

## The Dignity of the Motion Pictures is Incontestable

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The metamorphosis of political film censorship, the optical vivisection of the Self and the unease with cinematography

### 1. VOICES ON A TAPE

The plot of Samuel M. Raimi's "The Evil Dead" (1983) is straightforward, but not simple. One after the other, five American teenagers on holiday in a log-cabin, deep in the woods, are stricken by "demonical forces", which disfigure their bodies and transform them into bloodthirsty zombies. The debacle is triggered off by the (in?)appropriate handling of a tape recorder found in the cellar. The electromagnetically preserved voice of an archeologist, who had gone to the isolated cabin to work, reports finding a mysterious book. By taping a "magic formula" contained in the book, the archeologist immediately becomes the victim of what goes along with pronouncing the spell. He is destroyed, literally, except for his recording. What remains is the destruction recorded, destruction as a recording. A disastrous media transfer.

For unsuspecting listeners, listening to the tape means repeating the calamity. Through the tape, the "harmlessness" of quietly reading the spell is lost. The mechanism of the recorded voice annihilates the distance inherent in the recording: the very distance required to make the dissociation between subject and object possible from the start. The symbolic function is occupied by the immediate execution of what is meant. The passiveness of listening (in contrast to the active element of reading) therefore results in the failure to be able to reflect on what is heard. It becomes the symbol of passiveness in the face of a mechanism: The moment they listen the youths are immediately affected by what is being told. The story on the tape is competed by the interaction of the actors with what they are hearing. Their bodies become the scene of action to what befalls them, literally: spellbound, the curse.

This act of being-drawn-into-the-story is portrayed as the elementary loss of instrumental action. Once set free, the film operates, in line with the motif of reversed exorcism. The diabolus ex machina unleashed, undoes the rational order of space and time like the stitches of a knitted sweater. Things and people no longer are what they pretend to be. Innocent students are transformed into soulless killer machines which will operate even after they have been disassembled into individual elements.

The loss of control is reflected autopoetically in the movie. The way it is made suggests to the viewer in the cinema that, by watching this movie, he is in the same situation as the teenagers shown in the film. This is achieved by an easy trick: The "Evil" as an identifiable authority is not included in the movie: it has no subject, being, paradoxically, represented by the subjective camera that "shoots" over the wooded area, even snapping trees. However, the exaggerated speed of these (often quoted) camera runs, only reveals the principle behind any camera run: The fact that vision is taken over by a technical medium.

In the film, this theme is represented by the unproblematical relationship of these typical, "nice, young Americans to reality, which becomes a seemingly never ending source of horror: The little log-cabin turns into a giant labyrinth, the surrounding woods a "Sleeping Beauty" hedge grabbing at fugitives, while the demons snigger with alienated tape-recorded voices.

**"At the climax, the film cuts chop up the images in such a way that up and down, remote and near, here and there can no longer be perceived as being separate from each other. All the means we have in order to orientate ourselves – be it water or mirrors, ground or air, object or image – are being dissolved" (Helmut Hartwig, 1986).**

The inevitability developed in the course of the film, the coercive character of the protagonists' fate, is continued in the viewer's perceptive situation. What is reflected autopoetically by the film's aesthetic structure, is the viewer's power of discrimination. The principle extrapolated by this, on which the film, as such, is based, is the fact "that, in the splatter movie, the dual personality of Dr. Jeckyll/Mr. Hyde no longer exists on the screen but is by the subjective camera projected, into the viewer" (Stresau, Norbert 1987). Consequently, the medium as such is subjected to subversion. This did not remain without consequences.

### II. THE MEDIUM STRIKES BACK

In October 1983, "Prokino", a Munich based company of film distributors acquired the licence to distribute the movie under the German title of "Tanz der Teufel" (Dance of the Devils). On February 10th in the Orwell year, only 12 copies of the film were released in German cinemas. A further 30 copies were made in vain, because on July 6th, the Department of Public Prosecution in Munich decreed the confiscation of the film throughout the country.

Yet, at the beginning, the inspection by the voluntary self-control organization, the FSK, turned out to be negative. The film could be released as being "suitable for viewers over the age of 18" on the condition that 4 cuts were effected. Despite the distributors' refusal to comply with the cuts imposed, on November 25th, 1983, the FSK certified that "Tanz der Teufel" was unobjectionable "in the face of Sect. 131 StGB" (1): "It is true that the film shows a profusion of acts of violence, part of which are objectively depicted in a brutal and inhuman manner (...)". However, it does not constitute the statutory definition of the offence of "glorification of violence and the playing down of violence", because, according to the FSK, the violence is not directed towards "human beings".

**"The outward appearance of the human beings occupied by the evil natural power is an imitation, to such an extent, of ghostlike fabulous creatures, that comparing these creatures with human beings would be an abuse to the human race."**

On July 12th, 1984, Judge Straßmaier of the Regional Court of Law in Munich motivated the confiscation of the film for the following reasons; amongst other things: "This also includes acts of violence against human beings (...). From the overall context of the film it can be clearly recognized that these creatures represent the 3 girls shown at the beginning (...)".

**The legal man judges the Art Clause provided for in Article 5 of the Basic Law as follows: "(...) the film (contains) only a series of individual acts of violence without a meaningful background story, so that it cannot be called a work of art, and therefore the Art Clause does not apply".**

As this statement is an aesthetic judgement and will, therefore, by definition, never be incontestable, it was literally necessary to provide for a monopolization of the art assessment licence on the part of the law. From the start, in order to avoid any form of entanglement in a discussion concerning the freedom of art guaranteed by Article 5 of the Basic Law, the Department of Public Prosecution generally strips the experts' judgement of any competence: "The assessment must not be geared to the opinion of film critics (...) who are already accustomed to the acts of violence shown, due to continuously watching such films" (quote from a letter not signed by name, to Prokino, from the Public Prosecutor at the Regional Court of Law in Munich, dated 20. 9. 1984).

In order to substantiate the offence within the meaning of Sect. 131, the jurisdiction insists that the demons shown in the film are human beings: "In line with the legislative intent, the concept of "human beings" should also include such man-like beings that appear in video films as "zombies" or similar creatures". From the Regional Court of Law's point of view, therefore, this means "that the freedom of art would have to give way to the human dignity of others, even if the aspect of predominantly artistic representation was allowed for the film".

Therefore, after exhausting constitutional means, any artistic discussion (on the representation of violence) is fighting a lost cause from the very start. By discrediting the pluralistic principle of aesthetic assessment and by playing off the freedom of art and human dignity against each other, jurisprudence attains a position of power that involves several instances. It passes legal judgements of aesthetical matters. The claims that firstly, the film is not art (2) because beings are chopped up in it, and that, secondly, these beings are man-like, are two aesthetic judgements. The specific character of the lawsuit described consists of the fact that a subjective aesthetic judgement forms the basis of objective jurisdiction.

### **III. FROM POLITICAL TO AESTHETICAL CENSORSHIP**

The mental atmosphere that gave birth to the FSK, as Malte Ludin put it in "Keine Experimente" (No Experiments; Jan. 30th, 1991, ZDF), was due to the fact that a considerable number of personnel from the Nazi past had to be retained as specialists needed for the ("re") construction of the Federal Republic of Germany. The Cold War against communism did not stop at the propaganda potential of cinema. Defa films from the former GDR, were the tip of the iceberg. Almost all of them were prohibited, and so were even Polish films which called the "Soviet Zone" "GDR", although they were otherwise completely "harmless".

Since 1972, a certain liberalization has made it possible to show films in public without having to submit them to the FSK, provided they are labelled as being "suitable for viewers over the age of 18"; but in 1973, new legal grounds followed suit, which enabled the Public Prosecutor from then on to prohibit any film as soon as an offence, as stipulated by Sect. 131 StGB (aesthetical), could be demonstrated.

These legal grounds were originally intended to counteract the cropping up of neo-nazism and its public call for genocide. It is not by chance, however, that this law was passed exactly at the height of the "spaghetti western" boom. In the usual Hollywood westerns, "serial inhuman beings" (Red Indians) were massacred mechanically; "The man falls from the horse but he does not fall apart right away" (Helmut Hartwig). Nobody minded, until the Italian-style western became the first to examine what was previously antiseptic bullet holes, with a magnifying glass. Sergio Corbucci and Sergio Leone unmasked the visual hedonism of the dream-factory western.

At this time, films like Rossellini's "Rome – Open City" and Bergman's "Silence" that had been prohibited for a long time, were demonstratively rehabilitated as "works of art". The practice of politically motivated censorship could be dismissed jovially as teething troubles. Together with the Cold War, the 1968 student's movement and the East Treaties of the social-liberal coalition, which definitely initiated the disappearance of mental enemies, the "Age of Politics" was coming to a close, anyway. The scene of political confrontation seemed to disappear. The concrete identification of Political forces was increasingly interweaving with the level of information distribution. This jump can be observed most clearly in the case of radical political movements.

**"By getting involved with the Apparatus, at a time when the focus should already have been on a confrontation on the information level, on propagandistic and rabble rousing elements (...). We were engaged in conflict of hardware, while the battle of the software was actually being fought" (ex-RAF member Peter Jürgen Boock in "Freistil", WDR 1990)**

The passing of Section 131 (3) constitutes the transition into the age of the mass media, the "battle of the software". The scandalous impact the "violence movie" had in Germany at the beginning of the Eighties, resulted from a failure to appreciate the revolution in media technology. In the wake of the campaign-type invasion of video-cassette recorders, (4) which boomed between 1980 and 1984, suddenly there seemed to be a "zombie hanging from the bellrope" in every German nursery, and the hysterical storm of protests unleashed by the mafia of socio-educationalists provided the

desired motive for censorship. The unclear image without any method behind it, that floated around between high-circulation print media, specialist magazines and emotionally charged TV discussions, is based on the irrational mixing up of a technical distribution medium, which has gone out of control, with a morally sanctioned type of film. This resulted in media-politically charged mixed concepts, like "horror video" and "video film", without any differentiation between celluloid and magnetic tape, as illogical as they are. Appropriately, the film "Tanz der Teufel" was only prohibited after it had been published on video.

#### **IV. GUILTY PLEASURES IN TEXAS**

Whoever wants to get an idea of "these" films, enters a criminalized grey area. Yet, for all the fuss, it is only a few dozen works, and usually underestimated ones at that, which provide the basis for the "horror video" myth. Hershell Gordon Lewis is considered as being the "inventor" of modern horror movies ("Blood Feast", 1963). As the trauma of nuclear threat was articulated in the monster movies of the fifties, so did George A. Romero's "Night of the Living Dead" (1968) represent the comment on the cruel pictures of the first media war in Vietnam. With a bizarre sense of humour and in an irritatingly undramatic manner, this B & W film presents a subhuman, machine-like army of living dead, gone out of control – who had not been buried properly in Vietnam: zombies. A trance-like civil war atmosphere prevails. Good family men get their guns out of the cupboards, form civil defence corps and go off on a hunt as if they had been waiting for nothing else.

In "Videodrome" (1982), the psychopathological precision mechanic named David Cronenberg creates the vision of a media-technology mass psychosis which occupies Man as a cybernetic substratum ("the new flesh"). Tobe Hooper's never equalled classic "The Texas Chain Saw Massacre" (1972) also tells of "hand work", of the revolt of manufacture against the mechanization of the celluloid meat industry, so-to-speak. Three hippies and a cripple are cut to pieces by a cannibal family of butchers and cooked into prize-winning chili.

This archetypal violence film appropriately starts with an ironical homage to the traditional way of representing horrors only by insinuation. The black screen behind the credits is lit up by short, flashlight-type spots, the after images the viewers image to be rotted parts of dead bodies. The principle of insinuation (5) is, however, interrupted all of a sudden. The stroboscopic sequence of images is soon stabilized to form a constant picture of a grotesque sculpture assembled from parts of the body which had been dug up, demonstrating the film theme: "Chopping or cutting in the Real, fusion or flow in the Imaginary – the whole research history of cinema now plays this paradox" (Kittler). Both the bodies and their images are chopped up – by the chain saw and the cinematographer – respectively.

#### **V THE MECHANIZATION OF VISION AND THE UNEASE WITH CINEMATOGRAPHY**

The incriminated movies render an analysis of the medium that is more or less explicit, and unpleasant, at the same time. The autopoietic structure of the splatter movie is a successful caricature of the viewer's desire for identification. The often despised effect of laughter, released in seemingly "unsusceptible" viewers looking at the puzzle of steaming intestines, is a liberation within Freud's definition of the joke. The joke effect is due to the desire for discharge that goes along with the surprising failure of a meaningful or coercive structure. The identification with the image or the screen that became an instinctive reaction, is dissolved in laughter. To laugh in the face of the "chainsaw massacre" consequently presupposes a more elaborate attitude than that of fright and nausea: The viewer who laughs recognizes the picture as being a picture, while those who experience a sheer shock remain trapped in the picture. Once the power of discrimination fails, the mirror must become a distorting mirror before the difference between subject and screen can be re-established. As the "sheer shock" ultimately provides the basis for the motive of censorship, it remains to be seen on the basis of which structure-specific prerequisites cinema is able to achieve such a desire for identification in the subject, at all.

Like Man's natural optical perception, cinematographic illusion is based on the assembly of individual images. In cinema, in physiology – even in the psychical representation of perception – the single picture always develops "en passant", namely as the imagination of a timeless figuration that is stable in itself. Both retina and film produce the undeniable impression that a continuous, uninterrupted reception of stimuli is taking place. But this is a deception constitutive for optical perception. As a matter of fact, our eyes are constantly subjected to an intermittent series of individual takes separated from each other by equally short intervals, both in the cinema and in case of any optical perception.

In other words, the extrinsic muscles perform tiny, rapid, involuntary eye movements, most of which cannot even be perceived, even – or especially when watching stationary objects. These involuntary movements chop up the world around us into individual pictures. What we consider to be the present world independent of time, therefore, requires this mind cinema, to be able to manifest itself.

If the mechanism is connected in parallel to another one, perception will disappear: Using an appropriate test setup (see figure), the image of a pattern can be constantly focussed on a point of the retina. "Patterns of stimuli contemplated with this stabilized retinal picture, appear sharply defined, but instantly begin to pale, to disappear leaving a homogeneous grey field" (Krech/Crutchfield, Weinheim 1985).

If, consequently, the holding of the picture contradicts the conditions it actually requires to appear as a static picture, what we unproblematically understand by individual or still picture, only in fact exists as a differential series of perceptive stimuli constituting themselves incessantly while mutually limiting themselves. Only the serial synthesis of these stimuli as a trace will subsequently produce the effect we call a "picture". The apparatus only provides us with pictures in the course of a quasisieptic need to move (of the eyes).

The technical analogy between cinematography and optical perception would remain accidental if it did not continue down into the structure of the Self. According to Freud, the Self also consists of a structure which is only discontinuously present. The Self does not simply exist in an unproblematical manner. It consists of the fact that it is to

be permanently maintained or "entertained": "Where It has ceased to exist (this very moment), the Self shall come into existence (again and again)". The Self realizes itself in the execution of a differential series of narcissistic identifications and tests of reality. The same principle that applies to the individual pictures manner of being, also applies to any of these identifications. The single picture, the individual perception of the Self, will only be lasting as transitory items in the continuous flow of movements of the series. There is no picture and, consequently, no Self without this flow of movements. The form of reception and subjectiveness therefore are homologous in structure. The Freudian theory of narcissism and its radicalization by Lacan in the "mirror stage" explains the fine mechanics behind Marx's sentence "The social existence determines the consciousness". Provided that "the director" "guides your eye" – according to a proverbial interpretation of Bela Balazs – with the cinematographer substituting himself for the eyes' need to move and their intrapsychical equivalent, the "Quadrature of the tests of the Self" (Lacan), the formation of the Self, which is mechanized by this process, will paralyze the subjective autonomy of the subject. Consequently, the cinematographic "primal scene" was connected with an overleap act:

**When Louis Lumière's "L'arrivée d'un train en gare" was shown in 1895, "the locomotive raced from the back of the screen towards the viewers who jumped up for fear of being run over. They identified their own vision to such an extent with that of the apparatus. For the first time, the camera had become an actor on the scene" (Georges Sadoul). When the pictures learned to move, the eyes forgot all about it. (6) Turning the psyche inside out on the cinema screen signifies an act of "mental vivisection". The fact that an apparatus sees for us and simulates psychological functions maintains a remnant of something that is threatening in an inexplicably way, a latent danger.**

Ever since, motion picture stories have only be accepted as artistic on the condition that fantasy is given enough scope to complete the pictures. Out of a certain unease with cinematography, insinuating a crime or physical threat was preferred to showing it concretely. "Since 'Caligari', Murnau's 'Nosferatu' has been the first film that does not give us the creeps using a ridiculously complicated machinery of torture and murder; we are not frightened by the dangerous possibilities of technology, but by the unknown mysteries of Nature" (Balazs 1924).

The clatter of the projector in the dark cinema, superimposed by a multitude of voices, is repeated in the motor sound of the chainsaw. In the splatter movie, Baláz's "ridiculously complicated machinery of torture and murder" consists of simple household and garden appliances. Since Tobe Hooper's "The Texas Chainsaw Massacre", a motordriven lumberjack's tool has been the archetypal symbol of the violence movie. Splatter or terror movies, in which bodies are treated as what they actually are, namely images, are in fact revealing self-portraits of mechanized vision. The "cut" in its automatized dimension, together with the circular transport of the pictures, finds a cutting, sharply defined pictorial equivalent in the form of the chainsaw. The chainsaw screams "between pictures".

## VI. "THE ORNAMENT OF THE MASS"

Consequently, the reason for prohibiting films like "Evil Dead", "Texas Chainsaw" or "Videodrome" is provided more by their subversive, undermining effect on socially desired manners of seeing, than by some ethical concern. The compulsion to identify with the screen is a new means of power disposition, constituted via the specific mass effectiveness of cinematography. Cinema-goers, says Edgar Morin, "react to the screen like a retina turned outside and remotely connected to the brain". "The amusement industry", says Roger Willemsen (in: Merkur No. 432) uses "all its energy to reduce mankind to a theoretical size from a possible practical magnitude; it converts mankind to become a set of viewers. Only under these prerequisites will politics finally become autonomous (...). The effect of films on the masses is a matter vital to the state. Its real equivalent is a democracy without demonstrations."

Censorship of violence therefore only symptomizes the fact that subjectiveness is increasingly being defined as a function of a specifically uncritical reception of pictures. Uncritical is meant in the sense that its translation into verbal language, which would permit questioning the reception, is being undermined. Freud defined the growing inability to translate pictures back into language as pathological, (7) while promoting this translation effort in the sense of a psychoanalytical cure:

**"Once a picture (i.e. a compulsive idea) has emerged from memory, you can hear the patient say that it begins to crumble and blur as he proceeds in its description. The patient is dismantling it, so-to-speak, by translating it into words" (Freud, 1895b).**

In contrast to that, "sheer shock" provides a receptive behaviour that is increasingly deprived of speech and open to manipulations. The autopoietic structure of the splatter movie signifies a certain recovery of speech and therefore an emancipation from an unconscious manner of reception. The incriminated attack on the human celluloid body, i.e. any portrayal of violence that takes place outside the control of the "mutual agreement of film-makers and the audience", so "that the shiver produced (...) is understood on the basis of accepted conventions (...) ultimately (as) frightening" (Rowohlt Filmlexikon) is an attack on an instance vital to the state. The Basic Law therefore becomes the law for keeping film aesthetics clean; FSK and subsequent censorship on the basis of Sect. 131 provide the legal grounds for keeping cinema screens, TV screens and (picture) bodies "clean" of media-subversive, media-undermining portrayals of violence. The Siamese mirror image of Man must not be tortured. The more dignity the subject, who is made a passive functional viewer by this, loses, the more rigidly this dignity must be granted "in line with the legislative intent" to the "man-like beings that appear in video films as 'zombies'". The dignity of motion pictures is incontestable.

(1)

Section 131, Penal Code: "Representation of violence and incitement of racial hatred:

1) If publications/writings (Section 11 para. 3) that incite racial hatred, or describe cruel or otherwise inhuman acts of violence against human beings in a way that (they) express a glorification or the playing down of such acts of violence, or which represent the cruelty or unhuman character of the procedure in a way that violates human dignity, are

1. distributed,

2. exhibited, announced, presented or made otherwise accessible in public,

3. offered, left or made available to a person under 18 years of age, or  
4. produce, subscribed to, supplied, kept in store, offered, announced, praised, intended to be imported to or exported from the sphere of application of this Act so that they, or parts thereof, can be used within the meaning of items 1–3, or such use is made possible for others, the persons responsible for such actions shall be punished with a jail sentence of up to one year or with a fine.

2) Punishment shall also apply to the person(s) disseminating a production of the contents specified in paragraph 1, by broadcasting it.

3) Paragraphs (1) and (2) shall not apply if the plot serves the purpose of reporting facts of contemporary events or of history.

4) Paragraph (1), item 3 shall not apply if the perpetrator is entitled to the care and custody of the person.

This is the wording of Section 131 StGB, aggravated in 1985 → [back](#)

(2)

Ridiculously enough, even a statement by Sam Raimi was quoted, who had allegedly said that he had not intended for "The Evil Dead" to be art ... → [back](#)

(3)

which only got its only equivalent throughout the world in January 1990, in Switzerland. → [back](#)

(4)

cf. Hoffmann, Ka: "Am Ende Video – Video am Ende", Berlin 1990 → [zurück](#)

(5)

Hitchcock's "Psycho", shower scene: 70 focusses in 45 seconds; the picture frequency of the cinematographer is almost achieved. → [back](#)

(6)

They seem to have a hard time learning it again, with the remote-control. "Zapping" or "switching" as a reading procedure that is questionable, but building up reaction, though. To the great regret of commercial customers who have been fearing for the efficiency of their advertising time ever since remote-control was introduced. → [back](#)

(7)

The dilemma of film critics, who but want to "feel" ... → [back](#)