**[Punjab Drama Act](https://www.dawn.com/news/1773600/punjab-drama-act)**

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LAST week, Amir Mir — the Punjab caretaker information minister — announced a [crackdown](https://www.dawn.com/news/1772536) on ‘vulgarity’ and ‘obscenity’ in theatres in Punjab, relying on the Punjab Dramatic Performances Act, 1876 (Drama Act).

Following a raid on a theatre where allegedly a ‘dance performance’ was going on, the commissioner of police, Muhammad Ali Randhawa, stated 10 theatres in the Lahore Division have been sealed for an indefinite period, until there is an undertaking that theatres will promote Pakistani values, culture, and ethics. He said creativity is welcome, but vulgarity, obscenity, and dialogue or actions that are against our religion and culture that cannot be viewed with families will not be tolerated.

The caretaker information minister also stated preparations are underway to prohibit dance performances in theatres altogether through amendments in the Drama Act.

The fixation of the caretaker government on purifying theatrical performances in Punjab highlights one of the most sweeping censorship laws in the country — in terms of the grounds on which dramatic performances can be prohibited, as well as the powers given to authorities to ‘curb’ such undesirable public performances.

The extensive nature of the crackdown against theatres and public performances should concern us all.

Unsurprisingly, the Drama Act is a colonial relic, which was enacted by the British in 1876 to ensure “better control of public dramatic performances”. It was one of the legal means used by the colonial government to gag its subjects, which, in this case, was done by controlling forms of cultural and creative expression. The law was passed in the same decade as other laws curbing the freedom of expression; ie, the inclusion of sedition in the Indian Penal Code in 1870, and the Vernacular Press Act in 1878.

In its present form, the Punjab Drama Act empowers the government to prohibit dramatic performances “performed or about to be performed” in a public place, which, in its opinion, are scandalous, defamatory, seditious or “likely to deprave and corrupt persons present at the performance”.

What is scandalous, defamatory, seditious, or has the likelihood of ‘corrupting’ or ‘depraving’ people, of course, has not been defined, and is entirely at the discretion of the authorities concerned.

Funnily enough, earlier this year, the Lahore High Court [struck down](https://www.dawn.com/news/1744983/lhc-strikes-down-sedition-law-that-criminalised-criticism-of-federal-provincial-govts) Section 124-A of the Pakistan Penal Code, which relates to sedition, for being inconsistent with the Constitution. Yet, sedition still remains a ground on which dramatic performances can be prohibited.

The Drama Act gives magistrates the power to authorise raids at any place and at any time to take into custody people and confiscate items that are “reasonably suspected” to have been used or are intended to be used in a “prohibited” performance.

The law provides that if, after a notification against any such performance has been issued, those who take part in such performance “or in any performance substantially the same as the performance so prohibited”; assist in any manner to conduct such performances; are spectators of any such performance; or are the owners or occupiers of the place used for any such performance, they shall be punished on conviction with imprisonment up to three months, or with fine, or with both.

A Lahore High Court judgement from November 2008, which relates to the exhibition of live dances in theatrical performances, sheds light on how this law is understood and implemented in Pakistan today.

In perhaps one of the most moralising judgements in recent years, Justice Bhinder wrote: “it is absolutely deplorable to have this kind of cheap entertainment in an Islamic country like Pakistan, where millions of religious-minded people’s feelings are injured.”

He added that Islam has attached great importance to the respect and honour of women — “as she is a mother, a sister and a daughter” — so “it is certainly a great humiliation to the womenfolk to be exposed in any manner publicly.”

Without citing any research or evidence to support his sweeping claims, Justice Bhinder deplored how the “display of vulgar, obscene and indecent dances of Punjabi and Indian films and indecent songs” incite the sentiments of the public and “promote sexual perversion and frustration by viewing semi-nude private parts of the body of dancing women”.

The government submitted before the Lahore High Court that live dances on stage drama definitely only please “uncultured, uncouth, and uncivilised people of society who are limited in number but no person of integrity and dignity appreciates the propagation and exhibition of vulgarity and obscenity in society”.

This is reminiscent of how the *Daily Mirror* — a Calcutta-based newspaper — celebrated when the Drama Act was introduced as an ordinance in Bengal: “All honour to Lord Northbrook for the prompt action taken by him to uphold the cause of public morality and decency.”

Perhaps this disdain of Punjabi theatrical performances as ‘uncouth’, ‘uncultured’ and ‘indecent’ among certain classes is one reason why there is little debate — let alone outrage or calls for transparency or accountability — at how the Punjab caretaker government is using the Drama Act to arbitrarily close theatres and launch a campaign to ‘cleanse’ dramatic performances.

There are also not enough questions being asked about how a caretaker government, which only has the constitutional mandate to ensure a smooth transition of power from one elected government to the other, can claim it is amending legislation to prohibit live dance performances altogether and also increase penalties in the law.

The extensive nature of the crackdown against theatres and public performances citing vague and highly moralistic grounds should concern us all. It sets a precedent for arbitrary policing as well as legal and moral paternalism, which has crept into every aspect of public life in the country.

The same is true for the Drama Act, which continues to hang like the sword of Damocles over theatrical performances.

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