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INDIAN JUDICIAL SYSTEM AND CENSORSHIP IN INDIA THROUGH THE MOVIE "COURT"

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Abstract

An analysis of prejudices that exist in the Indian judicial system and how creative expression of political views like through the means of folk songs and others are made through the means of the movie court in this paper. The movie court is a perfect example showing the biases that exist in the society and judiciary system in India. The movie also depicts how society and instruments of governance like police become hindrance for the people who are discriminated express their pain and agony. The views of the people who are discriminated in the society like Dalits are censored in the name of maintaining peace in the society or national security which is exactly depicted in the movie court. In this paper, the traits of the main three characters in the movie court are analyzed making a comparison with the flaws in the judiciary system in India. The paper also aims to establish the reasons like vote bank politics behind the censorship of the films or scenes in the films or songs in the name of maintaining democratic values and peace. Another films or songs are also taken as an example apart from the movie court in this paper which are censored by the Indian Censor Board for hurting the sentiment and emotions of certain sections of the society and thus trying to prevent the violent protests from these discriminated sections of the society. It is imperative to establish as to why justice takes so much time to happen in the judiciary system and how the prejudices of the people of judiciary system in India become as a hindrance to serve justice to the wrongly accused in the society.

Keywords: Indian Judiciary System, Court, Censorship, Prejudices, Dalits.

Introduction:

The movie court depicts lives of the four main characters who are the accused, public prosecutor, defense lawyer and judge. The entire movie is set in native culture of Mumbai, Maharashtra. The protagonist of the movie court is folk singer who is dalit and who is accused of abetment to suicide of a manhole worker through his folk songs. The movie depicts the how neglect marginalized communities like Dalits are prevented from voicing the injustice towards them and suppress any attempt to mobilize a collective passion for their group identity. The accused is named Narayan Kamble who sings folk songs and performances

which are aimed at mobilizing support for the Dalit community and demanding greater representation of their community in society and he is charged with abetting a manhole worker, Vasudev Pawar to commit suicide through one of his songs of resistance when he attends Wadgaon Massacre Cultural Protest Meet. The movie begins with Narayan Kamble giving tuition to a bunch of kids and the locality he teaches and performs one his songs of resistance is a basic lower-class society with cramped quarters and congested areas with people going on with their everyday lives of not much paying jobs not bothering about the discrimination towards them and injustices that

exist in their society. The realistic views without filmy drama in the movie about the legal system in India makes the movie court a perfect example to use to establish the prejudices of the legal system in India. There is no over intense and strong language used in the movie, but an exact depiction of how legal proceedings takes place in India. The unique reason as to why this movie is different from other courtroom drama movies is because the movie takes a deep dive into the personal lives of the characters and how different they are from each other and how these different backgrounds of the characters result in their prejudices and effect their arguments in the court proceedings. The first ever court proceedings in the movie court in the lower sessions court, in a stolen watch case, the judge turns a blind eye on the incompetence of the police in investigating the case and another lawyer asks for an extension which further results in the delay in serving justice. The movie court exactly shows how people who are part of the legal system in India like public prosecutor, judge and staff of judiciary system are not just bothered about serving justice or other people in the society except themselves.

Narayan Kamble (Folk Singer):

Narayan Kamble is central character of the movie who is 65 years old and his life in the movie reflects the pain and struggles of the marginalized and discriminated Dalits of the society who try to voice against the injustices towards these sections of the society and challenge in any form of creative expression the deeply engraved biases of the people of the society. He is charged with inciting a manhole worker, Vasudev Pawar to commit suicide through one of his folk songs without proper investigation by the police officers. The police officers without doing proper investigation and evidence with their prejudices towards dalits in their mind arrest and charge him with abetment to suicide. And incompetent police officer presents same witness as primary evidence in four cases who is a stock witness

which establishes how police officers are investigating cases without trying to find the truth or the real reason as to why Vasudev Pawar, manhole worker, is dead. The judge without taking into consideration the age and financial status of the Narayan Kamble without proper evidence punishes him with large amount of fine and jail time. The public prosecutor, Nutan without any evidence as to say Narayan Kamble instigated Vasudev Pawar, manhole worker to commit suicide makes and believes he is the one to incite manhole workers to commit suicide with her unconscious prejudice towards the marginalized section of the society as dalits.

Vinay Vora (Defense Lawyer):

The defense lawyer, Vinay Vora is well-educated and comes from a well-off family. In the movie court, he is a very aspirational lawyer who works for the welfare of the society who is inspiration for every lawyer. He is only one in the entire movie who actually looks into the rationality and real purpose as to why the any particular lawyer exists. The statement made by Vinay Vora's father that they own the building shows the economic status and letting a Dalit dine with them in one of the scenes represents the social values and open minds of his family.

In one of the scenes, after court proceedings, Vinay Vora goes to an up-market club which reflects his integration to foreign way of life due to his economic status, social status, education and establishing the effect of globalization. In the court proceedings, Vinay Vora request to do arguments in English or Hindi establishes his exposure to such ability to understand and speak foreign language unlike Narayan Kamble. In the entire movie, Vinay Vora who has independent and foreign views, but he reluctantly agrees and suffers from the laid-back system in the society and conservativeness of the society.

Nutan (Public Prosecutor):

In the movie, Nutan is educated and competent woman, but she has the deeply engraved

biases towards the dalits and without a doubt just says that all people like Narayan Kamble should be just sent to jail without any proceedings at all as it is complete waste of time. She is regular middle class married women who tries to manage her job and takes of her family. An insight into her personal life shows the reasons for her to have such conservative and backward views.

Censorship of the movie “Court”:

The film “Court” was first premiered at the 71st Venice International Film Festival in 2014. Later in 2015, the film was theatrical released before that the director Chaitanya Tamhane was asked by the censor board to mute certain scenes. To the surprise of film makers, the scenes which they did not consider to create an issue were asked by the censor board to be muted. Some of the dialogues in the Marathi play depicting the anti-north Indian sentiment in which the public prosecutor Nutan’s family goes to watch was asked to be muted. The term of the dialogue being “aai-mai” meaning mother-sister was asked to be muted as the board believed that it was offensive to certain sections.⁵ A line in another scene where Nutan is having everyday conversation with her colleagues was asked to be muted which was considered as a joke by the makers of film. The line delivered by the colleague to Nutan “you want to see new faces, let’s make her the judge” was considered by the officials of the censor board to be offensive to women and government officials. They considered it to be offensive because it was said to a woman who is a government employee in uniform. The censor board’s unnecessarily making a simple scene to be muted or censored. The censoring of these scenes shows the state’s strategy of censoring films by saying it to be for the benefit of public and to not create a ruckus in the society.

⁵ Joshi, Namrata, "Court Review: Tamhane's film deals with intolerance and censorship," Hindustan Times, <https://www.hindustantimes.com/movie-reviews/court-review-tamhane-s-film-deals-with-intolerance-and-censorship/story-e44dGAYQQ59vqhv8rjtBil.html> (Last Accessed on 15th July 2023 – 5.40 pm)..

The films made from 2007’s “Parzania” exploring the missing Parsi boy in Gujarat riots of 2002 and the movie “Black Friday” exploring 1993 Bombay blasts to the 2023’s “Kerala Story” exploring the story of women from Kerala joining the terrorist group ISIS are banned in some states or other justifying it to maintain peace and morality in the society. It’s clearly evident that the censorship serves less to maintain.

The entire film “Aaja Nachle” in 2007 was banned in Uttar Pradesh because of the lyrics of one line in the title song “Bole mochi bhi khudko sonar hai...” which means the cobbler is trying to become a goldsmith.⁶ This one line has led to huge protests in states of Uttar Pradesh, Maharashtra as it was said to be derogatory to lower caste populations. The state of Uttar Pradesh has comparably sized Dalit population that is the average number of Dalit candidates per reserved constituency is 12.28.⁷ So, the motivation for the state to ban the said movie according to the demand of the lower caste population is the major vote-bank. As they make up the vote-bank, the government is catering to interests of the population of lower caste. This further establishes the element of vote-bank as a motivation for governments to ban films that are considered as offensive by these sections.

Conclusion:

The movie court is thought-provoking directed by Chaitanya Tamhane which is introspective of the judiciary system of India. It is a mix of the complications of justice and the struggles faced by marginalized sections of the society. The movie raises questions about the flaws within the legal system of India and challenges the discrimination faced by the marginalized sections of the society.

⁶ Ganguly, Partha, "Political Censorship of Indian Films," Academia.edu, https://www.academia.edu/10602681/Political_Censorship_of_Indian_Film_s (Last Accessed on 15th July 2023 – 4.40 pm).

⁷ Balsekar, Ameya, “Seeking Offense: Censorship as Strategy in Indian Party Politics.” *Comparative Politics* 46, no. 2 (2014): 191–208, <http://www.jstor.org/stable/43664098> (Last Accessed on 15th July 2023 – 6.40 pm)..

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