Copyright Violations, 'Inspirations' and Adaptation in Indian Films: A Case for Cinema as Visual Anthropology?

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ABSTRACT The field of visual anthropology encompasses relationships between anthropology and visual media, but its applications have been primarily limited to studying the visual manifestations and pictorial aspects of culture as well as cultural behaviour of humans, and to the study of ethnographic film. Copyright violations and 'inspirations' refer to the unauthorized remakes and copies of western films that abound in the Indian film landscape. The objective of this paper is to analyse the anthropological issues in the making of cross-cultural adaptations and remakes, both authorized and unauthorized, in the Indian film industry. It does so by analyzing the anthropological information inherent in, cross-cultural adaptations, and in various violating and inspired versions of foreign films being made in India. By doing so, it seeks to establish a stronger conceptual association between cinema and visual anthropology, thereby presenting a case for cinema as visual anthropology.

INTRODUCTION

"When the image moves it *qualifies* the character of human behaviour. Refinements of interpersonal behaviour are suggested in still photographs, but conclusions must still rest on often projective impressions that "fill in" what the photograph does not contain. With moving records, however, the nature and significance of social behaviour becomes easier to define with responsible detail, for it is the language of motion that defines love and hate, anger and delight, and other qualities of behaviour. For this reason visual studies of behaviour and communication tend to use film and video rather than the still camera." (Collier 1986) This observation by John Collier in his seminal book, "Visual Anthropology: Photography as a Research Method", serves as an important standpoint from which the current research can be viewed.

Marion and Crowder (2013) present a concise overview of the significant ethical, theoretical, and practical considerations for conducting visual research, and highlight the importance

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of thinking visually before engaging in visual research.

Objectives

The researchers are trying to look at the phenomena of cross-cultural copyright violations and 'inspirations', and adaptation across subject-matters of copyright, in terms of an anthropological perspective. The basic argument that this research endeavours to present is that the moving image of film contains valuable anthropological information and is an effective and efficient medium for such a function, establishing a case for cinema as visual anthropology. The objective of this paper is to analyse the anthropological issues in the making of cross-cultural adaptations and remakes, both authorized and unauthorized, in the Indian film industry. It does so by analyzing the anthropological information inherent in cross-cultural adaptations, and in various violating and inspired versions of foreign films being made in India.

CINEMA AND ANTHROPOLOGY

"Cinema and anthropology have a parallel history and development. They came from the same nineteenth-century Euro-American intellectual and cultural foundations. The cinema has four conceptual origins: (1) it is a device to tell stories (that is, a narrative function), as seen in

the early films of Thomas Edison and Edwin S. Porter (such as A Day In The Life of An American Fireman); (2) it is a device of fantasy, as seen in the works of the conjurer, George Méliés (for example, A Trip to the Moon); (3) it is a device to capture everyday events in the lives of people-some ordinary and some exotic-as seen in the works of the Lumiéré Brothers; and (4) it is a device to study movement through space and time…" (Ruby 1980).

Although the above assertion may suggest a strong parallel between the history and development of cinema and anthropology, a conceptual association between the two fields is not so strongly established. Cinema can primarily be visualised as a depiction of people and their actions within the context of relationships and society in a particular culture. Although it has numerous forms and formats, the depiction of people and their actions remains a common denominator in all kinds of cinema. Anthropology is the study of humans. It can be classified into categories such as socio-cultural anthropology, physical anthropology, archaeology and linguistic anthropology. Academic scholarly literature has very limited references to the relationship between anthropology and cinema. The general perception also is that both these fields are sufficiently different from each other to accord any possibility for even a rudimentary correlation between the two. The only exception here, where cinema and anthropology come together, is in the case of ethnographic film, which is a form of documentary cinema. Apart from that, in the domain of fiction films, anthropology is not seen to have much of a role to play in terms of analysis or understanding of one from the other. They are seen as the proverbial chalk and cheese! That perception may however be a bit erroneous, since it might be possible to find to some ways in which cinema and anthropology might be associated. Socio-cultural anthropology is conceivably the branch of anthropology which comes closest to such an association, since the context of cinema is most generally socio-cultural. Schneider and Wright (2013) take an innovative look at new experimental work informed by the newly-reconfigured relationship between the arts and anthropology. In a practice-based and visual work, they focus on key works from artists and anthropologists that engage with 'art-ethnography' and investigate the processes and strategies behind their creation and exhibition. To quote from the webpage of American Anthropological Association: "Socio-cultural anthropologists examine social patterns and practices across cultures, with a special interest in how people live in particular places and how they organize, govern, and create meaning. A hallmark of socio-cultural anthropology is its concern with similarities and differences, both within and among societies, and its attention to race, sexuality, class, gender, and nationality." Many of these issues, such as class, sexuality or gender are often subjects of cinema, or concerns that it deals with, or simply form the context within which the actions of its characters takes place. Schneider and Pasqualino (2014) explore the practical and theoretical challenges arising from experimental film for anthropology, and vice versa, through a number of contact zones: trance, emotions and the senses, materiality and time, non-narrative content and montage.

THE FIELD OF VISUAL ANTHROPOLOGY

The field of Visual Anthropology encompasses three separable but related areas: 1. the study of visual manifestations of culture-facial expression, body movement, dance, body adornment, the symbolic use of space, architecture, and the built environment; 2. the study of pictorial aspects of culture from cave paintings to photographs, film, television, home video, and so on; 3. the use of pictorial media to communicate anthropological knowledge (Ruby 1989). The second and third points, and their implications, are pertinent to our endeavour to establish a connection between cinema and anthropology. Banks and Morphy (1997) in their seminal work titled "Rethinking Visual Anthropology", show that the scope of Visual Anthropology is not limited only to ethnographic film (as is the commonly held notion), but is far broader, encompassing the analysis of myriad works of visual media and art, such as photography and television. A pioneering effort for the use of film to analyse cultural behaviour was made by Mead and Bateson (1942). Henley (2013) analyses the films of Mead and Bateson and looks at the circumstances under which these films were made, the theoretical ideas that informed them, and the methods employed in shooting and editing.

Photographic evidence in visual anthropology has been increasingly drawn into film and

video, for they have expanded non-verbal research with flowing records of culture and behaviour through time and space. Film and video have become essential for the study of human behaviour, as in investigations of interaction in city space or research of schoolroom culture (Collier 1986). While the anthropological use of pictorial media may be as old as the technology itself, the field still has an unclear public image (Ruby 1989).

THE INDIAN FILM INDUSTRY

The Indian film industry is arguably the largest film industry in the world, going by the number of films it churns out each year. It is as old as cinema itself and certainly older than Hollywood which began in the late 1900's (Desai 2007). The Indian Film Industry comprises of not just the more prominently visible mainstream Bollywood, but also regional film industries of different states. There is no doubt as to the current position of the Indian Film Industry as a predominant cultural and economic force in the world, given its standing as the world's largest producer of movies. The Indian film industry "is one of the few modern industries built up with indigenous talent through the 20th century" (Desai 2007). Despite its huge size and mammoth visibility, Indian cinema, especially mainstream Hindi-language cinema commonly known as Bollywood, is plagued by the issue of illegal, unauthorized copying of foreign films.

Copyright Violations and 'Inspirations'

Bollywood has often been criticised for blatantly copying storylines of western films, especially Hollywood films. For an industry that is reputed to be the largest film industry in the world in terms of number of movies produced, and whose worldwide ticket sales outnumber that of Hollywood by a huge margin, this is surprising but nonetheless true. A majority of Indian films are copied in part or in full, generally from Hollywood. This is not a recent trend but has been happening since decades in the Indian film industry. The Raj Kapoor-starrer *Chori Chori* (1956) was largely copied from Frank Capra's *It Happened One Night* (1934). The same Hollywood movie was remade yet again as *Dil Hai Ke Manta Nahin* (1991) toplining Aamir Khan. Bollywood comedy *Bheja Fry* (2007) was a ripoff of

the French movie *Le Dîner de Cons* (1998). The Hollywood musical *Seven Brides for Seven Brothers* (1954) was made into *Satte pe Satta* (1982) starring Amitabh Bachchan. The examples of such copying or 'inspired versions' made in India are endless. However, for a very long time Hollywood was largely indifferent to such copying and totally nonchalant to taking any kind of action against violations. Lately however, it has woken up to the indiscriminate copying by Indian film-makers of its scripts, screenplays and storylines. In probably the first lawsuit against and Indian production company by a Hollywood studio, 20th Century Fox sued BR Films for £940,000 (Rs 70 million, approx), saying that the Chopras' film, *Banda Yeh Bindaas Hai*, was an illegal remake of their original, *My Cousin Vinny* (Prabhakar 2009). When the Colin Farrell-starrer Phone Booth (2003) was remade into *Knock Out* (2010) in India "the Bombay High Court decreed in favour of the international production house against the producers of the 2010 release" (Shetty 2010). This recent spate of lawsuits by Hollywood film companies have served to instil some amount of fear in the minds of Indian film-makers. There are some instances now of Indian film-makers officially buying the remake rights for Hollywood films. But unauthorised copying still goes on and probably many more lawsuits are required to totally turn the tide.

Copyright Violations and 'Inspirations': The Anthropological Perspective

The common joke in Bollywood circles is that the first step for making a film is purchasing a DVD of the Hollywood film that you want to copy or 'get inspired from'. That is of course a tongue in cheek remark since the Hindi film industry also has its share of original and pioneering films and film-makers, though those are few and far between, with a majority of films being copied in part or full from one or many sources. Ganti (2002) makes a sharp comment on the way many Bollywood films are supposedly adapted from Hollywood films though the following conversation:

We had gathered to watch *Fatal Attraction* on laser disc because Radhika, who was an actress, and her friends – a director, a cinematographer, a screenwriter, an assistant director, and a few actors – were thinking of remaking it into a Hindi film. Although most of them had seen the film before, they were watching it that night to decide whether to remake it.

During a particularly passionate sex scene, Radhika turned to Tarun who would be directing the potential remake, "What will you do? Will you show a song here? How are you going to show them having great sex?"

Tarun said, "I can do it."

"How can you?" pressed Radhika.

"I'll do it," assured Tarun.

"No, not like how you did in your last film, not with shadows and silhouettes and close shots. That's not going to do it."

When Tarun asserted, "Don't worry, I can do it," Radhika objected: "But wait, if you do it, I can't be seen doing that with someone I just met for the very first time! I can't do that!"

Tarun pointed out, "But you're not stable" [referring to the character, not to Radhika].

Radhika protested, "I don't want to be mentally unstable! It's quite unfashionable now; that's just not what's done!"

After the film was over, Tarun declared, "We can't make this film."

Imran, who was a writer, concurred, "You're right. It doesn't work. It's really boring"

The above conversation brings into perspective the socio-cultural changes required in a typical 'inspired version': the anthropological aspects of cross-cultural transformation of film are quite noticeable. As discussed earlier, unauthorized and illegal remakes and copies of western films abound in the Indian film landscape. A common phenomenon is the creation of 'cultural copies' of Hollywood and other western films, where the plot and characters remain largely the same but the cultural context and milieu is changed to suit the sensibilities of the Indian audience. Since the changes are effected more to bring the social and cultural characteristics of the film in line with the sensibilities of the audience, it may be possible to analyse some of these aspects in terms of socio-cultural anthropology.

As an example, the Hindi film *Hum Tum* (2004) is evidently inspired from the Hollywood film *When Harry met Sally* (1989), but the former is a much more sanitized version suitable to the Indian audience, where implicit references and allusions to sex are omitted. Or take the example of *Pyaar To Hona Hi Tha* (1998), which was much inspired from the American romantic comedy *French Kiss* (1995). Much of the plot and characters are kept the same and in both the films, the protagonist is trying to smuggle an expensive piece of jewellery through the customs by planting it in the heroine's luggage. However, a few differences, which may be trivial to the film's plotline but are crucial to the socio-cultural context of the film, are brought about. While Luc, the protagonist of the American film is shown to have a past where he has gambled away his right to his ancestral property to his own brother, Shekhar, the protagonist of the Indian film, needs the money since his family property is mortgaged with the moneylender. This small change, though insignificant to the film, underlines the different socio-cultural framework in the two films. Sometimes, however, when a movie is copied from a foreign one, it may be possible to keep the socio-linguistic elements similar if the story takes place in a similar setting in both the films. The Hindi film *Partner* (2007) was an unofficial remake of the Will Smith-starrer *Hitch* (2005), and since both films take place in an urban setting, the character motivations and linguistic expressions have much similarity.

Adaptation: The Case of Slumdog Millionaire

Adaptation stands for 'change of form': a work is said to be an adaptation of another when the second work is clearly and visibly a derivative of the earlier work. The right of adaptation is one of the rights in the bundle of rights available to the copyright holder. Evidently, the most popular mechanism of adaptation is the conversion of literature into cinema. Shakespeare's plays have been adapted into numerous movies in different countries around the world. Socio-cultural elements are often modified in such movies to give the film a strong connect with its culture in terms of the social, cultural and anthropological context. The Shakespearean drama, Othello was adapted into the Hindi film *Omkara* (2006), but with sufficient changes to the cultural landscape, social milieu and linguistic stance.

The changes affected in the movie while adapting from the literary work such as a short story or novel may underscore the potential and suitability of cinema for containing and transmitting anthropological information. The researchers explain this phenomenon by taking the case of one particular movie: the multiple Academy Award-winning Slumdog Millionaire, which was adapted for the screen from a novel titled Q&A. Through the following analysis, the researchers try to accomplish two things. Firstly, to analyse the differences between the book and

the adapted film version to understand the differential anthropological information that a film might be able to convey, and secondly to analyse the story elements in the film per se to understand how anthropological knowledge may be embedded into a film.

Slumdog Millionaire is the story of a young man named Jamal Malik who, since his childhood, has lived a tragic life in the slums but goes on to win a jackpot on the Indian version of *Who Wants to be a Millionaire*. He has been apprehended by the police after he has answered the penultimate question correctly, on suspicion that he might be cheating. Though police suspect that he might be cheating since it is unlikely that an uneducated slum-dweller could know the answers to questions being asked on a quiz show like this, but Jamal is able to justify his knowledge of these answers by citing various instances and events from his life as a reference to the theme of each question. It is through this narration of his life, question by question, that we are able to get a peep into the kind of life that Jamal has had till now.

In one of the earlier scenes in Slumdog Millionaire, a young Jamal is seen defecating inside a makeshift, tattered commode. His brother Salim, ever profit-minded, brings a 'client' and urges Jamal to get over quickly and come out so Salim could charge the 'client' for facilitating the use of the commode. This tripartite discussion between Salim, Jamal and the 'client' is starkly humorous and brings out the appalling living conditions of the characters. There is no access to proper sanitation and the facilities available are deplorable and undignified.

As the scene progresses, a helicopter carrying the reigning superstar of Indian films, Amitabh Bachchan, lands at an open strip nearby. That a contiguous piece of land should serve in part as a tattered commode and in another part as a helipad for the super-rich is a sharp comment on the polarised but intermingling worlds of the rich and the poor. Jamal is a big fan of the superstar and gets very excited on hearing that he has arrived, but he is unable to open the commode door since it has been shut from outside by Salim in frustration that he has not been able to earn a quick buck by offering the facility to his client. Jamal is so enthused at the prospect of meeting the superstar that he takes the only possible option: he jumps into a sea of faecal matter below him (there is no sewerage disposal) and emerges out of it 'covered in shit', conveying

visually the ironic significance of that metaphor in a very literal sense. This is a biting visual remark on the deplorable living conditions of the poor and the downtrodden; of those living on the fringes of society.

Identity is a very significant parameter in the study of humans, and religion is one of the primary influencers of identity. Not just at the individual level, religion shapes identity and notions of self-identification at the sociological and national level as well. While the author of the novel names the protagonist as Ram Mohammed Thomas, to symbolise him as the Indian common man who is a Hindu, Muslim and Christian at the same time, the movie takes no such liberties. The protagonist is Jamal Malik, a Muslim, a member of the religious minority community in India, which, according to some perceptions is a marginalised community in Hindu-dominated India. The perception in the minds of the audience, of a suppressed and marginalised protagonist, is thus strengthened. The framing of identity thus helps the cause of the film's story, since in victory he becomes an even bigger hero. Everybody loves the underdog, or should we say, slumdog!

In the life of the slums, exposure to violence begins at an early age. Jamal is able to answer on of the questions based on religion, and the reference for the answer comes from the from a very tragic event: his mother was killed in the religious violence perpetuated by frenzied mob. The identity of the slum-dweller is often shaped by the incidence of violence.

Family and family relationships shape the identity of a person and are thus instrumental in understanding and analysing the individual in whose context the relationships are being observed. So while in the novel we have Salim as the protagonist's best friend, that character is analogously converted into Jamal's brother with whom he has a love-hate relationship. That Salim forcibly sleeps with Jamal's love interest, Latika, is a peep into the incestuous nature of relationships especially within families with distorted power structures. However, the inherent position of family in one's psyche and identity is well demonstrated in future incidents. For example, it is Salim who, in the end, helps Latika escape from the captivity of a gangster at the risk of his own life. Also, in a very interesting take, when Jamal does not know the answer to one of the questions on the quiz show, he uses his 'phone a friend' lifeline to call Salim. When asked why he would like to call his brother, his reply is simple:

Salim's is the only phone number he knows. Jamal's love interest is shown to be a prostitute whom he befriends while working as a tour guide, in the movie Latika is his childhood friend who ends up captive in a gangster's captivity, establishing prostitution and bondage as an offshoot of poverty in a criminal environment.

The theme of exploitation is a common thread that runs through the movie. The characters face exploitation at the hands of circumstances, from people who may be strangers or family members, and in various ways are victimised by those more powerful than them. But in the end the film is a story of individual triumph over the hardships of life.

CONCLUSION

In conclusion it may be stated that envisaging cinema as visual anthropology may be a valuable and viable analytical tool, affording us a possibility of analysing cinema as well as anthropology with a lateral perspective. The current study concludes that there is much anthropological information embedded in films, which is especially visible when one compares the different cultural versions, such as inspirations and adaptations, in which the respective stories have found shape. The analysis shows a clear tendency of cultural versions of different stories to provide anthropological information that demonstrates the differences in the social, cultural, economic and material worlds in which the stories unfold. Thus the current research has found useful linkages between film and anthropology.

RECOMMENDATIONS

It may be asserted that film and anthropology are not as far removed from each other as suggested by the available academic literature. Although they seem to be different, there are definite overlaps waiting to be harnessed for research and for better understanding of film using anthropology. Vice versa may also be true implying that it might be possible to understand anthropology using cinema as a tool, since films contain useful anthropological information, apparent or codified. Further research may be conducted in the direction of understanding and deciphering ways and means for using cinema, especially cross-cultural transformations in films, as a tool for understanding anthropology.

LIMITATIONS

The scope of this research has been limited to an analysis of cinema using the anthropological information contained therein. To keep the scope limited, it does not include the analysis of reasons that cause some anthropological information to be included and some of it to be left out of different cinematic versions of the same story. Also, only one case of adaptation is discussed in detail, whereas a few more could have been discussed to have a comparative view of how the type of anthropological information changes in different genres of films.

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