

# CAMPAIGN AGAINST CENSORSHIP

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## The CAC Council

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## CHAIR'S REPORT Ted Goodman

CAC participated in the successful campaign to abolish the common law offence of blasphemy and the unsuccessful campaign against the criminalisation of possession of "extreme pornography". The Chair wrote to the Culture Secretary pointing out that the definition of such pornography (sexual violence) could include religious and mythological paintings—but it was to no avail!

There was correspondence with Julian Brazier MP about his Private Member's Bill to give politicians and pressure groups the right to force the British Board of Film Classification to impose stricter censorship. In answer to a letter from the Chair of CAC, it was admitted by the Director of the BBFC that the video *Visions of Ecstasy* (which was banned for blasphemy) would now be given a classification certificate if it was resubmitted.

In addition protest was made about plans to restrict lap-dancing venues. The Chair wrote to relevant Members of Parliament ex-

plaining that women pay to be allowed to perform in such places so that they can collect gratuities from the clientele. In other words, their right to freedom of expression is at risk.

Letters of enquiry were also sent about proposals to create a new offence of payment by a male for sex from a female. This is relevant to the CAC since it would criminalise all advertisements by prostitutes. The reply from the Home Office indicates that there is no risk of imminent legislation on this.

The Chair also protested against the BBC apology for depicting the killing of a Palestinian on television news. In his letter to the Director-General, the Chair pointed out that this BBC policy distorted the news by camouflaging such assassinations and protecting the perpetrators.

CAC continues to resist these and other attempts to restrict freedom of expression.



## **CAC RESPONSE TO CONSULTATION ON 30-YEAR RULE REVIEW**

*[Editor's Note: The following is the text of a letter sent by CAC Chair Ted Goodman to the Secretary of the 30-Year Rule Review on behalf of the CAC.]*

CAC believes that there must be changes to the 30 year rule to augment the *Freedom of Information Act*. A democracy can only function effectively if the electorate is fully informed of how the Executive is working. The 30 year rule impedes this by concealing information until it is no longer relevant to anyone other than historians.

The *Public Records Act* should therefore be amended so that the period is shortened and the exemptions are restricted to currently relevant secret service work. It is ridiculous that the minutes of the Cabinet Meetings of June 1940 are still closed merely because they deal with peace

negotiations which were denied and subsequently regretted.

The *Access Act* in Canada provides for declassification after a maximum of twenty years. Records dealing with the First Gulf War of 1991 have been published there. The same should happen in this country.

In addition something like the US Public Interest Disclosure Board should define exemptions to declassification. That task should be removed from politically motivated, naturally secretive Government Ministers, as is currently the case in the United Kingdom. This board should not include members of the Executive but instead be composed of independent historians and journalists.



## **SECRETARY'S REPORT Mary Hayward**

The *Criminal Justice and Immigration Act 2008*, abolishes the common law offences of blasphemy and blasphemous libel (Section 79). Congratulations to our friends in the National Secular Society who spearheaded the campaign for repeal.

However, it is possible that the old law may be replaced; perhaps with something so broadly worded that every nasty American cult starts demanding legal protection against its enemies. We shall have to be vigilant still.

The same *Act* (Sections 63 to 67) criminalizes the possession of "extreme pornography". It remains to be seen what this means in practice, but note that works which have a certificate issued under

the *Video Recordings Act* are exempt (Section 64). Opponents of censorship are advised to read through all these sections of the *Act* before anything else happens. ([www.opsi.gov.uk/acts/acts/2008a](http://www.opsi.gov.uk/acts/acts/2008a) and click on 2008 c.4).

In the meantime, a young woman was convicted under the *Terrorism Act 2000*, merely for imagining how a terrorist might think and, more frivolously, a poster advertising the Royal Academy's Cranach exhibition was banned from London underground because it might "cause offence". More likely the opposite! The lady concerned is undoubtedly sexy, even though she is very high class, very expensive and nearly five hundred years old.

## **SWEARING ON TELEVISION**

**Mary Hayward**

People use swearwords because other words have failed them. There are two reasons why other words may fail them; either stress, or because they did not have that many words to start with.

Even highly intelligent and educated people will swear when angry, frustrated or alarmed. Never mind famous last words, it is said that two of the most frequent last words are "oh shit!" Less intelligent, less educated people will add swearwords for emphasis, where the more articulate will re-word what they have said. "Are you talking to me?" becomes "Are you fucking talking to me?" not "Am I supposed to be listening to you?"

In addition, people whose minds work slowly will add filler passages to give their brains time to work out what words to use. "It's, like, raining again" or "Y'know, it's raining again", or "It's fucking raining again", are, for practical purposes, all the same thing.

So it seems very strange that swearing on television attracts as many, if not more, calls for censorship than violence or sex. However, television programming is of two kinds, fact and fiction, and the reasons for the complaints are different.

Factual programmes—or programmes intended to be taken as fact—are, of course, never completely truthful. Only a live, unedited transmission of people who didn't know that they were being filmed can be that and that is most unlikely. The question is, how much editing should there be? Opponents of censorship will say that there should be as little as possible. Everybody who appears on the screen has the right to be represented as accurately as possible and that includes the way they talk. Pro-censorship people will say that they don't want that kind of talk in their living-rooms. What they mean, of course, is that they don't want that kind of people in their living-rooms, or that kind of event. They want the poor to be polite—especially to them—and disasters to be sanitised. They want television to show them the world as they wish it was, not as we know it to be. And they refuse to accept that unless they isolate

them to the point of abuse sooner or later their children will hear words that their parents do not use. Quite a lot of education happens in the school playground, even in these over-protective times.

Fictional programmes—plays, drama-doc, series, soap opera, feature films, etc.—are a different case. Most of them are set in everyday places: home, street, workplace, and in the present day. It follows that they are realistic rather than stylised and that the realism includes dialogue. However, there is a problem. The real speech of inarticulate people is limited and repetitive and includes expletives. Probably the same expletive used over and over again. It is boring. And boring is the one thing that drama must not be. The problem is probably as old as theatre itself and certainly as old as the invention of commercial theatre in England in the sixteenth century. The Elizabethans solved the problem by ignoring it. Low-life characters in a Shakespeare play are more fluent, more versatile and less vulgar than real people of their status would actually be. And English drama—English fiction—got stuck with that.

Today, any dramatists or scriptwriters who try to break with the convention and show this speech as it is will get the would-be censors down on them in a flood. The vocabulary of the complaints will be social and moral but the real grievance is aesthetic. It is not that people don't talk like that but that people in drama don't talk like that. The answer is that this is not the sixteenth century or the nineteenth, it is the twenty-first. We should no more whitewash the swearwords out of low-status speech than we should make high-status characters speak in blank verse. At least, not without a very good reason. The phoney indignation of the tabloid newspapers is not a good reason. (As though their journalists never swore.) All a writer needs to ask is: "Would this character, in this situation, swear?" If the answer to the question is yes, then he or she should do it.

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### **About the CAC**

The CAC is the successor to the Defence of Literature and the Arts Society that was founded in 1968 to assist writers, artists, and others threatened by censorship, and to campaign for reform of censorship laws.

In 1983 the DLAS was re-launched as the CAC with the object of promoting freedom of expression in all its forms and combating restrictions on that freedom and its exercise.

We believe that the repressive dangers of censorship for adults outweigh any possible benefits, and that what is acceptable for adults to read, see, or hear should be decided by personal judgement and taste, not by the law.

### **The Guiding Principles of the CAC are:**

1. The right to obtain and impart knowledge.
2. Freedom from censorship.
3. Freedom for creative artists to present their perceptions, interpretations, and ideas.
4. Support for victims of censorship without discrimination on the grounds of sex, sexual orientation, race, politics, or religion.

### **Further policies guiding the work of the CAC are:**

1. Vigilance in defence of the freedoms of information and expression requires continued monitoring of attacks on and restrictions of those freedoms, and of the effects of new technology on the control of information gathering, so that the public may be made aware of any dangers that may ensue.
2. Individual or group privacy should not be used as a weapon in defence of censorship or to restrict free access to information.
3. Reaction to any threat or restriction must be positive and expressed in simple, comprehensible terms.
4. The CAC is and should remain independent of all political parties.
5. Collaboration with individuals and organisations in Britain and elsewhere pursuing similar purposes should be pursued where appropriate.
6. The problem of access to material by children is different from that of access by adults. The principles listed above apply to adults.

### **Joining the CAC**

If you support our work and would like to join the CAC, then please write to us at the address at the top of this page. The minimum annual subscription is £5 or £2.50 for students, senior citizens or the unwaged.