

**OLD-FASHIONED LAW AND NEW REALITY:**

**WHAT IS WHAT AND WHY, AND WHAT IS IMPORTANT?**

Ladies and gentlemen,

It was proposed to me that I should talk to you about "new measures to handle pornography" in Sweden. The situation that I described at our last meeting in Norway last year was that the Swedish minister of culture tried to tighten and make more restrictive our dealings with pornography for adults. She has tried, but I am happy to say she has not succeeded.

"Happy" may seem a strange word but I use it on purpose, since I do not regard grown-ups' watching what pornography they like as a problem for society, and particularly not for politicians. I will say no more about that, not to be too impolite to those politicians who govern my budget.

Instead I have chosen to tell you something about more relevant problems that we increasingly meet. And the core of this is an old-fashioned law confronting a totally new reality and not being up to it. I don't intend to even mention the Internet, with which we have absolutely nothing to do – and I sincerely hope we never will. I am talking about the not-so-very-new medium, the video and the situations where it is shown.

As I hope you all know by now, all performances where the general public can be admitted to watch moving pictures, whether on 35 millimetre film or video or DVD, come under the reign of the Swedish Film Classification Board. There are some exceptions. If the showing is taking place in connection with a festival or an otherwise cultural or non-commercial event, we can exempt the films from being screened by our film censors. But then there is an automatic age limit of 15, our highest age bracket.

Festivals and other arrangements for showing films are steadily growing in number and size. Many of them have children and young people as target groups. This should be applauded and encouraged. But here we are the problem. If those who arrange such events want to invite anybody else than a small group already defined, almost by names, we have to screen them and make decisions whether they should be allowed for all or have some age limit. We have the power to give this service for free, to exempt these films from the regular fee. That we always do, otherwise we could make the finances of those events very heavy to handle. But still, the job has to be done. And we have to do it. And since our rules and regulations state that in matters of films that are to be seen by people younger than fifteen, there has to

be two qualified film censors to screen them and make decisions, this takes up a lot of our working hours. And in our organisation, as it is today, we have only four classification people, plus two extras.

We are not really equipped for this. The first item is, of course: is it really necessary?

The very same day that I wrote this, I had watched two ordinary cinema films. One was AMERICAN PIE 3 – THE WEDDING, rated R in the US, rated 15 in Britain; we decided allowed for all in Sweden. Not to my liking as a movie but that is a personal statement, with no connection to my role as a government agency officer. We did not see that it could cause mental damage to children, which is our only criterion. The second was the British film DIRTY PRETTY THINGS, a movie that I liked enormously, because of its well-handled story and its believable characters. That was rated from 11 in Sweden – I have not been able to verify my colleagues' decisions – for the very theme and some particular sequences. After that – and in this instance this is the most interesting – I saw a video tape containing old, probably 8 millimetre film – from the part of Sweden, where my esteemed colleague Erik has his summer house in Dalecarlia. It was 28 minutes long and contained documentary bits and pieces from summer and autumn 1941, describing people working and feasting, caring for the cows, harvesting, have scout club meetings and gymnastics performances, bathing and playing in the summer, going out to shoot moose in the autumn. The most dramatic moment in this amateur film, since it is set in 1941, with World War 2 going on, is that these people spot a German plane in the sky, write down that information and report it to the proper authorities. I ask myself: what is the purpose for society in having very qualified people screening a film like that, only to say, obviously, that it is allowed for all?

We have had some other problems with vehicles for transportation. There are video showings on trains. No problems: the films are shown in a special carriage and you pay for your ticket, although the cinema is moving along the rail. In coaches: a bit more doubtful: no one in a coach can avoid seeing what is shown and if there are youngsters among the passengers, showing a film classified from 15 is not really acceptable, as long as our rules apply. On ships: that depends: a ship between Sweden and Finland sails into international waters and a ship between Sweden and Britain sails into international waters, where no rules apply, like what is shown in aeroplanes.

We have the problem of regular "film studio clubs", which from almost ancient times, at least about fifty years, have been exempt from inspection and interference, not because they are not public performances (in some instances they are) but because they have a reputation for showing quality films only, although a number of years ago they showed – for a select public

audience – films that the Classification Board in those days had refused for public showing, even for adults.

We have the problem of film shows in sex shops and sex clubs. If you hire a film from a sex shop and prefer not to take it home but to see it in a special room provided by the shop, equipped with a rather uncomfortable chair and a roll of toilet paper, this is not public showing. But if in this shop there is something like a small cinema, where a certain pornographic film is shown at a certain hour, and there are about a dozen seats, with or without individual toilet paper, that is a public showing, at least so far how we have interpreted the law. To be certain we have put such a case to one attorney in Stockholm, who is familiar with our situation and our questions, and are still awaiting her decision whether or not to prosecute.

Our law, basically, was formed in the beginning of the century 1900 and has not, basically, changed since then. It still reflects the belief that impressions from moving images are more powerful than values that come to people, particularly young people, from other sources, peer groups, parents, school, media in general, that is other than movies. And worse, it does not take into account how moving images are used these days – there is a lot more out there than Hollywood action movies.

One of the points of this is simply that we in my organisation, with so few people (and we should not be so many more) do a lot of totally unnecessary work, because the legislation has not kept up with the development. It feels very out-dated, very old-fashioned and very impractical.

I do not want my European colleagues to interfere with Swedish politics, the way that some tried at the meeting in Vienna – excuse me if I am impolite – but it would be good for me to have a silent moral support for showing politicians in my own country that reality has changed since 1911, or even since 1981.

I have myself been a politician for many years. I know politics. I know how politicians think and reason. I have given up hope – for the next few years at least – to convince politicians that freedom of expression is an overall consideration. What I do hope for now, is to show them that administrative and workload problems, for no good reason, are making our situation almost hopeless, particularly since we do not have any financial revenue from these phenomena in the half-new, almost half-old media situation.

We know that Britain, in its own way, have modernised their guidelines, with their particular way of handling things, which I respect. We know that Denmark, since some years, has introduced a whole new organisation and a new outlook. We know that our sister organisation in Norway is facing a small revolution in their classification organisation. We

know that the Netherlands since a couple of years has a whole new situation. We know that France in some respects have a legislation which they can handle according to their own cultural situation, we know that the Germans have left self-regulation to the industry. We know that the Icelanders stand before a possibly new situation. It is a bit tragic to me that Sweden should be the only country in Europe where absolutely nothing happens, disregarding what happens in the world and in our reality. But I have not quite given up yet. And I am not going to retire for a long time.

Thank you.