

BLEEP: CENSORING HOLLYWOOD?
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**REMARKS OF MARJORIE HEINS,
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In 1807, an Englishman named Thomas Bowdler published the first, sanitized edition of *The Family Shakespeare*. He promised that he had removed from Shakespeare's works "everything that can raise a blush on the cheek of modesty." Certainly, there was plenty of sexual innuendo, vulgar language, and stomach-churning violence to excise from Shakespeare. In the process, a new word was added to the language: "bowdlerization."

Bowdlerization is an impulse ever-present in the body politic. Today, we're talking about the bowdlerization of movies. On one side, we have filmmakers protesting the mutilation of their work by profit-making companies selling software that cuts, blocks, and bleeps words, images, and entire scenes that the companies think offensive. On the other side, we have moralists, child protectors, and some opponents of strong copyright control arguing that this software is a tool of parental empowerment and that all of us should be able to revise movies for private viewing and eliminate the naughty parts.

This is a difficult debate, as a matter of both law and policy. As Marybeth Peters, the Register of Copyright, told Congress last June, software that permits the mutilation of movies may already be permissible under our copyright law; hence, no new legislation is needed. I think there is a reasonable argument that it is not permissible under current law, for unlike the "fair uses" that artists and scholars make of copyright-protected works for purposes like criticism or parody – uses that are creative and "transformative" – there is nothing creative, nothing that promotes the broad goals of our copyright system, in the bowdlerization of a film. I would add that the proposed "Family Movie Act," specifically exempting the makers of these products from liability for copyright infringement, raises some interesting First Amendment questions, for its purpose and effect is to grant special legal protection to private censorship.

Frankly, though, the more interesting questions are political, not legal, and once again, "family" is the term that is used, both in the proposed law and in setting the terms of policy debate. But does a tool that destroys the artistic integrity of films by – to take one prominent example – deleting the nudity and violence from depictions of the Holocaust in *Schindler's List*, really help families? Are children protected from harm by watching sanitized versions of history, artistically incoherent narratives, and films shorn

of words and images that their parents, or the entrepreneurs seeking to sell these products to parents, find troubling or offensive?

Let me suggest that beneath the rhetoric of family values and parental empowerment, there is nothing helpful to, or protective of, children in a system that encourages the bowdlerization of creative works. Censorship under the guise of child protection has traditionally been, and continues to be, a convenient excuse for not *educating* children – about media, critical thinking, and moral values. We cannot sanitize the world for them, but, through education, we can equip them with the tools to understand and cope with it, including the tools for making smart choices that avoid stupid and vulgar entertainment. Censorship accomplishes none of these goals, and in the process not only makes the forbidden fruit more attractive, but teaches them disrespect for art, creativity, and critical thought.

What, then, should we say to parents who want their children to see important movies like *Saving Private Ryan* but without the violence; *Fatal Attraction* without the sex, or *Gone With the Wind* without Clark Gable’s “Frankly, my dear, I don’t give a damn”? Marybeth Peters suggested a simple choice: “Don’t buy or rent the movie.” Choose something else.

I have an additional suggestion: buy it, rent it, discuss it with your children, both in advance and afterward. You can even discuss whether you think the violence or sex was realistic, was needed for the story, or was added gratuitously in order to boost the movie company’s profits. That would be called media literacy education, and it would help them immensely in all sorts of ways – for example, figuring out whether they should accept the next gender stereotype that slides across their TV screen, or should believe the next cute model in a commercial trying to sell them fast food, toys, or soda.