

CENSORSHIP

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Let no corrupt communication proceed out of your mouth, but that which is good to the use of edifying, that it may minister grace unto the hearers.

St. Paul.

A man who gives a wrong twist to your mind, meddles with you just as truly as if he hit you in the eye; the mark may be less painful, but it is more lasting.

Santayana.

I

At the present time {1970} censorship in Australia is under attack. A strong campaign has been mounted to liberalize or to eliminate (depending on the extremity of the views of the campaigners) our present methods of censorship. The arguments advanced, based very largely on the rights of the individual, are quite convincing, so that it is often very difficult for the person who believes that some censorship is necessary to defend his position. In the following pages the validity of the arguments of the anti-censorship camp will be examined. Then we shall put the case for censorship.

HISTORY OF CENSORSHIP

But, first, let us examine the nature and history of censorship. Restrictions on the actions of the individual are almost as old as man himself. As soon as man began to live in communities, he found that he could no longer do as he wished; he had to forgo some of his freedom in order to enjoy the benefits of living in a society. The nature of the restraints placed on the individual have varied from society to society and from time to time within each society. But always survival of the society has been placed above the rights of the individual.

What was restricted varied considerably. In primitive tribes various taboos were strictly enforced and those who broke them punished with expulsion or death. In more civilized societies, there has been greater variety in what has been proscribed, while the penalties have ranged from the banning of written material to death. In ancient Athens, generally regarded as the cradle of democracy, Socrates was put to death on a charge of corrupting the youth of the city-state; on other occasions, men were exiled for their political activities. Books which were considered blasphemous or atheistical or libellous were burned by the magistrates.

In Roman times, only libellous writings seem to have been attacked. In earlier Christian times, there was some restriction on the reading of pagan authors and heretical books were burned. The later Middle Ages saw the growth of heresy and an increasing prohibition of heretical writings, as well as the imposition of the death penalty for heresy. After the Reformation, the Church compiled the Index, a list of books which were not to be read by Catholics. Books were included on this list because of their attitude to the Church; thus Rabelais was included, but not because of his obscenity.

So far, most of the prohibitions had been on social, political or religious grounds. It was not until the seventeenth century that obscenity received the attention of the authorities when Sir Charles Sidley was prosecuted for publicly indecent behaviour. This case was the precedent for further prosecutions for publishing pornography in the eighteenth and nineteenth centuries. In 1868, in the Hicklin case, Chief Justice Cockburn provided a definition of obscenity which has been used now for one hundred years: the test of obscenity is this: whether the tendency of the matter charged as obscenity is to deprave and corrupt those whose minds are open to such immoral influences and into whose hands a publication of this sort may fall.

Today, censorship on political or religious grounds has virtually disappeared, and there would be very few who would mourn its passing. Instead, the emphasis is on censorship of violence, obscenity, and undue emphasis on sex. It is the last two elements of censorship that the present campaign aims to eliminate.

THE DILEMMA OF CENSORSHIP

The main argument of those who oppose censorship is that it interferes with the rights of the individual. This seems

a solid argument but, as we have already seen, the security of society as a whole must come before the rights of the individual. We must then consider whether giving the individual complete freedom will be more harmful than restricting his rights. Dr. Johnston, writing in the eighteenth century, recognized this dilemma:

“The danger of such unbounded liberty, and the danger of bounding it, have produced a problem in the science of government, which human understanding seems hitherto unable to solve.”

Johnston realized that if the right to publish were controlled by the state, then power must always be the standard of truth; while, if each individual were free to say what he liked, chaos would ensure. You could allow freedom of publication and punish the author, but this would promote the book. He concluded: it seems not more reasonable to leave the right of printing unrestrained, because writers may afterwards be censored, than it would be to sleep with doors unbolted, because by our laws we can hang a thief.

Today, this problem is no nearer solution than when Johnston wrote. No one realizes this more than Mr. Chipp, the present {1970} Minister for Customs; he recently told Parliament that:

“In a democracy then, the elected government is vested with the authority to make laws and impose obligations for the common good and public welfare. On the other hand, the government has an obligation to protect the general community from both the abuse of power and the selfish desires of minority groups within the community.”

The problems, he said, is “what is the proper degree of control or regulation of the lives of a people by a government?”

As long as people believe that some restraint of the individual is necessary, then there will be argument over the answer to this question.

THE ARGUMENTS AGAINST CENSORSHIP

As has already been pointed out, one of the strongest arguments advanced against censorship is that it interferes with individual rights. A. A. Phillips (Meanjin 1969, p. 511) expressed this view when he wrote “Reading a book is a private individual act not affecting other individuals”, and “Prima facie, the State has no mandate to supervise an individual’s private behaviour.” But, he realized the force of the argument already adduced - that the society’s rights come before the individual’s - when he adds “it can only acquire that right when the particular piece of behaviour interferes with the rights of another individual, or is clearly inimical to the public interest.”

Now, it would appear that reading a book is a private matter and concerns no one but the reader. But this depends on whether what one reads stimulates one into anti-social behaviour. If it does, then there is a case for censorship; if it does not, then censorship should be abandoned.

READING AND BEHAVIOUR

Does reading affect behaviour? Unfortunately, there is no clear cut answer to this question. Those who favour censorship say there is an effect, while those who oppose it either deny any effect or say that, if there is an effect, then this is a good thing.

Most frequently, those who oppose censorship deny that books influence people’s actions in a bad way. Geoffrey Dutton (Australia’s Censorship Crisis, p. 99) admits that “Literature can certainly arouse desires, stimulate awareness, enrage, soothe, exalt, depress”, but he declares that there is no evidence that it can lead anyone astray. Reading Fanny Hill, he says, will not make a good woman a whore, any more than reading the Old Testament will make a sinner obey the Ten Commandments. To make a statement like this is to ignore the many books which, it is claimed, have changed the course of history; books like Tom Paine’s Common Sense, Uncle Tom’s Cabin, Karl Marx’s Communist Manifesto. These books obviously stimulated people to action - action which you consider good or bad according to your beliefs.

If it is correct that books can influence people’s behaviour for good, then it is logical to say that they may also influence it in the opposite direction. Evidently some of our librarians think so for they have removed from their shelves those pernicious books describing the exploits of Noddy and Biggles, on the grounds that they are inculcating the wrong attitudes in young readers.

Professor F. May (Australian Library Journal, June 1964, p. 84) writes: “For me the saddest thing about censorship

in Australia is that it strikes most heavily against the young. At no time in the history of the Commonwealth have so many young men and women had the opportunity to enter our universities. But . . . it is no use admitting them, if they are to be kept away from material on which they should be working.”

Obviously, the Professor feels that by being denied access to this material they are going to be deprived of some effect which he considers beneficial; that is, books do have some effect on their readers. That this effect influences their behaviour is obvious from another comment from Professor May:

“The deprived student of today . . . is the maimed teacher of tomorrow, himself crippling a further generation that will perpetuate the sequence of intellectual mayhem.”

The great English poet, John Milton, writing against censorship, admitted the power of books:

“Books are not absolutely dead things, but do contain a potency of life in them to be as active as that soul whose progeny they are . . . I know they are as lively, and as vigorously productive, as those fabulous dragon’s teeth; and, being sown up and down, may chance to spring up armed men.”

Another line taken by some is that books do have a stimulating effect but there is nothing wrong in this. Dutton quotes with approval the story that when Sir William Joynson-Hicks complained that “two young people, who had been perfectly pure up to that time, after reading this book went and had sexual intercourse together”, D. H. Lawrence (of Lady Chatterley fame) commented “one up to them!, is all we can answer!”

What proof is there to refute the claim that books have no harmful effects? Unfortunately there is very little evidence to provide an answer. Most claims are of a very subjective nature. However, there is one objective work on the subject; this is the book *Seduction of the Innocent* by Frederic Wertham, published in 1955. Dr. Wertham was senior psychiatrist for the Department of Hospitals in New York City 1932-52; he directed mental hygiene clinics at Bellevue Hospital and Queen’s Hospital Centre; and he was also in charge of the Court of General Sessions Psychiatric Clinic.

Dr. Wertham investigated the influence of comic books on American children. (It should be noted here that “comic” books does not mean the Donald Duck variety, but the multitude of crime, horror and love comics which flooded America and other countries, including Australia, at the time.) These books were “endorsed” by boards of experts in psychiatry, education and English literature, and there were plenty of “experts” to say they had never seen a child influenced by comics. Wertham found only too many examples to the contrary: children who hanged themselves imitating scenes in comic books; a six-year-old who tried to fly from a cliff with a home-made cloak; children participating in protection rackets or hold-ups - all learned from comic books.

Reading comic books had two effects - they either resulted in imitation or identification:

“Identification itself may or may not lead to imitative action . . . Where it does result in activity, the actions are never constructive. The scenes of sadism, sex and crime in comic books arouse the child’s emotions, but leave him only a limited scope of release in action. These actions can only be masturbatory or delinquent.”

Most of Dr. Wertham’s evidence shows the connection between comic books and violence, but he also found a link with sexual problems. In the comic book, sex is almost always associated with violence, giving the child the wrong impression of sex. He found evidence of adults whose sexual problems began with reading sadistic, masochistic comic books. He also claimed that such comics as Batman and Wonder Woman could produce homosexual tendencies.

Dr. Wertham came to the conclusion that “Just as we have ordinances against the pollution of water, so now we need ordinances against the pollution of children’s minds.” However, he had no great success in his own country in having comic books banned because he ran into the wall of Big Business. Other countries realized the danger and banned the import of American comic books; Holland and Sweden (which also bans films if they contain excessive violence) took this step.

The U.S. Government, on the other hand, supplied these books to its forces overseas. A news item in *National Decency News* (December 1969) shows the result of such a policy:

“Citizens of Karlsruhe [in West Germany] are currently victims of a crime wave from American soldiers. The rape-rate is high, and police say that about half of all crimes of violence in the city are committed by U.S. soldiers. Psychologists commissioned to analyse why, report a number of causes, but their conclusion about the main cause created quite a shock - comic strips. In many of these available to G.I.’s., they report, German men are depicted as

‘Nazi pigs’, and German women as ‘easy to get.’”

The brutalizing effect of constant exposure to violence in another medium - television - has been highlighted by the Eisenhower Commission on the Causes and Prevention of Violence. It felt it reasonable to conclude “that a constant diet of violence has an adverse effect on the human character and attitudes.” The Commission recommended abandonment of children’s cartoons containing serious non-comic violence; cutting the time devoted to violent action crime and western shows which “distort the nature of life in a civilized society;” showing problems being solved by other than the “routine” violent means which are rarely presented as illegal or socially unacceptable.

DIFFICULTIES OF DEFINITION

Another argument against censorship is that it is impossible to carry out censorship properly because it is impossible to define the terms and objectives of censorship with any accuracy. “The absence of objective standards,” says A. A. Phillips, “is, of course, the prime problem of censorship and the most effective argument of those who would abolish all restrictions on the circulation of allegedly obscene and blasphemous work.” It is claimed that it is impossible to define with any accuracy such terms as “obscene,” “deprave,” “corrupt;” consequently, nothing can be censored as no one can tell whether it is obscene or not.

This contention has a certain amount of merit. However, we must realize that, because it is difficult to define a problem, this does not mean that it does not exist and that we should ignore it. But it does mean that any attempts to deal with the problem will be more open to criticism. Moreover, while the terms in question may be difficult to define with any legal precision, they have existed in our language for centuries and the average person knows well enough what they mean. As a young woman (quoted by Dr. Joyce Brothers, *New Idea*, 8/8/70, p. 25) explained:

“Maybe it is hard for the National Literature Board of Review to decide whether to release a book for its ‘redeeming social value’ or whether its ‘predominant appeal’ is ‘prurient’. For me it’s simple. Pornography is what I don’t want my kids to see.”

G. M. Denning (*Meanjin*, 1969, pp. 505-6) apparently decided that he could define the word “obscene,” when he declared that the film *Sound of Music* was obscene because it gave a false portrayal of life:

“The reason it was not censored [he says] is that this appalling image of life and the world fits in with the ideal which must be accepted as an absolute. It is a world of Doris Day as the typical housewife, Diahann Carroll as the typical Negro, John Wayne as the good citizen. The ugly, the misfits, the failures and the four-letter words only belong to the real world. The artificial world offers no choices. Women are beautiful, religion is sweet, families are happy, problems have solutions, war is hell but necessary.”

There is a modicum of truth in this criticism, but some women are beautiful even in the films that use four-letter words, problems are soluble, families are happy in this world. Furthermore, the opposite picture of the ugly, the misfits and the failures is not typical of life either. Moreover, musicals as a genre are never intended to be taken seriously.

From an American book *Obscenity and Public Morality* Mr. Chipp provided a definition of obscenity which most of us would agree with: the essence of obscenity lies in making public that which is private and “in trading on intimate physical processes and acts or on physical-emotional states, thereby degrading the human dimension of life to a sub-human or merely physical level.” Under such a definition a difficulty arises: news films depicting the sufferings of wounded soldiers and interviews with the victims of catastrophes would be obscene.

Another line taken by the opponents of censorship is that many of the words and actions declared obscene are in fact connected with normal activities with which everyone is familiar. To declare them obscene is thus ridiculous. Donald Horne, for example, thinks (*Australia’s Censorship Crisis*, p. 28) “It would be fascinating to find out what words, what sexual acts and what parts of the body the State found obscene.” No, doubt, the State would not declare these things to be obscene in themselves, but would point out that in some circumstances - in a sex manual or a medical textbook - it would be correct to discuss these matters; but that, if used in other circumstances, then they might be considered obscene, e.g. under the circumstances outlined above by Mr. Chipp. As Judge Fullagar pointed out in 1948 (*P. Coleman, Obscenity, Blasphemy, Sedition*, p. 108) :

“It would not be true to say that any publication dealing with sexual relations is obscene. The relations of the

sexes are, of course, legitimate matters for discussion everywhere. They must be dealt with in scientific works, and they maybe legitimately dealt with - even very frankly and directly - in literary work. But they can be dealt with cleanly and they can be dealt with dirtily. There are certain standards of decency which prevail in the community . . . What is obscene is something which offends against those standards.”

OBSESSION WITH SEX

Those who oppose censorship frequently accuse those who support it of being obsessed with sex, that all they wish to eliminate from books and films is the frank portrayal of sex. It seems to me that the boot is on the other foot, that the opponents are the ones who are obsessed with sex - they are the ones who want to see and read films and books that portray nudity and are explicit in sexual details. For example, Australia’s Censorship Crisis, which sets out to ridicule the censorship situation in Australia, is full of examples of this preoccupation with sex. Furthermore, the accusation neglects the fact that a large number of films are censored because of the violence they contain.

Another argument against censorship is that it prevents the flowering of genius; that the writer, the artist, the film maker cannot develop his full potential under the shadow of censorship. However, de Rougemont (quoted in *Obscenity, Blasphemy, Sediton*, p. 186) suggests that “the greatest periods of literature coincide with periods of definite but moderate censorship,” and that censorship might even be considered to have had a creative influence on such writers as Rabelais, Swift, Voltaire, Dante, Pascal, Montesquieu in the past, and Pasternak in recent times. Moreover, with the present relaxation of censorship around the world, we might reasonably expect to see a great efflorescence, a second renaissance, in the artistic world; but there is no sign of it. There are many, on the other hand, who feel that the present emphasis on nudity and obscenity merely cloaks a lack of talent.

LITERARY MERIT

An allied argument is that the literary or artistic value of a book or film justifies it being exempted from the restrictions of censorship. Undoubtedly this contention has much merit. Nevertheless, one wonders just how much artistic merit justifies how much obscenity, and whether the obscenity is there for its artistic merit or for more venal reasons. Judge Fullagar expressed this doubt in the prosecution of Robert Close’s *Love Me Sailor* in 1948 (*Obscenity, Blasphemy, Sediton*, pp. 54-5):

“Only a supernatural degree of naïveté could seriously suppose (assuming the author to be wholly sane) that they are published with any other purpose than the achieving of profit or of notoriety. There is no more benefit to the public than if the same things are shouted by a drunken man in a public street, and it is difficult to see that one publication is more artistic than another.”

In the same case, Judge Gavan Duffy declared that holding the mirror up to nature did not mean that the writer was free to write what he liked: “Literature is not yet a sanctuary or an Alsatia.” {Footnote: the expression ‘Alsatia’, comes from the sanctuary provided by the Dominican (from Alsatia) White Friars Church in medieval London, given to lawbreakers.} A. D. Hope, no friend to censorship, has said “literary merit may add to the evil of an evil work: to deny this is to deny the power of literature.” (quoted in *Bulletin*, 11/4/70, p. 14).

It is in these circumstances that the censors are accused of philistinism and policemen are ridiculed and derided. In particular, the police are attacked for their lack of knowledge of literary and artistic matters. It is often declared that the police act as censors. Those who do so neglect or deliberately ignore the fact that the police merely carry out the law as it exists, that their task is to prevent the law being broken or to charge those who have broken it. In the latter case, it is up to the courts to decide the guilt or otherwise of the accused. No doubt, it is good tactics to associate the police with censorship, thus conveying the implication of a police-state existing. But it is no more logical to blame the police for censorship laws than for traffic laws, nor to ridicule them for not knowing who Byron was than for being ignorant of who Benz or Ford was.

The censors are also attacked as being philistines who know nothing and care less about the artistic and literary merits of what they examine. The strength of this argument lies in whether the artistic worth justifies some or any amount of obscenity. As we have seen above, there is some doubt about this. On the assumption that their argument is sound, the opponents of censorship then go on to propose that certain people should be appointed as censors. These

people are almost always from their own ranks - writers, film directors, etc. Imagine the outcry if the pure food acts were to be policed by the food manufacturers themselves, or if the directors of B.H.P. were to be appointed to determine the wages of their own employees, or if car manufacturers were to be the sole arbiters in the matter of car safety!

COMMUNITY STANDARDS

Another argument advanced by the anti-censorship camp is that community standards are changing and this justifies a relaxation of censorship. How true is this?

In 1948 a Gallup Poll indicated 62% of the Australian people favoured censorship, 32% opposed it, 6% had no opinion. In 1970 a similar poll showed that 58% wanted to maintain or increase censorship, 34% wanted to decrease or eliminate censorship, while 8% were undecided. This hardly indicates a great change over twenty-two years. However, what is of significance is that the age group 21-29 years showed a 53% preference to decrease censorship. Whether this group will maintain this opinion or will become more conservative when they become parents still remains to be seen.

Despite this statistical evidence, it is obvious that standards have changed. An examination of the books available, the films exhibited, reveals this only too clearly. This is due to the fact that censorship standards have been relaxed. But the Gallup Polls indicate that the community thinks that we have gone far enough.

However, there is a section of the community which is not satisfied with this relaxation and seeks to carry matters even further. They seek to persuade us that we are old-fashioned or prudish with such statements as this:

“Fashions change. Despite the facts that these plays [Boys in the Band, Hair] have been performed, I doubt if one can say our society is more corrupt than it was three years ago. The ‘naughty’ play of yesterday becomes the charming period piece of today. And the odds are that Hair will be recalled in ten years as a rather quaint piece of prudish theatre.” (J. Tasker, Australia’s Censorship Crisis, p. 50).

Our first reaction to this kind of comment is to doubt the sincerity of the writer, for we know that the naughty play of Greek, Roman or Restoration days is still considered just that today.

Those who advocate further permissiveness are often academics, whose intellectual reputation lends respectability to the cause, or those who like to follow the latest fashionable trend. But are they the best people to judge what community standards are? Mr. Justice Stable does not think so (Australia’s Censorship Crisis, p. 222):

“We are concerned with what is today acceptable to ordinary decent-minded people - males and females, with community standards. These are not always the standards of academics far removed from ordinary people, or the standards of those to whom it is the breath of life to be seen or heard doing or saying whatever they regard as the ‘in’ thing of the moment, nor even of easily-led irresponsible youngsters.”

He goes on to say that the permissiveness of such people transcends what ordinary decent people will accept. This attitude is encouraged by those who hope to make money peddling indecencies and obscenities. To achieve this end they seek “to convert the ordinary decent person to acceptance of mock-cultural delights by ridicule and simulated scorn.”

These people tell us that we hear four-letter words wherever we go and that we should not object to them in plays and films.

We also see road accidents wherever we go. Does this mean we should accept them and do nothing to prevent their occurrence? But how true is the statement that we hear such language and accept its use? It is doubtful if the majority of us do hear this language in our normal pursuits or that we approve of it if we do. Certainly; it is not the sort of language that most men want women to hear; just watch the reaction if it is used at the football or the races in the hearing of a woman.

If this is the case, is there any justification for the use of such words in films, books or plays? We are told it is the “context” that counts. Does this make it less obscene? Mr. Justice Stable suggests this test:

“Let him say to his wife when he is confronted with a tasteful breakfast dish, ‘ . . . porridge,’ and then embark on his explanation that it is the context that matters.”

INCONSISTENCIES OF CENSORSHIP

One of the most compelling arguments against censorship would seem to be that censorship in practice is full of inconsistencies. Australia's Censorship Crisis is very largely devoted to revealing these inconsistencies. And it must be admitted that they are manifold. This book prints extracts from novels and asks you to say which have been passed by the censor and which have been banned. From a reading of these, it is obvious that some that have been passed are as bad as or worse than those which have been banned. Another inconsistency this book reveals is that literature coming into the country can be banned, but the same material can be printed inside Australia with impunity. This evidence is used to show how ridiculous censorship is. However, these inconsistencies do not invalidate the principle of censorship, they merely reveal that censorship is being put into practice ineffectively and that, if it is to achieve its purpose, then its methods need overhauling.

The opponents of censorship frequently tell us that our censorship makes Australia the laughing stock of the world. When this cry was raised after the banning of a film from the Melbourne Film Festival, Herald columnist, G. Tebbut, commented (11/6/70):

"I don't believe it. The great bulk of the world won't know. Some of those few countries which get to hear about the banning won't care. And not all of those people who do care are going to assume that the witch doctors have taken over in Australia."

A recent article in the Bulletin (27/12/69) revealed that the authorities in Britain were carrying out similar actions against indecent and obscene materials as were their counterparts in Australia. The book *Freedom, the Individual and the Law* by Harry Street, tells a similar story about censorship in Britain to that about Australia related by P. Coleman in *Obscenity, Blasphemy, Seditious*. Does anyone call Britain the laughing stock of the world?

The fact that our censorship system differs from that in other parts of the world does not necessarily mean that ours is wrong and the world's right. Some countries which are praised here for abolishing censorship in sexual matters still retain censorship of violence, but there is no condemnation of them because of this.

Some of those who oppose censorship attempt to belittle the effects of obscene material by declaring that they have seen a certain film or read a certain book and have not been corrupted or depraved by the experience. Of course, we have only their word for this, and the book *The Other Victorians* shows just how depraved some of the "respectable" Victorian writers actually were. But apart from this, it is not claimed that obscene material corrupts or depraves everyone who comes in contact with it. Censorship aims to protect those in the community who are likely to be affected, just as various consumer protection laws aim to protect the gullible citizen from the unscrupulous salesman. For the same reason, the jibe that the censors are uncorrupted by their work is no argument against censorship.

PORNOGRAPHY

A recent development in the censorship debate has been the change from a demand for a relaxation of Australian censorship to a campaign for the abolition of all restrictions, not on ordinary literature and films, but on straight out pornography. This follows the lifting of restrictions on pornography in Denmark. Part of this campaign is to attack censorship as being responsible for the creation of pornography - lift restrictions and the interest in pornography dies. {Well, we certainly know now, that is NOT the case!} The other argument is that pornography is in fact not evil but actually beneficial in releasing tensions and frustrations that people suffer; that it serves as a safety valve. This argument was answered very well, I feel, in a letter in the Bulletin (11/7/70, p. 39):

"Are we to accept the proposition that in order to satisfy the hungry we merely present him with a glossy illustration of ready-to-eat food? Obviously not. We succeed only in increasing his demand."

To support their case for the legitimizing of pornography, its proponents point to Denmark as an example of what beneficial results await us. It has been claimed (Bulletin, 11/7/70, p. 34) that punishable sex offences dropped immediately pornography was legalized. How true is this claim? A report by Raymond Gauer, a member of the Federal Commission studying the problem of obscenity in the U.S.A., reported to Congress that the nominal decrease in sex crimes is due to the fact that most such crimes are no longer criminal offences in Denmark. For example, statutory rape is no longer a crime irrespective of the age of the girl. More violent sex crimes have not declined. In any case, the Herald (18/8/70) reported that police and psychiatrists are cautious about linking the drop in minor offences

with the lifting of the ban on pornography. Indeed they should be, for it is unlikely that such an effect would be immediate.

Gauer describes what we could expect to happen if pornography were to be legalized here:

“Porno or sex shops have sprung up all over Copenhagen, and feature high-quality colour picture magazines, depicting every imaginable form of perverted sexual activity, including homosexuality, bestiality, sadism and masochism. Live sex shows are sponsored by many of the sex shops in back rooms, and are advertised prominently and explicitly in Ekstra Blade, Copenhagen’s largest circulation newspaper.”

In Sweden shoppers are confronted by displays of pornography in sex shops. The enormous profits to be made have already attracted the Mafia which is now heavily involved in the industry.

With such a public display of pornography in the shops and in the daily papers it will be almost impossible for those parents who wish to rear their children free from the contamination of such material to exercise their rights to do so.

Further ammunition for the campaign to legalize pornography is at present being provided by the Presidential Commission on Obscenity and Pornography in the U.S.A. Preliminary reports of this Commission have produced headlines in our press such as “Erotica does not corrupt youth” and “Sex education would stop pornography.” However, Charles Keating, a lawyer and a member of the Commission, has called preliminary reports a “national hoax” (Tribune, 13/8/70). The Age (24/8/70) reported that the Commission has spent \$1.5 million, is deeply divided, and that the Nixon administration is not particularly anxious to own it. At the same time Congressmen are being flooded with protest mail and Mr. Nixon has a bill before Congress to tighten restrictions against pornography. Dr. Victor Cline, a Utah psychologist, has attacked the Report as “rigged” (Herald 12/7/70). He says it has ignored increases in rape, venereal disease (which has increased alarmingly) and illegitimacy, and that in fact it “is a gross mixture of truth and error, part science fiction, and certainly a travesty as a scientific document.”

CENSORSHIP CREATES DEMAND

The most cogent argument the opponents of censorship advance is that it has the opposite effect from that intended. Forbid something and everyone wants it. Ban a book and everyone wants to read it. From this point of view it would seem better not to ban a book as this would mean that most of its readers would then be reading it because of their interest in literature, not from a prurient interest in its salacious passages. Banning a book or film frequently provides the distributor with an advertising angle which leads to greater profits.

The recent release of Portnoy’s Complaint is cashing in on the fact that its entry into Australia has been banned. Many of its buyers could not care less about its literary qualities or artistic freedom or freedom to read - they are interested only in the “dirty bits.” Copies will be passed from hand to hand; they will open automatically at certain pages; and these passages will be the only ones read by many. It is often claimed that we are an adult nation and so should be allowed to read what we like. But such an attitude is anything but adult. Look at the advertisements for films in the daily press and you will see that the film distributors do not think that they are dealing with an adult audience either.

Should we then abandon censorship of books, hoping that only the more educated (and presumably more mature) section of the community will read them, and without any effect? There does seem to be a good case for this policy. The alternative is to make censorship so effective that it is impossible for the present farcical situation of Portnoy’s Complaint to develop, whereby something excluded from entry into Australia can be published inside the country. As far as films are concerned, because they reach a wide audience, censorship here is still desirable. At the same time advertising which emphasizes sex and nudity should be banned.

II

THE CASE FOR CENSORSHIP

“Any community must provide a basic code of mores for its members, yes; youthful entrants to the group need and want the security of such a framework of moral recognitions, however little they may be prepared explicitly to admit it. Certain prohibitions probably constitute a necessary element in such a code. The gassier type of liberal who denies

or ignores such considerations doesn't know the anthropological facts of life."

These are not the words of a proponent of censorship, but of one who believes that censorship should be reformed and limited. However, in these words, A. A. Phillips (Meanjin, 1969, p. 512) puts the case for the provision and maintenance of community standards of conduct very well. Once these standards are attacked, the community is attacked.

When this argument is admitted, and most reasonable people do admit its validity, then some form of censorship becomes necessary - especially for the young. The Bulletin (9/8/69, pp. 43-4) sought the views on censorship of a variety of people, ranging from Richard Walsh, erstwhile editor of Oz, to Jacki Weaver, actress and TV star. The majority recognized the need for protection of the young from some of the material currently being presented. Walsh felt that ideally the censorship should be imposed by the parents, but recognized that the neglect of some parents made legal restriction necessary; "in this case," he said, "the harm of omission would be greater than the good you'd get from being liberal." Jim Spigelman, president of Sydney S.R.C., {Student Representative Council} felt that television was in a different category from stage and screen as the viewer is not making a conscious choice from a wide variety of alternatives. He favoured a general sort of censorship and restriction of children under a certain age from entering certain theatres. Janne Walmsley, who played a part in Ned Kelly, was not sure what children should be excluded from "because children can be upset by all kinds of things that have no effect on adults."

Obviously, then, there is a fairly general agreement that children need to be protected in some way. How to do this and at what age restriction should be removed, is not so certain. Another question now arises. Are the children the only ones who need protection? What about the emotionally immature and the mentally unstable members of the community? Do we disregard them because they are adult? We are told that those who are likely to be affected by obscenity or pornography are the unstable, therefore it does not matter if they come in contact with it. But would we leave money around to tempt the kleptomaniac?

The incidence, of pack rape has increased alarmingly in recent years, due partly, I believe, to the lowering of community standards of decency in films, books, advertising and dress. In many cases the attackers are young labourers in their late teens. They are both uneducated and immature - should they be protected? It is virtually impossible to prove that lowered standards are responsible for their actions, but neither can it be proved that they are not. However, in a recent case, Judge Franich declared unequivocally that the crime committed was the result of the reading done by the accused. It is all very well for academics with their higher standard of education to sit back and declare that obscenity and pornography have no effect.

Our society is based on the family unit. Anything which attacks the solidity of that unit is undermining society. Any influences which produce a belief in the community that divorce, adultery and promiscuity are acceptable - even desirable - are attacking the family. After an examination of over 80 societies, J. D. Unwin, M.C., Ph.D., came to the conclusion that:

"Every civilization is established and consolidated by observing a strict sexual and moral code, is maintained while this strict code is kept, and decays when sexual licence is allowed." (Quoted in Age, 1/9/70).

This thesis is supported by other noted historians including Toynbee, Sorokin, Mommsen, Lecky, Lot, Hitti and Voegelin.

Apart from the influence of promiscuity on the family structure, it has other community significance. While it is frequently claimed that casual sexual contacts concern only the individuals involved, there is often a wider social implication. The result of such promiscuity is often the illegitimate child, care and responsibility for whom often devolves on the community at large. Or its arrival may cause unhappiness in the girl's family, leading even to permanent estrangement from her parents; or to forced marriage with often tragic results. Thus an action which gave a fleeting moment of pleasure may result in lasting unhappiness.

Our illegitimacy rate is the highest now in 1970 than it has been since the last (19th) century. Unnatural sex offences showed an increase of 46.6% over the last twelve months. Whether we can prove the causes of such facts or not, they are matters for serious community concern.

Another reason why some censorship is desirable is that it is necessary to prevent the debasement of sex and the status of women (or of the opposite sex). Far too often today, sex is presented as merely another appetite, like that for

food and drink, and women (or the opposite sex) as existing merely for the gratification of that appetite. This attitude is seen most obviously in advertising where the presence of a scantily clad girl is considered necessary to sell anything from a fountain pen to a family sedan. A quick perusal of any newspaper or magazine will confirm this. But there is some evidence that there is a growing awareness of the undesirability of this practice. R. R. Walker (*Age*, 27/6/70) says:

“Moral judgements aside, it is clearly absurd to advertise a spanner or a pipe tobacco or a rotary motor as a sex symbol - yet this has been done . . . There is demonstrable evidence, however, that sex and ‘nudity’ are often used as eye-catching come-ons for functional products where such ploys have no place in the real decision making process . . . In fact, advertisers who use sex or nudity for products, where it is totally irrelevant are mostly wasting their money.”

The argument used here is purely commercial, but H. Schachte, an executive of one of the world’s leading advertising agencies, bases his case on moral grounds:

“Communication and advertising media must mount an attack against a problem more insidious than air pollution - the contamination of minds by pornography. We must show our youth beauty and love, not debasement.”

Another reason for maintaining some censorship is to enable our children to grow up with the right set of values to sex and to life. As Dr. Joyce Brothers points out (*New Idea*, 8/8/70):

“It [pornography] can confuse and even frighten preadolescents and young adolescents who haven’t yet worked out their feelings about sex. Most authorities would probably agree with a statement by the New York Academy of Medicine that ‘the reading of salacious literature encourages a morbid preoccupation with sex and interferes with the development of a healthy attitude and respect for the opposite sex.’ “

Elsewhere (*Woman’s Day*, 10/8/70) she says that any child over three is disturbed by exposure to adult nudity and that older children might be even more aware of its seductive overtones.

Obviously then, if our children are to be brought up with a balanced attitude towards sex, they must be protected from contact with such warping influences. It is not enough to say that parents should provide this protection. There are some parents who are too ignorant or careless to do so, while those who do know and care often find it hard to guard against such influences because they invade the home through the daily paper and the television set. The only remedy is to protect the young by legal sanctions, just as we protect them from exploitation by greedy employers or from cruelty at the hands of violent parents.

ANTI-CENSORSHIP THE “IN” THING

At the present time those who wish to be thought progressive are in the ranks of the supporters of birth control, abortion, euthanasia and of the opponents of censorship. It is currently fashionable to oppose censorship; indeed, it must be hard not to, for the only arguments one is likely to see are against censorship. The daily press, film makers, authors, radio and television stations all push the line of freedom of expression.

This is not surprising for they all have a vested interest in doing so - bigger sales, more profits, greater royalties. The U.S. publishers of *Lady Chatterley’s Lover* saw their shares rise 600% in six months. Also in the U.S.A. customers paid up to seven times the normal prices to see *Oh! Calcutta!* Harry Miller, Australian producer of *Hair*, raised \$100,000 to finance the show; this cost was recovered in 10 weeks. It is now making 5-6% per month (B. A. Santamaria, *Social Survey*, p. 204).

But not all those who make a living from publishing, films or theatre, or writing agree with the current preoccupation with obscenity and nudity. It takes a good deal of courage to swim against the tide of prevailing opinion, but there are some who do. David Merrick, Broadway producer of some 40 hits, including *Hello, Dolly!* and *Private Lives*, has written an article *Must Smut Smother the Stage* (*Reader’s Digest*, March 1970) in which he attacks the sex-ridden plays being produced in the U.S.A. “If a play requires explicit sexual scenes,” he says, “then the writer hasn’t much new or creative to say.” Actor John Wayne has warned (*Advocate*, 25/6/70) that the “fast buck” operators who are “cashing in on pornography and depravity” may kill the movie going habit. Country and western singer, Johnny Cash, has refused to play opposite a semi-nude actress in a forthcoming film (*Herald*, 23/7/70). Orson Bean, in Melbourne to play the lead in *Promises, Promises*, says that:

“America is just like the Hebrew children with their golden calf and their orgies. Most of us are looking for a

Moses to pull us out of it all - out of the pornography, the moral laxity and the smut.”

Debbie Reynolds has not appeared in a film for some time because “Everything these days involves nudity and I will simply not do nude scenes.” (Herald, 28/8/70).

Our Governor-General, Sir Paul Hasluck, himself a writer and a poet, has asked “is the permissive society as it is being practised in Australia one where people who want to be dirty can be dirty—or are people who would like to be clean having muck thrown all over them?” (Age 21/1/70). Malcolm Muggeridge, world famous writer, editor and commentator, has deplored the “miserable outcome of the spread of the language of Shakespeare and the Authorized Version of the Bible thus to provide a vehicle for the dissemination of illiterate filth.”

And he has attacked “the motley procession of writers, critics, crazed clerics and other miscellaneous intelligentsia prepared at the drop of a hat to pronounce the latest outpouring of sub-standard smut an essential contribution to contemporary letters.” (National Decency News, May 1970).

Actress Maureen O’Hara declared in a TV interview that nudity in films was being used to cover up a lack of ability to write good stories. (This interview was not reported in at least one of the Melbourne dailies, presenting us with an example of a more insidious form of censorship - that exercised by the editors of newspapers).

Thus there are those who are prepared to speak out against the trends in films, theatre and literature, but their utterances often are not given the same prominence as those of the opponents of censorship.

DO PRESENT METHODS OF CENSORSHIP NEED OVERHAULING?

Although Peter Coleman, a convert from the anti-censorship camp, has said that “It does not matter much that censorship be consistent or even ineffective . . . the important thing is that gestures be made” (Bulletin, 11/4/70), I believe that if we are to have a system of censorship, then it should work as effectively as possible. If censorship can be shown to be ridiculous, then it must fall into disrepute.

First, some of the demonstrable inconsistencies in the applications of censorship must be removed so that a book of some literary quality is not banned while worthless material is allowed to enter the country.

Second, the anomalous position which allows a book banned by the Customs Department to be smuggled in and published here with impunity, must be rectified.

Third, the entry of all pornographic material should be prohibited and its publication in Australia prevented.

Fourth, the present proposal to introduce an R Certificate for films should be implemented. While it is necessary to protect the young, it would be wrong to restrict adult entertainment to what is suitable for children.

Fifth, stricter control of advertising to limit the use of nudity and exploitation of sex is necessary.

CONCLUSION

A recent Four Corners program on insecticides dealt with the dangers of a chemical called 24 D. Experts differed on whether it was dangerous or not. The final message was that while there was any doubt, then use of 24 D should be banned. I believe that there is reasonable doubt about the effects of obscenity, pornography and violence, and so we should maintain a system of censorship. As Mr. Chipp has said:

“If a community believes that the untrammelled circulation of certain material is objectionable to itself as a community, then it has a right, through a democratically established government, to protect itself.”

Gallup Polls indicate that the community does believe that present censorship standards must be maintained, but the community must not merely sit back and expect the government to protect it.

Parents, in particular, have a prime responsibility in censoring what their children read, what films they see, what TV programs they watch; in registering their protests in writing to advertisers, to newspapers, to magazines, to Mr. Chipp, {the Federal Minister in charge of the Office of Film and Literature Classification,} whenever they feel community standards have been breached.

Ideally, each of us should be his own censor, but meanwhile legislation is necessary to protect the weak and the immature.
