would have had to try and get it out somehow. But its just a common word that's used in most American films and its just something that you have to accept. We just can't take it out of films, like the Deerhunter. They used it in that film, we took it out of that film. There was four cuts, and they were very small cuts but they were just that word motherfucker and that also goes for Hanky Panky which is virtually, he gives it a warning, contains coarse language yet he takes the fuck, that's the only time it is used and its a GA, so its a shame, I don't know why they even put it in these films, just one. I mean she could have said something else to him. It would be just as effectively probably. Its just common now, but that was most of the problem.

The second change in cutting is in regard to the alternative strategy of reducing a scene rather than deleting it entirely. Instead of removing the whole scene (in a visual cut for say violence or sex), the length and impact is reduced selectively, so that the idea is still conveyed for continuity purposes but the strength of the shot is reduced. In moving to a tendency to reduce

rather than delete scenes the censors are mirroring a move by the film industry to produce hard and soft versions of films, tailored for the different standards of their prospective client countries. There are even extremely sanitized versions of films available to airlines. The film distributors are continually testing the censors to see what they can get through. At times they will present a hard version of a film to see how it goes. If they get an adverse reaction to the hard version then they will try out the soft version to see how it fares.

- B. What you will sometimes get is you will get a certain film, you will make a certain decision, it might be restricted, it goes back, they say look would you have a look at a different version. I say sure, that's when they produce the softer version. But there is not always an indication that you are going to change your decision anyway because as Genevieve said it may be the theme more than anything.

But the differences can in some cases be substantial, giving quite a different intensity and flavour to a film. It is this toning down between versions that the censors aim for in their own reductions. The senior projectionist gave an interesting account of the differences between versions for a couple of recent films which gives a good indication of the factors involved in reducing scenes.

- J. I've cut, films I've cut this year have mainly been violent. For instance there was The Silent Rage which was bottles being used in a particular barroom sequence. He doesn't like that sort of thing and the other one was Death Wish 2 which was a violent rape which we reduced. We actually had the hard version here which Tunny rejected outright, they brought over the first reel which was really tough, you know, the rape was really , it was terrible. One of the worst rapes I've seen on a film, and we even reduced it even more. Then the rest of the cuts would mainly consist of well sex is not really the, is not really one of

the, you know Tunny lets quite alot through now. Two years ago any close views of copulation would come out. (...) I've worked at the Odeon down the road and Death Wish 2, which I spent about three days trying to cut, because it was very awkward and it was bad editing from the start because what they had done, the hard version was, the rape sequence was about another three or four minutes long and what had happened was that in the soft version they had edited themselves in America of course, it was done in the, when they put together, the editor, but the actual editing was very sloppy and there was some, if you looked at it on the editor it was very badly put together and it all, it was very difficult to cut and it is obvious that it has been cut but not by us, by the people that make the softer version and Tunny wanted more reductions so I looked at that on the screen at the Odeon the other night and it works quite good. The only thing I have found with the, because I haven't seen it for awhile, its a bit fast. I mean you get six blokes come, they get the girl, they rape her and they just about all have a go at her and it just looked a bit too quick you know, but the point's there and its quite irrevlevant to the film that this happened and it didn't look too bad, I just know that its been cut whereas, I mean I've heard people say "Gee that was nasty, the rape" and that's even in that version. I mean if they saw the hard version I don't know what they would do.

- A. Does that happen alot, that there are hard versions and soft versions?
- J. Yes, well we get alot of versions here, that's why we have got the other editor in there to match them up. That's quite tricky to match up prints. We had Eyes of a Stranger here which Tunny rejected but the appeal board let through with cuts and there was quite alot of cuts in that film and it was quite difficult to cut but we had the hard version and Columbia Warner didn't want to get another print out from the States so they asked us would we take the hard version down to a soft version. Well you have virtually got to do it frame by frame. Its quite amazing, the hard version, all they really do, there was one scene which sticks out in my mind, was these two lovers are parked up in this alley and the guy that's been doing the murders is in another car and he gets stuck. Gets bogged down in the mud so these two that are making love, he goes over to, the young says I'll go over and give that guy a hand. He goes over, this guy winds down his window, its an automatic window and as he's got this flick knife and he comes up and says do you want a hand he thrusts it into his throat. And now in the soft version you didn't actually see the blade open, because they often don't let flick blades open but in

the soft version all he did was got it out, he had it the, he just put it into his throat and that was it. Now in the hard version you saw him take it out, and they showed you a shot of it shining in the moonlight, like it looked really evil, and when he comes up he actually thrusts it into his throat and he wriggles it around, you know like this [demonstrates twisting action] and that went on for about ten seconds and then he goes over, because the girl is waiting and she doesn't know what has happened and he goes around and he gets out of his car and goes around to the back of the car she's, she's just sitting there, she's half naked and he cuts her throat. Now in the soft version you just virtually, you see, he gets her around the neck or her gets here around here he's just goes like that and you know what he's going to do. Now in the hard version he went right across and there is another shot later on of her lying like this with her throat all opened up. But in the soft version he didn't show you that shot. So that's basically what they do, you know, they just. We couldn't, a lot of it we matched up, and its quite funny it did match up and as I said to you the other day we have had hard version trailers here and I have cut them, they've worked out that, that they are virtually the same cuts that they will make for a soft version showing, and its just a coincidence that can happen.

Reducing is useful to maintain storyline, to retain continuity, yet get the message across without the original intensity.

Naturally at times there are differences of opinion as to whether to cut or reduce, and differences over what will work and what will not.

- J. Like for instance Tunny'll say delete, when he says delete he means delete and I mean if he was writing this I would imagine Tunny would have come down a lot harder, and he probably would have said delete all views and close ups. Sometimes I've cut it where I have just reduced it because its impossible to take it out and he's come in, and said I said delete, I want it taken out. So you have to go back and delete it and it doesn't work but still he's the boss. (...) The big secret in cutting film that I have learnt is not to overcut, always undercut and then you can always extend the cut later and it often works a lot better that way.

Although cutting is definitely down on previous years, cuts are still being made. Some of these cuts are for particular aspects within films that the censors dislike.

- B. I have some strong feelings on the inclusion of four letter words in general exhibition films.

Therefore, although Hanky Panky is cut for violence it also has a language cut in order to receive a GA certificate.

- J. He's got a scene in this film here, its quite a popular film Hanky Panky which is Gene Wilder's new one. See he says here delete remark by woman "get the fuck out of here", well that's quite easy that one.
(...)

- A. How many frames would a word take?
J. Three or four. One word for instance motherfucker would be about four frames. (...)
A. Is language tending to be left more now?
J. Well now that they have got this new sort of censorship where they can virtually give it, say "this film has coarse language", so when of course this film [referring to cutting notice for One flew over the Cockoo's Nest] came out they couldn't do that, but they usually put in "language may offend". In this particular film that's what they did when they resubmitted it and gave it an R18 and a lot of people I must admit thought that the soft version, well this version was better because they got sick of hearing motherfucker. And we did that Richard Pryor live on Sunset Strip, well his favourite word is motherfucker and he must have said it at least three or four hundred times throughout the film and you actually got sick of it. But you, its impossible to cut, I mean a few years ago that film would have been rejected on the grounds of, it would be indecent I suppose. But this must have been quite a cutting job [referring to cutting book again - One flew over the Cockoo's Nest had 25 language cuts in it] and it would have been a very difficult one, it would have been quite tedious trying to do it.

Because language can be so extensive it can become impossible to contemplate cutting. Language can often be better handled by censor's notes and classification. This tactic has considerably

increased since the introduction of the 1976 Act. Since part of cutting depends on the feasibility of the cut, if the cut is impossible to do then it may be left in, or of course, the risk is that the whole film may be rejected.

As censorship is a reality throughout the world it is not surprising to find that it is taken into consideration in the production of films. It has been noted that this can be found in production of hard and soft versions of films, but it may also be found in the editing of the film itself. This takes the form of making certain concessions to the requirements of different countries by making certain aspects easy to remove.

J. Chainsticks is one thing, they're a bit awkward to get out. You have got to take out virtually the whole fight. I notice in a lot of films that I cut that I think they deliberately, like they start the fight off just with their fists and then all of a sudden they bring in the chainsticks. I think they do this because they know that some countries object, we're not the only country that objects to chainsticks. I think they edit in such a way that it can be just sliced, taken out, which worked perfectly in one film I did, Chuck Norris' new one The Silent Rage. There was a scene there where he does this demonstration in a bar with [undecipherable] and I took the whole sequence out and it worked, you would never know he had actually done this demonstration, what he was trying to do was frighten all these bar patrons, putting on this big hero act and it just worked good. He just comes in and asks for a drink and its quite a long cut, it would be a two minute cut.

In addition to language and violence cuts there are also the educational cuts for 'anti-social' behaviour, so that we do not learn too much from films.

J. Now I notice in that film yesterday, An Officer and a

Gentleman that there was a scene in there where they go, towards the end of the film, the main character and his girl go looking for that bloke. Now he gets into that room with a credit card, because he had his wallet, when he came in he put something away in his wallet, so he had used his credit card. We had a film here where Tunny objected to that so, it was in a comedy Hot Stuff, John Delawest, a scene there where he gets the credit card out and he puts it, you see him do it, it was a real close view, and actually the titles are over this, damn nuisance, so he puts it, and he opens the door. Now that's it, even in America they object to that. The people with these codes they don't like that sort of thing because it gives people ideas. And I noticed in that film yesterday that they did, you know what I mean, I knew that he used his credit card to get in the door.

- A. No I didn't pick that.
J. No, and well because we have cut it out of other films, but they didn't show him actually doing it. But when he walked in, the next shot was him around the back, he had his credit card and he was putting it away in his wallet. These are just the things that I notice have changed and I have noticed that in a couple of films where they have actually done that, they have changed the whole style because they're used to, we've had three or four films where I've taken it out, where they have used that and also Tunny doesn't like hot wiring or anything like that in cars.
A. Would he put that down on the cutting notice as anti-social behaviour?
J. Yes, for instance that particular film I did here where we had the hot wiring. That can be very awkward because the guy hops into a car, you know, and drives away and.
A. Lemon Popsicle wasn't a film that you did that to was it?
J. Yes that's right.
A. Yes because I was going to say they hop into a car there and just drive straight away.
J. That was the early Lemon Popsicle one, yes, that's right. We cut out, yes, there were a few cuts in that, we cut the sex, that woman, the looking through the key hole, there was a couple of cuts there too. But, we've done it in quite a lot of films. That's right, that was a difficult one, that's the one I was thinking of actually because he's in the, they just go up and they just hop in the car and drive out.

Other interesting tidbits that the censors pick up are things like the use of shaving cream to silence burglar alarms. The censors find these aspects of particular concern in their

anti-social educational sense, but this is always relative.

Relative to how they are actually portrayed in the film.

- B. Certain objects create problems, broken bottles, personally I am very concerned about. A gun, knives, flick knives, chainsticks are very dangerous weapons, depending on how they are used. A blow torch to incinerate people. Same with crime, methods of opening doors or safes. They put that into kids films. We had a kids film not so long ago where a cripple kid decided he wasn't of any use to the world, and it's a sort of an old time story and he decides he will hang himself. So he gets another little kid to help him. It's a dangerous practice because many kids feel down in the dumps. We couldn't get rid of it entirely but we reduced the scene. But this was a film for kids. So you have got to think about all these things. It may be over caution, over preventive, but it's better to you know, an ounce of prevention is better than a cure. So all these things are there but we haven't got a specific list. What is acceptable in one film may not be in another. You are less likely to cut a higher restriction film that you are a general exhibition film. But there is nothing to stop or say that an R18 or even an R20 cannot be cut.

The censors fluctuate in their commitment to the much belaboured mimicking and effects debate. At times they can be seen advocating it and at times dismissing it.

- B. But can I go back to my days, to kids, the westerns, B grade westerns, hundreds of them, and kids were doing the same then. They were experimenting, going out into the laundry or the garage and fooling around with hangman's nooses, standing on butter boxes and kerosene tins and apple boxes and crashing, they were breaking and these kids were left dangling. And there was no way. (...) There was some evidence that the karate or kung fu type of movies, I'm not certain that they produced bad results in that sense, and yet again there was a lot of imitating going on, it may be suggested that interest in the karate schools may have increased because of the karate films. But there is definite evidence that the types of weapons that were coming up, the police were collecting from the Mongrel Mob, the various gangs, the types of weapons which were appearing in there, had, bore some resemblance to

the weapons which were appearing in the thing. But okay the imitation could have come about from the action comics which were around. Adult comics which they went to the same sort of lengths and described the same sort of things. There were adverts, buy this buy that, things like star daggers, the ball and chain, mace. Of course the mace was evident in mediæval times, it was very much a weapon so you could argue that films about mediæval times produced the same sort of thing. Nobody has ever researched that area but since they came into prominence at about the same time. Coincidence, perhaps, I'm not certain. I feel there is a relationship because very often the kung fu would draw that type of audience, the audience which prefers action type of film. (...)

- G. Just about anything in films can be mimicked and a lot of people are concerned about sex in films because they are concerned about people mimicking that. Whether or not it is a particularly valid reason for cutting something or restricting it highly is a very good point. I think now days we tend to give people the benefit of the doubt. There was concern twenty years ago [about] the James Dean movie, where people were playing chicken, driving towards a cliff then jumping out. And evidently somebody imitated this and it was rather a fatal result. I suppose we have to, we take the common sense view that if there is something in a film which someone could clearly see, you know, could imitate, we can't really censor that in inverted commas for that tiny percentage. People, I mean we mimick films, you and I mimick what we see in films, language, styles of dress, name, behaviour.

The censors seek a balance between a reasonable view of the sensibilities of audiences and the relative educational potential or emotive effects of films that they watch. However there is always a fundamental awareness of the debate over effects, and the censors must face up to concern over where to pitch a film.

- B. I think generally you have to look at the average or the normal. Look whatever visual image you are going to present to people, somebody is going to get upset or disturbed, basically, that's perhaps a very over simplified situation but you can't in fact censor down to the lowest common denominator otherwise what you are going to do, come down to say a five year olds

level. But a five year old may not be disturbed, as much by incidents in the film as say by a ten or eleven year old or even an adult. Say an adult who has gone through some traumatic experience, lets say a female with an abortion, then goes to the cinema and sees a similar incident on film.

Significantly they do not put a great deal of stress on the effects of films though. Effects is a factor, a potential to try to weigh up but not an overarching problem from the censors point of view. Instead cutting is a form of domestication. It tailors particular aspects of films to the requirements of the censors so that the film as a whole is suitable for the audience which they feel is most likely to attend.

7.5 Conclusion

The cutting process is a reflection of the censors' changing role. The equilibrium has changed and with the 1976 Act the censors are able to formally move further away from the concept of a homogeneous audience. However, trailers still represent a residual attempt at constituting this universal audience. But even trailers have become difficult to effectively cut and a number are being dealt with by restrictions. The increased sophistication of film in both its topics and its technical composition has made the use of cuts increasingly more difficult. The censors have responded by attempting to domesticate film by way of reductions rather than the previous use of complete excision. This represents an hegemonic concession to the importance of particular (challenging) aspects

within films to the overall storyline continuity. This permits their inclusion, albeit in a sanitized form. A form which permits the message, or ideological representation, while at the same time reducing its "effect".

CHAPTER EIGHT

Public Relations and Feedback

8 Public Relations and Feedback

8.1 Introduction

The primary function of the censors according to the Act is to protect the public good from injury. This relationship to the public is crucial to their whole operation. They must in some way keep in touch with what is happening around them, and be able to distinguish real public feeling from that of pressure groups. In reality there is no way they can do this. They work from a very small amount of feedback and must interpret this in the way they feel is most appropriate.

8.2 Public reactions

The link with the public is exceedingly tenuous. There is no direct line of access for the public into the censorship process. Apart from correspondence and occasional phone calls, it is the press that bring to the censors' attention the extent of public feeling about issues. In a cyclical manner it is also through the press that the public find out about the nature and issues of film censorship (and television censorship which has its equal share, if not more controversy, witness for example Brideshead Revisited and A

Voyage around my Father). This generates an interesting dilemma in film censorship. Since injury to the public good is defined in terms of a negative reaction in society, anything in the press may potentially indicate problems. But the press both informs the public and incites the public at one and the same time. It then reports on the public back to the censors. The press is one of the censors' modes of monitoring their work. Yet they also represent the threat of adverse publicity. The press after all are after a story and will use whatever issues they can capitalize on.

Censorship issues provide very good sensational news items periodically, but for the censors this kind of publicity is best avoided. They would prefer to tone down any comment as soon as possible. They are not in the game of perpetuating media contact. For instance, the chief censor refused to comment to the press who were asking for his reaction to Patricia Bartlett's advocacy of resignation of the Board of Review over the Exhibition decision.

E. They are after a comment but I say no because she's commenting on the Board of Review decision, not for me. She's attacking the Board of Review. If she attacks me, again I won't necessarily always comment either but it depends because it is a matter of opinion and so forth and I am not one who is going to keep the newspapers in thing and so forth by keeping a controversy, just as over the Brideshead [Revisited] issue, it should have been chopped off very much earlier. Rightly or wrongly a decision was made and it kept on and on and on. And it wasn't to, I know people argue censorship shouldn't be there, that is, freedom of expression but the fact was its there and if you don't want censorship then you get rid of it. But the controversy both by the TV people and the press was just kept on for the actual matter. To me there are much more serious matters in New Zealand which want investigation, consideration than a thing. (...) I think Broadcasting partly brought it on themselves because they had internal wrangling. As far as I'm concerned if you get in that situation then

nobody comes out of it in a good light, you keep your internal wrangling to yourself.

- A. You got caught up with Exhibition, does this often happen, a criticism of your role?
- B. Yes quite often. Yes. Well 12 months ago I got involved in one Empire of the Senses which I said no way. I had approved it for Auckland Wellington fullstop. So immediately the press get on, why can't Dunedin have it. What's so different about the People in Dunedin than Wellington and Auckland.

It is issues like the inconsistencies between film, television, and more recently the emergence of videotape, and the comparisons with the decisions of overseas censors that the press like to pick up on.

8.3 Criticism of Censorship

The censors' job is to interpret legislation, not to make it.

Challenges to the existence of censorship, such as calls from the Film Societies for no censorship (or rather no adult censorship) and cries of not enough from the Society for the Promotion of Community Standards are largely misdirected at the censors. The censors shrug off this advocacy and point out that it should be directed to the legislation drafters - parliament - instead. The issue of the existence of censorship is outside of the censors' domain. They are there to interpret an Act, not to reform or remove it.

The censors are interested in determining the public's feelings about particular films. However, the public is specifically excluded from taking any part in the censorship process. Apart from

lobbying the press and causing a news storm (a public reaction?), the only direct avenue open to a member of the public is via the Minister of Internal Affairs who may intervene in a film which has been approved and have the film reconsidered. On the basis of sufficient outcry, that is, injury - controversy, the film may be recalled and could then be defined as injurious and be dealt with accordingly. In the one instance where the Minister has moved to act on a film, A Clockwork Orange, he subsequently decided not to refer the movie for recensorship once he had actually seen it.

Questions of comparison over censorship standards are most typically founded on overseas versus New Zealand decisions with the assumption that New Zealand is conservative and parochial. However, it is generally not realized that the action on the part of censors is governed by the legislation of each particular country. Each country's legislation has its own idiosyncracies which mean certain aspects of films must be treated differently in each of the different countries. Whereas it is often assumed that Britain and Australia are more liberal than New Zealand in film censorship classifications this is not necessarily the case. Because of the differences between legislation it is not really appropriate to consider their decisions in terms of a liberal or conservative comparison, and these differences mean that the censors can not use overseas decisions on a film as a firm guide to their own consideration of the film.

- A. Do you take into account other censors classifications, for example Australian?
- B. No. No. Not at all

- A. You don't have any dialogue with them?
- B. Yes we might. And we exchange notices but very often by the time they are making their decision we're making our decision here about the same thing. Sometimes we are ahead sometimes we're behind. But they are a guide purely and simply and that's all. We've got to make the decision to determine, I'm quite certain they don't take any notice of ours but on the other hand the distributor will take notice. And if he is getting a better deal in one than the other the that will be used to try to make the other change their mind. And as far as I'm concerned I say well that's too bad, that's their decision in terms of their [legislation]. The same question was raised by the press over Pixote and I said, in fact I had them on a bit, because I think they were wrong over Pixote. I said as far as I am concerned the Australian censor has certain laws over there which must be followed. I said the decision was made in terms of that. The fact that she banned it doesn't mean that she is being more conservative than what I am. [Pixote was shown uncut in New Zealand].
- A. I think that went to appeal there.
- B. Yes it did and they allowed it, but she, it came back for release again and I think she banned it again. Or sorry wait a minute, either she banned it or she asked for a cut to be made and they wouldn't agree to the cut so she just banned it fullstop. But alright. Fair enough, but that's the decision in that country's laws. Its no use to try to say because its there we should do the same thing here or vice versa because as I see it using that principle the we should apply that to every other law. And whose laws are you going to take. We're different and yet we're not too different. But okay our laws are different and that's the sort of thing.

In another case, with Not a Love Story New Zealand also turned out to be less restrictive. In Britain there is a specific Act (the Protection of Children Act 1978) which prohibits the inclusion of children in any indecent photographs. This Act forced the excision of one scene from that film, while in New Zealand we viewed the film uncut. (See Barrowclough 1982)

8.4 Outside contacts

The censors have discovered that there are in fact regional differences in the response to their censorship decisions (cf statements above about main versus regional centres in regard to festivals). This is noticed in terms of the amount of direct feedback received by the censors.

- b. I must admit this, there is not a great deal of criticism say comes out from Auckland, we are more likely to get it from around Wellington and possibly other centres.
- G. In the south island.
- B. Dunedin. You get less criticism from Auckland than elsewhere. There is not too much that comes out of Wellington except we get more phone calls of people who criticize or are looking for an explanation or just want to chat.
- G. Mostly one person. (Laughs)
- B. I had Lee's [previous censor's] friend on the phone the other day who talked for half an hour just about [Exhibition and Not a Love Story].
- G. All crikey.
- B. He just wanted to chat.

The Board of Review receives even less direct outside contact than that of the censors. In the last 18 months up until January 1983 it was reported that only three letters had been received other than enquiries. One from Patricia Bartlett, one from a Member of Parliament and one from the Film Trades Board. Instead the feedback they receive is largely through media reporting. Amongst the seven board members two reported that they don't actively seek material to assist them in their work on the Board while two indicated that they sought out all the information they could obtain on the subject. To this end, Internal Affairs has a compiled list of censorship

publications which it makes available to those members interested.

Other Board members obtain information on a casual basis through reviews and magazine reports on films and film industry developments. Interestingly the censors do not use Board of Review decisions as a form of feedback. The censors consider the Board's decisions to be too inconsistent to warrant their use a guide.

The censors have an arrangement to circulate their decisions with other censors. Although, as it was stressed above, they each apply to their own legislation, there is some interaction.

B. Apart from that we do get on a confidential basis decisions made by censors overseas. That's British. We don't publically declare that or indicate that but obviously anybody who thinks about it would know there would be an interchange. So we correspond, not very frequently with the overseas censors, mainly U.K., Australia, two main Canadian states British Columbia is one and Ontario. Those are about the principle ones. The largest contact we had, we've probably had greater contact, all that's very spaced apart, in the last ten years when the late censor went overseas in 1974 and toured about 15 countries and got in contact with censorship authorities. He started off in Fiji and went to B.C., Ontario, talked to some film industry people in the States and he went to New York and spoke to them there. And he also got in touch with the National Catholic Office of Motion Picture and Television. It's a very influential office by the way. To U.K., Sweden, Denmark, France, Italy, Israel, India and Australia. Okay I was away for three weeks early this year at a conference in London and there were something like 40 people from about 27 countries.

A. Is that an annual conference?
B. No, its the first one that has ever been organised. It may, I think it should perhaps go on, maybe three years maybe five before the next one but it did develop a field of communication. No momentuous decisions were reached there because naturally none of us could commit our governments to take certain lines or a unanimous type of decision where we are all effected. It was mainly, I think the benefit was the exchange of ideas between one another and basically we are all working in the same areas.

8.5 Trade Contacts

In addition to these decisions from other countries, the censors also subscribe to various trade magazines to keep up to date with industry developments.

B. We used to have a thing called Hollywood reporter which was a trade paper which was issued on a daily basis. It was not bad actually. It had a lot of stuff which we didn't need but it kept us up with what was being produced in America anyway and overseas. What was, comments being made in relation to film, also if there were problems about censorship, purely an American magazine. Also we were getting one from the U.K. called the Kinematograph weekly which has now gone into Screen International. So this gives us the two main areas. More recently we get, we pick up cinema papers from Australia which again are all trade journals but they are very much involved in the various issues.

Internal Affairs ran a news clipping service for some time which located censorship issues, however, with financial cut backs in government spending that service disappeared.

The industry has an ongoing working relationship with the censor. Films, cutting notices and details are continually being exchanged and each party is continually monitoring what the other is doing. Given that the films which reach the censors are only a selection of those available, it should be noted that the distributor only bring in films they feel have a reasonable chance of gaining an acceptable censorship certificate. But in trying to gauge the censors' reactions to films there is also an element of testing and experimentation. The film distributors will bring in

films to see if they can get them through and thus change the standards slightly.

G. Distributors will keep submitting films that are slightly more explicit or more intense to gauge our reaction and when we approve certain films we try to gauge the audiences reactions to see whether or not they can cope with that material. That's why the feedback is so important because we could maintain the same policy levels for years and years and years and there would be no progression of development and that would be very easy bureaucratically but wouldn't necessarily help the audiences and we wouldn't be keeping necessarily abreast with audiences.

The film companies themselves often send in material with a film, but as with overseas decisions the censors maintain that they prefer to see this after they have decided on a film rather than before.

B. A film comes in, and in fact they try to put a bit of stuff in, I prefer to leave it alone. Look at it afterwards by all means but just judge the film, because if you are getting stuff from them obviously what they are giving you is a plug which is in favour of the film, its their own sales talk plus comments from reviewers and critics which is in favour of the film. You never get them if the critics turn against the film, you never get anything at that stage. So you look at it afterwards but I think its a fairer thing to look at it yourself, make your own judgement on it.

8.6 Visiting Groups

The most beneficial contact which the censors have also doubles as a useful public relations contact. From time to time the censors have visiting groups, often school pupils, in to watch a whole or part of a film and discuss the nature and function of film censorship. While some of the participants may just be interested in glimpsing some "naughty bits", the censors do not see themselves as providing a cheap afternoons entertainment. They have the groups in to get something from them, to discuss their understanding of certificates and to get the feel of their standards. When a group visits they are taken into the theatrette and explained the functioning of the Act and given a photocopy of Section 26 (see appendix A.). Then they watch a film with (generally only one) the censor. The film may or may not have already been watched by the censors, but they generally have a reasonable idea about the level and difficulty they can expect. Once the film has been shown the group members are asked to write down how they would rate the film and then the film and their decisions in regard to it are discussed. While the censors obvious do not see a cross section of the public, or even the film going public, in this way, it does they feel prove to be a worthwhile exercise.

- G. We have various groups visiting the office on a fairly regular basis, in fact I worked it out this morning, we are having groups about roughly every two to three weeks, from February to September and those groups are mostly of young people because its the 17 - 35 age bracket that make up the majority of the cinema going audiences. So we have people in, we discuss the

legislation, we might show them a film and get their ideas on it, discuss it.

- A. Do you actually get much feed back from them that's useful to you?
- G. Yes, we do, otherwise we, really, we don't have enough staff to provide them with an afternoon's education or entertainment. It has to be a two way thing. That's very important. So we do. We take quite a lot of notice of the ideas that are expressed.

This contact with visiting groups is augmented by the ability to call in consultants to help the censor make a decision on a film. Each in its own manner adds together to form the feedback that the censors rely upon to gauge public opinion.

6.7 Conclusion

The censors' position as a reflector and arbitrator of public morals is a difficult one. They must seek a consensus of opinion between themselves at the classification stage and then apply this to the cinema audiences that will watch a film. Their decisions must be balanced against the reactions of cinema audiences and the type of material being imported by the distributors. Feedback on public reactions is maintained via the limited facilities of news reports and the interaction with outside groups. The established working relationship with the film trade is a far more consistent link, but it is an avenue the censors must attempt to ignore if they are to relate to public opinion.

The censors work with certain assumptions about audiences which

largely remain untested. In fact the use of research has until recently been conspicuously absent. The censors have constituted an audience, a public, which they define without ever testing. To test the acceptance of the censors standards would imply a democratically formulated standard of morality, that is, a popular definition, rather than the high cultural one the legislation seeks to sustain. Given that a clear understanding of popular responses to film could involve changes in the criteria and acceptability of films in different ways from that of the current hegemony of high cultural definitions, it can be understood why such research has previously not been undertaken.

CHAPTER NINE

Conclusion

9 Conclusion

9.1 Summary

In introducing the topic of film censorship it was important to stress that censorship is just one of many controls and interventions acting upon film in both its production and distribution. The factor that isolates censorship amidst these interactions is the location and externality of this process. It is a state intervention which is imposed upon the film business. In Chapter One it was suggested that there is a conventional approach within which most film censorship consideration takes place. This conventional approach was considered in Chapter two and divided into four major perspectives.

1. The "effects" approach argued over the presence or absence of a causal link between behaviour and the media. This has been the most predominant approach and still maintains a major "commonsense" following today.
2. The "popular culture" approach linked concern with film into an historic clash between popular culture and high culture definitions of morality, decency, and appropriateness. This thread, it was suggested, is often linked to an implied "effects" belief and it also forms a major part of the public consideration of censorship.
3. The third approach consisted of the concern expressed by the Frankfurt School over the cultural atrophy that the mass media

engendered. This concern, unlike that of the popular culture debate, was centred around the totalizing and depoliticizing effect of media in which the need and powers of critical thought were diminished, thus removing the potential for the proletariat to be revolutionary.

4. The final approach considered was that of the emergent Marxist ideological perspective. This approach consisted of a debate within Marxism over the nature and extent of ideology. The ideological nature of film was seen as ranging from a completely totalising level of cultural imperialism and indoctrination, down to a position characterized by conflicting and contradictory ideologies in which a variety of ideological readings are possible.

These conventional approaches were rejected as inadequate to the proposed task of studying censorship on the basis of their each being partial and only in retrospect speaking to censorship.

In Chapter Three, it was proposed that as a state practice, film censorship should be explainable in terms of state theory. Marxist theories of the state were considered as a vehicle for analysing the practice of the film censors. Rejecting the more instrumental theories, Gramsci's concept of hegemony was proposed as a sophisticated means of both explaining the emergence and the operation of film censorship. It was suggested that the state in western capitalism, having moved from more authoritarian forms, became increasingly oriented toward seeking the consent of its subjects rather than relying extensively on coercive and repressive control. This manifests itself in a tendency to minimize conflict

and align the population to the hegemonic ideological position, which in respect to film, was the high cultural definition of decency.

In Chapter Four, the history of film censorship was discussed, drawing out the problems and dilemmas faced by the film industry and censorship as a practice. Film censorship, it was seen was the result of the combination of an interventionist state strategy and attempts to maintain cultural hegemony. Following the failure of private and local alternatives to welfare and social service provision the state in New Zealand took on the role of central provider and organiser. Film which was at the centre of a variety of concerns ranging from effects to moral appropriateness (often held simultaneously) attracted sufficient pressure to culminate in the government introducing a separate process of film censorship. As film developed over the years it both evolved cinematographically and also became faced with other media entertainment patterns, particularly the advent of television (and in New Zealand the extension of liquor licensing hours). The result has been the specialization of film in genres aimed at target audiences, which has challenged the ability of censorship to aim for a hegemonic alliance to a core high cultural moral definition.

The introduction of the censorship legislation was traced as a composite part of an emerging tradition of state intervention in New Zealand. Once enacted, it was noted how the attempt at aligning the cinema population has systematically broken down with the change in the social location of film as an entertainment form and with its

own technical development. In realisation of its inability to constitute a homogeneous general audience, and in the face of pressure for market viability on the part of the cinema industry, the nature of censorship was changed from a core moral decency issue to an attention on actual effects of films in terms of "injury to the public good".

In Part Two of this thesis the ethnographic component of this research was presented, describing the current practices of the film censors. Chapter Five investigates the viewing process in which the censors watch films. It considered the problems involved in viewing and the types of things that the censors look for in films. In Chapter Six, the film decision itself was considered, in which the film is classified into a variety of certificates to cope with the wide variety of audiences that are now in existence. It was noted how these, while extensive are still being extended to try to adjust to the changing face of audiences. In Chapter Seven, the action of cutting films was discussed in terms of the difficulties involved and cutting was used as an indication of the changing standards of censorship. Cutting it was noted has not only decreased, it has also changed in style whereby instead of removing offending items, they may instead be selectively reduced. Chapter Eight concluded the ethnography by discussing the contacts that are sustained by the censors to survey their decisions relative to public feeling.

9.2 Conclusion

Film censorship it has been argued is a hegemonic state operation. The Marxist hegemonic consideration of the state provides an alternative to the valuable, but partial considerations of film censorship which are discernible in the conventional approach. It locates censorship as a state practice within a tradition of state intervention. Censorship is an action on the part of the government, seeking to portray itself as "doing something" about a problem. But it was a problem which they already had the means to take care of. It was a response to conflict in society. In instituting state film censorship in this manner, the government also set the style of its operation - that of balance. Censorship is the negotiated and renegotiated interaction between the film industry on the one hand and a high culture definition of values on the other, which is delicately balanced on the extent of public conflict evoked by the portrayals in films. It is not the effects of films, nor the ideological content, nor high moral definition that is really at the heart of censorship, although these are all factors. The crux of the matter for the censors is public tolerance. The censors operate in a kind of flux, both reflecting and setting standards of public tolerance. They have no strict guidelines to decency because such guidelines are too temporal. Instead as a hegemonic practice, they must move with the times, that is, with public feeling, with the cinema audiences and with the film industry in a delicate "menage a trois".

- B. When you talk about public decency, public order, you must, as that changes then you must change.
- A. Do you think that you or the office as a whole might lead rather than follow that change?
- B. Well, I think, I really don't think the purpose of the office is to lead, and its not to follow, because if it follows, it is going to be behind public opinion, it's got to be parallel to public opinion but certainly the opportunity is there to, shall I say, test the ground. I come back to Gordon Miram's time. I think in his time they have tended to test the ground. Just go out just a little and see what the reaction is. Because if you go too far then if you get an adverse reaction you are going to not come back to there, but back to there, and you have to recover all that ground again. So in a way it's certainly, we shouldn't be leading, we shouldn't be following, we must be probably just a little in front of public opinion. We mustn't appear to be leading even if we are.

If successful, censorship is merely a background feature of society which goes unquestioned. If the hegemony breaks down then it becomes a major public issue.

The notion of hegemony is useful in the consideration of film censorship in terms of its focus on the negotiated consent it suggests underpins Western capitalism. Hegemony is the moment in which control is effectively exercised. Film censorship is merely one of the apparatuses through which this hegemony is maintained. However, this is not the ideological domination of society in terms the content of films as studies of ideology would tend to suggest. Censorship of films is not the instrumentalist manifestation of a dominant ideology attempting to secure its position, although censorship does seek to constitute an ideological hegemony under a high cultural umbrella. Instead, the hegemonic character of censorship presents itself as the removal of the conflict generated by film through its incorporation into state control. The state

seeks to nullify conflict by drawing it off into itself. The hegemonic state, is challenged in its position by overt conflict over issues and consequently seeks to remove them.

As a practice, censorship essentially fails to maintain the consensual high cultural set of values it attempted to constitute, although it has still succeeded in maintaining the definition of the areas of concern within censorship, albeit at new standards. To adapt to the changes in film topics and audience standards over the years, censorship has been forced to divide the audience from the originally constituted universal one into a myriad of specialist ones. In order to remain hegemonic it has had to incorporate popular cultural definitions and consequently was unable to exclusively preserve high cultural values and standards. However, the State's other hegemonic role for censorship, that of removing conflict over film has proved successful and is an ongoing feature of current censorship practice. The censors seek to make censorship as invisible and unobtrusive as possible. This in fact may be seen as censorships primary hegemonic function - that of removing conflict or at least diminishing conflict about film.

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10 Appendices10.1 Appendix A. Film Censorship Legislation

Extracts of Censorship Guidelines Provided in Acts

Cinematograph-film Censorship Act 1916

- 4.3 Such approval shall not be given in the case of any film which, in the opinion of the censor, depicts any matter that is against public order and decency, or the exhibition of which for any other reason is, in the opinion of the censor, undesirable in the public interest.
- 4.4 Such approval may be given generally, or may be given subject to a condition that the film shall be exhibited only to any specific class or classes of persons.

Cinematograph Films Act 1928

- 5.4 The approval of the Censor shall not be given with respect to any film or to any part of a film which in his opinion depicts any matter that is contrary to public order or decency, or the exhibition of which would for any other reason be undesirable in the public interest.

Cinematograph Films Act 1961

- 14.1 The approval of the Censor shall not be given with respect to any film or to any part of a film which in his opinion depicts any matter that is contrary to public order or decency, or the exhibition of which would for any other reason be undesirable in the public interest.

1976 Cinematograph Films Act

26. Examination of Films by Chief Censor

- (1) Where any film is submitted to the Chief Censor for examination by him for the purposes of this Part of this Act the Chief Censor shall, unless he exempts the film from examination under section 25 of this Act, as soon as practicable, examine the film to determine whether the film is or is not likely to be injurious to the public good.
- (2) In determining whether any film is or is not likely to be injurious to the public good the Chief Censor shall consider the following matters:
- (a) The dominant effect of the film as a whole, and its likely effect on the audience likely to view the film;
- (b) The extent to which the film has artistic merit, or is of

- value or importance for social, cultural, or other reasons:
- (c) The extent and degree to which and the manner in which the film depicts, includes or treats anti-social behaviour, cruelty, violence, crime, horror, sex, or indecent or offensive language or behaviour.
 - (d) The extent and degree to which the film denigrates any particular class of the general public by reference to the colour, race, or ethnic or national origins, the sex, or the religious beliefs of the members of that class:
 - (e) Any other relevant circumstances relating to the proposed exhibition of the film, including the places and times at which or the occasions on which the film is intended or is likely to be exhibited.
- (3) Without limiting subsection (2) of this section, in any case where the Chief Censor is requested to approve any film for exhibition by any approved film society only, he may have regard to the nature of the audience likely to view the film in determining under this section whether the exhibition of the film is or is not likely to be injurious to the public good.
- (4) Without limiting subsection (2) of this section, in any case where the Chief Censor is requested to approve any film for exhibition at any film festival only, he may, if he is satisfied that the overall effect of the film festival will be to demonstrate technical, artistic, social, or cultural aspects of filmmaking and that the film in question forms a proper part of the festival, have regard to the fact that the film is intended to be exhibited only at a film festival in determining under this section whether the exhibition of the film is or is not likely to be injurious to the public good.
- (5) In addition to the matters referred to in subsection (2) of this section, in determining whether the exhibition of any film is or is not likely to be injurious to the public good the Chief Censor may have regard to the number of films of a similar nature previously approved for exhibition under this Act or the Cinematograph Films Act 1961 or likely to be submitted to him for approval of exhibition under this Act, and the likely cumulative effect of the exhibition of the film being examined and those other films on the audience likely to view the film and to have viewed some or all of those other films.
- (6) In the case of a film that is intended to be exhibited with an accompanying soundtrack, whether or not the soundtrack is an integral part of the film, the Chief Censor, in examining the film, shall also take into consideration the content of the soundtrack and its relationship to the film.

Broadcasting Act 1976

24.2 Where -

- (a) Any cinematograph film has been submitted under the Cinematograph Films Act 1961 or any former Cinematograph Films Act for censorship and approval for exhibition; and
- (b) Approval of the film for exhibition has been refused or has been given subject to excisions therefrom - the corporation -

- (c) In the case of any film in respect of which such approval has been refused, shall not broadcast the film or any part thereof; or
- (d) In the case of any film that has been approved for exhibition subject to excisions therefrom, shall not broadcast that film or any part thereof if the film or, as the case may be, that part thereof includes any part of the film required to be excised - except with the consent of the Censor of Cinematograph Films and subject to any conditions to which the Censor has given his consent.

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10.2 Appendix B. Exemption Criteria.

Cinematograph Films Regulations 1977

8. Films and posters that may be exempted from examination -

- (1) The Chief Censor may, in accordance with section 25 of the Act, exempt any film from the requirement of examination, and may approve it for exhibition without first examining it, if it is, in his opinion, of one or more of the following classes:
 - (a) Films depicting wholly or mainly surgical or medical techniques and solely for instructional purposes:
 - (b) Films used wholly or mainly by educational institutions and used solely for educational purposes:
 - (c) Films used wholly or mainly by religious organisations and used solely for instructional purposes:
 - (d) Films depicting wholly or mainly industrial or manufacturing processes:
 - (e) Films that are wholly or mainly commercial advertisements relating to the advertiser's or sponsor's activities:
 - (f) Scientific films, including natural-history films:
 - (g) Films depicting wholly or mainly cultural, sporting, or recreational activities:
 - (h) Films exhibited solely to ethnic organisations:
 - (i) Films depicting wholly or mainly natural scenery:
 - (j) Films of news and current events containing a unity of subject matter:
 - (k) Films that are produced by New Zealand amateur makers of film and that are not hired or rented:
 - (l) Films that are copies of (but in a different gauge or technical form from) films in respect of which a certificate of approval has already been issued.
- (2) The Chief Censor may exempt any trailer or poster from the requirement of examination, and may approve it for exhibition or display without first examining it, if it relates to a film that has already exempted from that requirement under subclause (1) of this regulation.

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10.3 Appendix C. Old Censorship ConcernsAmerica 1940

Objectionable Words and Expressions (1) The following words and phrases must be omitted from all motion pictures before approved by the Production Code Administration:

| | |
|--------------------------------|----------------------------|
| Alley-cat (applied to a woman) | Jeez |
| Bat (applied to a woman) | Louse |
| Broad (applied to a woman) | Lousey |
| "Bronx-Cheer" (the sound) | Nance |
| Chippie | Pansy |
| Cocotte | Razzberry (the sound) |
| Cripes | Son-of-a |
| Fairy (in a vulgar sense) | Tart |
| Finger (the) | Toilet gas |
| "Fire" - cries of | Tom Cat (applied to a man) |
| "Hold you hat" - ("Hats") | "Travelling Salesman" and |
| Hot (applied to a woman) | "Farmer's Daughter" jokes |
| "In your hat" | Whore |

(2) The following words and phrases are invariably deleted by political censor boards:

| | |
|----------------------------------|----------------------------------|
| Bum (England) | Sex Appeal (England) |
| Bloody (England) | Sex life (England) |
| "Cissy" or "Sissy" (England) | Shag (British Empire) |
| Gigolo (England) | Shyster (England) |
| Poisons (specific names of) (US) | "Stick 'em up" (U.S. and Canada) |
| Punk (England) | |

(3) The following words and phrases are obviously offensive to many patrons in the United States and more particularly to patrons in foreign countries and, therefore, should be omitted:

| | |
|--------------------------------------|-----------------------------------|
| Chink (Chinese) | Kike (U.S. and England) |
| Dago (Italian) | Nigger (U.S.) |
| Frog (French) | Spif (Mexico and Central America) |
| Greaser (Mexico and Central America) | Wop (Italian) |
| Hun (German) | Yid (U.S. and England) |
| Hunkie (Hungarian) | |

Source Harley 1940 World Wide Influences of the Cinema.

England 1922

Pictures containing the following are condemned:

- (1) Materialization of the conventional figure of Christ.
- (2) Unauthorized use of Royal names, public characters, and well-known members of society.
- (3) Inflammatory political sub-titles.
- (4) Indecorous and inexpedient titles and sub-titles.
- (5) Sub-titles in the nature of swearing.

- (6) Cruelty to animals, including cock-fights.
- (7) Irreverent treatment of religious observances and beliefs.
- (8) Making young girls drunk.
- (9) Excessive drunkenness.
- (10) Brutality and torture to women.
- (11) Subjects in which crime is the dominant feature.
- (12) Commitment of crime by children.
- (13) Criminal poisoning by dissemination of germs.
- (14) The practice of the third degree in the United States.
- (15) Cumulative effect of crime.
- (16) Murders with realistic and gruesome details.
- (17) Executions and crucifixions.
- (18) Cruelty to children.
- (19) Excessive cruelty and torture to adults.
- (20) Fights showing extreme brutality and gruesome details.
- (21) Gruesome incidents.
- (22) Actual scenes of branding men and animals.
- (23) Women fighting with knives.
- (24) Doubtful characters exalted to heroes.
- (25) Nude figures.
- (26) Offensive vulgarity and indecent gestures.
- (27) Improper exhibition of feminine underclothing.
- (28) Impropriety in dress.
- (29) Indecorous dancing.
- (30) Reference to controversial or international politics.
- (31) Scenes calculated to inflame racial hatred.
- (32) Incidents having a tendency to disparage friendly relations with our Allies.
- (33) Scenes dealing with India and other Dependencies by which the religious beliefs and racial susceptibilities of their people may be wounded.
- (34) Antagonistic relations of Capital and Labour and scenes showing conflict between the protagonists.
- (35) Scenes tending to disparage public characters and public institutions.
- (36) Disparagement of the institution of marriage.
- (37) Misrepresentation of police methods.
- (38) Holding up the King's uniform to contempt or ridicule.
- (39) Scenes in which British officers are seen in a discreditable light in their relations with Eastern peoples.
- (40) Prolonged and harrowing details in deathbed scenes.
- (41) Medical operations.
- (42) Excessive revolver shooting.
- (43) Advocacy of the doctrine of free love.
- (44) Seduction of girls and attempts thereat treated without due restraint.
- (45) Attempted criminal assaults on women.
- (46) Scenes indicating that a criminal assault on a woman has just been perpetrated.
- (47) Salacious wit.
- (48) "First night" scenes.
- (49) Scenes dealing with, or suggestive of, immorality.
- (50) Indelicate sexual situations.
- (51) Holding up the sacrifice of a woman's virtue as laudable.

- (52) Infidelity on the part of husband justifying adultery on the part of the wife.
- (53) Bedroom and bathroom scenes of an equivocal character.
- (54) Prostitution and procuration.
- (55) Effect of venereal disease, inherited or acquired.
- (56) Confinements and puerperal pains.
- (57) Illegal operations.
- (58) Deliberate adoption of a life of immorality, justifiable or extenuated.
- (59) Disorderly houses.
- (60) Women promiscuously taking up men.
- (61) Dead bodies.
- (62) "Clutching hands".
- (63) Subjects in which sympathy is enlisted for the criminals.
- (64) Animals gnawing men and children.
- (65) Realistic scenes of epilepsy.
- (66) Trial scenes of important personages that are sub judice.
- (67) Suggestion of incest.

Source Young, D. 1971 reprinted from 1922.

10.4 Appendix D. Methodology

Methodology

The empirical research for this thesis consisted of two distinct approaches.

1. The film censors kindly agreed to an unstructured ethnographic fieldwork programme backed up by in depth tape recorded interviews. (For a description and examples of ethnographic research see Spradley 1980; Williss 1977 & 1978; Schatzman and Straus 1973; Payne et al 1981; Jacobs 1974; Liebow 1967 and Whyte 1943) During this research period a number of films were watched, classified and edited. These activities were all recorded in the form of fieldnotes which augmented the tape recorded sessions. (The tape recorder was left running as much as possible) In addition the censors made available their annual reports dating back to 1933 and examples of correspondence in reply to press reports.
2. The Board of Review proved more difficult to study owing to their physical dispersion and the reluctance on the part of the Chairman of the Board for members to be approached directly. Names of the current members were refused when requested even though they are available through the Gazette and have been published in the papers. Consequently an anonymous questionnaire was proposed and the Chairman agreed to allow this to be distributed subject to his vetting. The questionnaire was accepted with deletions, most notable of which was the removal of the question seeking a definition of "Injury to the Public Good". However, the questionnaire was also referred to Internal Affairs for comment where it became buried for two months before eventually being released for distribution. It returned in its emasculated form too late for substantial inclusion in this report. However, as a general interpretation of their replies (six out of seven) it can be noted that they largely fit with the analysis applied to the censors. The questionnaire is reproduced below.

Film Censorship Study

N.B. Questions which have been underlined were deleted by the Board.

A. Background Details.

1. Male Female Mr., Mrs., Ms., Miss, Dr., Fr., Sr., Other:
2. Marital Status No. of Children
3. Age 20-29 30-39 40-49 50-59 60-69
4. Occupation
5. Income Group (please tick one) 0-9,000. 10,-19,000.
20,-29,000. 30,-39,000. 40,-49,000. 50,+
6. Positions currently held on councils, statutory or quasi-non government bodies. [Changed to - Do you hold any positions on councils, statutory or quasi- non government bodies.
7. Previous positions held:
8. Positions held on Voluntary Organisations - Past and Present (e.g. committees, societies, etc.):

9. Formal (Academic) Qualifications:

10. Other Qualifications:

11. Religion indicated on last census*

*if not given on last census Not given.

*omit question if wish.

12. Have you ever been a member of a political party? Yes No

If yes please indicate which one.

| | | | | |
|--------|----------|---------------|--------|-------|
| Labour | National | Social Credit | Values | Other |
|--------|----------|---------------|--------|-------|

Are you still a member? Yes No

B. Film Involvement.

13. How many films do you normally see in a year (apart from Board of Review films) Please tick appropriate box.

0-9 10-19 20-29 30-39 40-49 50+

14. What was the last film you saw? (apart from the Board)

15. What was the last Board of Review film you saw?

16. What are your three main cultural activities? Please list in order of preference. 1. 2. 3.

C. Appointment to Board.

17. How long have you been on the Board of Review?

18. How did you get appointed? Can you please describe the circumstances of your appointment.

19. What special qualities do you feel you contribute to the Board?

20. Did you know any current or previous members of the Board before you were appointed. Yes No

If yes, what information did they give you about the action of the Board?

21. Now that you have been on the Board of Review, what do you understand the role of film censorship in New Zealand to be?

D. Audiences.

22. What information do you have about the general characteristics of film audiences?

23. Where and how did you get this information?

24. Do you think film audiences differ from non film goers? Yes No
If yes - in what ways?

25. Do you think film society audiences differ from general film audiences? Yes No
If yes - in what ways?

E. Feedback.

26. What feedback do you get from the general public about your decisions on the Board?

27. How does this feedback reach you?

28. Do you discuss your role on the Board of Review with your friends and colleagues? Yes No
If yes - what feedback do you get from them?

If no - do they know you are on the Board? Yes No

29. What books, journals, or magazines do you read to assist you in your work (or normally read which assist you with your work) on the Board of Review?

F. The Act.

30. One of the Criteria of the Cinematographic Films Act is to consider whether or not a film is "injurious to the public good". How would you describe this?
31. What would, in your mind, be Artistic and Cultural merit in a film?
32. If a film was shown that both the chief censor and the Board of Review had rejected as "injurious to the public good", what would you anticipate the results of this public screening to be?
33. Considerable debate seemed to arise after the approval of the film 'Exhibition' by the Board. Has this film proved in any way that it was or was not injurious to the public good as the chief censor had maintained? (Please specify how).

G. Effects.

34. The Act asks you to consider the dominant effect of a film as a whole. What particular effects give you the most concern?
35. It is often asked of censors 'how they remain immune to the influence of the material they censor'. How do you reply to this question?
36. Censorship is most often thought of as a means to maintain community standards, but by some it has been suggested that censorship is really a buffer to protect the film industry from a moral backlash. What are your views on this issue?
37. What do you imagine the result would be of the abolition of all film censorship in New Zealand?
38. Are there any general comments you would like to make that you think are not covered by the questions? Please use the space below for any further comments.

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