

MOTION 17

AMENDMENT NO 9 (Proposed by David Wells p.p. NCCPSA)

Mr. Chairman,

As Civil Libertarians we are all, I assume, against violence to anyone, whether male or female, child or adult, black or white, religious or non-religious, heterosexual or homosexual. The ~~NCCL's~~ Charter of Civil Rights and Liberties, to which we all presumably subscribe, ~~and the adoption of which as the NCCL 'Bible' we were all recently asked to endorse,~~ is unequivocal in its commitments to such a sentiment. Article 7 of that Charter states that the NCCL is ^{also} committed "to freedom of speech and publication". Catherine Itzin is proposing in ^{her} ~~this~~ motion the complete reversal of that Article 7. She may well preambule her impossibly verbose proposition with sanctimonious, lip-serving sentiments about opposition to censorship and so on, but I beg you not to be deceived by such hypocrisy. ~~Make no mistake about it. This motion, if passed, would signal the beginning of the end for the National Council for Civil Liberties. A civil liberty is a civil liberty,~~ ^{Civil Liberties are} is a civil liberty ^{for} everyone. Ms. Itzin has fallen into the classic trap for all phoney anti-censorship libertarians - She claims to be ~~a true libertarian, one~~ truly opposed to censorship, but then sabotages all such claims by introducing draconian qualifications, equivocations, exceptions which totally negate such an otherwise worthy stance. It will not do, ~~it will not do~~ ^{And} it must not be ^{not} in a free society.

It would be impossible for me to counter all of the absurd contentions and implications of her mammoth, six hundred and six word motion, in the lamentably short time I am here allowed. Let me just say, however, that the motion is based on the main premise that "identifiable harm" is caused by "pornography" (whatever that is - it is, incidentally, a ^{word} ~~word~~ that is simply non-existent in legal terminology). This is a most arrogant and totally untrue assertion. No-one, nowhere, has ever produced incontrovertible evidence of "identifiable harm" caused by "pornography". And since Ms. Itzin has seen fit to refer to attitudes in the United States inherent in motion (albeit selectively and ^{somewhat dishonestly} ~~incompletely~~), may I quote from the Public Policy

fulfil - the "safety valve" role. "An audience", it says, "may find some material useful as a cathartic substitute for anti-social activity. Much of the debate heard by the 1970 Pornography Commission (an earlier, much more responsible and respected Presidential Report) concerned the degree to which viewing or reading pornography served as a sexual outlet for what might otherwise become violent ~~xxxxxxx~~ or delinquent behaviour."

However, even supposing that Catherine Itzin is right (which I certainly do not) and supposing that there was even the smallest risk that a tiny minority of people might be harmed by the unfettered availability of the kind of material she cites, in the wider, over-riding beneficial interests of a 'free society', we have to take that risk. Society doesn't contemplate the banning of football simply because ^{of} a minority of football hooligans, any more than society contemplates the banning of motor vehicles because of the annual carnage of between six and seven thousand deaths on the roads - ^{truly} ~~an~~ "identifiable harm" if ever there was one! There are and always will be inherent dangers in the practice of freedom, but they are nothing as compared with the dangers of curtailing that freedom - and especially freedom of expression.

Finally a word about formulating the kind of legislation which the proposer seeks. Anyone who has sat and listened over the past eleven years to virtually all of the Parliamentary debates, ~~xxxxxxx~~ in both Houses of Parliament and in many Standing Committees, on so-called 'obscenity' Bills, ^{as I have,} will be only too aware of the intractable problems of drafting workable legislation in this field. Ms. Itzin has herself conceded that "pornography is difficult to define". From a legal point of view, let me tell her that it is not merely "difficult", it is bloody nigh impossible - unless, of course, you accept the blanket suppression of 'free speech' and 'free expression' of the kind so prevalent in the totalitarian regimes of many Eastern Bloc countries, ^{for instance}.

May I remind this NCCL A.G.M. that Hitler began his rise to power in Fascist Germany

with the suppression of 'offending' publications, progressed to their prohibition, and then their public burning, and ended up by burning people in the incinerators of Belsen and Dachau. If the NCCL embarks on a journey down that road - and it will if it passes this alarming motion - then it will signal the beginning of the end of this desperately-needed, much-cherished NCCL organisation as we now know it and the cause of civil liberty will have suffered a devastating blow. Please do not allow this to happen by rejecting both Matthew Sharp's amendment (10), which simply extends the motion to apply to both sexes, and Catherine Itzin's original motion, and by voting for NCROPA's amendment (9), which retains the NCCL's 'status quo' regarding its ^{firm} commitment to 'freedom of speech and publication' (article 7) and opposition to censorship.