

PEN South Africa newsletter / Issue 21, 2018 / Why do we need regulation in advertising? An interview with incoming ARB CEO Gail Schimmel; our condemnation of the murder of Saudi journalist Jamal Khashoggi; CFSes, news and more!

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"Somebody has to be able to say, 'Prove what you've said'": Gail Schimmel and the Need for Regulation in Advertising

In many people's lives, the most powerful messages and communications that they receive are not political or artistic, but commercial. On social media, on the airwaves and in print, brands and advertisers are vying to convince people to buy goods or use services, or to implant social values that might make them more receptive one day to buying those goods or services. In this way, advertising is as much a part of

our media and our national discourse as editorial content, and thus fall under the ambit of regulation, and discussions of freedom of speech.

Freedom of speech, commercial or otherwise, has checks and balances to keep it remaining a freedom, and to keep it from impinging upon other rights, such as one's right to the protection of dignity. As such, it is important that advertising is subject to processes by which citizens can lodge binding complaints about inappropriate or misleading commercial communications. In traditional media, communications are held to account by the law, by consumers, and by self-regulation. But on social media – as with the proliferation of fake news – the deliberate misleading of consumers has no real-world repercussions for those that do it, other than those that are enforced by the platform, such as suspending or banning user accounts.

Up until last month, the Advertising Standards Authority of South Africa (ASA) was the advertising and marketing communications industry's body for self-regulation, an independent body set up and paid for by the industry. Due to historical debt, however, the ASA was put into a liquidation process last month. It will be replaced next month by the Advertising Regulatory Board (ARB). The ARB will fulfil the same mandate, with the exciting imminent addition of an appendix aimed specifically at social media.

PEN SA caught up with member **Gail Schimmel** at a crossroads in her career. The outgoing CEO of the ASA and incoming CEO of the ARB, she presented the new draft Social Media Rules to professional industries at the Social Media Landscape Conferences last week in Johannesburg and Cape Town. In a break during the Cape Town conference, we spoke to Gail about the ASA's demise, the ARB's creation, and why we need commercial communications regulation for social media.

You can read the interview [here](#).



PEN South Africa Condemns Lies About and the Murder of Saudi Journalist Jamal Khashoggi

In line with many of our colleagues at other PEN Centres, the Board of PEN South Africa condemns the killing of Saudi journalist Jamal Khashoggi at the Saudi Arabian

consulate in Istanbul, Turkey. He had entered the consulate on 2 October 2018 in order to obtain official documents related to his upcoming marriage.

Mr Khashoggi, who was a writer for the *Washington Post* in the US at the time of his death, had been an outspoken critic of the Saudi state for most of his career. He had been previously punished by the state for his editorial and journalist work. In 2003, for example, he had been fired as editor-in-chief of the Abha-based newspaper *Al Watan* by the Saudi Ministry of Information, for allowing the running of a column critical of a founding scholar of Wahhabism, the ultra-conservative sect of Islam that underpins the Saudi state. After a period of voluntary exile in the 2000s, Mr Khashoggi left Saudi Arabia for the final time in September 2017.

The killing of a journalist is damnable enough, but the obfuscation by the Saudi state about events that happened in their consulate suggests that this was a deliberate act of murder, targeting a reporter critical of the Saudi state, perpetrated by Saudi actors. Although the Saudi government initially denied Mr Khashoggi had died – saying that he had left the consulate alive despite the absence of CCTV footage – more than two weeks later they have confirmed his death, claiming that he had **been murdered during a physical altercation** inside the consulate.

The delay and obfuscation of this news should raise alarm. It should also raise concerns about further claims by Saudi officials that the killing was "**a rogue operation**".

Mr Khashoggi's **final piece for the *Washington Post***, published after his death, argues that "Arab governments have been given free rein to continue silencing the media at an increasing rate." These actions, however, "no longer carry the consequence of a backlash from the international community. Instead, these actions may trigger condemnation quickly followed by silence."

These actions must have consequences. We are happy to note that President Cyril Ramaphosa has **reportedly** cancelled a meeting between South African and Saudi Arabian officials in the wake of the killing. Still of concern, however, is the reported R10 billion investment that the Saudi Arabian government is planning to invest in South Africa.

We call upon the South African government to add more pressure to the Saudi Arabian government by demanding to receive a transparent report and documentation relating to the killing of Mr Khashoggi. If there is a failure to provide proof that Mr Khashoggi's death was, as per Saudi communications, an accident, and a failure to prosecute those responsible for his death, South Africa should, in no circumstances, accept investment by a state whose attitude to freedom of the press and the safety of journalists is opposed to its own.

MEMBERS' NEWS

Congratulations to PEN SA member Mandla Langa, who has **received an honorary doctorate from his alma mater, the University of Fort Hare**. (Check our website for a link to his keynote address at the graduation ceremony.)

Congratulations to PEN SA Honorary Member J.M. Coetzee, who has received the **inaugural Mahindra Award for the Humanities from the Mahindra Center for the Humanities, Harvard University**.

WELCOME!

A warm PEN SA welcome to two new Professional Members – Salimah Valiani and Terry Kurgan!

MEMBERS' NEW TITLES

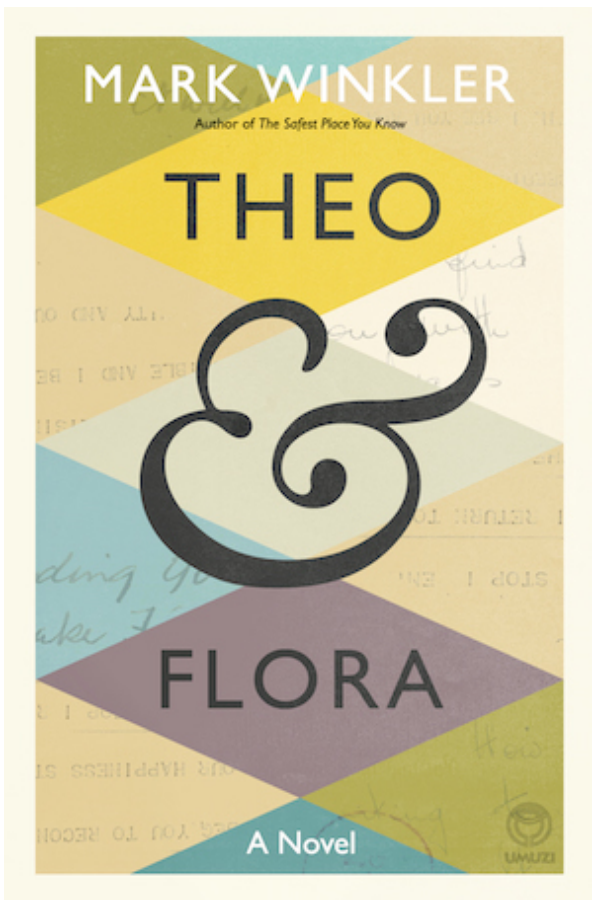
CALLS FOR SUBMISSIONS

NEW! [Apply to Pro Helvetia's 2019 ANT Mobility Fund for Artists](#) (Deadline 30 November)

[The 2018 Short Story Day Africa Prize, Hotel Africa, is Open for Entries](#) (Deadline extended to 31 October)

[The 2019 Commonwealth Short Story Prize is Open for Entries](#) (Deadline 1 November)

[Playwrights: Apply for the Berliner Festspiele's Worldwide Call for Texts and Performances](#) (Deadline 11



November)

Publishers: Apply to the 2019 Istanbul Fellowship Program (Deadline 30 November)

[Click here to view all calls for submissions](#)

New and upcoming releases from PEN SA members include [Theo & Flora](#) by [Mark Winkler](#).

Please send us your new releases to newslettereditor@pensouthafrica.co.za.

Send us your news

Had a book published recently? Attended or participated in a festival? Won an award? Achieved a personal milestone of note? We welcome any news of your activities for future issues of the PEN SA newsletter. Please let us know if your email changes so we can update our mailing list.

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