

## On supervision and control: an exercise regarding media ratings

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### Abstract

This article describes the current research taking place, originating from studies developed by the endowment of Productivity in Research, granted by CNPq, and by the Projeto Temático, with support from FAPESP, from which I am one of the main researchers. Since its inception being focused on mechanisms of censorship, nowadays we observe the supervision of cultural products, such as the one exercised by the Ministry of Justice's Rating Classification or in cases that come from private efforts, implying an intervention on the free flow of information. We bring here some of our findings, fruit of a long research, with which we can demonstrate the displacements and rearrangements of words and discourse that sustain processes of control.

**Keywords:** supervision, control, media ratings

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## INTRODUCTION

This article intends to use the reports of our research currently in progress, based on previously concluded studies and others about to be finalized, to show a commonality that gives it coherence in its set. Concurrently, it is our intention to bring up relevant points detected in several steps of its development, which serve as stepping stones for subsequent phases. From these points, those that note displacement of discourse stand out, and can only be demonstrated in virtue of temporal extension of the body of our work.

In past and present investigations we sought orientation in the thoughts of Michel Foucault regarding disciplinary devices, the nature of vigilance and control, of macro and micro politics and relations of power. At the same time, we are directed by the analysis of discourse proposed by Patrick Caharaudeau, with emphasis in his considerations regarding political discourse, public opinion, the notion of flowing discourses from which arguments flourish in which assumed positions are backed, consolidated understandings and arguments for or against restrictive actions.

We wish beforehand to make it clear that, more than defining or pointing out censorship, we understand the importance of examination of processes that have the potential to become censorship. That is due to our understanding that a community must be conducted with a series of rules and restrictive processes that are a necessary part of the public sphere.

In the current phase of our research, we are dedicated to the registry of cases of restrictions imposed to current artistic and/or cultural productions and the observation of arguments which justified them. We seek, in tandem, to comprehend and size up the discursive formations that protect such arguments, under the presumption that discourses that are circulated from them constitute the consensus for effective control operations.

Since the current research is based on previously collected results, projecting itself as extension and refinement, a brief description of the previous work and its results is made necessary so we can create a foundation for our scope and make clearer our universe of exploration.

We have conducted an extensive research, from 2005 to 2008, created on the environment of the Thematic Project *The São Paulo Scene – a study of cultural production in São Paulo from 1930 to 1970 from the Miroel Silveira Archives from ECA/USP*, with support from FAPESP and coordinated by Dr. Maria Cristina Castilho Costa, with the viewpoint given by me, *The Power and the Word*, focusing on the cataloging and observation of words that were

censored from theatrical plays, accompanied by the interpretation of the given data. The results of this research were published in 2008 on the book *Palavras proibidas. Pressupostos e subentendidos na censura teatral*.

The Thematic Project extends to the present time, now in its second stage and still with the support of FAPESP, under the guise of *Communication and Censorship – theoretical and documental analysis of censorship processes from the Miroel Silveira Archive at the ECA.USP Library*. We are still part of it as one of its main research projects, in an axis that brings several grad and postgrad students.

This stage of the Project, almost finished, was dedicated to the collection and Reading of journalistic pieces regarding censorship on theatrical plays, with special attention given to articles that developed commentary on the words being censored, a common theme to the crossed with the results from the first step of the research on forbidden words.

While still covering this stage, we investigated and sought to bring the manifestation of the journalists clamoring for freedom of speech as a whole, and in particular the artistic freedom, in controversial cases of theatrical plays that were contested during the decades covered in the Miroel Silveira Archives.

The plays from which past studies were developed from are part of the Miroel Silveira Archives, part of the ECA/USP's library, composed of more than 6,000 processes of theatrical censorship, written by the censorship departments of the state of São Paulo from 1925 to 1968. With the military dictatorship instated in 1964, starting in 1968 the previous censorship to plays was centralized, and the task was given to the federal government.

Despite the fact that the study of censored words had focus on the censorship exercised under the state of São Paulo, it is important to remember the cultural prominence that it had, along with Rio de Janeiro, during the decades covered by the archive. Thus being, the censorship taking place in other states was commonly the same as the one dictated in one of these two states. The one from São Paulo, frequently, followed the precedent of Rio de Janeiro. In this way the censoring processes studied can be taken as reference for the spirit that moved a nation, as are the results obtained in our investigation.

To be more precise, the archive is composed of 6,137 processes with 47 prohibited plays and 4,764 allowed plays. There is a total of 1,326 partially allowed plays. In these categories are included those that had age restrictions, as well as those with restrictions as to venue and exhibition time. Partially allowed plays with censored words accounted for 436. This is the

universe of our first research, correlated with the journalistic production in the following papers: *O Estado de S. Paulo*, *Folha de S. Paulo*, periodicals about theatrical production, such as *A Platéia*, and the biographical literary works of playwrights as well as those that collated theatrical reviews, including cases like those of Clóvis Garcia, Décio de Almeida Prado and Miroel Silveira.

This set of research birthed, as a necessary continuity, the one which we are now conducting, seeking for common elements in current cases. Since the previous censorship was banned by 1988's Constitution, there was one major organization left, part of the Ministry of Justice, responsible for the classification that managed age ratings. There is a coexistence, however, of informal instances from which are spawned actions that, demanding intervention or protesting against prohibition, have weighted on the dynamics of ratings, and sometimes, of simple prohibition.

Currently we note clashes between State and public opinion regarding the rating of cultural products and the regulation of media, noticing a fear that the creation of rules and organizations might result in a return to previous censorship models. The question of limitation of censorship, balanced between an administrative need for the common good, or community life, and a means of political control, as connected to the preservation of the interests of political parties in power, has been the subject of ample debate. Therefore, it has been the target of arguments that involve media and the general public, materialized in occasional negotiations.

In our current research we worked on these issues based on the observation of the current Age Ratings (Classificação Indicativa), published on the Brazilian Justice Ministry website: <http://portal.mj.gov.br/classificacao/data/Pages/MJ6BC270E8PTBRNN.htm>.

Through this website we can follow the ratings, as well as the comments created regarding it. On the other hand, we are attentive to cases, from several sources, that emerge from the private sector to intervene in the free flow of information or presentation of cultural products.

In this sense, we sought to bring observers of this issue with the coordination of the "Age Rating" discussion roundtable, which counted on members like Davi Ulisses Brasil Simões Pires (Director of the Department of Justice, Classification, Titles and Qualification from the National Office of Justice), Veet Vivarta (Executive Secretary of ANDI) and Roseli Goffman (National Forum for the Democratization of Communication) in the event *Censorship in Debate*, created by the NPCC (The Research Center on Communication and Censorship) on October 4<sup>th</sup> 2012.

## **PRELIMINARY DATA: MORAL CENSORSHIP**

We have just described the current progression of our trajectory. However, we should present some data taken from the first research because, as we have mentioned, it was from it that hypotheses or concerns were raised that helped us find a goal for our current research.

In the first part of our studies, we started by collating, with the help of FAPESP scholarship students, all the plays in the Miroel Silveira Archives that were allowed with cuts, totaling 436 pieces. We further filtered this universe seeking a representative body. To do so, we adopted a double selection standard, by notoriety and random drawing, which led us to a set of 84 plays.

The study started from the categories created to visualize the privileged subjects by censorship organizations and, roughly, looking for confirmation in the words, among others, of Barreto Filho (Barreto Filho, 1941: 49), regarding the finality of censorship, as thought during its exercise in relation to the temporarily of the Miroel Silveira Archive.

Thus, the subjects that censorship focused on were grouped in four categories: moral censorship (verbal vulgarity, scenes or reference to sex and erotic themes, transgression of good decency), political censorship (criticism towards the government, the Brazilian nation or other nations), religious censorship (criticism or offense towards a religion, its saints and representatives) and social censorship (mention of questions like racism, discord among communities).

The examination of these aspects in the universe resulted in a total of 580 occurrences. Such examination employed the grouping in the categories listed above. With this procedure we were able to sum all occurrences in each group and find percentages of incidence in a way that they could be correlated and interpreted.

In this kind of accounting of simple prohibition, regardless of the number of analyzed plays, our results show the moral category as the focus of censorship, noticing 348 occurrences, or 52% of our sampling. Political censorship accounted for 23%, and social and religious amounted to 18% and 7%, respectively.

This finding, the focus on moral themes, directed us to a refinement of the analysis. We investigated further to determine which subthemes were most popular, as well as the proportional attention received in this set of cuts.

Out of all 302 moral cuts, sexual acts totaled 70 cases, or 23% of all cuts in this category. It was followed by vulgar vocabulary, with 44 interventions and about 7,5% of total cuts in the sample and 14,5% in its category.

The third most cut theme is adultery. It corresponds to 6% of the cuts in the sample and 10,9% within its theme, for a total of 33 interventions. Within this category we can notice a much higher incidence of cuts of female adultery: while it amounts to 21 interventions, 4% of the cuts in the sample and 6% of the moral ones, male adultery had 12 cuts, or 2% of the sample and 3% in its theme.

The fourth most common subject, tied with adultery, is homosexuality. The fifth is the body itself, anything related to sexuality or an erotic component. The 29 interventions correspond to 5% of the cuts in the sample and 8.5% in its category. While only 6 of these are directed to parts of the body in general, which corresponds to 1% of the sample's cuts and 1.75% of the moral ones, 23 are destined to sexual organs, which corresponds to 4% of the sample's cuts and 6.7% of its category.

This set of five topics correspond to roughly 40% of the sample's cuts and have sexuality as their common element, which also applies to the vulgar language.

We should keep in mind Foucault's thoughts on sex as a regulatory principle and sexuality as an point of order of disciplinary devices.

“In the relations of power, sexuality is not the most rigid element, but one of those with the most instrumentality: usable in most maneuvers, and able to serve as a point of support, of articulation to the most varied strategies.” (Foucault, 1997: 98).

Another relevant aspect is related to our field of exploration, since we made a double selection that resulted in different scopes. In the set obtained from most significant plays, noted as such by title, author and importance in the theatrical scene, the moral category encompasses 38.49% of the cuts in its sample, followed by 24.6% of social cuts, 29.76% from political cuts and 7% of religious cuts. When we collated the data from the random drawing sample, we got a diverse panorama. Moral cuts reach 67.69% of its cuts, social represents 10.48%, while political answers for 14.41% and religious is close to 7%.

Starting from that data, we looked at the composition of each set. The set based on significance was composed of 21 comedies, 9 dramas, 9 revues and one children's play, all of

noted cultural importance. The randomly drawn set was composed by 23 comedies, 15 revues and 6 dramas.

These numbers allow us to observe the nature of the composition of the archive, which has 1,036 plays registered as revues and 2,837 classified as comedies. Put together, they represent 3,873 plays that represent more than half of the total numbers of registrations and processes filed in the Miroel Silveira Archives.

It is therefore natural that moral censorship floats to the top when one thinks about its opportunities. Since comedies make up for the majority of both selections, since it's an occurrence related to the archive itself. Sexuality appearing in second can also be correlated, seeing as comedies frequently provoke laughter through jokes and puns about sex. It is also natural that moral topics would also be prevalent.

The composition of the archive also explains with moral censorship is almost half on the randomly drawn sample, 39.49%, when compared to the 67.69% from the significance sample. In the drawing we have a strong participation of comedies, while the cultural relevance includes other criteria that focuses on plays that can be perceived as more serious.

A lot of questions are raised with these findings. We tried to answer those, even if partially, with the publication of an article on the Verso e Reverso magazine in 2010<sup>2</sup>.

In our present article we made a point to bring up the description of the findings of moral restrictions in our prior research because it remains in the horizon of our studies, even in our current topic of age ratings.

### **A manual and its nature**

Age ratings became the focus after the ban of previous censorship, given the consolidation of the public policy to supervise cultural production and the appearance of cases that ended in confrontation with the ratings, as has happened in recent history with movies like *A Serbian Film*<sup>3</sup>, *Ted* and *Django Unchained*, among others.

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<sup>2</sup> Casadei, Eliza and Gomes, Mayra. "A dimensão política da censura moral". Revista Verso e Reverso, Revista da Comunicação, Universidade do Vale dos Sinos, Unisinos. Digital magazine.

Link: <<http://www.versoereverso.unisinos.br>>. Year XXIV, issue 56, series 2, article 1, 28 pages - August 2010

<sup>3</sup> Gomes, Mayra and Paganotti, Ivan. "Censura além da classificação: a recepção brasileira de 'A Serbian Film'". Revista Significação, nº 38 - Revista de Cultura Audiovisual do Programa de Pós-Graduação em Meios e Processos Audiovisuais – PPGMPA ECA/USP, February 2013.

Brazilian Age Ratings (locally known as Classificação Indicativa) is a supervision and cultural control displayed in media, defined as television shows, movies, theater, DVDs and RPG games, among others. An attribution of the Ministry of Justice, through the Justice's Office, the classification is applied beforehand to all cultural products. Some products are not previously rated, such as live TV shows that are rated by the stations and subject to the scrutiny of compatibility by the criteria of the rating chosen.

There are two main factors crossed in the ratings. One attributes a recommended age group for a cultural product, and the other establishes showing times as related to the age groups. This is a very expressive process if we take into consideration television and its constant presence and enormous penetration.

The rules for these two factors are specified in the Manual da Classificação Indicativa, a handbook that had its first edition in 2006. In March 2012 we saw the release of the Guia Prático (or Practical Guide), now in its second edition, which is similar to the Manual, while introducing small modification given the experience of the Office with ratings, public debate and the interaction promoted by the chat channel that the Justice's Office makes available in its website.

The Guia Prático is our object of reference to draw the principles that rule the process of rating. In its presentation, the Guide announces itself as the State's public politics in association with families that use it as orientation in selecting what their children are allowed to watch, for instance, on TV. The Guide declares its observation of the Child and Adolescent Statute, putting itself in the defense of duties and rights consolidated on law.

Given these explanations, the Guide shows the true nature of manuals in general, that is, as an instrument of regulation, a disciplinary device. They result in an educational strategy that intends to create a cohesive and productive society, according to rules in the express forms in a determined time and context.

“A normalizing society is the historical effect of a technology of power centralized on life” (Foucault, 1997: 135). Regulating the ways of living is the same as regulating body and life, be it conceived like the one from the organism, or as the ethos in a given society.

By announcing its status as a secondary in the task of regulating to be exercised by the State, Family and society, the Guia positions itself clearly in two crossroads, both of a disciplinary nature, as we can infer from its declarations:



“With the intent of strengthening even more the idea of co-responsibility between State, family and society (in which are included communication companies), it is vital to fully know the mechanisms involved in the age rating of audiovisual works. The National Office of Justice has sought to unify, set goals and publicize its criteria and to the interpretation of the Manual da Nova Classificação Indicativa. The effort to make the ratings each time clearer goes in the same direction as public policy: to offer trusted instruments to the choice of the family and the protection of children and adolescents against images that might harm their formation.” (Guia, 2012: 6)

One of these deals with the fact that the Manual is based on the Child and Adolescent Statute. Unlike past control procedures that always claimed to itself moral protection, preservation of family and female image etc. The Guia agrees to principles that have been consensual in the Western world and are regulated by law.

In the past, the arguments somewhat scattered in terminology that suggested a similarity in principles, but does not avoid being at least ambiguous, can be seen in the words of censor José Pereira, Division Director of Public Entertainment of the São Paulo Security Office in the 60s:

“I should note, however, that the prohibition has achieved ample and favorable repercussion, because it only meant to safeguard morals of the São Paulo family, especially the dignity of the women, we don’t say from São Paulo or Brazil, but the woman, as a human being that, as one of the most beautiful things in nature, does not need to employ erotic tricks to get man’s attention towards its beauty” (Pereira, 1961: 11).

The wording used is clearly based on understanding that make us think about which parameters morals in question are articulated. How does one conceive this family or female dignity that is mentioned? We could certainly create answers taking into consideration the extreme traditionalism of the formulation, with all prejudice that this condition implies. But it is also clear that these words assume homogeneity and stability, even in the name of tradition, in conflict zones and constant negotiation.

Homogeneity with incentive serves well to the purpose of containing a becoming of the world towards transformations, to the changing of constantly negotiated values, according to

established habits, according to new assimilated attitudes, motivated by cultural movements or, even, by the fads that interfere in our scripts of procedures.

However, once the Guia anchors itself explicitly on the Child and Adolescent Statute, it stops wading through the vague field of moral and common decency so it can orient itself by defined parameters, according to announced goals in terms of human rights. With this, the Guia places itself under the scope of law and, in enforcing it, localizing themes, computing occurrences, designing and applying the indications. This way, age ratings become almost impersonal, a machine in operation, almost a simple equation, the quantification as a resource. It becomes, finally, trustable and respectable, distancing itself from criticism addressed to old processes of supervision, always considered products of circumstance and interests.

In another disciplinary aspect, as a Guide should be, the family and society's authority is recognized, supporting roles in the task of supervising citizenship. But we should note a deviation from previous preaching that also held to the importance of family in its cohesion as the core or smallest unit of the great community of the Nation. Certainly the family as a nuclear example is one of the privileged points in the exercise of discipline, as much yesterday as it is today.

However, something is aggregated to this family panorama when on top of it was placed a guide of the size of the Child and Adolescent Statute. A family under this light must work less on the perspective of its preservation as a stable core than to dispense care for the child and adolescent being tutored. While they may advocate right, such care does not lose its disciplinary trait, neither does it stop provoking a displacement of ethical effects.

The change of vector, from cornerstone core to offspring, certainly corroborates the observations of Gilles Lipovetsky, who argues that one of the characteristics of post-modern moral would be the displacement of filial obligation to parental obligation: children always come first in the tone of our times.

“(...) children are not raised to honor parents anymore, but to be happy, to become autonomous individuals, masters of their lives and affections” (Lipovetsky, 1994: 187).

“The time of the conscious and communicative <baby-citizen> has come, individualized and sensitive, that demands constant talking and that all are awake with and for him” (...) “The ingratitude of children provokes less scandal than the indifference of parents in relation to its descendants” (Lipovetsky, 1994: 189).

To fulfil its task with a veneer of neutrality and collaboration, the Guia constantly repeats its stated role to orient parents, and places itself in the perspective of publicizing and explicitness, in a way to facilitate comprehension and application of its principles.

Besides, a good chunk of the introduction of the Guia, as well as its later affirmations, are occupied by the attempt to base age rating as a rule set in accordance to civil society. For this end, the Justice Office implemented several procedures, such as a conversation space in its website, a home for society to manifest itself towards the classification.

From the promotion of these conversational dynamics, the Guia can state:

“Through its rating workshops that took place in Brasilia and in other cities throughout the country with representatives of TV stations, it was possible to approximate the self-ratings (given by stations) to the homologation of the Ministry of Justice – the coincidence ratio is now close to 90%” (Guia, 2012: 6)

Two factors are necessary for this level of coincidence between self-rating and Ministry to be possible. Firstly, the lesson was so well understood by all that it is known and they proceed in conformity with what is expected. The coincidence can, and in many cases must, be read as a moment in which self-rating is tantamount to self-censorship.

But the coincidence can/must also be attributed to the sharing of circulating discourse in a determined time and place. We still have to hear from movements that oppose the Child and Adolescent Statute, even if there are eventual disagreements. The parameters stated by the Child and Adolescent Statute are the object of strong support in our culture. From that one can assume that there are common principles implied in self-rating as well as in the Ministry’s classification. These are, without a doubt, responsible for the contours of a culture, for the comprehension of the world and life that orient society.

When it comes to sharing of discourse, there is another dimension, mentioned by the Guia that, by implying principles, goes over the Child and Adolescent Statute and many other orientations. It deals with an ample discursive formation that has oriented the West in many political decisions, at least while ideal. We are talking about Human Rights, to which the Guia relates Citizenship, sought by the National Office of Justice, ample platform that may be, in our time, the confluence point and possible agreement possible in the world’s diversity.

“The National Office of Justice (Secretaria Nacional de Justiça - SNJ) is one of the seven offices that compose the Ministry of Justice and possesses a vast area of action. Its mission seeks to promote and create rights and policies of justice geared towards the maintenance and development of Human Rights and Citizenship, by use of joint actions of public power and society. The Office has as its specific goals to coordinate the policy of confrontation of human trafficking; articulating the confrontation of organized crime, money laundering and corruption; protecting and promoting the rights of migrants; intensifying and developing International Juridical Cooperation; improving the mechanisms of accreditation and supervision of qualified Social Entities like Civil Society Public Interest Organization (OSCIP), Federal Public Utility (UPF) or Foreign Organization (OE). It is also in SNJ’s duties the coordination of activities of rating TV programs and movies, public entertainment, electronic games and role playing games (RPG), the object of this practical guide” (Guia, 2012: 7).

There is still, in relation to the nature of the Guia, and by extension, the age rating, a very popular subject. Both the Guia’s text and the declarations of representatives of the Justice’s Office try to distinguish the rating from general censorship. Some of the arguments in which such distinction is based have already been exposed here for other perspectives, such as the confirmation of ratings by public opinion, self-rating with announced criteria and of the Guia with universal rules properly explained.

However, there is something about the nature of processes of supervision and control that always qualify them as censorship, even if with community support. Let us remember that in the past, actions by the censoring organizations during the dictatorship corresponded to demands of civil society and, despite that, did not create issues, deserved or not (that is another subject) to free political and artistic expression.

In the case of age ratings, as we have mentioned in an already published work<sup>4</sup>, we should consider its role of notable interference, or censoring power, in the crossing between determination of recommended age rating and determined airing time. In the interplay of market interests for primetime, company, authors and directors will seek to conform in their productions, limiting them to the requirements of the slot. This power of interference that suspends processes and productions is the more direct effect of censorship – a mark of its nature, in the very bosom of the age rating.

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<sup>4</sup> Gomes, Mayra R. “Algumas considerações sobre a classificação indicativa” in Costa, Cristina (org.) *Seminários sobre censura. Núcleo de pesquisa em Comunicação e Censura*. São Paulo, Balão Editorial/FAPESP, 2012.

Having explored the terms in which the Guia places itself and its ratings, having noted some important issues, we hope to have brought to light the comprehension needed for a reading of age ratings as process within a strategy of higher vigilance and contention. Thought from the viewpoint of formation of citizens and oriented by ideals that cross discourses of well defined contours, like these, it has, in principle, the power that endorsement offers, the first requisite in the creation of homogeneity, a trait of circulating discourses.

Circulating discourse é the empirical sum of enunciation with the definitional purpose over what are its being, the action, the happening, its traits, its behaviors and judgment to them connected. (CHARAUDEAU, 2006: 118)

## **FROM MORAL CATEGORY TO THE SEX/NUDITY AXES**

As we established, we started our research with four categories: moral, social, political and religious censorship, wide fields adopted by the researchers dedicated to the Miroel Silveira Archive and created from the observation of the censoring foci and testimonials collected alongside censors and processes, as to the arguments claimed to the application of restrictions.

These categories, despite explicitly mentioned by censors, did not seek the same precision that the Guia does, and left a sizeable margin for interpretation, for the opinion of the censor and even for eventual negotiations, such as the case of disputes around plays by Nelson Rodrigues. Though supported by concrete mentions, they were above all operational criteria adopted by use with the intent of grouping occurrences around an axis in a way that allowed us to account and ponder about them.

In the Guia, in operational equivalence to these criteria, there are three great axes that orient its work, themes from which ratings can be applied: violence, sex/nudity and drugs. These axes manifest, therefore, two roles. On one hand they serve to strengthen the alliance of the Guia with precepts enunciated by the Child and Adolescent Statute, a fact which immediately confers justification for the exercise of rating. On the other hand, the axes constitute the operational categories with which the rating itself is made.

The presence of these axes, or themes, is almost omnipresent in cultural productions, turning the very justifications for them to also come from the context of the object itself. Obviously that questions about the motives of such hegemony create hypothesis about its timeless constitutional character, about its relevant to current context or, as we believe to be the case, even if not the object of this paper, about a confluence of nature and circumstance.

However, these axes, when applied to the analysis of a product, submit themselves to two kinds of gradation: the constancy of themes in cultural products and the intensity with which the subject is displayed, its exacerbation or neutralization, according to edition and staging. Other indicators, such as relevancy to the development of a story, are followed to evaluate the level, aggravating or attenuating, of violence, sex or drugs present in a work.

It is clear that casting violence, sex/nudity and drugs also leaves us with fields so wide as the categories of our prior research. To avoid that, the Guia is built on an attempt to make explicit each situation, each nuance and each intensity. It accounts different incidents so it can, from those, apply the appropriate – and thus justified – rating.

With the results of previous research, which showed us the primacy of the moral category, of sex and sexuality as the primary point of influx, we have since been interested in the destinies and contours correlated to the conclusions of the past. That is why we look for in the Guia for possible equivalence to better observe and analyze.

Another fact begs us to refine the question: current research, contrary to previous ones, point to the axis of violence as the one most recurring one in application of ratings.

If in previous research we had the vector of body and morality as most recurring point, in the research of rating that we are developing, the violence vector appears with high expression.

Mateus Netzel, student of undergraduate science, from the points he raised, notes:

“By observing the criteria that appear as justification for the attribution of each classification and following the simplification of these criteria into themes, as described by the research methodology, it is possible to note the clear prevalence of the theme “violence” in all age groups. The themes of ‘sex’, ‘drugs’ and ‘language’ appear in similar quantities with small differences according to age range, with a higher registry in the themes ‘sex’ and ‘drugs’ in higher ranges – 18 and 16 years – and of the theme ‘language’ in lower ranges – 12 and 10 years”. (Netzel, 2012: 58)

This statement is based on extensive research on the ratings of movies show non TV. From a total of 210 movies with age restrictions, the data show that there were 167 restrictions (through several age ranges) justified by the presence of violent content, even if in different levels as is required by what is considered appropriated for each age range.

In this universe, there were 18 movies unsuitable for those younger than 10, 47 unsuitable for 12 and under, 73 unsuitable for younger than 14, 58 unsuitable for younger than 16 and 14 unsuitable for younger than 18.

Of the movies unsuitable for under those 10, 12 presented arguments related to violence. For the ones unsuitable for those under 12, 31 used that argument. The movies unsuitable for those under 14, we found 60 arguments regarding violent content. Of those unsuitable for those under 16, we had 53 arguments that appeal to the degree of violence and for those unsuitable for those under 18 we have 11 similar arguments.

As can be noticed, the presence of the violence axis, as criterion in the application of age rating, is incontestably the major one. It's obvious that the reason of this finding does not preclude the one in the moral category. That is so because the definition of the violence axis includes regulating points that in the previous comprehension would still be classified as moral.

However, this primacy should be read as a sign of a biggest displacement: the emphasis given to human rights, to the respect for human dignity. These principles were already in the past panorama, though then they did not have the support of related laws that have been passed in the last few decades.

For now, it is important to note that it is remarkable the fact that violence and drugs would be, according to our former categorization, as supervision of a social character. And if religious and political themes are irrelevant nowadays, for the supervision of cultural products, we owe a lot to the fact that the connection between Church and State was gradually eroded with the passing of time and that we lived, then, between periods of dictatorship, when a lot of attention and repression were exercised against all and any political dissent.

It is true that, in the true sense of the word, any of the adopted categories and any of the mentioned axes has a relation with Moral. However, we worked with the criteria as understood by the context of our research and, by it, it is equally evident the fact that the dimension give to moral becomes, according to the Guia, directly linked to the topic of sex/nudity, in a clear allusion to the body.

We mentioned that, in past research, we already detected the association between moral and body management. However, with the Guia this topic is subject to specific guidelines, described step by step that we will follow closely in order to explain them. However, we'd like to note before that, because of this, the Guia seems to execute a program in the same pattern as was described by Foucault.

“The device of sexuality has, as a reason of being, not to reproduce, but to proliferate, innovate, annex, invent, penetrate the bodies in a manner each time more detailed and control the populations in a manner that becomes increasingly global” (Foucault, 1997: 101).

We go forward by scrutinizing what the Guia shows as the criteria do be observed. This procedure connects with our object to examine each topic of the rating in order to proceed with the comparison and note displacements.

When it comes to Sex and Nudity, are considered Unrestricted the cultural products that approach these themes from a positive viewpoint and do not conflict with the restrictions mentioned for groups 10 and up. To be classified as Unrestricted, these pieces must deal with nudity without eroticism, or sexual appeal, favoring a scientific, cultural or artistic context.

Unsuitable for those under 10 is content that present scenes of sex and nudity outside of an educational or informative context. As unsuitable for those under 12, are mentioned the following cases that are not tolerated in this age range:

B.3.1. VEILED NUDITY – Nudity without presentation of frontal nudity (penis, vagina), breasts and buttocks, that is, an “opaque” or veiled nudity. (...)

B.3.2. SEXUAL INSINUATION – the tendency is applied when possible to deduct by dialogue, images and context that the act has occurred, will occur or is occurring, without, however, being possible to visualize the sexual act. (...)

B.3.3. SEXUAL CARESS – Scenes in which the characters fondle each other, sexualization is present, but the action does not result in sexual relations. (...)

B.3.4. MASTURBATION – Non-explicit scene of masturbation. (...)” (Guia, 2012: 18).

Still in the 12 year old range, are acceptable components of crass language, swear words related to sex and excrement, dialogue about sex without vulgarity or stimulation, farcical simulation of sex and scenes that represent sexual interest.

In Works unsuitable for those under 14, therefore suitable for this age range, are admissible scenes in which breast, buttocks, genitals, erotic context, sexually stimulant and tones of vulgarity are displayed, “scene with any type of non-explicit sex (vaginal, anal, oral, manual)” (Guia, 2012: 20), or the presentation of prostitution in any of its steps.



In the 16 year old range, and unsuitable for those under that age, content is admitted in which there is any intense sexual relation, of any kind, as long as it's not explicit, that is, you can't see the actual penetration.

Unsuitable for those under 18, but admitted for this age group, are Works with scenes of explicit sex of any nature, such as the visualization of sexual organs. For this age range, are reserved works characterized as pornographic and “complex sexual situations/with strong impact”, such as incest or sadomasochism.

One can notice in this the trajectory the minutiae brings clarity to the situations of application of rule and takes away possible accusations or arbitrariness from State and Ministry. After all, there is an accounting of parts of the body that can be shown to each age range, and therefore, objective coordinate. However, that does not mean they are not intervening. In fact, remembering Foucault, the deeper the minutiae, the more supervision and effective control there is.

But old moral values so associated with conduct in relation to body, sex and marriage imply much more than that nowadays. Maybe in terms of circulating discourse, shared to the point of generating a transformation of practices of supervision, the key might be in a very different situation than before.

The concept of Human Rights has changes social articulations and fostered public policy. The same effect has been produced by the Child and Adolescent Statute, instituted by Law 8096 from July 13 1990. In here they show their effects in the shape of other discourses, since much of what we associate to infractions in the field of sexuality is considered by the Guia as characterized by violence. This is certainly a perspective coming from human rights and in defense of basic rights.

This is the case of Deprecating Language, covered by the violence axis, which crosses with connotations of sexual order and motivates the non-recommendation for those under 10. The very example pointed out by the Guia alludes to that connection: “EXAMPLE: - Look at that whore coming on to my boyfriend!” (Guia, 2012: 12).

It thus follows that material unsuitable for children under 12 includes those with scenes of verbal aggression. Well, verbal aggression, despite being aggressive and certainly violent, it is frequently constructed around sexuality. Still on the 12 and under, are considered unsuitable obscene content, by which is understood: “Act, word, writing or gesture, in special obscene ones, with the intent of offending or embarrassing someone”. (Guia, 2012: 13). Included in this topic is content that reveal sexual harassment, such as those possible in hierarchical conditions.

In the range unsuitable for those under 16, under the violence axis, we find a clear occurrence of sexual content: rape. Alongside are listed productions with sexual exploration, sexual coercion and abortion. We should note on the last example that it is classified as violence, when in the past we noticed, many times, associated with sexually deviant life, as an effect of immorality.

We highlight, thus, the displacement of discourses, always under the backing of human rights, from the sphere of sexuality to that of violence. And to complete a set of displacements, we have listed in this last range pedophilia, defined as “sexual violence against a vulnerable (those under 14)”.

Despite the fact that these conditions do not imply, necessarily, physical aggression in the sense of fight and death, they are aggressions on another viewpoint, that of respect to human dignity and that of respect to the formative individual, under the dependency/responsibility of an adult.

## **COUNTERPOINTS**

We understand counterpoints as a movement of retraction after the advances in some directions. They are important to define the conciliatory tone, the assumption of a posture that means to be interpreted as democratic, impartial and least interventional as possible.

In this way, to avoid the rigidity of rules and allow for negotiation, summing it up, the dialogue with civil society, as proposed by the Ministry and the Manual da Classificação Indicativa, Manual and Guide make counterpoints to themselves, by placing attenuating and aggravating elements to the conditions of rating described above.

The Guia defines as attenuating elements any imagetic or contextual factors that may mitigate the presence of elements that require age restriction, or even a higher rating.

Among these are scene composition (proximity/distance; serious/comic presentation), relevance and frequency of inadequate content for the story, contextual pertinence, caricature or fantasy. The inadequate content can be only insinuated, instead of directly presented, it can be assumed by noble motives or discouraged, if portrayed negatively. At the same time, it will count as an attenuating element any presentation in tandem with positive content, of uplifting examples etc.

To compensate, there are aggravating elements, which the Guia describes as “contextual factors of the work that may amplify the impact or aggressive potential of tendencies of indication”. (Guia, 2012: 26). Roughly, these situations are the same as listed under attenuation,

but now with contours that bring potential for inadequate content, in scene composition (proximity/distance; serious/comic presentation), relevance and frequency of inadequate content for the story, valorizing of negative aspect, vile motivation, child and teen involvement in the inadequate content. Also added are cases in which these themes are gratuitously used in the context of the narrative.

However, we should note that even in the attenuation or aggravating descriptions, according to circumstances, the Guia seeks the precision that it aims for, always illustration examples, always suggesting some sort of measuring of occurrences.

We also understand that several of our findings as counterpoints in the sense of inverse movement in sustaining discourses. The investigation of points of convergence or disparity among past and present results served the higher purpose of giving substance to the displacements that were pointed to us in the course of this article, all of which are counterpoints made evident with reflection on criteria of supervision.

Também entendemos vários de nossos achados como contrapontos no sentido de movimento inverso nos discursos de sustentação. A investigação dos pontos de convergência ou de disparidade entre resultados passados e presentes, serviu ao objetivo maior de conferir substância aos deslocamentos que fomos apontando no decurso deste artigo, todos eles contrapontos evidenciados com a reflexão sobre critérios de supervisão.

We sought a point of fixation for these criteria which we could attribute to the responsibility for the great discursive turnabout. It was just a matter of paying attention to the words of the Guia to notice a clear configuration carefully constructed from the Universal Declaration of Human Rights and the Child and Adolescent Statute.

Among what is set out in this last one, right in its preliminary dispositions, are pointed conditions that orient the Guia. In Article 3 it is declared that:

“Child and adolescent enjoy of all the same fundamental rights inherent to humans, without prejudice of integral protection of which this Law deals with, guaranteeing by law or other means, all opportunities and facilities, in the intent of granting physical, mental, spiritual and social development, in conditions of freedom and dignity” (LAW N° 8.069, JULY 13<sup>th</sup> 1990).

Article 3 is, without a doubt, the point in which restrictive criteria make its stitch and knot. However, we note an old argument, that of moral development, which returns after all its pointed dissonances between old and new registries. And, in virtue of its dissonances and in the context in which the term reappears, the return itself constitutes a counterpoint.

Certainly, as before, the moral word deals with the internalization of principles from which such practices become automatism. But it is not stuck to the comprehension connected to

sexual practice, though, as before, it falls directly over the management of the body, now in the name of universal principles. It is important to note the efficacy that schemes of power reach, when thus supported, in the effort of objectification of subjects.

However, from the viewpoint that remains as backdrop through this research, we could show a redesign of fields, displacements and re-significations that operate among notions of moral and violence and expand into categories and criteria.

We were privileged, because with this trajectory we became testimony of the constitutive movement of discourses and words, and in this sense, have accompanied its genealogy.

## REFERENCES

BARRETO FILHO, Mello. Diversões públicas: legislação-doutrina: prática administrativa. Rio de Janeiro: A. Coelho Branco Editor, 1941.

CASADEI, Eliza Bachega; GOMES, Mayra Rodrigues. A dimensão política da censura moral. In: Revista Verso e Reverso, ano XXIV, edição 2, n. 56, Universidade do Vale dos Sinos (Unisinos), agosto de 2010.

CHARAUDEAU, Patrick. Discurso das mídias. São Paulo: Contexto, 2006. COSTA, Maria Cristina Castilho. Censura em cena: o teatro e a censura no Brasil, a partir do Arquivo Miroel Silveira. São Paulo: Edusp & Imprensa Oficial, 2006.

FOUCAULT, Michel. História da sexualidade. Vol. I: a vontade de saber. Rio de Janeiro: Edições Graal, 1997.

GOMES, Mayra. Algumas considerações sobre a classificação indicativa. In: COSTA, Cristina (org.). Seminários sobre censura. Núcleo de Pesquisa em Comunicação e Censura. São Paulo: Balão Editorial/FAPESP, 2012.

\_\_\_\_\_.; et alli. Palavras proibidas: pressupostos e subentendidos na censura teatral. São José dos Campos: BlueCom, 2008.

\_\_\_\_\_.; PAGANOTTI, Ivan. Censura além da classificação: a recepção brasileira de “A Serbian Film”. Revista Significação, n. 38, PPGMPA ECA/USP, fevereiro de 2013.

LIPOVETSKY, Gilles. O crepúsculo do dever: a ética indolor dos novos tempos democráticos. Lisboa: Dom Quixote, 1994.

NETZEL, Mateus Marcel. Investigações sobre classificação indicativa: a avaliação da produção televisiva. Relatório de pesquisa apresentado para a FAPESP em 2012.

PEREIRA, José. Teatro e cinema: da condenação de seu desvirtuamento. São Paulo: Exposição do Livro Editora, 1961.

### **Endereços Eletrônicos**

MINISTÉRIO DA JUSTIÇA, Secretaria Nacional de Justiça, Departamento de Justiça, Classificação, Títulos e Qualificação. Manual da nova classificação indicativa. Brasília: Ministério da Justiça, 2006. Disponível em: <[www.mj.gov.br/classificacao](http://www.mj.gov.br/classificacao)>. Acesso em: 1o maio 2012.

MINISTÉRIO DA JUSTIÇA, Secretaria Nacional de Justiça, Departamento de Justiça, Classificação, Títulos e Qualificação. Classificação Indicativa: Guia Prático. Brasília: Ministério da Justiça, 2009. Disponível em: <[www.mj.gov.br/classificacao](http://www.mj.gov.br/classificacao)>. Acesso em: 1o maio 2012.

PRESIDÊNCIA DA REPÚBLICA, Casa Civil, Subchefia para Assuntos Jurídicos. Lei no 8.069, de 13 de julho de 1990. Dispõe sobre o Estatuto da Criança e do Adolescente e dá outras providências. Endereço: <[http://www.planalto.gov.br/ccivil\\_03/leis/L8069.htm](http://www.planalto.gov.br/ccivil_03/leis/L8069.htm)>. Acesso em: 15 janeiro 2013.

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