

Labor governments demand tougher censorship laws

By Gabriela Zabala-Notaras
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Less than two months after New South Wales (NSW) police raided the inner-Sydney Roslyn Oxley 9 gallery on May 22, seizing works by acclaimed photographer Bill Henson and threatening him and the gallery with possessing and disseminating child pornography, another furore has erupted over the publication of a nude photograph of a six-year-old girl on the cover of a local arts journal.

Entitled “Olympia as Lewis Carroll’s Beatrice Hatch before White Cliffs”, the image was taken by Melbourne artist and photographer Polixeni Papapetrou of her daughter Olympia, now 11, and published on the cover of July’s *Art Monthly Australia*. The girl is seated against a background painted by her father Robert Nelson, who is an art critic for Melbourne’s *Age* daily newspaper.

The magazine’s editorial explained that the picture, which has been displayed in various Australian galleries and in New York over the past five years, was chosen “in the hope of restoring some dignity to the debate; to validate nudity and childhood as subjects for art; to surrender to the power of the imagination (in children and adults) and dialogue without crippling them through fear-mongering and repression.”

This calm appeal was ignored and the picture and the magazine hysterically denounced by right-wing moralists and politicians—Labor and Liberal alike—as further proof of the sexual exploitation of children by artists.

Labor Prime Minister Kevin Rudd immediately weighed in, just as he did during the Henson witch-hunt. “I have very deep, strong, personal views on this, which is that we should be on about maximising the protection of children,” he said. “I don’t think this is a step in the right direction at all. Frankly, I can’t stand this stuff.”

Rudd called on the Australia Council, which provides some funding for the magazine, to develop new protocols about using images of children and said that any recipient not abiding by them would have their funding stripped.

Echoing Rudd, NSW Labor Premier Morris Iemma claimed the photograph was “distasteful”, “disgusting” and “a cheap, sick stunt at the expense of a young child” and threatened to withdraw *Art Monthly Australia*’s state funding. Not to be outdone, federal Liberal leader Brendan Nelson said the image was a “two-fingered salute to the rest of society” while NSW Liberal leader Barry O’Farrell described it as a “provocative publicity

stunt”.

Polixeni Papapetrou, Robert Nelson and their daughter publicly rejected these attacks. Robert Nelson told the media: “It’s interesting that if the prime minister comments on, say the greenhouse effect, he gets expert advice first. I would like to know which art expert advised him on this.”

Olympia commented that the picture was one of her favourites and “had nothing to do with being abused”. “I think nudity can be a part of art,” she said and added, “I’m really, really offended by what Kevin Rudd had to say about this picture.”

An editorial in the Murdoch-owned *Herald Sun* on July 8 entitled “Father Does Not Know Best”, denounced the magazine and Robert Nelson’s defence of his daughter’s image. The newspaper ludicrously suggested that Nelson was attempting to deny Rudd’s views on protecting children, and declared that it didn’t matter that artists did not regard the photograph as pornographic because there were “thousands of voyeurs on the internet who will”.

One day later, the magazine was referred to the Office of Film and Literature Classification (OFLC), Australia’s censorship board. Notwithstanding the government and media frenzy, the OFLC ruled on July 16 that the magazine was inoffensive and gave it an unrestricted (M) rating, which means that it is available to everyone over the age of 15. Defending its decision, the board stated: “The overall tone of publication and the debate contained therein is considered to be serious and have genuine artistic content.”

Art Monthly Australia editor Maurice O’Riordan described the ruling as “an affirmation of our contribution to a debate,” and added. “This is not just for Bill Henson ... all artists are affected by potential threats of censorship and public hysteria.”

But in the wake of the decision, NSW government ministers have begun demanding a strengthening of the National Classification Scheme (NSC)—the system under which the OFLC determines what should be banned or censored. Any change in the NSC requires the support of federal and state government ministers.

On July 22, NSW Community Services Minister Kevin Greene called for “greater restrictions on the depiction of child nudity” and told the media that he would campaign for support among other state community ministers. NSW Attorney-General John Hatzistergos also announced that he would be requesting a review of the NSC by other states attorneys-general at their next meeting.

In addition, Labor’s federal arts minister Peter

Garrett has written to the Australia Council and Screen Australia—the main funding bodies for the arts, film and television—requesting that they develop a “set of protocols to address the depiction of children in works, exhibitions and publications that are recipients of government funding.”

The new protocols are to be drafted by January 1 next year and the Australia Council will meet with various interest groups, including artists, lawyers and children’s rights specialists, to discuss the issues.

Australia Council chief executive Kathy Keele told the media she was “optimistic the consultations will be enlightening” and said that while some feared censorship, “I don’t think that has to be the outcome.” But harsher censorship measures are precisely what those agitating against *Art Monthly Australia* and Bill Henson have in mind.

Hetty Johnson, founder of the so-called anti-child abuse organisation Braveheart, told the media that current Australian law was “incapable of protecting children from commercial sexual exploitation” and that her organisation had written to government ministers and attorneys-general demanding new legislation.

There are signs, moreover, that some sections of the artistic community have begun adapting to the government and media rhetoric.

Sydney Morning Herald art critic John McDonald, for example, told ABC radio, that *Art Monthly Australia*’s decision to publish the picture of Olympia Nelson was at the “wrong time and the wrong place” because “the temperature of the general public is so hot at the moment with all of these various scares and pedophilic assassinations”. Similar comments were made by Sydney’s Museum of Contemporary Art director

Elizabeth Ann McGregor, who said the magazine had displayed a “serious lack of judgment in the current environment”.

While McGregor and McDonald defend freedom of expression, the implications of their remarks are clear—that those demanding harsher censorship laws can be pacified or neutralised if artists and their supporters are less confrontational or willing to bite their tongues at particular times. This is wishful thinking, and politically naïve in the extreme.

Serious art by its very nature is provocative, challenging and sensitises its audience on many different levels. That is why it is feared by the powers-that-be and especially under conditions of growing social and political tensions. An essential element in the political calculations of Rudd and other Labor politicians is to create a climate where artists begin to self-censor, steering clear of subjects or themes deemed too controversial out of fear of reprisals or loss of funding.

Labor’s open orientation toward Hetty Johnson and other right-wing layers has nothing to do with protecting children. It is driven by the perceived need, on the part of the entire political establishment, to divert attention from rising inflation, cuts in living standards and the deepening international financial crisis—issues that inevitably produce social conflict that cannot forever be contained within the existing political framework.

The latest art “scandal” serves to distract from these vital questions, while simultaneously creating a climate of moral panic to justify attacks on democratic rights, including freedom of expression, directed against all working people.

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