

CENSORSHIP BEYOND CLASSIFICATION: THE BRAZILIAN RECEPTION OF A SERBIAN FILM¹

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Abstract

This article is related to an extensive research on censorship, sponsored by FAPESP (Foundation for Research Support of São Paulo), that has its base on censorship processes, irradiating to the investigation of censored words, their category and text implications, the tracking of public opinion about censors' interventions, as well as the journalistic manifestations about these issues. In this article we present partial results of our current research on discursive formations that have inspired the Manual for Media Rating, a set of rules that guides the classification applied to cultural and artistic products, such as movies, television programs etc. This paper explores the classification of *A Serbian Film*, a recent polemic process in the Brazilian scenario after the federal Ministry of Justice refused to forbid the movie.

Keywords: Censorship; Discourses; Context; Reception.

Resumo

Este artigo relaciona-se a uma extensa pesquisa sobre censura, apoiada pela FAPESP, que se baseia em processos de censura, partindo da investigação de termos censurados, suas categorias, pressupostos e subentendidos, além da investigação da opinião pública sobre as intervenções dos censores, assim como as manifestações jornalísticas sobre essas questões. Neste artigo, apresentamos resultados parciais de nossas pesquisas atuais sobre as formações discursivas que inspiraram o Manual da Nova Classificação Indicativa, um conjunto de regras que guia a classificação de produções artísticas e culturais como filmes, programas televisivos etc. Este artigo avalia a classificação de *A Serbian Film*, um recente e polêmico processo no cenário brasileiro devido à recusa do Ministério da Justiça em proibir a exibição do filme.

Palavras-chave: Censura; Discursos; Contexto; Recepção.

Introduction

Censorship has been our study focus since 2005, when we conceived an ample research project motivated by the contents of the Miroel Silveira Archive, a collection of 6146 previous theater censorship processes conducted in the State of São Paulo, Brazil, between 1925 and 1968.

The processes preserved in the archive register the several censorship supervision phases until the final liberation, prohibition or release with words and expressions cuts or with rating restrictions of age. Furthermore, they bring the complete stage play text, with the censors annotations, as well as material that registers the civil society manifestations, either asking the release or asking the interdiction, the theatre class declarations, always claiming for freedom

of artistic expression, and the newspapers that brought these facts to light, sometimes assuming positions in favor or against censorship.

The archive contents generated diverse research perspectives that expanded to the point of constituting, nowadays, the NPCC (Research Nucleus in Communication and Censorship). Research results and the production in publications may be seen in the website <http://npcc.vitis.uspnet.usp.br/?q=npcc>

In the sequence of the initial interests, the issue of freedom of expression has become the fusion point of investigations. These investigations proceed considering the different censorship types, in the past as well as in the present days, their relation to the cultural products as a whole and their connection to the media profusion, or variety, that supports them.

If we do not have prior restraint of the media in Brazil anymore, since 1988, nevertheless we have a type of previous screening to which cultural and artistic products, such as movies and television programs, are submitted in order to be brought to the public. This process generates a classification, leading to rating of age recommendation that will determine place and hour of exhibition, a kind of provisional censorship, our present focus of investigation. The *Media Rating Manual* is the set of rules that guides the classification mentioned above, performed by the Brazilian Federal Government. In this article we present partial results of our current research. It deals with the discursive formations that have inspired the Manual, as well as the presence of cross cultural perspectives.

To show our conceptual trajectory in relation to the facts of reality, we have explored the classification conduction of *A Serbian Film* ("Srpski film". Serbia, 2010, 104 min. Dir: Srdjan Spasojevic), a recent polemic process in the Brazilian scenario, after the federal Ministry of Justice refused to forbid the movie, going against the prohibition defended by State judges and political parties.

Nonetheless, our initial research results, related more to the archive temporality thus directed to past facts and contexts, still operate as an orientation to present researches. In this article they represent a founding ground for our hypothesis. At this title, two of them will be remembered and summarized in order to clarify our scopes.

The first one, devoted to the search, categorization and quantifications of words or censored expressions, as related to detected general types of censorship – political, moral, social or religious – brought unexpected results when confronted to its social and historical context.

In this matter, we have to point out that between 1925 and 1985 Brazil faced two dictatorships: the period headed by Getúlio Vargas, from 1930 to 1945, and the military regime from 1964 to 1985. Yet, when we accomplished the categorization of the censored words we obtained a majority of moral censorship cases instead of the expected majority of political or social ones.

In order to understand this condition, in the book *Forbidden words* (Gomes et al., 2008), where the research results were published, we evaluated circumstances such as the presence of auto-censorship in totalitarian regimes and the fact that in this context there is a genre tendency in theatre that, knowing itself to be under a strong surveillance, favors more uncompromising productions such as comedies. As it happens, these are the ones prone to present more opportunities to moral intervention.

Even bearing these conditions in mind, the prevalence of moral censorship in times of ideological confrontations and political constrictions has led us to reason further about the implications of our findings. We reached our explanation ground in the works of Michel Foucault, a collateral research that resulted in publications about the political character of the moral censorship.

At the same time, the prevalence detected induced us to observe the moral censorship continuity, throughout our cultural history, in hard or friendly times. Furthermore, beyond the censorship to stage plays, the moral category crosses the entire cultural production and crosses it in different cultures.

As we already pointed out, today there is no previous censorship in Brazil, although it is possible to consider the media rating – the “indicative classification” – as a censorship that refuses its name, forgotten in its social service aspect. And its nature is, like before, prevalently moral.

On the other hand, the *New Media Rating Manual* (2006: 8) states that the classifying ratings differs from censorship, and its *Practical Guide* (2009: 6) also defines itself as a “democratic process, shared among the State, entertainment companies and the society, which aims to inform Brazilian families about the audiences to which the public events are not recommended, so that the families may have assured its right to choose and the children can have their psycho-social development protected”. Considering this, the Ministry of Justice “does not forbid the transmission of programs, the presentation of events or movie screens” (Id., *ibid.*), since it only signals the presence of drugs, sexual or violent contents for families concerned about these moral issues.

In times like nowadays, when the lack of morality in our culture is frequently commented and condemned, when liberality may have been turned into permissiveness, the substantial presence of moral censorship lead us to raise questions about the contemporary moral nature, that is, in which discourses our moral principles are incarnated; they are certainly different from the ones that justified the moral censorship in the studied past decades.

Thus, our first inquire is dimensioned in terms of the circulating discourses in a specific social context that, as disposed by Patrick Charaudeau, enclose a word conception and its correspondents attitudes.

The circulating discourse is a sum of empiric enunciates with a definitional target about what are the beings, the actions, the events, their characteristics, their behavior and the judgments attached to them²

We aim, in this article, to arrive at a clear view of such discourses. The observation and analysis of the processes generated around *A Serbian Film*, with emphasis on its Brazilian history, are the means to grasp the different discourses that sustain the moral censorship. As in the past, the contemporary discourses have to surface in the arguments around the film censorship.

Concomitantly, we have another query, also based in past research results related to the NPCC, more specifically, the one conducted by Dr. Maria Cristina Castilho Costa. She developed a comparative study, of socio-political character, between the censorship practiced in Brazil and the one practiced in Portugal, especially by the Antonio de Oliveira Salazar regime, from 1933 to 1974, thus almost coinciding with the Miroel Silveira Archive temporality.

This research results, published in the book *Theatre and censorship: Vargas and Salazar* (Costa, 2011), showed several confluences, such as the adoption, by Getúlio Vargas, of the terminology “New State”, the same applied by Salazar to his regime. But, in relation to this article interests, it is important the fact that the research shows similarity of censorship methods and conducting principles.

These findings encounter several explanatory factors. We have to consider, for instance, the Portuguese cultural influence, due to the colonization and the continuity of Portuguese artists

and theatre companies in Brazilian scenario. But this similarity was observed in other totalitarian regimes in the same period. With this fact pointed out by Dr. Costa, we are conducted to rethink the censorship processes as an occurrence of common nature, according to their shared time.

In this circumstance, and true to the cultural studies tradition, we must consider the circulating discourses that have crossed several cultures in order to make them converge in matters like censorship. Such convergence may be understood at the levels of origin and influence, as it was the case of Brazil and Portugal in the past, but it also may be interpreted, in the present days, as a common ground built with the communication as it stands: without frontiers, instantaneous, a network of information putting in circulation the discourses that form common cultural ideals. In a global village, every idea is disseminated, shared and processed as if a common patrimony.

We must also read between the lines, that is, listen to these discourses from the point of view long ago explored in Oswald Ducrot works, that is, considering the presuppositions in its base, the allusion and sub-understanding implications that knit a common ground. In this perspective, we should begin our investigations by evaluating the kind of restriction *A Serbian Film* received before and after arriving in Brazil. About the first ones there is no secret: they already triggered curiosity enough to motivate transnational film downloads in the internet, fact that counts, at least, as proof of the circulation and participation of discourse with the new media.

Reception and processes of *A Serbian Film* in Brazil

A Serbian Film, after marking its presence in international film festivals, suffered restrictions to its exhibitions in several countries before arriving in Brazil. It was forbidden in Norway and Spain; in England it was subjected to 49 cuts in order to be released, and it also faced restrictions in Germany and in its own homeland, Serbia.

In Brazil it was exhibited for the first time in July 2011 in film festivals in the cities of Porto Alegre and São Luís. Next, on July 23, it would be exhibited in a festival in Rio de Janeiro (RIOFAN – Festival Fantástico do Rio [Rio's Fantastic Festival]), but its sponsor, Caixa Cultural da Caixa Econômica Federal, a cultural institution sponsored by a federal bank, withdrew it after receiving alerts about the film's contents and phone calls from its clients complaining about its presence in the festival. Considering possible damages to the institution's image, its superintendent, Cláudio Luiz Santos, decided to cancel the film exhibition. On the other hand, RIOFAN organization protested against this decision.

Other factors entered this polemic situation. Politicians from the Democratic Party (DEM) moved an action in order to suspend the film's programmed exhibition in the Odeon Theatre (in Rio de Janeiro), to which the Judge Katerine Nygaard responded affirmatively prohibiting the exhibition and ordering the film apprehension for further analysis. Meanwhile, the prohibition was imposed with a fine of R\$100.000,00 per day [about US\$ 50.000] if it was screened.

Still in July 28, the process of media rating was arrested until August 5 when the Ministry of Justice classified it as inadequate to viewers under 18 years old. The Ministry recommended a follow up civil inquire, declaring itself incompetent to judge a possible crime from a work of art, and proclaimed itself as lacking power to prohibit the film without a previous and meticulous examination. In August 9, the film was prohibited in Brazilian territory by order of the Federal Justice in Belo Horizonte (in the State of Minas Gerais), answering to a request from the Federal Public Ministry of the same State.

The film contents have motivated protests, particularly from the Evangelic Community that promoted a sort of propaganda against the film and the film prohibition has raised protests from

the Brazilian Cinema Congress (CBC) that claimed for freedom of expression and, consequently, for the film to be released. The locus for these exchanges of arguments was mainly the internet, within sites that created special pages to collect signatures in support of their causes, like CBC did³. Nevertheless, until the present moment the film exhibition remains forbidden⁴, and its prohibition was accompanied, as it is a common procedure in our era, by a great number of illegal downloads in the internet.

In relation to the reasons for its prohibition, if we keep in mind the fact that the film was never viewed by all the actors in this controversial instance, we may understand, easily, to which extent goes the crossing of discourses nowadays. Most of the reasons for its prohibition are based in arguments previously built in other countries or cultures. They crossed oceans and expanded themselves reverberating with the social network. Aside from becoming a strong motivation, they showed a common ground that different cultures partake, at least in relation to social and moral standards. Of course, this means partaking, also, the same, or similar, provisions in the exercise of censorship.

In relation to the argument in favor of the exhibition that claims for freedom of speech, as we see it, it is sustained by the law that preserves the right to information and artistic expression, especially based on the Brazilian Constitution of 1988 articles 5, IV ("The expression of thought is free") and 220 ("The manifestation of thought, the creation, expression and information, in any form, process or vehicle, shall not suffer any restraint, considering what this Constitution states").

The claim raised by several instances that demanded its prohibition centered its arguments in the preservation of the moral and good habits and, generally speaking, accuses the film of conveying an apology to violence, to incest, to promiscuous sex etc. Above all, the film is considered abusive in relation to the Brazilian Child and Adolescent Statute (ECA) that recommends the respect and preservation of children image. Considering that the movie shows the sexual abuse of a newborn, it should be prohibited in order to respect the images of all children – even though it is quite clear that a real baby was not shown in that particularly offensive scene.

This specific scene is one of the most polemic topics portrayed in the movie and it is mentioned in the ruling of 8/8/2011 from the judge Ricardo Machado Rabelo, from the 3rd Federal Court. This preliminary ruling prohibited the exhibition of *A Serbian Film* in Brazil only four days after the Ministry of Justice determined its rating as 18+ due to its scenes of sex, pedophilia, violence and cruelty⁵:

It is a movie that bears the mark of polemic, which was already revealed in other countries, especially because of the alleged scene in which a newborn is sexually assaulted, as stated before. I believe that the decision of the Administration (the Ministry of Justice) to rate and release the film, even though it determined a 30-days notice so that an adequate evaluation could be done to determine the possible occurrence of a crime [in the movie], subverts the natural order and reasonable logic. (...) This preliminary ruling is not, as it may seem in a first impression, an intromission of the Judiciary in the Administration, which would be an abominable act of censorship. No. This is not, in any way, what I'm doing.⁶

First, it is important to point out that this preliminary decision reflects the same need as the Media Ratings' *Manual* and *Practical Guide* to differentiate itself from censorship practi-

ces. As stated before, the Constitution of 1988 determines that no limits should be imposed on artistic expression, and this Charter came after a long period of military dictatorship in Brazil, as mentioned previously. In order to maintain its legitimacy in a democratic environment, this ruling has to explicitly state that it is not censoring a movie – even though it is forbidding its public exhibition.

Secondly, this decision is based on the protection of moral values, considering that the judge needs to forbid this film because it could cause “huge and irreversible damage inflicted on the juridical order and on national consumers, considering that the movie will be available to all the population in many movie theaters in the country”.

Thirdly, the previous preliminary decision in July, 2011, made by judge Katerine Jatahy Nygaard, from the 1st Court of Child, Youth and Seniority of Rio de Janeiro, already based its argument over the Brazilian Child and Adolescent Statute, as mentioned above, which “explicitly forbids the filming, reproduction and disclosure, by any vehicle, of scenes of explicit sex or pornography concerning children or teenagers”:

It is impossible to admit that, in favor of free speech, an alleged political manifesto may expose in such a way the degradation of the human being, and even sexually violating a newborn.⁷

Some interrogation angles can be drawn, as implications, from these topics that echo in the processes that determined that *A Serbian Film* should be forbidden in Brazil. The first one demands an observation on why these decisions try to differentiate themselves from censorship –which can be answered by the fact that the new Rule of Law that was stated after the Constitution of 1988 constantly wishes to keep the dictatorial rulings in an overcome Brazilian past. In this sense, the society can see itself as democratic and open, even when the same censorship mechanisms are set in motion.

The second approach leads us to think of how an artistic expression impact can be measured in order to determine its potential threat: this is a way more complicated matter that needs to be addressed considering the approach of the Cultural Studies and the Reception Theory (Hall, 2003), and will be discussed in the following section.

The last issue in stake deals with the problematic differentiation of images and representations. Addressing the feminist critique of film pornography – that it would require, due to its own production, the sexual violation of women, even when actresses are participating in their free will or visual effects are used to simulate the violence, because it would represent the degradation and submission of all women as objects – J.M. Coetzee (2008: 103) states an important question: “in which sense those acts are ‘something real’”? Hall also remembers Gerbner’s differentiation between messages that represent violence in television and proper violence: “But we have continued to research the question of violence, for example, as if we were unable to comprehend this epistemological distinction.” (Hall, 2003: 370). That’s why, in his words, “in a movie, a dog can bark, but it can’t bite” (Id., *ibid.*).

Are these real representations – real violence, with real impact – and, therefore, should they really be censored? The legal texts evaluated here (preliminary decisions, the Constitution and the Child and Adolescent Statute) consider this movies’ impact on the images of children so powerful that the only way to control them is to condemn them to silence. It is ironical that *A Serbian Film* itself discusses the thin line between the “reality” (the symbolical universe

drawn by the movie and the ideas and social practices it is based on) and its “representation” (the events shown in *A Serbian Film* and in the porn movie shot within this same movie, which has violent scenes so unbearably “real” that leads its characters to cease to exist and, therefore, silence themselves). In the movie, the representation is so violent and “real” that produces effects in the lives of its characters – but can it go beyond the surface of the screen and have impact in the audience imagination as well as on their abstract concept of children, for instance?

Considering this, an image that represents a newborn baby being raped can affect the social image of all children? To take this question back in consideration, it is necessary to evaluate the social reception and impact of these scenes – and to do so it is wise to consider, first, how the legal system of Media Rating justifies the need for their control practices.

Ratings beyond control: supervisions and restrictions

In order to properly evaluate this trajectory, we should examine, however briefly, the instances involved in the process: the Media Rating and the Child and Adolescent Statute principles.

In relation to Media Rating, we shall refer to its orientation, explicit in its chapter 3, toward what is considered adequate or inadequate to audiences of 12, 14, 16 or 18 years old children and adolescents. Such orientation, justified by several psychological and pedagogical arguments, is directed to a set of themes:

The Indicative Classification is based in the analyses of two major theme groups – Violence and Sex –, besides the sub-theme Drugs. The adopted model takes in consideration the so called “inadequacy”. This means that the professionals that analyze the audiovisual products turn their attention to contents potentially inadequate to children and adolescents based on these three themes (New Media Rating Manual, 2006: 9).

This guide describes the methods of Media Rating as “quite similar to the methodology used by Social Sciences’ Content Analysis (...)” in order to transform some content in numerical data (Id., *ibid.*, p. 13). However, its methods may be based on scientific research, but this data is not explicitly discussed when it is necessary to argue about what is adequate or inadequate for audiences of specific ages. The logic implied in this Manual sets its roots mainly in other legal decrees, laws and the Constitution, which may not be a surprise when one considers that the Rating is part of the Ministry of Justice – and not the Ministry of Culture or Education, for instance. Nevertheless, it has five pages (Id., *ibid.*, p.50-54) of articles from the Constitution, the Brazilian Civil Law and the Child and Adolescent Statute (ECA), as mentioned above, which shows that there’s a need to legally justify the legitimacy and the processes in which Media Rating bases its practices (Id., *ibid.*, p. 14).

In an attempt to self-differentiate this rating from previous censorship practices that controlled Brazilian cultural life from the 1960s to the 1980s, this Manual tries to depict the rating system as a democratic process: it is *transparent*, considering that all its norms and decisions are open to public access; it is also *open* for the public to take part, criticizing or questioning the decisions; it is *objective*, since its practices use a guideline of regulations and specific criteria explicitly exposed in its *Manual* (2006) and *Guide* (2009); and it is also *limited*, because it can only rate and inform inadequate contents, but cannot forbid or cut them (*New Media Rating Manual*, 2006: 8-12).

Besides its legal grounds, the scientific evidences that are used to support the control of allegedly inadequate contents are only mentioned in the *New Manual* (2006). This Manual cons-

tantly recognizes the importance of reception studies on evaluating the effects of inadequate contents, and even states that “different children and adolescents suffer different effects by distinct violent contents” (*New Media Rating Manual*, 2006: 18). However, the Manual fails to properly point out the sources of the scientific studies, or there’s no mention of quantified data or context: sometimes they are credited to the institutions that were responsible for these experiments, such as “The American Academy of Pediatrics” (Id., *ibid.*: 18), or collectively grouped as “several analyzed researches” (Id., *ibid.*: 19), “the tradition of studies” (Id., *ibid.*: 23), “most studies” (Id., *ibid.*: 31) or “some studies” (Id., *ibid.*: 21):

*The representation of negative consequences to the aggressor (on short and long term) – in other words, the punishment – may minimize the impact of violent content on the development of audiences. Some studies suggest that children exposed to violent content that shows the aggressors’ clear punishment have the same immediate reaction in comparison with other children exposed to non-violent contents. The same does not occur with children who saw violent shows in which there was no negative consequence to aggressors or, on the contrary, the aggressors were rewarded. (Id., *ibid.*: 21)*

This article does not implies that this kind of behaviorist reception research is the best way to evaluate de “reaction” of audiences “exposed” to violent content. It is even impossible to evaluate the proper use of this data since its source, the conditions of the study, its methods and results are not disclosed – not to mention the disregarded context in which these children may live.

Proper cultural studies need to consider the social and cultural contexts of different publics and their relation to what is publicly expressed – exactly what is put aside when studies and their contexts are not properly mentioned in the Manual. If this information is not seriously discussed by Media Rating guidelines, one can only assume that they are irrelevant to the content analysis system they use – and, therefore, it may seem quite arbitrary to state that the presence of reward for aggressors are only suitable for audiences aged 14+ (Id., *ibid.*: 37), when the presence of rewards to drug dealers are not recommended for children who are less than 16 years old (Id., *ibid.*: 40).

The Manual itself seem to realize that there is a need for “scientific research that can evaluate better the effects of audiovisual works on Brazilian children and adolescents”, since “we live in a significant vacuum in this research field” (Id., *ibid.*: 31). In his famous 1980 article “Encoding, Decoding”, Hall points outs that different groups may have different responses because they even understand symbolical representations in different forms:

Though we know the television program is not a behavioral input, like a tap on the knee cap, it seems to have been almost impossible for traditional researches to conceptualize the communicative process without lapsing into one or other variant of low-flying behaviorism (Hall, 2003: 370).

It is important, however, to evaluate why the *Manual* and the *Practical Guide* only quote laws – and are based explicitly only on laws and decrees –, ignoring researches on reception and effects on the audiences. They might do it because it is considered that the legislation is enough, by itself, to legitimate this censorship apparatus. Legal decisions consider that laws

can provide a base with sufficient legitimacy since they are considered to shape and embody moral practices and values in a typified code of conduct.

Following this concept, it seems unnecessary to verify the impacts of inadequate expressions in the public and their effects on the image of everything that is symbolically represented in them. Besides, the law reflects social practices and represents the will or consent of its people, since it is discussed by their representatives.

On the other hand, appropriated reception studies (properly quoted, with their figures discussed and necessarily based on Brazilian specific reality) may point more precisely to effects that derive from supposed inadequacy of some polemic expression forms – such as the ones depicted in *A Serbian Film*. But that may be exactly why the legal system ignores them: they may point to more complex and less degenerating effects of “inadequate” images – therefore threatening the power of lawmakers to impose their prejudices, supported by a censorship eager minority and a silent majority. Without proper experiments – and without properly quoting their results – it is impossible to democratically debate these decisions. These decisions can only be followed when based on their juridical and moral principles, but cannot be discussed or debated, since their evidences are also hidden or silenced.

This censorship imposes a silence not only to censored expressions; it incapacitates its blind followers, unable to discuss other arguments based on issues different from the juridical and moral approach. Considering this, it is impossible to evaluate the impact of offensive images shown in *A Serbian Film* – but it also seems unnecessary, since the legal apparatus already justifies its need to censorship on their own rules, regardless of proper impact research analysis.

This study does not wish to criticize the legitimate right of a parent to choose which moral systems their children may have contact with in an early age – especially in circumstances in which these polemic expressions may hurt or question belief systems. But, following this same argument, and considering that it is still difficult to assert the impact of these polemic images on conscious adult citizens and their representations of these same topics that may be threatened by contradictive expressions, no one can properly impose their own moral system upon others. This line of argumentation leaves no choice but the tolerance and defense of free speech. Here we meet the same logic that Petley (2007: 36) draws from the protection *of* (and not *from*) new and unpopular ideas, as defended by John Milton’s famous *Aeropagitica*:

In Milton’s view, people were perfectly capable of distinguishing right from wrong, good from bad, by the exercise of their reason and, in order to exercise that faculty, should have unlimited access to the ideas and thoughts of others (Petley, 2007: 37).

As Petley (ibid.: 38) states, despotism works within the same logic which states that the public opinion needs to be guided and protected from the infection of contagious ideas that may drag a society out of the guidelines that were set by those who claim to have the public’s consent and that are the only ones able to talk in the name of the collective interest. Instead of tutoring the public opinion, the State might only reserve itself the power to describe and categorize, informing what is considered to be inadequate for the public to choose. But that, as well, may represent a hidden trapdoor for the return of censorship, as we have suggested.

Conclusion: the crossing of discourses in the *découpage* of cut bodies

According to the categories that we have been using in our prior research, violence and drugs would fall under the social specification, and sex, under the moral one. It also falls in the moral censorship category the prohibition of bad words, sex as eroticism and exposure etc (Gomes et al., 2008: 21). The moral considered in those censorship arguments were related primarily to the sex scene, a sex always to be alluded to but never to be explicit or presented in a depreciating form. Above all, to be rightful referred, sex had to be considered within legal marriage. The objective was, according to the censor José Pereira, from de Division of Public Entertainment of the Security Public Secretary of the State of São Paulo in the 1960's, "to preserve the moral and the good behavior of the Family in São Paulo – above all, the dignity of the women" (Pereira, 1961: 11).

Everything had to be presented according to society ideals in order to elevate the moral standards, fact that carries the presupposition that cultural production had to carry an educative content in the sense of a humanist progression, or that it always carries – for bad or for good – an educative content. Although not explicitly appointed, this disciplinary principle may be comprised in the words of Barreto Filho who, when writing about the rules that oriented the censors work, said that they should try to prevent any manifestation "...that may offend humanitarian sentiments and that may disseminate or stimulate the practice of vices, crimes and perversions" (Barreto Filho, 1941: 49).

Since deviant practices represent what should not be done, it can't also be seen. With this procedure, society attempts to censor inadequate images in order to protect its own foundations, such as good practices and proper moral conduct. This action entrails the presupposition that the cornerstones of Family, Religion and Nation are so fragile that may crumble in contact with contagious bad examples from books, plays, TV shows, news, music or films that represent other ways of thinking and acting. Since the real impacts of these art forms are unknown or can only be measured when it's too late, it's common practice to assume the worst in order to control everything that may seem as a threat.

In order to do so, censors have developed a method to systematically control something as variable as art and communicative expressions through a classification system. As seen above, the Brazilian *Media Ratings: Pratical Guide* (2009: 15) is proud to picture itself as an objective *découpage* – the French term for "cutting" and analyzing a film in its sequences, or describing the scenes and events portrait in it – thus stating that "it is important to say that this objective classification is one of the greatest advances in Media Rating policy".

Considering this, forbidden movies like *A Serbian Film* share a similar voyeurism with its censors: both are looking for the inadequate, showing through the eye of the camera (or identifying and controlling, in the case of the censor) obscene gestures, decapitations and vital fluids contaminated with drugs, lust or anger. What the censors (and the society they represent) want is to cut off and restrain, to protect from the symbolical aggression represented in this movies and which they so meticulously categorized in order to control all this expressions that seem out of order. All the extreme actions that this forbidden moviemakers want to show to the audience are carefully classified and weighted by the censors, which take seriously in account all the offensive images of revealed bodies sexually aroused, stimulated by drugs or violently subdued.

In this way, the prohibition of *A Serbian Film* in Brazil clearly represents a collision of belief systems between State regulations, which are opened to the participation of entities that can denounce what they consider to be offensive and should be restricted, and art expressions, which are beyond control or question the very limits in which our society is based. The same

artistic expressions that try to discuss and reflect on power – and “on the control” of our social practices – seem “out of control” or “beyond control” to those offended by their questioning. Since the legal apparatus that control media by rating it cannot properly take in consideration any reasons beyond its own legal base, it faces a dilemma when dealing with a work of art that questions the very cornerstones of our culture, exposing taboos and eroding limits.

Chouliaraki and Fairclough (1999: 61) show that conflicting ways of expressing social relations may not be only the reflection of different beliefs, since textual conflicts can reveal themselves as the expression of social tension. But how can society deal with these tensions and different approaches towards reality? One way may result on the *representation* of these conflicts: metaphorically dismember the symbolic fabric that embodies a society, revealing, for instance, the naked trauma of a country that has recently been through civil and ethnic wars, in which human rights were disregarded and sexual violence was a weapon for genocide – as in the case of Serbia.

Another way may result on its silence or *repression*, on a literal *découpage* of what is considered to be inadequate, offensive, repulsive or polemical, classifying conflicts as unwanted expressions and hiding everything which may be excessively extreme to be seen or discussed. This strategy may be represented by a country, for instance, that picture itself as a peaceful social democracy in which all the conflicts are managed and controlled, but rarely discussed in public – as the recent transition from military ruling to an open democracy in Brazil. Between these two paths, the life of the bodies symbolically dismembered and violated flows in rivers of fake tears and blood in the dark room of the movie theater. But what really fades away is the true life of art expressions that go through such *découpage* and censorship.

We could detect here, with the analysis of *A Serbian Film* classification trajectory, the moral prevalence in the arguments for its prohibition, the partaking of freedom of expression, in the arguments for its release, as a dominating principle in democracies. We were able to show the confluence of discourses in the occidental public sphere, thus the sharing of common principles, the conflict between legal and scientific propositions, the turns these issues assume, the contradiction between a classification described as merely orientation or social service, without prejudice to freedom, and a real interdiction that, as social service, is not viewed as such.

However, in conclusion to our explorations, it is not certain in which degree some artistic expression may have an impact in social or cultural representations. What is obvious, however, is the repressive power of a specific textual expression: legal rulings. This power (enforced by real and violent threats of arrest, apprehension and other economical pressures such as fines) controls the monopoly of determining what is adequate and what is not. As Max Weber would have said, legitimate violence is a monopoly of the State – and it may only remain part of its legitimate image if it shall constantly request the submission of what it considers to be inadequate.

In this sense, it is not without surprise that one of the highest institutions of the Brazilian legal system refuses to reassume its historical position as part of the censorship apparatus, considering this silent machinery to be inappropriate in a democracy. And it may not be without a disappointment that it is still possible to witness – revealed in the claims for censorship made by political parties and local legal courts – the capillarity and the strength of a desire for censorship that intertwine our society.

¹ This article discusses the results of a research originally presented by the authors at the “9th International Crossroads in Cultural Studies Conference”, promoted by the Association for Cultural Studies (ACS) at Unesco and Université Paris-Sorbonne, July 2nd-6th, 2012.

² Free translation by the authors of this article: “Le discours circulant est une somme empirique d’énoncés à visée définitionnelle sur ce que sont les êtres, les actions, les événements, leurs caractéristiques, leurs comportements et les jugements qui s’y attachent” (Charaudeau, 2005: 97).

³ One of this campaigns can be seen in <http://censuranao.wordpress.com>

⁴ Until June, 2012 – see the next footnote for more information on the current legal status of the film.

⁵ One week after this research was presented at the 9th International Crossroads in Cultural Studies Conference, on July 3rd, 2012 (and almost a year after the initial prohibition), the same judge Ricardo Machado Rabelo from the 3rd Federal Court decided on July 11th to release the exhibition of this film, after the head director of the Federal Police stated that the movie was not responsible for any crime. In his decision, judge Rabelo repeats that he could not be the censor of a movie in the Brazilian territory, in accordance to the Federal Constitution. The reception of his ruling and comments made by Brazilian distributors of “A Serbian Film” are available on: <http://www1.folha.uol.com.br/ilustrada/1118002-justica-libera-exibicao-do-longa-a-serbian-film-no-pais.shtml>

⁶ The decision is mentioned and analyzed in the websites: <http://direito.folha.com.br/1/post/2011/8/sobre-a-proibido-do-filme-a-serbian-film-como-decidir-o-que-arte-e-a-liberdade-de-expresso.html> and <http://www1.folha.uol.com.br/ilustrada/957089-justica-em-minas-proibe-exibicao-de-a-serbian-film-em-todo-o-brasil.shtml>

⁷ This decision, its brief analysis and reception by Brazilian artistic producers can be seen in the website: <http://www1.folha.uol.com.br/ilustrada/948720-apos-acao-do-dem-juiza-da-liminar-proibindo-exibicao-de-filme-servio.shtml>

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