

CONCLUSION

If there has been a general trend in censorship in New Zealand, it has been towards greater objectivity. In early legislation there was no attempt to define indecency, as it was assumed that everyone knew when something was indecent. But from time to time measures were passed to deal with specific problems - the mischief of advertisements aimed at the sexually insecure, the introduction of new technology such as films and videos, and the threat of wartime sedition. This gave censorship practice more objectivity, with measures being aimed at the specific rather than the general. Censorship legislation today tries to lay down specific criteria which those policing the law are supposed to take into account. At the same time a crude "shopping list" approach involving hard and fast rules ("x is not allowed under any circumstances") has, in the main, been avoided.

Censorship in this country has primarily been based on the conservative notion that publications and entertainment may pose a threat to the moral order and to society. But occasionally people from all political viewpoints have united over a particular issue, such as concern at the effect of comic books on the minds and reading habits of the young.

As outlined in the introduction, our systems of censorship have become rather complex, resulting in different standards for different media. If the recommendations of the Ministerial Committee of Inquiry into Pornography are adopted, video, film and publications censorship may be dealt with by a single authority. The existing system developed largely through *ad hoc* reactions to specific exigencies, and some sort of rationalisation could well be desirable.

With the deregulation of broadcasting, further technological changes are on the horizon. One possibility is the establishment of satellite television networks which can beam programmes to any subscriber with the relevant decoder, making international boundaries superfluous and rendering existing censorship systems inadequate. In a recent research paper, Adam Lewis argued that, with the advent of such technology, only international agreements can keep pornography in check.

APPENDIX - A CHRONOLOGY OF CENSORSHIP HISTORY

- 1858 - Customs regulations prohibit importation of "indecent" and "obscene" material.
- 1866 - Vagrant Act includes provisions to stop "vagrants" selling such material.
- 1890 - Booksellers convicted for stocking novels by Zola.
- Truby King article attacks sex quackery and "indecent" advertisements.
- 1892 - Offensive Publications Act includes restrictions on indecent advertisements.
- 1893 - Post Office Act amended so suspected indecent mail can be opened and destroyed.
- 1900 - Sending indecent material by post outlawed.
- 1905 - Ignorance of publication contents no longer a defence.
- 1906 - Offensive Publications Act amended so premises can be searched for indecent literature.
- Auckland picture dealers acquitted in "art versus obscenity" case.
- 1908 - Lawyer takes Shakespeare to court to make a legal point.
- 1910 - Indecent Publications Act supercedes earlier censorship acts. Aims to censor smut while protecting worthwhile material.
- 1913 - Customs Act makes censorship role of Customs Department more specific.
- 1915 - Conference calls for government film censorship.
- 1916 - Cinematograph Film Censorship Act requires government censor to preview all films.
- 1917 - Reproduction of Giorgione's *Sleeping Venus* found indecent despite protection for art under 1910 Act.
- 1920 - Moral panic over films unabated despite 1916 Act.
- 1921 - Wartime political censorship extended in light of "red scare".
- 1923 - Ettie Rout's *Safe Marriage* banned.
- Customs appoints committee to advise on acceptability of imported literature; it lasts until the 1930s.
- 1926 - Jean Devanny's *The Butcher's Shop* becomes first novel by NZ born writer banned.
- 1930 - Talkies revolution leads to record number of films being banned.
- Controversy over banning of *All Quiet on the Western Front*. Film gets second chance and is passed by the appeal board.
- 1934 - Minister of Internal Affairs given power to appeal censor's approval of a film.

- 1938 – Deputation meets Ministers of Customs and Education to discuss concerns about American comics and magazines. Some are banned under import licencing regulations.
- 1939 – Boccaccio's *Decameron* found not indecent on appeal after academic testifies to its literary worth.
 - Extensive wartime censorship introduced.
- 1943 – Government intervenes over banning of film *Love on the Dole*. New appeal board appointed which passes it.
- 1945 – Customs Minister uses import licencing regulations to ban *Forever Amber*. NZ Library Association protests.
- 1949 – Restrictive certificates (R16 etc) made standard practice by new film censor.
 - Mounting concern over comics, but Education Department decides no case for censorship.
- 1951 – Political censorship during waterfront strike.
- 1952 – Another government committee looks at comics - finds many objectionable.
- 1953 – National conference discusses comics question.
 - Customs appoints Gordon Committee to advise on censorship of literature.
- 1954 – Teenage sex revelations lead to Mazengarb Enquiry and tougher laws which allow the banning of comics and "pulp" literature.
 - Film *The Wild One* banned.
- 1955 – *Wild One* again fails to get past censor. *Rebel Without a Cause* passed only on appeal.
- 1956 – Customs committee set up to examine comics - bans 160 in first year.
- 1958 – Customs reverses banning of Behan's *Borstal Boy* after public outcry.
- 1960 – Nabakov's *Lolita* found indecent by Court of Appeal.
- 1961 – Crimes Act outlaws "indecent" performances.
 - Broadcasting Act sets standards for tv and radio.
- 1963 – New Indecent Publications Act sets up Indecent Publications Tribunal (IPT) and redefines "indecent".
- 1966 – Court case over *The Collector* finds that appeal board cannot ban film already passed by censor.
- 1967 – Film *Ulysees* passed for sexually segregated audiences.
- 1968 – IPT lays down guidelines for nudity in magazines etc.
- 1969 – Massey capping magazine *Ram* sells out before being declared indecent.
- 1970 – 49,000 signature petition calls for stricter censorship, especially for films.

- Pat Bartlett forms Society for the Promotion of Community Standards.
- 1972 – Musical *Hair* acquitted of obscenity charge.
 - Controversial *Little Red Schoolbook* found not indecent.
 - Germaine Greer convicted for saying "bullshit".
 - *Truth* convicted over nude centrespread.
 - Outcry as *Clockwork Orange* passed by film censor.
 - Indecent Publications Act made stricter.
- 1973 – *Last Tango in Paris* twice fails to get past film censor.
- 1976 – Cinematograph Films Act liberalises law.
- 1977 – *Last Tango* passed under new film rules.
 - Amendment to Race Relations Act 1971 places restrictions on public statements.
 - Contraception Sterilisation and Abortion Act restricts publications carrying contraceptive information.
- 1978 – CS&A Act leads IPT to declare sex education book *Make It Happy* indecent in the hands of those under 16.
- 1980 – Restrictions on video recorder imports removed.
- 1982 – Courts make contradictory decisions over videos.
- 1983 – Feminist group Women Against Pornography established.
 - IPT comes up with new guidelines for sex magazines.
- 1984 – American magazine *Penthouse* banned.
 - Video issue hots up as police raid retailers.
- 1985 – First explicit sex films allowed by censor.
- 1986 – Labour Party conference calls for sacking of film censor.
- 1987 – Video Recordings Act sets up Video Recordings Authority to censor pre-recorded video tapes.
 - Establishment of a Ministerial Committee of Inquiry into Pornography announced.
- 1988 – Committee begins work.
- 1989 – Video Recordings Act phased in completely.
 - Pornography Inquiry releases report recommending reform of censorship system.

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