

STOP THE PRESS: WHY CENSORSHIP HAS MADE HEADLINE NEWS (AGAIN)

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Summary

The recent publication of proposed amendments to the *Films and Publications Act 65 of 1996* drew some sharp criticism from the media. Some organisations described these amendments as, *inter alia*, unconstitutional, outrageous and as part of the erosion of freedom of speech, while the Department of Home Affairs defended the amendments as an attempt to protect children from potentially harmful and age-inappropriate material. This discussion briefly examines the historical development of censorship as well as the current classification process in South Africa, followed by a discussion of the proposed amendments as well as the reaction thereto. The conclusion is that the media maybe has overreacted with regard to some of the amendments and may not understand the effect of the current classification process, while some of their concerns with regard to some of the other amendments may be justified. The true challenge will be that all stakeholders have an honest discussion with each other and would have to try and strike a balance between the important right of the child to dignity as well as his right to not be exploited, and that of the freedom of speech. The printed media also will have to realise that it is the duty of all members of society to protect the rights of the child and there can be no reason as to why newspapers may be excluded from this duty.

Keywords

Constitutional law; Fundamental rights; Freedom of expression; Freedom of press; Rights of children; Right to dignity.

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