

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 38/93

Dated the 5th day of April 1993

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

GROUP OPPOSED TO
ADVERTISING OF LIQUOR
of Hamilton

Broadcaster
TELEVISION NEW ZEALAND
LIMITED

I.W. Gallaway Chairperson
J.R. Morris
R.A. Barraclough
L.M. Dawson

DECISION

Introduction

In referring to the 1919 nationwide referendum at which prohibition was nearly passed, the word "wowsers" was used in an advertisement for Waikato Draught beer broadcast on Channel 2 at 10.05pm on 12 November 1992.

The Secretary of Group Opposed to Advertising of Liquor (GOAL), Mr Cliff Turner, complained to Television New Zealand Ltd, as the broadcaster, that the word "wowsers" had pejorative connotations and had been used as a "put-down" of those who had voted for prohibition. Moreover, the returning troops were portrayed as heroes by outvoting the "wowsers" and were thus promoted in a manner which breached the requirement that advertisements should treat all people as equal. Finally, he maintained, the advertisement suggested that the troops received "a cold beer" as a reward for a job well done.

Denying that the word "wowsers" was derogatory and arguing that it had been used correctly in a historical sense and, further, maintaining that the advertisement accurately portrayed what had occurred when the votes of the returning troops were counted, TVNZ declined to uphold the complaint. Dissatisfied with TVNZ's decision, GOAL referred the complaint to the Broadcasting Standards Authority under s.8(a) of the



Broadcasting Act 1989.

Decision

The members of the Authority have viewed the advertisement complained about and have read the correspondence (summarised in the Appendix). As is its practice, the Authority has determined the hearing without a formal complaint.

GOAL complained to TVNZ about an advertisement for Waikato Draught beer. The advertisement referred to the 1919 referendum when, initially, a majority voted for prohibition. However, as the advertisement noted, when the votes of the troops returning from overseas were counted the result was overturned. The advertisement described the supporters of prohibition as "prohibitionists and wowsers". Maintaining that the word "wowser" contained pejorative overtones, GOAL argued that the advertisement was a "put-down" and would offend the significant number of New Zealanders (370,000) who voted for prohibition in the 1987 Triennial Liquor Poll. Consequently, it breached standard 4 of the Advertising Code of Ethics and standard 1 of the Code for People in Advertising which state:

4. **Decency** - Advertisements shall not contain statements or visual presentations which clearly offend against prevailing standards of decency or cause undue offence to the community or to a significant section of the community.
1. Advertising should not portray individuals or groups within society in a manner which is likely to expose them to violence, exploitation, hatred, contempt, abuse, denigration or ridicule from other members of the community.

Moreover, GOAL continued, the advertisement portrayed the returning troops as heroes when their votes defeated the internal majority which supported prohibition. It thus breached standard 6 of the Code of Ethics which refers to equality and provides:

6. **Portrayal of People** - Advertisements must not exploit people's gender, sexual preference, age, cultural, religious or political beliefs, educational or occupational status.

Advertisements should promote the image of all people as persons of equal value.

Finally, GOAL argued, as the troops were portrayed as being rewarded with a "cold beer" for their votes, the advertisement breached standard 6 of the Code for Advertising Alcoholic Beverages as amended which reads in part:

The depiction of liquor as part of a celebration shall not imply that the beverage is the cause of success or achievement. Furthermore, it is unacceptable to depict the consumption or presence of liquor as a



necessary component of or reward for personal, business, social, sporting or sexual success.

When responding to the complaint, TVNZ referred to the dictionary definition of "wowsers" - a teetotaller with crusading zeal - and maintained that, in the context of an advertisement about the situation in 1919, it was accurate. It denied that the soldiers were portrayed as heroes or were being rewarded for out-voting prohibition. They were depicted, it said, as holding different views.

In assessing the complaint, the Authority accepted that the word "wowsers", in 1993, probably has derogatory overtones. However, despite agreeing with GOAL on that point, the Authority decided that an assessment of the complaint required the consideration of two other relevant matters before determining whether the standards had been breached.

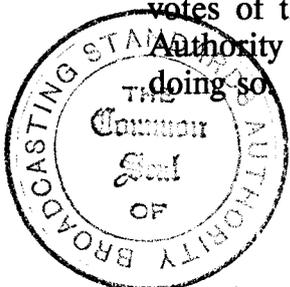
First, the advertisement did not refer just to "wowsers" in 1919 but to "prohibitionists and wowsers". The commercial thus recognised that the advocates for prohibition included those whose beliefs in the cause ranged from being sympathetic to those who might be rabidly convinced of the cause. Whereas the term prohibitionists could apply to all the voters who supported the introduction of prohibition, those who could be described as wowsers would comprise an unknown fraction of them. Similarly, GOAL referred to the 370,000 voters who supported prohibition at the 1987 triennial liquor poll and who, in the Authority's opinion, would consist of prohibitionists of various hues. Although the term "wowsers" has derogatory overtones and although an unknown number of the 370,000 voters might be wowsers, the Authority did not accept that the word "prohibitionist" in itself contained any derogatory connotations.

The historical context was the second aspect of the advertisement to which, the Authority decided, the complainant had given inadequate consideration. The prohibition movement had considerable international support around the turn of the century and, in New Zealand, the 1919 referendum was the high point. The public debate about moral issues which are important at any time inevitably has fervent supporters on both sides. Undoubtedly some of the supporters of prohibition in the early years of the century were correctly described as "wowsers" - zealous prohibitionists - and thus the use of the term was accurate and could not be considered to be a cause of offence.

For both of these reasons, the Authority decided that the use of the word "wowsers" in the Waikato Draught beer advertisement did not breach standard 4 of the Advertising Code of Ethics or standard 1 of the Code for the Portrayal of People in Advertising.

As another aspect of the complaint, GOAL maintained that the returning troops were portrayed as heroes and were treated as being somehow superior, especially in their opinion about prohibition. Again the Authority referred to the historical context portrayed in the advertisement. It was correct for the advertisement to report that the votes of the returning troops defeated the internal majority for prohibition but, the Authority concluded, it did not carry the implication that the troops were heroes for

doing so.



Similarly, in regard to the aspect of the complaint that the advertisement suggested that the soldiers were to be rewarded with a cold beer, the Authority was unable to accept the implication advanced by GOAL. Indeed, the Authority assumed that a "cold beer" was neither sufficient motivation for service overseas nor sufficient compensation for the troops on their return.

In view of the content and context of the advertisement, the Authority considered that it recorded part of New Zealand's history and that it did not advertise beer in contravention of the standards.

For the reasons set forth above, the Authority declines to uphold the complaint.

Signed for and on behalf of the Authority


Iain Gallaway
Chairperson



5 April 1993

Appendix

GOAL's Complaint to Television New Zealand Limited

In a letter dated 14 November 1992, the Secretary of the Group Opposed to Advertising of Liquor (GOAL), Mr Cliff Turner, complained to Television New Zealand Ltd about an advertisement for Waikato Draught beer broadcast on Channel 2 at 10.05pm on 12 November.

The advertisement had used the word "wowsers" which, Mr Turner stated, was always used in a pejorative way as a "put-down". Consequently, it breached standard 4 of the Advertising Code of Ethics which prohibits advertisements which cause undue offence to a significant section of the community. The 370,000 New Zealanders who voted for prohibition in the 1987 Triennial Election Poll, he continued, were a significant section of the community and many would have taken offence at the use of the word "wowsers".

The advertisement, he said, had portrayed the returning troops as heroes as their votes had narrowly defeated the internal majority for prohibition. That portrayal breached standard 6 of the same Code which required advertisements to portray all people as equal.

Further, Mr Turner argued, as the advertisement's intention was to expose "wowsers" to ridicule, it breached standard 1 of the Code for People in Advertising which prohibits the portrayal of people or groups in a manner which is likely to expose them to contempt or ridicule. Finally, the advertisement concluded by suggesting that the troops were to be rewarded with a cold beer for a job well done and thus breached standard 6 of the Code for Advertising Alcoholic Beverages.

TVNZ's Response to the Formal Complaint

TVNZ advised GOAL of its Complaints Committee's decision in a letter dated 18 December 1992.

Reporting that the complaint had involved an interesting study in the origin of words, TVNZ stated that most of the dictionary sources examined had suggested that the word "wowsers" described a teetotaler with crusading zeal and, TVNZ argued, an unknown number of the 370,000 people who voted for prohibition in 1987 would probably have proudly described themselves as "wowsers".

In the context of 1919, which was the year depicted in the advertisement, the term was used with authority and historical accuracy.

Arguing that the returning troops were portrayed only as holding different views, TVNZ denied that they were depicted as heroes. It also denied that the advertisement implied that the soldiers received a cold beer as a reward for a job



well done. Declining to uphold the complaint, TVNZ concluded:

In summary, the [Complaints] Committee found that the word wowser could not be identified as a derogatory term, and further that it had been used in an accurate historical context. It felt that the advertisement accurately portrayed what occurred as the troops returned from the First World War and that no group in society was brought into ridicule in the process.

GOAL's Complaint to the Broadcasting Standards Authority

Dissatisfied with TVNZ's response, in a letter dated 24 December 1992 Mr Turner, on GOAL's behalf, referred the complaint to the Broadcasting Standards Authority under s.8(a) of the Broadcasting Act 1989.

Mr Turner was dissatisfied as TVNZ had not addressed the main point of the complaint - ie that the word "wowser" was "almost invariably" used in a pejorative way.

TVNZ's Response to the Authority

As is its practice, the Authority sought the broadcaster's response to the complaint. Its letter is dated 15 January 1993 and TVNZ, in its reply dated 5 February, stated that it had undertaken a good deal of research about the definition of the word "wowser", both historically and contemporaneously. That research had revealed considerable agreement that the word currently meant, as defined in the dictionary, an "obstructive teetotaller".

Pointing out that the word was used in the advertisement in the context of a national poll in 1919 which accurately recorded the impact of the votes of the returning soldiers, TVNZ argued that the word "wowser" was used correctly in that context. It was a word which was seldom used in 1993 and, TVNZ maintained, it now described crusading teetotallers but was not deprecating towards them.

In a letter dated 17 February 1993, TVNZ added that the advertisement did not portray the returning troops as heroes. It had accurately reported an historical matter.

GOAL's Final Comment to the Authority

When asked to respond to TVNZ's reply, in a letter dated 10 February 1993, Mr Turner on GOAL's behalf wrote:

No amount of argument will convince me that the word "wowser" is not used almost exclusively as a term of derogation. If the advertiser had wished to distinguish between active temperance workers and those who merely voted prohibition he could have said ardent teetotallers instead of wowsers.

