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*Lipstick Under my Burkha: A Transformative Narrative about the
Emancipation of Women*

“If all men are born free, how is it that all women are born slaves?” asks Mary Astell in *Some Reflections Upon Marriage*, “as they must be if the being subjected to the *inconstant, uncertain, unknown, arbitrary Will* of Men, be the *perfect Condition of Slavery*?” Though the world has entered into a new millennium, these words have reverberated with modern liberal feminists who seek to extend the political ideals of complete liberty and equality to women. For them, Astell’s question is the rhetorical flourish in a simple but powerful argument: If all human beings are naturally free, then it is an injustice for any human being to be born into subjection and it is therefore an injustice for any woman to be born in subjection to men.

Although the critics of the film *Lipstick Under my Burkha*, produced by Prakash Jha and written and directed by Alankrita Srivastava, have called it a “must watch”, “holding a mirror to society”, “women’s empowerment”, “fearlessly feminist”; The Film Certification Board, denied the film release in January this year stating that “The story is lady-oriented, their fantasy above life. There are contagious sexual scenes, abusive words, audio pornography and a bit sensitive touch about one particular section of society.”

The women of the patriarchal society continue to be oppressed and exploited in the shield of culture and traditions. From the dawn of civilization until date, women have suffered inequality in every sphere of life. Stereotypes of gender roles have continued for ages and anything a woman does beyond the socio-cultural aspect is regarded a disgrace.

The same CBFC (Central Board of Film Certification) has no objection in certifying sex comedies from male viewpoint, where female actors perform on dance numbers among crowds of leering men or shed off their clothes for provocative roles, but an extremely forceful, female oriented film endeavoring to break the norm challenges the status quo. The paper seeks to discuss the film *Lipstick Under my Burkha* which examines and interrogates the questions of the rights of women.

Keywords: Lipstick, Burkha, Narrative, Desires

Lipstick Under My Burkha is a simple narrative about four women and their dreams - of financial freedom, of becoming a singer, of moving to a big city and of simply deriving pleasure in life. The fact that these desires remain concealed from the society makes their desires seem like adventurous trips. Lipsticks, in the film, are these desires while the patriarchal society is the Burkha. “Burkha” here is also a reference both to the piece of clothing and the curtaining off of a woman’s dreams, desires and feelings.

Alankrita, the writer and director of the film, picks a fine narrative approach to acquaint us with the stories of four different women who are fighting a male chauvinist society and mindset. And therein lies the beauty of *Lipstick Under My Burkha* which is set in a small town in Bhopal.

Shireen (Konkona Sen) is a housewife who works as a salesgirl but has to hide her job from her authoritarian husband (Sushant). Bua jee aka Usha (Ratna Pathak) is a 55-year-old woman rendered devoid of desires because of her age but enjoys reading soft porn hidden in her religious books. Leela (Aahana) is a free-spirited woman who feels suffocated in the

small town of Bhopal and uses her sexuality to manipulate the men in her life. Rihanna (Plabita) is a young college girl who admires Miley Cyrus and desires to pursue her fashion style. Because of her orthodox parents, she has to hide her desires of becoming a singer under a burkha. Every character in the film deals with different kinds of prejudices and constraints but eventually, they prove to be the same - curbing the freedom of women. The small town setting facilitates the four characters to partake in each others' lives and finally come together. *Lipstick Under My Burkha* is no moralistic piece on how women should be treated, neither is it an all-out-war against patriarchy. The film is a subdued conversation starter - let us talk about women's desires as well as their rights, let women open up about their dreams. The film brings in a lot of issues - from dictates on women's clothing to forced sex in a marriage, it deals with all of them intrepidly. This is a bold film not because it talks of women's sexuality but for the reason that it underscores their desires and problems and does so in the most glaring colours. It is about all women living in the shadow of tyranny.

Not a single year passes in our country without at least one movie getting banned and a large number of movies getting regressively censored. The latest prey to harsh film censorship laws of our country is the award-winning *Lipstick under My Burkha*, which explores the themes of women's sexuality and their sexual desires. It is absurd that the CBFC had problems with such a light film that merely talks about women nurturing their own desires that cross the boundaries of a male-dominated society. The CBFC's decision is an attack on the freedom of expression.

Alankrita Shrivastava questions that as a storyteller, as an artiste, as a filmmaker, should she not be doing her job of creating works of art that she believes in? And should she not have the freedom to hold a mirror to society through her stories? Or should she just be a 'self censoring' artiste? She believes there should be no censorship of films or books or paintings or songs in a country that calls itself free and democratic. Let there be all kinds of works of art — pieces that perpetuate the status quo, pieces that challenge it, pieces that represent the dominant narrative, and pieces that provide alternative narratives.

The constitutional significance of the freedom of speech consists in the Preamble of Constitution and is transformed as fundamental and human right in Article 19(1) (a) as "freedom of speech and expression." Elucidating the scope of freedom of speech and expression Supreme Court has said that the words "freedom of speech and expression" must be broadly constructed to include the freedom to circulate one's views by word of mouth or

in writing or through audiovisual instrumentalities. Freedom of Speech and expression means the right to communicate one's own beliefs and views freely by words of mouth, writing, printing, pictures or any other mode. It therefore incorporates the expression of one's idea through any communicable medium or visible representation, such as gesture, signs, and the like.

Patanjali Shastri, J. in A.K. Gopalan case, observed, "man as a rational being desires to do many things, but in a civil society his desires will have to be controlled with the exercise of similar desires by other individuals." Every citizen of this country thus has the right to air his views through the printing or the electronic media subject of course to permissible restrictions imposed under Article 19(2) of the Constitution. These filmmakers also have the right to express their views through visual means and if the question of decency and morality confines a female centered movie that explores women beyond the usual stereotypes then the same shall be applied for the movies from male viewpoint, which have been certified without any objection despite having objectionable content.

The movie was denied a certificate for exhibition by Central Board of Film Certification (CBFC), which cited violation of guidelines number 1(a), 2(vii), 2(ix), 2(x), 2(xi), 2(xii) and number 3. These guidelines were issued under section 5B of the Cinematography Act, 1952, which governs the entire mechanism of film censorship in India. Clause 2 of this provision gives power to the central government to issue "such directions as it may think fit setting out the principles which shall guide the authority competent to grant certificates under this Act in sanctioning films for public exhibition." Interestingly, as we moved into the 21st century, the number of restrictions in guideline number 2 has increased from 10 heads in 1978 to 19 heads today.

The cause of the frequent bans or censorship of movies becomes apparent on a reading of the guidelines. The simple reason is that they are unconstitutionally vague. The guidelines at the CBFC website state:

1. Guideline 2(i): Anti-social activities such as violence are not glorified or justified.
2. Guideline 2(iv): Pointless or avoidable scenes of violence ... and such scenes as may have the effect of desensitising or dehumanising people are not shown.
3. Guideline 2(xiii): Visuals or words which promote communal, obstructionist, anti-scientific and anti-national attitude are not presented.

In *Shreya Singhal v. UoI* (Criminal Writ Petition 167 of 2012) the division bench of Supreme Court held section 66A of the Information Technology Act ‘unconstitutional’ for being ‘unconstitutionally vague’. The court held two words “grossly offensive” and “menacing” to be vague, citing how judicially trained minds would find a person guilty or not guilty depending upon the his/her notion of what is “grossly offensive” or “menacing”. The court proved the same by the example of two English cases where on the same set of facts two different courts came to diametrically opposite conclusions depending upon their interpretation of the said vague words.

The disturbing facet of this controversy is the lack of understanding among CBFC members of legal precedents set out by our courts in relation to granting of certificates. This has become a regular practice: the CBFC bans and censors movies with little or no understanding of principles laid down by the courts; the matter then goes to the courts, which, applying the same settled principles (which CBFC should have applied in the first place) finds the decision of the board to be regressive. Be it *Udta Punjab* or *Vishwaroopam*, this trend is clearly discernible.

Just like several other cases, the CBFC completely neglected various precedents laid down by courts this time as well while denying a certificate to *Lipstick Under My Burkha*. CBFC has cited guideline number- 2(viii), which states that “vulgarity, obscenity and depravity offending human sensibilities should not be shown.” It also cited guideline 2(ix) and 2(x), which essentially aim to prevent indecent representation of women.

Indian courts have time and again said that sex and obscenity are not always synonymous and it is wrong to classify sex as essentially obscene or even indecent or immoral (*K.A. Abbas v. Union of India* AIR 1971 SC 81). Secondly, courts have also laid down “judging the work as a whole standard” according to which any opinion about the movie should be framed having regard to the main theme of the film and viewing it as a whole, not on the basis of a few isolated sentences. (*Phantom Films Pvt. Ltd. v. Central Board of Film Certification & Ors.* Writ Petition 1529 of 2016, Bombay High Court. And *S. Rangrajan v. P. Jagjivan Ram*, 1989 2 SCC 574). In fact, in *Bobby Art International v. Om Pal Singh Hoon* (1996), the court applied these two standards and allowed frontal nudity scenes in *Bandit Queen*.

Given the theme *Lipstick Under My Burkha* is dealing with, it is bound to contain sexually detailed scenes and dialogues. But even then, it should be allowed because, first, sex and

vulgarity are not equal. The movie might have sexual scenes in it but it does not mean that it is vulgar because the underlining aim of the movie is not to encourage vulgarity. Judging the movie as a larger whole makes it clear that it furthers the issues of rights of women and their sexuality. How can a movie which has been awarded the Oxfam Best Film on Gender Equality be degrading towards women? It is pertinent to add here what Justice D.Y. Chandrachud wrote in *F.A. Picture International v. Central Board of Film Certification* (2005):

“Artists, writers, playwrights and film makers are the eyes and the ears of a free society. They are the veritable lungs of a free society because the power of their medium imparts a breath of fresh air into the drudgery of daily existence. Their right to communicate ideas in a medium of their choosing is as fundamental as the right of any other citizen to speak. Our constitutional democracy guarantees the right of free speech and that right is not conditional upon the expression of views which may be palatable to mainstream thought. Dissent is the quintessence of democracy. Hence, those who express views which are critical of prevailing social reality have a valued position in the constitutional order. History tells us that dissent in all walks of life contributes to the evolution of society. Those who question unquestioned assumptions contribute to the alteration of social norms. Democracy is founded upon respect for their courage. Any attempt by the State to clamp down on the free expression of opinion must hence be frowned upon.”

Director Alankrita Shrivastava’s film *Lipstick Under My Burkha* was highly lauded when it was screened at the Jio MAMI Mumbai Film Festival in 2016. When the film was censored by the CBFC, the filmmaker planned to approach the Film Certification Appellate Tribunal (FCAT) to appeal the examining committee’s decision. Shrivastava spoke to *Firstpost* about the censorship row, and why the CBFC’s decision is an impingement of freedom on so many counts. She stated that as a filmmaker and as a woman, she was shocked by the CBFC’s denial to certify her film *Lipstick Under My Burkha*. She believes that CBFC judgment is telling on several accounts:

First, it is redolent of a very patriarchal mindset. And it reeks of severe double standards in the way films are being viewed by the CBFC. Actually, Alankrita considers this decision to be an attack on women’s rights.

It's absurd that a film like this, rather than being promoted, is being clamped down upon, because the film perhaps challenges the dominant patriarchal narrative of mainstream popular culture. We are too used to the objectification of women, the peripheral parts they play, and their reliance on the male characters to protect them. Even as women, we have espoused the male gaze and view culture through the eyes of men. Maybe it is time we started thinking about these things. In a country where there is so much hostility and discrimination against women, shouldn't we as a society contemplate upon what we can do in every sphere to transform the situation?

The writer and director of the film believes that women should be able to tell their stories the way they see them and experience them. They need not be represented forever by the male gaze. She wants an answer to multiple questions like: Why should there not be an alternative point of view? Why should the objectification of women in popular culture be encouraged, but not the ownership of their lives and narratives and their desires? Why should we as women have to fight so hard to be able to tell our stories? Are we not equal to men? Are we not human beings? Are we not citizens of a free and democratic country that promises no discrimination on the basis of gender? Why don't we have a level playing field?

By refusing to certify the film, the CBFC is also impinging upon the freedom of the citizens of India to be able to choose the films they would like to see. The CBFC feels perhaps that the Indian audience does not deserve that basic choice.

She also feels that the CBFC needs to have a more educated view on cinema and culture. We are in 2017. We have access to work being created in all parts of the world. Let's start also looking at our cinema in the context of films being made around the world. That will help the CBFC see that there are many different kinds of cinema, and narratives. Popular Indian cinema cannot be their only point of reference, because it often tends to be sexist and misogynist in nature.

Also, she points out that the film that the CBFC is refusing to certify, is the same film that has won the Oxfam Award for Best Film on Gender Equality at the Mumbai Film Festival. The film has also won the Spirit of Asia Award at the Tokyo International Film Festival. Further, it has been part of the official selection of the Stockholm Film Festival, the Cairo International Film Festival, the POFF Black Nights Tallinn Film Festival, and the Glasgow

Film Festival. It travels now to the Miami International Film Festival, the Films Des Femme Festival at Creteil, Paris, the London Asian Film Festival.

The filmmaker expressed her determination to continue making films without fear. She planned to approach the FCAT with an appeal and was hopeful that the Indian audience would get to watch the film in the theatres. Finally, after much hue and cry and controversy, the film was released in 400 screens on 21 July 2017 in India.

Works Cited

Astell, Mary. *Some Reflections Upon Marriage*. London: John Nutt, 1706.

Karwa, Surbhi. "Vague Censorship Guidelines Behind Ban on Lipstick Under My Burkha."

26

Feb. 2017. Web. 14 Apr. 2018. < <https://thewire.in/film/banning-lipstick-burkha-vague-censorship-guidelines>>.

Kaushal, Sweta. Rev. of *Lipstick Under My Burkha*. *Hindustan Times*. Web. 12 Apr. 2018.

Lipstick Under My Burkha. Dir. Alankrita Shrivastava. Per. Ratna Pathak Shah and Konkona Sen Sharma. ALT, 2017. Film.

Lohana, Avinash. "CBFC refuses to certify Prakash Jha's film *Lipstick Under My Burkha*".

Mumbai Mirror. Web. 13 Apr. 2018.

Patanjali, Dheerajendra. "Freedom of Speech and Expression." *India Law Journal* 3.4 (2010):

n.pag. Web. 12 Apr. 2018.