

# Russia's Obscenity Law Will Crush Independent Film

By [Natalia Antonova](#)

July 15, 2014



New legislation is being so quickly adopted in Russia today that anyone tracking it is bound to be suffering from a case of whiplash. Hundreds of new legal initiatives have already been ratified this year alone.

Among the more frustrating and misguided laws to be adopted is the law that bans swearing in films, books and music. Although the swearing legislation technically only bans four obscene words and their various derivatives, it is more problematic than initially meets the eye.

First, there is the tiny question of the Russian Constitution, which forbids censorship. Of course, that begs the question of who among Russia's Duma deputies has bothered to actually read the Constitution at all. The previous ratings system, which allowed Russian adults to decide whether they wanted to see, for example, a play with mature themes, did not go against the Constitution. It allowed adults to decide for themselves whether or not they could handle a bad word.

But the obscenity law has created a second, not immediately obvious problem in the movie industry. As it is now, the law stipulates that films that use these swearwords will not receive a distribution certificate.

This means that every single public screening in Russia will now only take films with a distribution certificate certifying that they do not contain the four banned swearwords. This includes art-house films that were never meant for commercial distribution to begin with and that typically lack the funds or know-how to get it.

You can forget about experimental, art-house and upstart independent films meant for the festival circuit and produced by Russia's small but vibrant film culture.

The new system will effectively crush them all. In a throwback to Soviet times, it dictates that a filmmaker must receive state approval in order to merely exist. These new rules would especially hit Russia's documentary films, many of which are not financed by the state and never end up on the commercial market.

Who benefits from all of these new restrictions? Very few people, unless you count the likes of parliamentarian and once-celebrated film director Stanislav Govorukhin, who has been campaigning for the return of censorship to Russia for years now.

According to a Russian State Duma transcript from late April of this year, Govorukhin had this to say in favor of a total ban of obscenity in the arts in Russia: "Imagine how much health, nerves and, as a consequence, years of life things like [obscenities] destroy, how they cause nervous breakdowns in readers and audience members who were raised in a totally different time!"

It's hard to imagine that Govorukhin has never read Russian poets Alexander Pushkin and Vladimir Mayakovsky. They also lived in a different time, and were also known to use strong language, but then who cares about the classics when you're scoring ideological points?

Govorukhin's plea also introduces a particularly curious double standard.

Govorukhin is best known for being the director behind the iconic Soviet miniseries "The Meeting Place Cannot Be Changed." Set in Moscow after World War II and centering on the work of two policemen, the movie features no dirty language and yet contains enough material to give you a nervous breakdown.

One of the darkest moments in the miniseries features an organized gang robbing a store and a little boy's flight to the nearest payphone to save his grandfather, a security guard.

The little boy is thwarted by a gang member, and even though the audience is left in the dark as to his ultimate fate, his last, desperate scream has always stayed with me. I can honestly say I was traumatized by it.

In the name of free expression, Govorukhin subjected me to misery and pain. Surely at least a few years of my life were shaved off during the proceedings. Ridiculous, you say? Well, it's really no more ridiculous than suggesting that dirty language is more damaging to the audience's psyche than the potential murder of a defenseless child.

But censorship is a process and one that is extremely hard to put the brakes on. Govorukhin may be gleefully derailing the careers of younger competitors such as Valeriya Gai Germanika, whose celebrated "Yes and Yes" may not get a Russian release due to the new obscenity law. But in the current atmosphere, Govorukhin's own films may one day suffer the same fate. Give it a year or two. Some enterprising Duma deputy is bound to come up with the appropriate legislation.

What's encouraging is that there are plenty of other prominent people in the Russian film industry who understand how bad the new initiatives are.

Oscar winner Nikita Mikhalkov, a filmmaker who is about as symbolic of the establishment as the red walls of the Kremlin, has spoken out against blanket restrictions on obscenity and blanket requirements on distribution certificates. A lot of Mikhalkov's movies deal with war, and he is aware, for example, that soldiers under fire tend to swear sometimes — shocking, I know! Similarly, Mikhalkov knows that the Russian festival scene will not be able to function should it be legally equated with the commercial movie market.

Also encouraging was the Culture Ministry's statement on the matter of distribution certificates. The ministry [shares the concerns](#) of those who see something dangerously amiss with the new legislation.

Both Mikhalkov and the Culture Ministry have shown us that in order to reform the Russian arts scene, you need to operate within the bounds of reality. Have issues with obscene language? Strengthen the existing ratings system and make distributors specify what kind of potentially objectionable material is included. Worried about said objectionable material on the festival scene? Make sure already existing requirements for public screenings are up-to-date and enforced.

Meanwhile, none of the recent legal efforts will do anything to change Russia's obscenity-laced street language. That's because street culture isn't created through watching movies, but in orphanages, prisons, factory towns and other generally rough places that aren't going away anytime soon.

No matter how many new prohibitions on the arts are passed in Russia, these places themselves aren't going to disappear in a hurry. Pretending they don't exist won't make them go away either. One of these days, lawmakers, even ones like Govorukhin, will have to contend with that fact, and nervous breakdowns caused by reading too much Mayakovsky will seem like a piece of cake in comparison.

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