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Bill 30 - New censorship law in B.C.

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Bill 30

Sweeping Power Leaves "Dirty" Sex in a Vacuum

SARA DIAMOND

WHILE BRITISH COLUMBIA artists were reacting to the introduction of video classification and censorship legislation, John Crosby announced his intended revisions to the Criminal Code of Canada. As media attention and public concern shifted to the national arena, B.C. Attorney-General Brian Smith's censorship legislation quietly passed on June 16, with only one dissenting NDP vote. Smith's perfect timing could only have occurred with assistance from the Federal Conservatives.

Without question, the new Criminal Code Amendments must be challenged. That lactation, menstruation, vaginal, oral and anal intercourse, and "other sexual activities" are "pornographic" and cannot be represented by artistic and other means is a tremendous defeat for feminism, gay and lesbian rights, artistic exploration and human liberation.

And on another front — and despite the flurry of resistance to "Bill C" — the introduction of "Bill 30," the new B.C. Motion Picture Act, did not pass without strong protest from the artistic, gay and lesbian, publishing, legal, video and film communities. Small commercial video outlets and feminist groups and artists also voiced their concerns.

As feared, B.C.'s new legislation is modelled on the discredited Ontario law. All video will require prior screening, classification and censorship. Bill 30 will give sweeping powers to the Director of Classification and to the provincial cabinet to define sexuality as represented in images — suggestive or explicit — and to change the exact criteria for what is to be classified (restricted) and censored, without public consultation.

The legislation will cost the province's taxpayers \$558,990 in 1986-7

alone, not including the expense to artists and distributors. While there are provisions for educational programming about pornography, these are a very vague response to demands from the feminist and artistic communities for educational resources. There is no provision for sex education.

There is a punitive quality to the legislation: it includes stiff fines and potential prison sentences for distributors or artists who resist the submission of their work. The act empowers "authorized individuals" or the police to

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seize videotapes, to inspect on site, to demand access to equipment and, eventually, to destroy tapes.

There are no real exemptions for artists' centres that coincide with the reality of screening and the use of video in Canada. Video artists have been careful to preserve a wide public access to their work, not to limit it to a narrow, membership-only, adult-only, paying club as the new law demands. Even the decision of what is an educational or artistic context is left up to the discretion of the Director of Classification.

Like the federal legislation, the B.C. law uses sexual explicitness as the basis of restriction, restating yet again the culture's values that sex is "dirty." The pro-censorship feminist lobby, that has centred on issues of degradation and violence is not reflected in this stance, but the concerns of the organized Right and Sacred women's caucus sure are.

In response to the tabling of the Bill, the Coalition for the Right to View held a press conference. The following

statements reflect some of the diverse resistance to the law:

"My concern with regard to the recently introduced legislation is that sexually explicit material will be censored.

Two years ago I was a "minor" and I had been sexually active as a "minor" for several years. I tried to find a language for my sexual feelings and desires. What I was taught from the many films, videos and television shows I watched in the mainstream media was that women remained silent.

Access to positive sexually explicit material is difficult to find in this society. The Motion Picture Act will make it virtually impossible. Images of people having sex and talking about their sexual experiences need to be distributed in the secondary schools and other institutions, not censored. There is a need for sex education in this province and young people must be encouraged to talk about their erotic needs, not made to feel inhibited by them.

It is my right to discern what is or is not abusive imagery and to view and talk about the critical and positive material that is available to me through artist-run and community centres."

Meaghan Baxter, writer/actor

"...We strongly object to this government's plan to introduce a video censorship board in British Columbia. History has shown us that governments have done an abysmal job in their attempts to legislate society's mores. As an example the Ontario government has in recent years proven their ineptitude in dealing with the issue of censorship on several occasions. Nothing our current leadership in B.C. has done in the past helps to convince us that they have any better understanding of the issue.

We urge all British Columbians to

lend their voice to your coalition in protest to the proposed legislation."

National Association of Broadcast Employees and Technicians

"One must be suspect of a government that on the one hand advocates restricting public communications in the name of protecting female dignity and on the other hand denies to women the social services and educational opportunities without which dignity cannot be attained."

*Karlene Faith, Ph.D
Simon Fraser University*

"As writers and publishers we're deeply concerned about the prospect of video censorship in British Columbia. Artists' work is often misunderstood; the thought of vague and punitive laws as a primary arbiter of what may and

may not be seen is frightening.

We feel strongly that censorship itself is more dangerous than the material the legislation is presumably aimed at. Its pernicious effect is felt not only when something is banned, but in the practice of self-censorship imposed by exhibitors who fear the wrath of the Board. Rather than censorship, we support public education and assistance for those raising the issues in a constructive way.'

Kootenay School of Writing

"The problem of violence against women is real, serious and probably encouraged by the degrading and sexist portrayal of women in most of our media. We believe, however, that the "solution" of censorship is more dangerous to us than advantageous and creates the illusion that enough is being

done. The history of censorship has shown that what gets censored is sexuality (particularly homosexuality) and unpopular political ideas.

We believe that it would be far more advantageous to us as women if the government:

1) supported artists' efforts to portray sexuality (both homosexuality and heterosexuality) in a non-exploitative manner,

2) supported sex education programs that teach responsible, consensual, caring sexuality, in all its forms,

3) provided jobs and daycare so that we have the option of staying with partners out of real choice and not out of economic necessity,

4) provided concrete support and opportunities for the women and children who are victims of violence. We need more transition houses, rape crisis centres, child abuse teams, job training, daycares...

5) penalized those who are violent and provided treatment programs for them to change,

6) supported the efforts of women and men to end the inequities and exploitation that creates much human misery and contributes to violence against women...

Exploitative pornography will end when men no longer see women as objects to be exploited and degraded. Exploitative pornography will stop when men refuse to buy it. Exploitative pornography will be over when women are truly equal in a culture that teaches its children to treat all human beings with respect."

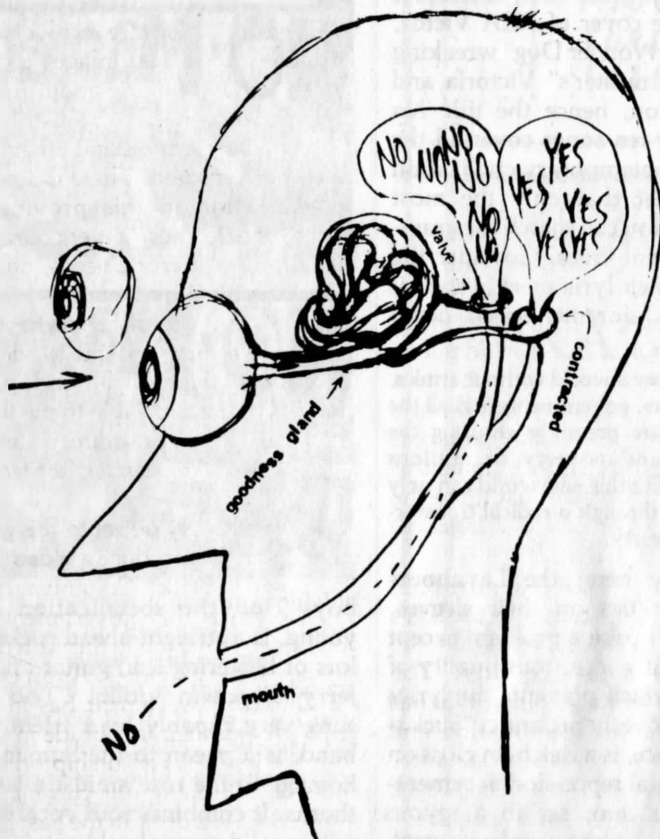
Vancouver Lesbian Connection

These are but a few of the many statements opposing censorship in British Columbia. We are entering a stage of active resistance to the legislation. We need to know and the Attorney-General of B.C. needs to know, that artists and communities across Canada will not submit their work to be censored and will not support the extension of censorship throughout Canada. If you are or your organization is willing to add your voice please send a statement to:

The Coalition for the Right to View,
P.O. Box 69376, Station K,
Vancouver, B.C. V5K 4W6

We will ensure that your statement reaches the Attorney-General.

ANATOMY OF A CENSOR



Mike Constable