

New Horizons in English Studies 4/2019

## CULTURE & MEDIA



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### Censorship in Irish Broadcasting

**Abstract.** Can we say that any legislation concerning broadcasting is a form of censorship? Where does the censorship start? The present article discusses these questions in the context of broadcast media in Ireland. In Irish broadcasting there was a tendency to support a dominant ideology. It was creating a culture of censorship which some found acceptable, yet others were forced to accept. There were many factors (history, the development of Irish broadcasting, government and the Church) that can be associated with forming restriction of language in media. The Irish radio was based on the BBC model and all news from Ireland was filtered by a British news agency. At the same time, Irish broadcasting has been an integral part of a government department, and could be controlled by them regarding who and when would be listening. Until the second half of the twentieth century, the Catholic Church had a huge impact on Irish media. It was considered the guardian of morality and defined demoralization and had an influence on shaping the Irish public opinion. Establishing such a strong position would allow them to control broadcasting. Since the 1960s, the power of Catholic Church has decreased; nevertheless, the government still had control of and influence over broadcasting in Ireland. In 1960 they legislated the Broadcasting Authority Act, with the most controversial *Section 31*, which allowed the government control of all media. However, restricting the media caused journalists to oppose and fight for their freedom of speech.

**Key Words:** censorship, Irish broadcasting, section 31, Broadcasting Authority Act, Catholic Church

## Introduction

“Any legislation on broadcasting, is some kind of the reduction on freedom of speech” (O’Brien 2005, p.23). However, can it be said that this is censorship? According to the definition of censorship, the key issue is the prohibition and control of what information can be published or otherwise made public.<sup>1</sup> Moreover, it can have different aspects. In Irish broadcasting there was a tendency to support a dominant ideology and limit the range of political views on contentious issues (Pettitt 2002). This type of censorship was not totalitarian. Thus, ideology created a culture of censorship that became second nature to some and which was required of others (Pettitt 2002). History had a strong impact on the development of this culture: the War of Independence, the IRA’s operations, political and religious influences and the development of Irish broadcasting.

### Piece of Irish broadcasting history

On April 25, 1916 the School of Wireless Telegraphy in Dublin started sending messages across the airwaves. According to legend, the transmission concerning information, which proclaimed an Irish Republic independent from the British Empire, was the world’s first radio broadcast (Mulryan 1988, 1-2). On the other hand, in May 1922 (Ireland was in the early stages of civil war) Marconi and the *Daily Express* applied to the Irish government for permission to set up a station. However, as the *Daily Express* application was not granted, Marconi was turned down “owing to the present disturbed conditions in Ireland” (Horgan 2001, 15; Gorham 1967, 5). In the end Irish radio, called 2RN, was established in 1925. After this, the first broadcast was on January 1, 1926 and it was Douglas Hyde’s speech, concerning an important theme: the national broadcasting service. He emphasized the importance of radio, its culture role and its part in public education (O’Neil 2000).

At the beginning, Irish radio was based on the BBC model. This means that Irish broadcasting grew in a culture of public service broadcasting (PSB) in news (Horgan 2001). In other words, the key concern was providing for the needs of citizens, including the provision of factual information. Moreover, public service broadcasting’s role can be described as the development of all that was best in every department of human knowledge, as well as a moral, cultural and educative force for the improvement of knowledge, taste and manners. Broadcasting has a social and political function to bring together all classes of the population. It helps in the creation of an informed and enlightened democracy (Reith cited in Scannell and Cardiff 1991, 7).

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<sup>1</sup> According to Merriam Webster Dictionary (2018) censorship is the suppression of speech, public communication, or other information, on the basis that such material is considered objectionable, harmful, sensitive, politically incorrect or "inconvenient" as determined by government authorities or by community consensus. (<https://www.merriam-webster.com/dictionary/censorship>)

Ireland acquired from the BBC not only its model of broadcasting, but also their influences. All news from Ireland, before reaching the international media, went through a British news agency filter (Horgan 2001). At its conception radio was heavily reliant on the press. Every important news item first appeared in newspapers and then on the radio. In time this started to change.

### **Government influence in first half of 20<sup>th</sup> century.**

Since its early years, Irish broadcasting has been an integral part of the government and it remained so until 1961, when the government introduced the *Broadcasting Authority Act*. Until 1961, the government could control who would listen and when they would listen. What is more, they could decide what kind of information could be transmitted and what kind of music would be played. As per Lynch (2000, 28) 2RN had two, critically important rules:

1. "steering clear of religion and politics",
2. "nothing controversial was allowed on-air" (Lynch 2000, 28).

With this in mind, two examples, regarding a new idea of John Logie Baird (one of the pioneers of television and most significant figures in the creation of television) or jazz music, are understandable. Regarding Baird's brief spot about how pictures could be transmitted was offered at the time that nobody would have been listening (Horgan 2001, 20). When jazz was broadcast, a public warning was about to be announced against this genre of music (Anti-Jazz Campaign).

To sum up, the ethos of the early years of Irish broadcasting can be described as a hybrid of aspirations of cultural nationalism of the founding government and the public service ideology of broadcasting (Barbrook 1992, 205). According to Gorham (1967, 221), Irish Radio was expected to revive the speaking of Irish, to foster a taste for classical music, to sell goods and services of all kinds and, most importantly, to reunite the Irish people at home with those overseas and to end the Partition. In other words, the role of broadcasting was to inform, educate and entertain.

Irish broadcasting was based on the BBC model; however, it was also influenced by the American model of broadcasting. The mixed broadcasting model was brought about by the weak economic situation in Ireland. The ethos of public service was also expected to be commercially viable (Gorham 1967).

### **Catholic Church and media**

The dominant position of the Catholic Church during the nineteenth and twentieth centuries enabled it to become a major institutional player in different social fields, especially family, education, health, and social welfare. It is stressed that while the Church had little direct influence, it had the power to shape Irish society. Even though

it had never owned a newspaper, radio or television station, the Church was a major player in the field of media, as it had a great influence on what should appear in media or what should be banned. Good examples of censorship are the *Censorship of Films Act* from 1923 and the *Censorship of Publications Act* from 1929. These laws gave the censor power to cut or refuse the license for films constraining corrupting or secularization influences. Furthermore, the Protestant Church was in agreement with the film censorship. They said that “there is no more insidious danger to public and private morals than the cinematography” (Inglis 1998, 90-92).

The Catholic Church, as guardian of morality, defined demoralization and helped shape Irish public opinion. It had a monopoly on what was considered moral. What is more, as per Article 8 of Saorstát Eireann, the Constitution of the Irish Free State from 1922, all citizens had freedom of conscience, profession and practice of religion, but they were also subjected to public order and morality. Furthermore, these moral standards were based on Roman Catholic ideals (Lowe 2012, 83). Catholicism was the pillar of Irish identity. The Church controlled the education in order to “maintain an influence and moral control over the future dominant class and political elite” (Inglis 1998, 61). With this in mind, it can be seen why the Church did not need to own the media; even without them, it had huge influence on shaping the people’s opinion. Thus, it proved to be an indirect way to affect public broadcasting.

Before John Charles McQuaid was appointed Archbishop of Dublin he served as Dean of Studies from 1925–1931 and President of the College from 1931–1939. During this time his impact on public opinion started to grow. As an advocate of the state control of public morality he started with the “promotion of Catholic education and control the evil of the cinema and imported newspapers” (Cooney 2000, 64). In 1926 he aimed to control the new medium of radio (Cooney 2000, 64). In 1940 he was appointed as Archbishop of Dublin. After his meetings with the chiefs of Radio Eireann, he reported that there “was ‘real sympathy’ among the authorities for the idea of a religious programme. With this, he began laying the foundations of a system of religious broadcasting on Radio Eireann where all such materials were handed by his censor, Fr Cathal McCarthy, of Conliffe College” (Cooney 2000, 166). In general, the media presented McQuaid in an undoubtedly positive light. He was admired for his actions and for advocating against socialist ideas. This helped the Archbishop to bring the media to the Church’s control (Healy 2011). Thanks to him the 1950s are termed as the Golden Age of Irish Catholicism. At that time John Charles McQuaid was the Archbishop of Dublin. He successfully brought the Dublin media under the Church’s control (Healy 2011). However, since the 1960s there was a change in the amount of unquestioned power of the Church. The media broke the tradition of not criticizing the Church and forced it to become publicly accountable for itself (Inglis 1998).

### Anti-Jazz Campaign

It was said that the government could control what should be played on the radio and that the moral standards were based on Roman Catholic ideals. With this in mind, jazz was seen as dangerous for morality. The Ireland of the 1930s was beset by many social and economic problems such as unemployment, poverty or emigration. However, the main issue, from the Catholic Church's point of view, was sexual immorality and unsupervised dancing by young people (White 1980, 34). The Catholic Church believed the country was being flooded by depravity and, as such, demands become more vocal for legislation on issues of personal morality (Smyth 1993, 52).

At this time in Ireland, all modern dancing was referred to as jazz and became more popular. The reasons were:

- 1) increasing ownership of gramophones and wireless sets,
- 2) returning emigrants from the United States, who brought back music sheets, records.

These two reasons contributed to a wider selection of music being introduced to Irish people in the 1930s (Ó hAllmhuráin 2005, 10).

This influence of foreign music and dancing, in the opinion of the Church, was dangerous for morality. In 1934, on New Year's Day, the Anti-Jazz campaign began. Over three thousand people marched through Mohill with banners inscribed with slogans such as "Down with Jazz" and "Out with Paganism" (*Leitrim Observer* 1934a, 3)

*Leitrim Observer* from January 6, 1934 stated: "We are with you in the fight against the imported slush. Keep out, we say the so – called music and songs of the gall; his silly dances and filthy papers, too. We can never be free until this is done."

One of infamous situations which was a result of this campaign was an extraordinary attack on Seán MacEntee (the Minister for Finance) made by Seán Óg Ó Ceallaigh. MacEntee was condemned for the practice of sponsored programmes in Radio Éireann which sometimes included jazz music. During the broadcasting he was told by Seán Óg Ó Ceallaigh that his soul was "buried in jazz" and that he was "selling the musical soul of the nation for the dividends of sponsored jazz programmes" as "he is jazzing every night of the week" (*Leitrim Observer* 1934a, 3). As per Ceallaigh "he is a man who will kill nationality, if nationality is to be killed in this country" (*Leitrim Observer* 1934b, 7).

In addition, as per the *Leitrim Observer* January 20, 1934, a precept can be focused imploring not to turn away from the special mission that God had given Ireland regarding bringing the Christian civilization throughout the world and not to "disgrace the heroic saints and martyrs of our race" (*Leitrim Observer* 1934b, 3). It also included the warning that the West will "rush forth again to expel the last and worst invader – the jazz of Johnny Bull and the niggers and cannibals" (*Leitrim Observer* 1934b, 3).

To summarize, the problem with 'jazz' music demonstrates the degree of influence the Catholic Church and cultural nationalism had. However, some researchers sug-

gest that the Catholic Church was a façade of the state, which preferred to use it as an agent of social control. In other words, this indicates the actual nature of the influence wielded by Catholicism in shaping public opinion.

### **Main machinery to control broadcasting**

Since the 1960s the power of Catholic Church began to decrease; government still had control and influence on broadcasting in Ireland. During the period between 1932–1948 Radio Eireann was effectively a government mouth piece, where opposition spokesmen were permitted to be on the radio at certain times, but they could not bring up any controversial contents (Horgan 2002). Thus, there were no live political discussions. As the “broadcasting is seen to be too powerful and important to be left in the hands to those working in radio and television” (Feeney 1984, 61), in 1960 the Broadcasting Authority Act was legislated, which set up RTE as a public authority. Authority was created to establish and maintain a national television and sound broadcasting service. The Act gave the Authority the right to:

- control transmission;
- cooperate with other broadcasting authorities;
- charge television and radio licence fees;
- “originate programmes and procure programmes from any source” (Morash 2010, 170);
- sell advertising (with government limitations).

However, the most vital and controversial law was in *Section 31*<sup>2</sup> of this Act, which gave the Minister for Posts and Telegraphs control over the Authority. The Minister could decide what was to be broadcasted. The main reason was to prevent the public broadcast of crime, violence and immoral things in media (Morash 2010, 171). It also enabled government control of any media that exists apart from the print media.

The first machinery to regulate or control broadcasting was introduced by the 1960 *Broadcasting Authority Act*. After establishing the second Act, freedom of speech became even more restricted. The *Authority (Amendment) Act* of 1976 dismissed the Authority; nevertheless, it established the Broadcasting Commission and included a reformatted *Section 31*<sup>3</sup>.

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<sup>2</sup> “The Minister may direct the Authority in writing to refrain from broadcasting any particular matter or matter of any particular class, and the Authority shall comply with the direction.

<sup>The</sup> Minister may direct the Authority in writing to allocate broadcasting time for any announcements by or on behalf of any Minister of State in connection with the functions of that Minister of State, and the Authority shall comply with the direction” (*Broadcasting Authority Act*, 1960).

<sup>3</sup> “Where the Minister is of the opinion that the broadcasting of a particular matter or any matter of a particular class would be likely to promote, or incite to, crime or would tend to undermine the authority of the State, he may by order direct the Authority to refrain from broadcasting the matter

In theory, this Act promoted objectivity and impartiality, limiting the promotion of the Authority's own views in broadcasted news. Nevertheless, the second paragraph of *Section 3*<sup>4</sup> emphasized, that in certain situations, the above impartiality would not be applied. Whenever a broadcast would relate to any public controversy or any public debate, it would be strictly controlled by the Government or the Minister for Posts and Telegraphs. This meant that in most cases the news presented an expression of the Authority's own view. Moreover, the new formulation for *Section 31* promoted the increased power of the government. Earlier the Minister could refrain from broadcasting any matter; however, this could be done only when the Authority received the order in writing. It seems that the Minister had the power of censoring different information; however, the reason needed to be objective and well-motivated. With the new amendment, if, in Minister's opinion, the broadcasting promoted incites crime or tended to undermine the authority of the State, he could order the Authority to refrain from broadcasting. What is more, the Authority had to obey the order. At that time this section passed on large authority in the government's hands and opened the door for greater censorship based on the subjective opinion of the Minister. Also, it was linked with censoring spokesmen for specific organizations such as the IRA, the UDA, the INLA, etc. and people like the Republican Sinn Fein or members of his group. According to *Broadcasting Authority Act, 1960 [Section 31] Order, 1977*:

“Radio Telefís Éireann is hereby directed to refrain from broadcasting any matter which is an interview, or report of an interview, with a spokesman or with spokesmen for any one or more of the following organisations, namely,

- (a) the organisation styling itself the Irish Republican Army (also the I.R.A. and Oglagh na hÉireann),
- (b) the organisation styling itself Provisional Sinn Féin,
- (c) any organisation which in Northern Ireland is a proscribed organisation within the meaning of section 28 of the Act of the British Parliament entitled the Northern Ireland (Emergency Provisions) Act, 1973” (<http://www.irishstatutebook.ie/eli/1977/si/7/made/en/print>).

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or any matter of the particular class, and the Authority shall comply with the order” (*Broadcasting Authority (Amendment) Act, 1976, Section 16: Amendment of section 31 of Principal Act., 1976*).

<sup>4</sup> “All news broadcast by it is reported and presented in an objective and impartial manner and without any expression of the Authority's own views. They should concern current affairs, including matters which are either of public controversy or the subject of current public debate, is fair to all interests concerned and that the broadcast matter is presented in an objective and impartial manner and without any expression of the Authority's own views” (*Broadcasting Authority (Amendment) Act, 1976, Section 16: Amendment of section 31 of Principal Act, 1976*).

Paragraph (b) of this subsection, in so far as it requires the Authority not to express its own views, shall not apply to any broadcast in so far as the broadcast relates to any proposal, being a proposal concerning policy as regards broadcasting, which is of public controversy or the subject of current public debate and which is being considered by the Government or the Minister” (*Broadcasting Authority (Amendment) Act, 1976, Section 16: Amendment of section 31 of Principal Act, 1976*).

This was the case, even if in reports or programmes it was necessary to tell the full story, and if the members of those organizations did not constitute an incitement to violence (Kenny 2005).

After this, RTE journalists became especially attentive, for all programmes, to not interview members of Sinn Fein's organization. As a result of the Amendment Act, an environment was created where people avoided the groups from "the list" (list of banned organizations).

During this time, when Irish law *Section 31* appeared, there was a significant issue for broadcasting and journalists' freedom. In 1966 a proposition came out with the view that the RTE should be completely independent of government supervision in its affairs programmes. The government rejected this idea, because they did not want to lose influence and control over what is made public (Purcell 1991).

To sum up, the 40-year period during *Section 31* was a law can be divided into phases:

- I Phase: 1960–1971 – when Section 31 was legislated and set up RTE as a public authority, which was under the control of the Minister for Posts and Telegraphs;
- II Phase: 1971–1976 – when the broadcasting ban was imposed;
- III Phase: 1976–1994 – changes in version of Section 31, which was made more specific;
- IV Phase: 1994–2001 – aimed to freedom of speech and distancing RTE from the influence of government.

Despite that, before the year 1994 and later 2001, broadcasting in Ireland was under almost complete government legislation's control – this resulted in building an policy of 'see, hear, and speak no evil' in regards to the government.

### ***'Silencing Project' Different Censorship?***

The '*Silencing project*' refers to Elisabeth Noelle-Newman's concept of '*spiral of silence*'. Thus, because of this fear people constantly check which opinions are approved of or disapproved of in their environment. People want to speak out, but they are afraid of the exclusion from their environment. That is why people want to believe that their opinion is part of the consensus. However, if they feel that they are in the minority, they become more cautious and silent. This process takes the shape of a spiral where one opinion is routinely expressed while other opinions are not seen in public view. The exception are people who have strong convictions. The '*Silencing project*' includes all the above; however, it is the result of the process, in which a government, via legislation, amplifies one definition of a situation and represses alternative interpretations (O'Brien 2005).

In Ireland's case the '*silencing project*' refers to the IRA and Northern Ireland (O'Brien 2005). The only institution that could challenge this situation was the media,

which were forcibly silenced due to *Section 31*. Government regulations enforced only one interpretation of this conflict, because a journalist could not interview members of the IRA or any organisation proscribed in Northern Ireland.

### Self-censorship

Some journalists, reporters and historians suggest that the political censorship led to self-censorship among the journalistic environment, in particular the RTE. However, there were a few solutions that journalists and reporters could use or used to avoid the rules contained in *Section 31*. As an example, the use of the voice of actors in the month of proscribed persons being interviewed. The word 'interview' was interpreted as any recorded voice. Self-censorship is a process whereby journalists are said to avoid certain stories, sources, arguments, opinions for fear that such a demeanor may cause them trouble or invite government security. Journalists do not need to be told what to do or not to do because they expect what is required (Harcup 2014).

With this in mind, in Ireland's case like Kenny (2005) suggests there was no self-censorship. First of all, some journalists interviewed people from North Ireland, even though they belonged to a banned group. They did not avoid those stories, sources, arguments, or opinions, of which the government was afraid. Moreover, they searched how to bypass the broadcasting ban. What is more, journalistic opposition to the government policy on this issue was part of the National Union of Journalists.

According to Kenny (2005), *Section 31* was a form of overt political censorship, not self-censorship. If RTE journalists had wanted, they could have done more to oppose *Section 31*.

In conclusion, from 1971 to 1994 broadcasting in Ireland was a public service monopoly for most of the period and operated under government legislation which effectively prevented the direct presentation of political views of organisations or their political associates involved in the Northern Ireland crisis.

However, the *Broadcasting Act, 2001* formally repealed *Section 31*. As a result, the government was distanced from the close relationship with the RTE, because of that the RTE turned it into a commercial state company incorporated under the Companies Act. It is answerable to a single broadcasting authority alongside the independent radio and TV station (Fisher 2005).

### Conclusion

Where the broadcast media were concerned, there was no censorship because there was simply no need for it. Radio was a state monopoly organized and controlled from within the Department of Posts and Telegraphs—and all broadcasters were effectively

civil servants, bound by codes and regulations based firmly on the model of public administration inherited from Britain in 1922.

In the early years of Irish broadcasting there was strict censorship, because it was obvious that the government would want to have control over how the new invention of radio and television transmitted information to the people. However, the government had a tendency to go toward censorship, because it saw radio as a threat. A form of religious censorship could be some of the actions of the Church and the BBC. Those institutions first decided what was morally acceptable and the BBC controlled what information appeared in other countries. They played a vital role in Irish History of broadcasting, but the most important strain, in my opinion, came from government and political influences. There is another thing that influenced censorship – the fact that the government decided who could get a concession.

In my opinion, real censorship appeared in the inception of the Act in 1960, where *Section 31* increased the influence of the government and at the same time restricted freedom of speech. On the one hand, the fear of seeing their own features mirrored and reflected in the expressions and words of spokesmen for Sinn Fein could help to decide what *Section 31* contained. Moreover, the government believed that censorship was some kind of prevention from influence of the IRA and banned organisations. They believed that they protected Irish citizens. On the other hand, the latter had limited opportunity to learn the truth by hearing the story from both sides.

*Section 31* was dangerous as a ‘*silencing project*’, because, like spirals of Silence, it could lead to self-censorship in the journalistic community. In Irish broadcasting there was no self-censorship, because journalists used different devices to talk about taboo subjects. Moreover, this Act only concerned broadcasting. We cannot forget about print media and some pirate stations, which kept reappearing on the public scene despite being successively closed by the authorities.

Nowadays, censorship in Irish broadcasting is history. After the RTE became a commercial station, the government was distanced from it. Obviously, the government still has some influence as it legislates the law, which certainly is some kind of imposition on freedom of speech. However, the current form cannot be considered censorship.

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