



NATIONAL SENIOR CERTIFICATE EXAMINATION
SUPPLEMENTARY EXAMINATION – SEPTEMBER 2017

**LIFE ORIENTATION
COMMON ASSESSMENT TASK
PART B**

EXAMINATION NUMBER

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Time: 2 hours

70 marks

INTRODUCTION

South Africa and indeed the world are in a stage of rapid transition. We can choose to resist this change, or to welcome it. At times like these, leadership decisions can either propel us forward or derail our futures. Responses to change can be described in roughly two categories, those that embrace and lead the change, and those that attempt to return to the past through conservatism*. In CAT A, you explored the themes of power and leadership in the 21st Century. In CAT B, you will draw on your understanding of leadership and power to examine how South Africans are reacting to this rapid, and sometimes terrifying, change.

Glossary:

conservatism: commitment to traditional values and ideas with opposition to change

SECTION A SHORT QUESTIONS**QUESTION 1****SOURCE 1**

South Africa's Legal Measures to Prevent Hate Speech

BY NOMAGUGU NYATHI & KARABO RAJUILI
21 JUL 2017

"Hate speech lies in a complex nexus* with freedom of expression; individual, group and minority rights; and concepts of dignity, equality and safety of person."

– United Nations Educational, Scientific and Cultural Organization report, 2015

Globally, there has been an increase of discriminatory and hateful speech in response to various social and political challenges. While most democracies, such as South Africa, provide for freedom of expression, they limit this right in order to promote social unity and protect other fundamental rights – namely the right to equality and the right to dignity. The choice to criminalise speech that falls outside the bounds of protected speech is less widely applied. This is largely because the threat of criminal charges to prevent hate speech is seen as being in direct contradiction to the freedom of expression and other rights. This is made worse by the fact that there is no agreed definition of "hate speech".

The South African government's recent move to introduce law to criminalise hate speech is in response to racist speech outbursts on social media. The Reconciliation Barometer survey findings noted that strong distrust between racial groups still persists in South Africa. Social media platforms have been particularly hard hit by hate speech – for instance, in 2016, a social media post by realtor and private citizen, Penny Sparrow, sparked a wave of criticism for its racist content. In a Facebook post, Sparrow referred to black South African New Year's Day beachgoers as "monkeys". The hurtful post went viral and launched intense public discussions on hate speech and freedom of expression. In addition, the post was not seen as an isolated incident, but as evidence of a nation still divided along racial lines and supremacist beliefs – a legacy of the country's apartheid past. Discriminatory speech in South Africa is not limited to race, however. Insults against those in the lesbian and gay communities and towards foreign nationals are also notable.

[Adapted from: <<http://www.accord.org.za/conflict-trends/south-africa-kenyas-legislative-measures-prevent-hate-speech/>> (Accessed 2 August 2017)]

Glossary:

nexus: the central and most important point or place

1.1 According to Source 1, why is "discriminatory and hateful speech" becoming more common?

(1)

1.2 In Source 1, what are the two rights given as examples that limit the right to freedom of expression?

(2)

1.3 Why do you think placing limitations on the right to freedom of expression would provide social unity?

(3)

1.4 Give your understanding of the definition of hate speech.

(2)

1.5 Give two reasons why social media is often used to express hate speech.

(4)
[12]

QUESTION 2**SOURCE 2**

Freedom of speech is one of the foundations the new South Africa is built on. But not all speech can be regarded as free, with some of it crossing the hate divide. The most high-profile case being Penny Sparrow's comments, which saw her fined R150 000, calling black revellers "monkeys". The Promotion of Equality and Prevention of Unfair Discrimination Act has been in operation for the past 16 years and, in this case, was successfully used as a weapon against a form of hate speech.

The new Hate Speech Bill does protect people like the President from ridicule but also puts cartoonists like Zapiro and Jerm on watch. Some commentators refer to it as a minefield headed for an explosion, which could see transgressors* in court on criminal charges facing jail time. Many are concerned as to where the line will be drawn, and that the law will be deliberately used against certain people.

[Adapted from: <<http://www.biznews.com/undictated/2017/01/30/hate-speech-bill-cartoons/>> (Accessed 2 August 2017)]

Glossary:

transgressor: a person who goes beyond the bounds

- 2.1 Why is freedom of speech so important in the development of the new South Africa? Give two reasons.

(4)

- 2.2 In your opinion, was Penny Sparrow's fine of R150 000 an appropriate penalty? Justify your answer.

(3)

- 2.3 What is the author saying about the new Hate Speech Bill by describing it as "a minefield headed for an explosion"?

(2)

2.4 What positive social effect do you think a law criminalising hate speech might have?

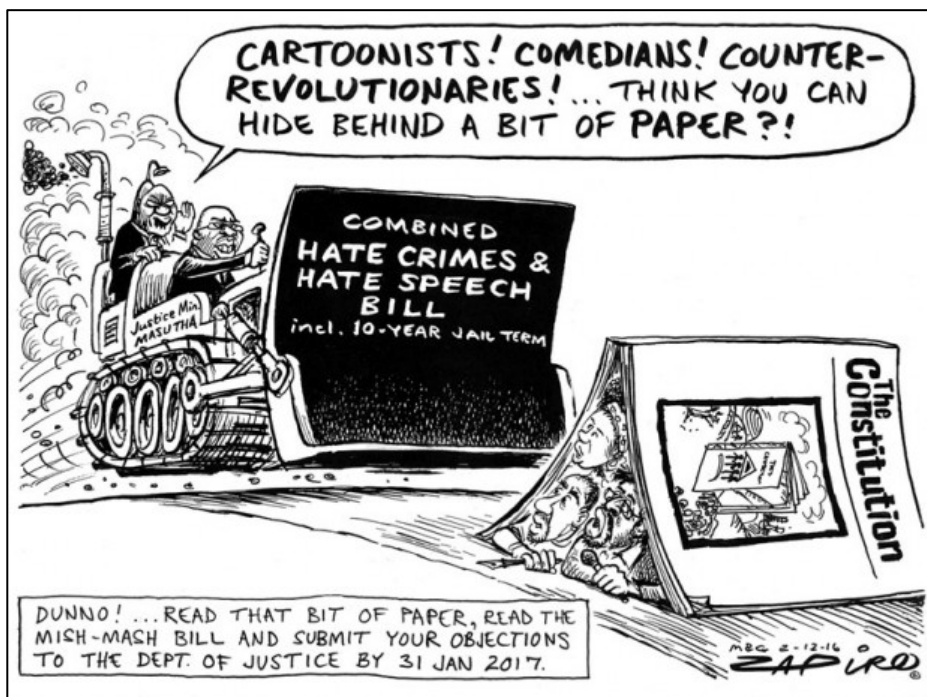
(2)

2.5 In your own words, explain the concerns that the author has about the proposal to criminalise hate speech.

(3)
[14]

QUESTION 3

SOURCE 3



[Source: <<https://www.zapiro.com>>]

Explain the key message behind this cartoon.

[3]

QUESTION 4**SOURCE 4**

Proposed hate speech bill no joke to comedians

NEWS / 2 NOVEMBER 2016, 11:31 AM / MPHATHI NXUMALO

Durban – Former Ugandan dictator Idi Amin said: "There is freedom of speech, but I cannot guarantee freedom after speech." Cracking jokes could be no laughing matter for comedians if a proposed government bill makes it into law books.

"We are clear that this bill of itself may not end racism and other intolerances, but it will create an instrument that will hold those guilty of committing acts accountable before the law," Minister of Justice, Mr Masutha, said.

Comedian Masood Boomgard said he found it to be "hugely limiting for all comedians if it happens. I'm not sure if regulation is the way to go though. In some way, the industry is self-regulated. Comedians who choose to spew hate don't get booked by promoters and are kept off stage."

Comedian John Vlismas did not mince his words: "A group of citizens who gather and elect to suspend their disbelief in the interests of being entertained by art should be in a safe place to explore, provoke, challenge and debate. Satire is a provocative* art form by definition, and has always spoken truth to power. Art must reflect life and sometimes walk down a dark path to do so. By banning it, or jailing artists, you will turn dialogue into a dull monologue."

Comedian Carvin Goldstone said comedy was based on prejudice in South Africa, and where there was a lot of prejudice this gave comedians a lot of material to work with. This did not, however, mean comedians could do and say whatever they wanted. "It can't be willy-nilly and hurt people in the name of art," he said, adding he was not opposed to a law governing hate speech. "People needed to be held accountable."

[Adapted from: <<https://www.iol.co.za/dailynews/news/proposed-hate-speech-bill-no-joke-to-comedians-2086019>> (Accessed 19 August 2017)]

Glossary:

provocative: causing anger or another strong reaction

- 4.1 What did the Ugandan dictator, Idi Amin mean when he said, "There is freedom of speech, but I cannot guarantee freedom after speech"?

(2)

- 4.2 Do you agree with Masood Boomgard's position that the comedy industry is self-regulated in some way? Explain.

(2)

- 4.3 What does John Vlismas mean when he says that satire speaks "truth to power"?

(2)

- 4.4 Carvin Goldstone says that "comedy is based on prejudice". Give an example of how a comedian could use prejudice to make people laugh.

(2)
[8]

QUESTION 5**SOURCE 5****ART AND DESIGN****Artists in firing line as they test the limits of freedom of expression**

Stefanie Jason 11 Nov 2014 12:59



"The role of the artist has always been to cause debate and to raise issues for discussion – even difficult ones," says Peter Rorvik, the secretary general of Arterial Network. "[And] the function of the artist has been to cause change."

But more recently, controversy has swamped South African artists such as Brett Bailey, whose *Exhibit B* show, which used black actors to highlight European colonialism, was shut down in London in September after forceful anti-racist protests.

"*Exhibit B* certainly touched a nerve and highlighted the need for ongoing debate on racism and history," Rorvik says. "But while objecting voices have a right not to see the work, they do not have the right to force a closure."

In another instance in modern South Africa where the freedom of expression of artists has been challenged, Brett Murray's *The Spear*, a painting of President Jacob Zuma with his genitals exposed was defaced by two attackers. Rorvik asserts that "the role of artists as agents of change should be celebrated, not prosecuted".

Artist Sue Williamson says that "if art is provocative, it should be considered, discussed, analysed, criticised or celebrated, but never avoided".

[Adapted from: <<https://mg.co.za/article/2014-11-11-arts-high-price-for-freedom-of-expression>> (Accessed 19 August 2017)]

5.1 Why do you think Sue Williamson says that provocative art should never be avoided?

(2)

5.2 How do you think art has the ability to "cause change"?

(1)
[3]

40 marks

SECTION B DISCURSIVE ESSAY

The previous five questions have explored the tension of freedom of expression and hate speech. The South African government has drafted legislation* (the Hate Speech Bill) to discourage hate speech by making it criminal. Many people have expressed doubts about this Bill, referring to the impact it will have on their Constitutional right to freedom of expression and the closing of spaces for dialogue. Others have pointed to the importance of the Hate Speech Bill's potential to discourage hate speech in order to promote social unity in South Africa.

Glossary:

legislation: laws of a country

Below is a selection of different opinions on the relationship between art and freedom of expression. Read through these extracts and answer the essay question that follows.

Artists and entertainers play a big role in helping people in society cope with certain socio-political issues they may disagree with. They can help inspire action among the public that can help to generate change that will mend social injustices.

[Source: <<http://www.perdeby.co.za/sections/entertainment/3579-artistic-freedom-what-are-the-limitations>> (Accessed 2 August 2017)]

Personally, I have great dislike for uncreative, intentionally-controversial art that is merely provocative* and not truly thought-provoking. Art is not meant to be merely controversial. It is meant to tie together creativity with thought-provoking content.

[Source: <<https://rationalstandard.com/cape-party-fk-white-people/>> (Accessed 2 August 2017)]

Glossary:

provocative: causing anger or a strong reaction

In a new generation of leaders in politics, the media and in government, I see an inability or unwillingness to debate the ideas with which you differ. It is as if the idea or the thought itself must die. All that will do is have an increasingly silencing effect and take the huge discussions about the past and the future that we have into the confines of our different spaces when what our society needs is the open discussion of those opinions.

[Adapted from: <<https://www.dailymaverick.co.za/opinionista/2017-03-23-on-helen-zille-colonialism-and-free-speech-and-ferial-haffajee/#.WZCZN3cjFo4>> (Accessed 2 August 2017)]

QUESTION 6

'Art, theatre and comedy play a unique role in changing society and should therefore be excluded from laws that deal with hate speech.'

To what extent do you agree with the statement above? Answer this question in an essay of between 500 and 600 words.

[illegible]

[illegible]

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[illegible]

[30]

30 marks

Total: 70 marks