

Real censorship threat to media

The tragedy of the Department of Home Affairs' naive belief that its draft bill to amend the Film & Publications Act will not lead to direct censorship, is that the Bill will probably have the overwhelming support of the majority of South Africans.



By [Chris Moerdyk](#) 16 Aug 2006

Because the way Home Affairs is looking at it, the only object of the exercise is to curb child pornography and not censor newspapers. And the majority of people in this country clearly hates child pornography. What supporters of the draft Bill fail to realise is that this could well be the thin end of a wedge allowing government to effectively censor newspapers.

Not that this is necessarily the intention of Government now but like all legislation on the statute books, future generations could use what will turn out to be a loophole in South Africa's media freedom status quo to censor all sorts of other issues besides pornography. Like criticising cabinet ministers without first getting their permission.

The problem with any legislation of this nature is that once censorship is allowed any sort of inroad at all, it is not all that difficult to keep adding fuel to the fire.

Power to cancel exemption

The draft bill went before a select Cabinet committee on Wednesday, 16 August 2006, and the controversial aspect of it seeks to cancel the long-standing exemption registered newspapers have from pre-publication censorship. Newspapers would in future have to apply for exemption from the Film & Publications Board which would have the power to cancel that exemption at will.

There are two issues that Cabinet needs to consider carefully.

The first is that South Africa has, since 1994, enjoyed worldwide acclaim for its enviable constitution and in particular the manner in which freedom of expression is protected. It is also able to boast the highest level of media freedom in the world. Something that brings credibility to this country from people who want to visit or do business here.

Secondly, while a lot of politicians might not like our newspapers, they all, without exception, do have some integrity and fear from promoting child pornography, our newspapers zealously condemn it and publish reports whenever purveyors of child pornography are arrested or jailed.

Ruin reputation

It seems insane for Government to even consider losing its global reputation for media freedom by withdrawing newspaper exemptions when self-regulation would not only do the trick but also given that every newspaper in the country would happily submit to the most stringent of self-regulation with regards to child pornography.

And while the Department of Home Affairs might naively believe that the intention of the amendment is not to impose censorship, Cabinet needs to be reminded that this issue has nothing to do with reality but rather everything to do with perception. And the perception of the world will be that after only one decade of democracy South Africa has started whittling away at it in the worst possible way by censoring its media.

Newspapers make mistakes

On the other hand, however, it is not surprising that Home Affairs doesn't seem keen on trusting newspapers with self-regulation. The drastic reduction of editorial staff over the past ten years which saw dramatic declines in newspaper sales along with lack of sufficient skills training and rapid promotions, has seen many newspapers making lots of mistakes and

hardly an issue of any newspaper goes by without some sort of apology for some or other editorial cockup.

This added to the fact that the classified sections of most of South Africa's daily newspapers are packed with the most descriptive, lurid, suggestive and blatant touting for prostitution imaginable. All of which leaves absolutely nothing to the imagination. Small wonder that the Department of Home Affairs might have the perception that it won't be long before newspapers start allowing child porn to creep in to their classifieds. And while it is entirely unlikely that any newspaper would actually do so, the perception right now is that they're so close to it right now, it wouldn't take much more for some newspaper somewhere to put a toe in the child porn water.

ASA is helpless

Interestingly enough, when one talks to the Advertising Standards Authority about these overt sex-for-sale ads, it looks the other way and says that its mandate does not extend to classified ads and that newspapers themselves are responsible for accepting or not accepting these. Which is completely ludicrous coming from what is supposed to be an advertising regulator. And clearly newspapers are being perceived to be exploiting this loophole with more than just gay abandon.

So far these particular classified ads have stopped short of child pornography, but only just.

Quid pro quo

So, perhaps when it comes to the newspaper industry having to present its case for self-regulation with regard to these exemptions, it would probably do well to show a little bit of good faith by toning down the overly explicit nature of the classified ads they receive from the sex industry.

After all, if one does want to be taken seriously as someone of integrity, it's no good dressing up in your best suit, getting your hair cut and then leaving your fly undone with your willy hanging out.

ABOUT CHRIS MOERDYK

Apart from being a corporate marketing analyst, advisor and media commentator, Chris Moerdyk is a former chairman of Bizcommunity. He was head of strategic planning and public affairs for BMW South Africa and spent 16 years in the creative and client service departments of ad agencies, ending up as resident director of Lindsay Smithers-FCB in KwaZulu-Natal. Email Chris on moerdyk@gmail.com and follow him on Twitter at [@chrismoerdyk](https://twitter.com/chrismoerdyk).
View my profile and articles...

For more, visit: <https://www.bizcommunity.com>