

NOTICE OF DECISION UNDER SECTION 38(1)

TO: Chief Censor

Title of publication: The Great Replacement
Other known title: The Great Replacement Manifesto
OFLC ref: 1900149.000
Medium: Text File
Maker: Not stated
Country of origin: Aotearoa New Zealand
Language: English

Classification: Objectionable.

Excisions: None

Descriptive Note: None

Display conditions: None

REASONS FOR THE DECISION

The Office of Film and Literature Classification (Classification Office) examined the publication and recorded the contents in an examination transcript. A written consideration of the legal criteria was undertaken. This document provides the reasons for the decision.

Submission procedure:

The Chief Censor called in this publication for classification on Sunday March 17th under s13(3) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act).

Under s23(1) of the FVPC Act the Classification Office is required to examine and classify the publication.

Under s23(2) of the FVPC Act the Classification Office must determine whether the publication is to be classified as unrestricted, objectionable, or objectionable except in particular circumstances.

Section 23(3) permits the Classification Office to restrict a publication that would otherwise be classified as objectionable so that it can be made available to particular persons or classes of persons for educational, professional, scientific, literary, artistic, or technical purposes.

Synopsis of written submission(s):

No submissions were required or sought in relation to the classification of the text. Submissions are not required in cases where the Chief Censor has exercised his authority to call in a publication for examination under section 13(3) of the FVPC Act. In this particular case there is clear public interest in this publication being classified as soon as possible.

Description of the publication:

The Great Replacement (subtitle: *Towards a New Society / We March Ever Forwards*) is a 74 page text file reportedly written by the attacker who killed 50 unarmed people at the Al-Noor and Linwood mosques in Christchurch on Friday 15th March 2019.

The document appears to take its title from the 2012 book of the same name *Le Grand Remplacement* by French author Jean Renaud Camus, whose theories on Europe's white majority being replaced by non-white immigrants, are also repeated in the text. The front cover of the booklet features the *sonnenrad* or *black sun*, a pagan European symbol co-opted by the Nazis in the mid 1930s, and now closely aligned with neo-Nazi, neo-fascist, alt-right and white nationalist groups^[1].

Here, the *sonnenrad* is augmented with a series of illustrations radiating from the spokes of the runes to form a bigger circle enclosing the *sonnenrad*. The illustrations are labelled 'Anti-Imperialism', 'Environmentalism', 'Responsible Markets', 'Addiction-free Community', 'Law & Order', 'Ethnic Autonomy', 'Protection of Heritage & Culture' and 'Worker's Rights'.

Inside the front cover there is the text of Dylan Thomas' 1947 poem *Do not go gentle into that good night*. This is followed by a two page introduction to 'replacement theory', which revolves around falling 'European' birth rates and an increase in the immigration of non-Europeans, to 'European' lands.

This is followed by an 18 page, self-penned interview in the form of a Q&A section that purports to reveal the attacker's motives, reasoning and ideology.

The next section (*Section I*) takes the form of addresses to various groups and comprises five pages of text, opening with a modified version of Rudyard Kipling's *The Beginnings*, where every use of 'English' is replaced with 'Saxon' (ie "When the Saxon began to hate.") This modified version is known as *The Wrath of the Awakened Saxon* amongst far-right groups^[2]. The author speaks directly to various political, religious, and ethnic groups - 'To Conservatives', 'To Christians', 'To Antifa / Marxists / Communists', 'To Turks'.

^[1] <https://heavy.com/news/2019/03/sonnenrad-brenton-tarrant-manifesto-nazi-charlottesville/>

^[2] <https://literature.stackexchange.com/questions/3215/did-rudyard-kipling-write-the-wrath-of-the-awakened-saxon>

Each address ends with a polemic quote in uppercase, for example, FLEE TO YOUR OWN LANDS WHILE YOU STILL HAVE THE CHANCE.

Section II of the document is titled 'General Thoughts and Potential Strategies' and opens with a quote from Sir Oswald Mosley an English politician and the leader of the British Union of Fascists^[4].

At 43 pages, this section forms the crux of the author's personal thoughts and ideological positions, while also providing a rallying cry to his intended audience. It is laid out in mostly single pages with headers that delineate the content. For example, 'Who is truly to blame?', 'Diversity is weak', 'Kill High Profile Enemies', 'The Danger of the Invader' and 'Accept Death, Embrace Infamy'. Each page ends with a directive to his readership, written in uppercase letters. For example, ACCEPT DEATH, EMBRACE INFAMY, ACHIEVE VICTORY.

The publication then jumps straight from *Section II* to *Section IV* in conclusion. It opens with the text of William Ernest Henley's poem *Invictus*, proceeds to a final justification and appeal by the writer, and ends with the rallying cry EUROPA RISES.

The back cover of the publication includes a montage of colour photographs depicting Caucasian men, women, children and soldiers. Several more instances of the *sonnenrad* are superimposed over the photographs.

New Zealand Bill of Rights Act 1990:

Section 14 of the New Zealand Bill of Rights Act 1990 (NZBORA) states that everyone has "the right to freedom of expression, including the freedom to seek, receive, and impart information and opinions of any kind in any form". Under s5 of the NZBORA, this freedom is subject "only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society". Section 6 of the NZBORA states that "Wherever an enactment can be given a meaning that is consistent with the rights and freedoms contained in this Bill of Rights, that meaning shall be preferred to any other meaning".

The meaning of "objectionable":

Section 3(1) of the FVPC Act sets out the meaning of the word "objectionable". The section states that a publication is objectionable if it:

describes, depicts, expresses, or otherwise deals with matters such as sex, horror, crime, cruelty, or violence in such a manner that the availability of the publication is likely to be injurious to the public good.

The Court of Appeal's interpretation of the words "matters such as sex, horror, crime, cruelty or violence" in s3(1), as set out in *Living Word Distributors v Human Rights Action Group (Wellington)*, must also be taken into account in the classification of any publication:

[27] The words "matters such as" in context are both expanding and limiting. They expand the qualifying content beyond a bare focus on one of the five categories specified. But the expression "such as" is narrower than "includes", which was the term used in defining "indecent" in the

^[4] <https://www.britannica.com/biography/Sir-Oswald-Mosley-6th-Baronet>

repealed Indecent Publications Act 1963. Given the similarity of the content description in the successive statutes, "such as" was a deliberate departure from the unrestricting "includes".
[28] The words used in s3 limit the qualifying publications to those that can fairly be described as dealing with matters of the kinds listed. In that regard, too, the collocation of words "sex, horror, crime, cruelty or violence", as the matters dealt with, tends to point to activity rather than to the expression of opinion or attitude.
[29] That, in our view, is the scope of the subject matter gateway.¹

The content of the publication must bring it within the "subject matter gateway". In classifying the publication therefore, the main question is whether or not it deals with any s3(1) matters in such a manner that the availability of the publication is likely to be injurious to the public good.

Matters such as crime, cruelty and violence

The publication *The Great Replacement* deals with crime, cruelty and violence. It presents the written justification for undertaking violent terrorist attacks and murdering unarmed members of the public – including children. Specific statements in the text express criminal intent.

Certain publications are "deemed to be objectionable":

Under s3(2) of the FVPC Act, a publication is deemed to be objectionable if it promotes or supports, or tends to promote or support, certain activities listed in that subsection.

In *Moonen v Film and Literature Board of Review (Moonen I)*, the Court of Appeal stated that the words "promotes or supports" must be given "such available meaning as impinges as little as possible on the freedom of expression"² in order to be consistent with the Bill of Rights. The Court then set out how a publication may come within a definition of "promotes or supports" in s3(2) that impinges as little as possible on the freedom of expression:

Description and depiction ... of a prohibited activity do not of themselves necessarily amount to promotion of or support for that activity. There must be something about the way the prohibited activity is described, depicted or otherwise dealt with, which can fairly be said to have the effect of promoting or supporting that activity.³

Mere depiction or description of any of the s3(2) matters will generally not be enough to deem a publication to be objectionable under s3(2). When used in conjunction with an activity, the Classification Office defines "promote" to mean the advancement or encouragement of that activity. The Classification Office interprets the word "support" to mean the upholding and strengthening of something so that it is more likely to endure. A publication must therefore advance, encourage, uphold or strengthen, rather than merely depict, describe or deal with, one of the matters listed in s3(2) for it to be deemed to be objectionable under that provision.

The Classification Office has considered all of the matters in s3(2). The relevant matter is:

s3(2)(f) *Acts of torture or the infliction of extreme violence or extreme cruelty.*

The text deals with the infliction of extreme violence and extreme cruelty. Pages 5 – 22 present a detailed justification for the writer's intention to undertake a violent terrorist attack. This section

¹ *Living Word Distributors v Human Rights Action Group (Wellington)* [2000] 3 NZLR 570 at paras 27-29.

² *Moonen v Film and Literature Board of Review* [2000] 2 NZLR 9 at para 27.

³ Above n2 at para 29.

is presented in a question and answer style and attempts to portray the writer's violent choices as, not only reasonable, but necessary in the circumstances.

While this part of the document advocates violence and murder, it does not specify or direct the nature and degree of violence to be employed. The acts themselves are not the focus of the text. There are no detailed descriptions or depictions of acts of torture, extreme violence or cruelty; these aspects are dealt with in more general terms in the context of wider political and social action. Thus this content is more appropriately dealt with under s3(3)(d) below.

At several points in the text the writer presents his justification for killing children belonging to the ethnic and cultural groups whom he regards as presenting a risk to white Europeans. The deliberate killing of children is inherently cruel, yet the writer claims to take no pleasure in it and presents this crime as an unpleasant necessity. In the context of the document, these references are inextricably linked to the wider promotion of crime and terrorism which is more appropriately dealt with under s 3(3)(d) below.

A terrorist act involving the deliberate murder of 50 people including children such as occurred in Christchurch is extremely violent and cruel. The Classification Office has classified the livestream video of the event as objectionable due to its direct promotion and graphic depiction of extreme violence and cruelty.

The Great Replacement contains the stated justification for the attacks and is evidently intended to inspire and persuade like-minded people to follow the writer's example. The document achieves much of this purpose through direct association with the Christchurch attacks and the attacker. This association gives the document a high level of authority and persuasiveness over its intended audience. Full consideration of these contextual factors requires the application of both s 3(3) and s 3(4) of the FVPC Act and is not possible with the application of s 3(2) alone.

Accordingly, the Classification Office has not deemed the publication objectionable under section 3(2) of the FVPC Act.

Matters to be given particular weight:

Section 3(3) of the FVPC Act deals with the matters which the Classification Office must give particular weight to in determining whether or not any publication (other than a publication to which subsection (2) of this section applies) is objectionable or should in accordance with section 23(2) be given a classification other than objectionable.

The Classification Office has considered all the matters in s3(3). The matters relevant to the publication are s3(3)(d) and s3(3)(e):

s3(3)(d) The extent and degree to which, and the manner in which, the publication promotes or encourages criminal acts or acts of terrorism.

The document sets out the writer's stated purposes for undertaking the Christchurch attacks and, in turn, is intended to contribute to those purposes. One such stated purpose is:

To incite violence, retaliation and further divide between the European people and the invaders currently occupying European soil.

The term 'European', in the context of the document, implicitly refers to those of white, European descent – regardless of nationality. Similarly, in the context of the document, the term 'European soil', implicitly refers to any country or territory where significant numbers of people with white, European descent happen to be a majority (or were once a majority at some point in history).

The writer presents an unambiguous call to immediate violent action. He repeats the phrase:

THE BEST TIME FOR ATTACK WAS YESTERDAY, THE SECOND BEST TIME IS NOW

He also attempts to create a sense of urgency for his call to violence, with repeated references to the imminent replacement of European (white) culture.

The document presents a few brief references to types of explosives and the manner in which they may be used. While not overly detailed, the references provide enough detail for those who are motivated by the writer's message and who may well seek more complete information on the manufacture and use of such explosive devices.

The writer clearly discusses his rationale for the selection of particular terrorist targets. There is specific information on New Zealand targets - two of which were not, in the event, attacked. Identifying specific targets in New Zealand, given the promotional context of this document, presents quite specific and significant risks of harm.

The document also identifies other groups and individuals that should, in the view of the writer, be attacked or killed.

This deliberate killing of children is mentioned several times throughout the document. The writer represents this choice as not only reasonable in the circumstances, but part of the reader's duty. The references to child murder are repeated, unambiguous and highly promotional. For example:

Children of invaders do not stay children, they become adults and reproduce, creating more invaders to replace your people.

Any invader you kill, of any age, is one less enemy your children will have to face. Would you rather do the killing, or leave it to your children? Your grandchildren?

And in a subsequent section the writer states that:

A (sic) ounce of prevention is worth a pound of cure. Preventing these enemies from reaching adulthood and their full potential of effect is of the importance.

The writer grossly misrepresents the crime of killing of unarmed people as equivalent to the killing of armed "invaders".

But here's the real kicker, the unarmed invader is far more dangerous to our people than the armed invader

And further, that:

Both would seek to destroy our nation, both would seek to displace and replace our people, both would seek to destroy our culture and nationhood.

He remonstrates about what are, in his distorted view, the unjust circumstances whereby the killing of 60 armed “invaders” would result in a heroic reception, while killing 60 unarmed invaders would result in incarceration and vilification.

The writer attempts to create a scriptural authority for his terrorist justification – making it appear to be part of some sort of ancient, historical religious struggle. He states for example:

...if you attempt to live in European lands, anywhere west of the Bosphorus. We will kill you and drive you roaches from our lands.

We are coming for Constantinople and we will destroy every mosque and minaret in the city.

The Hagia Sophia will be free of minarets and Constantinople will be rightfully christian owned once more.

Constantinople is the ancient title of the modern Turkish city of Istanbul. By referring to the city’s ancient title in a passage that calls for the driving of “roaches from our lands” the writer is apparently seeking to create an impression of an ancient and ongoing struggle between Christianity and Islam in which the fall of Constantinople to the Ottoman empire in 1453 has special significance. He similarly refers to the waterway now known as the Straight of Istanbul by its ancient Greek title *Bosphorus*.

In this same vein he refers to removing the minarets on the Hagia Sophia. The Hagia Sophia is the former Greek Orthodox Christian patriarchal cathedral constructed in 537 AD which later served as an Ottoman imperial mosque. However, since 1935 it has been neither mosque nor church, but a museum.

The grandiose presentation, of history as a clash of (particularly religious) ideologies is a well-established tactic adopted by other written terrorist publications - such as the ISIL and Taliban magazines *Dabiq* and *Ihya' Khilafat*⁴ (classified as objectionable by this Office). The publication presents a particular terrorist ideology in a way that is intended to appeal to those who are searching for justification for acts of terrorism and murder by contextualising terrorist violence as part of a righteous, ancient struggle.

The text includes messianic phrases that are intended to both portray the writer as a leader worthy of attracting a following, while at the same time holding out the prospect that those who are searching for meaning might themselves transform into heroic leaders. This illustrates another known tactic whereby extremist material attempts to strike a chord with those searching for meaning and purpose in their lives. For example:

Lead and your people will follow. Show the strength of your convictions, the truth of yours and the iron-hard strength of your will and they will follow.

YOU WAIT FOR A SIGNAL, WHILE YOUR PEOPLE WAIT FOR YOU

References to popular extremist symbols and ideas are present throughout the document.

For example, as stated earlier, the *sonnenrad* or *black sun* symbol included on the front and rear of the document is a recognisable emblem of white supremacists and the far right.

⁴ See for example OFLC reference 1600417.000 Dabiq: Issue 2 (1435 Ramadan).pdf, OFLC reference 1600417.001 Ihyae Khilafat: December 2014 (Issue 2).pdf OFLC reference 1600417.002 Inspire: Issue 12 (Spring 2014).pdf

The concept of ethnic “replacement” present in the title of the publication and referenced throughout, also has a particular, targeted resonance for white, racist extremists. For example, the well-publicised 2017 riots in in the United States city of Charlottesville featured white extremists chanting variations of “You shall not replace us”⁵. The title of the document *The Great Replacement*, draws directly from the 2012 book of the same name *Le Grand Remplacement* by French author Jean Renaud Camus. The book, and associated conspiracy theories are established references for those with far right, extremist views.

The manner in which violence, cruelty, murder and terrorism are promoted as heroic and aspirational throughout the publication creates a high probability of significant injuries to the public good. In particular:

- Those who are susceptible to radicalisation may well be encouraged or emboldened given the promotional nature of the publication and the justifications presented for acts of terrorism. This creates a risk of emulation of this sort of attack (at worst) and (at least) a risk that dehumanising racist hatred will be further spread.
- There are instructional elements to the publication that give potential attackers some guidance on how to select targets and choose the means to perpetrate mass murder.
- The continued sharing of the publication provides its creator with notoriety and recognition, thereby establishing him as an example for those who may also seek notoriety and recognition through violent action.

There are deliberate attempts within the document to obscure its intent and divert debate, thus making it difficult for those who are not part of the writer’s internet sub-culture to accurately contextualise the document. The document is specifically targeted at people who are already susceptible to its messages through the use of ironic statements, internet memes and in-jokes that create a sense of community amongst those who share white supremacist/nationalist views. People who share these views can see that the author is ‘one of us’, and so his calls for violent action are more likely to be persuasive to them.

In his last post on a popular internet forum prior to the Christchurch attacks the writer urges his followers to:

...please do your part by spreading my message, making memes and shitposting as you usually do.

"Shitposting" is a term of internet slang describing a range of user misbehaviours and rhetoric on forums and message boards that are intended to derail a conversation off-topic and/or render a particular site or discussion thread unusable⁶.

The document appears to incorporate a number of elements of this practice.

For example, during his soliloquised self-questioning the writer, in response to an imagined insult, includes what appears at first glance to be a violent diatribe, but is actually another internet

⁵ Variations included *The Jews will not replace us!* <https://www.theguardian.com/us-news/2017/aug/16/charlottesville-neo-nazis-vice-news-hbo>

⁶ <https://knowyourmeme.com/memes/shitposting>

meme. The diatribe is a version of the Navy Seal Copy-pasta⁷ (also known as the “Marine Copy-pasta”). It is an intentionally ‘over-the-top in-joke’ that has been reproduced innumerable times over recent years and referenced in a number of viral messages and posts. This is calculated to appeal to the intended audience who are open and susceptible to the writer’s messages, while diverting the unsavvy and uninitiated into a meaningless discussion of the writer’s apparent violent response to an imagined accusation.

The writer also includes a sarcastic reference to the influence of video games and entertainment, referencing a popular topic of heated online debate (particularly in the United States). In response to an imaginary question,

Were you taught violence and extremism by video games, music, literature, cinema?

he responds that:

*Yes, Spyro the dragon 3 taught me ethno-nationalism. Fortnite trained me to be a killer and to floss⁸ on the corpses of my enemies.
No.*

The video game reference can draw the uninitiated down a path of heated online debate and away from the wider purpose of the document, while also appealing directly to a disaffected audience, who, at their extremes, are already predisposed to the writer’s messages.

Regardless of the amount of ‘shitposting’ contained in the document, it clearly promotes and supports crime, including murder, mass-murder and terrorism in the name of extremist ideology.

As set out above, the document uses tactics that are common to terrorist extremist groups⁹ to promote and support violence to a high extent and degree and in a manner likely to be highly injurious to the public good by:

- Including unambiguous calls for acts of terrorist violence;
- Including information about possible terrorist targets in New Zealand;
- Providing some information on the means and method for terrorist attacks;
- Creating a false sense of urgency by characterising the presence of non-white New Zealand residents as an invasion;
- Dehumanising and demonising non-white New Zealanders as “invaders” - justifying violent action to remove them;
- Exhorting readers to violence and murder by misrepresenting these actions as part of a grand historical struggle;
- Attempting to show that the disaffected and vulnerable can find meaning through violence; and
- Using specific cues and references to create a sense of community and connection with those who are already susceptible to the writer’s violent, extremist views.

s3(3)(e) *The extent and degree to which, and the manner in which, the publication represents (whether directly or by implication) that members of any particular class of the public are inherently inferior*

⁷ The term copy-pasta refers to a block of text which is repeatedly copied and pasted by individuals over various online forums and social media sites. It is often used interchangeably with ‘copy and paste.’

⁸ “Flossing” is a victory dance performed by the characters in the popular online game ‘Fortnite’

⁹ <https://www.abc.net.au/news/2019-03-17/christchurch-shootings-brenton-tarrant-social-media-strategies/10908692>

*to other members of the public by reason of any characteristic of members of that class, being a characteristic that is a prohibited ground of discrimination specified in section 21(1) of the Human Rights Act 1993.*¹⁰

The author presents any group of people who are not white and European (presumably referring to people of Caucasian descent) but who are resident in a territory or country where there are a large number of white European (Caucasian) residents as an “invader”. The “invaders” are portrayed as a direct threat to white Europeans. All non-white citizens, residents and immigrants are simply referred to as “invaders” throughout the document.

The document contains the stated justification for crimes of murder, mass murder and terrorism against “invaders” (non-white races) both generally and with reference to particular targets.

The writer declares his racism during his soliloquised question and answer session, thus:

Were/are you are “racist”?

Yes, by definition, as I believe racial differences exist between peoples and they have a great impact on the way we shape our societies I also believe fertility rates are part of those racial differences and that the immigrants in our lands with high fertility must be forced out to ensure the existance [sic] of our race.

So yes. I am a racist.

The document repeats the slogan:

We must ensure the existence of our people, and a future for white children.

This is a popular slogan used by racial extremists and the far right. It has also appeared in the ‘manifestos’ of other killers both before and after committing violence including the mass murderer Dylann Roof¹¹ who is also referenced in *The Great Replacement*.

Despite the clear racist basis for the document, it cannot be fairly said to promote or support the notion that members of any racial or ethnic group are inferior. In fact, the document contains grudging admiration of non-white races. Stated racial characteristics such as higher fertility, greater social cohesion and greater religious devotion are used to support the central notion that non-white races form a clear and present threat to white Europeans.

Additional matters to be considered:

s3(4)(a) The dominant effect of the publication as a whole.

The dominant effect of the publication is of a lengthy, amateur, somewhat contradictory publication that sets out the writer’s justification for violent, terrorist action whilst encouraging others to undertake similar attacks. The content and context of the document sets it apart from most similar material: it is intrinsically linked to the worst terrorist atrocity in modern New Zealand history, and forms a defence of it; it was distributed online minutes before the attack to achieve maximum exposure and notoriety; and it was distributed alongside livestream footage of the attacks which glorified and promoted terrorism and acts of extreme violence and cruelty.

¹⁰ The grounds of discrimination prohibited by s21(1) of the Human Rights Act 1993 are sex, marital status, religious belief, ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status and sexual orientation.

¹¹ Dylann Roof was convicted for killing 9 people during the Charleston church shooting on June 17, 2015 in the U.S. state of South Carolina.

There is an important distinction between offensive and discriminatory language (sometimes referred to as ‘hate speech’) as contained throughout *The Great Replacement*, and language or rhetoric that is likely to promote acts of violence and terrorism (considered ‘dangerous speech’).

Susan Benesch has developed helpful guidelines¹² for identifying ‘dangerous speech’ that include:

- A speaker with the status and genuine influence over his or her intended audience;
- An audience that’s particularly susceptible to messages that promote violence;
- A social or historical context in which certain groups are primed for violence;
- A medium or way of disseminating a message that has broad reach and influence amongst the intended audience (for example, wide distribution to an established online community); and
- A message that characterises an identified group of people as dehumanised and threatening, necessitating the use of violence as a form of ‘self-defence’.

The content and context of this document fits all of these criteria and can fairly be characterised as posing a genuine and identifiable danger to society.

s3(4)(b) The impact of the medium in which the publication is presented.

The presentation of the lengthy text document, demands a level of engagement and effort from the reader that can create a certain distance from the subject matter. However, engagement and effort can also work to enhance the uptake of the document’s message by creating a level of investment by the reader.

The document was uploaded to the internet in various electronic forms, including PDFs, in an easily downloadable format, and is intended to be shared online and disseminated as widely as possible.

s3(4)(c) The character of the publication, including any merit, value or importance it has in relation to literary, artistic, social, cultural, educational, scientific or other matters.

The publication contains the stated justification for two violent and lethal terrorist attacks. It forms part of the context of the attacks and provides some information in relation to them. Accordingly, it could be of value to academic researchers and analysts as well as reporters seeking to inform the public.

However, the document has not been constructed in a way that provides a useful reference for ordinary New Zealanders seeking to understand the circumstances of this attack. As noted in the discussion under 3(3) above the document contains numerous attempts to actively divert and mislead casual readers while appealing directly to the writer’s intended audience of susceptible sympathisers¹³.

Further, as noted in the discussion of section 3(3) of the FVPCA above, the document creates a number of injuries to the public good – particularly with respect to young people and adults who are vulnerable to its extremist message and, in turn, to those who might be harmed by them.

¹² <https://dangerousspeech.org/the-dangerous-speech-project-preventing-mass-violence/>

Susan Benesch is a Faculty Associate at the Berkman Klein Center for Internet and Society at Harvard University

¹³ <https://www.vox.com/2019/3/18/18267682/new-zealand-christchurch-shooter-manifesto-online-extremism>

s3(4)(d) *The persons, classes of persons, or age groups of the persons to whom the publication is intended or is likely to be made available.*

The document was widely distributed to members of the New Zealand public in the hours after the attack through various online platforms. It was created with the intent that it would be shared widely in a similar manner to the online ‘manifestos’ of other white supremacist/nationalist terrorists. The writer makes references similar documents produced by other terrorists he admires.

The document also contains references indicating an intended appeal to particular groups of internet ‘insiders’ - especially those who share the writer’s racist, extremist ideology.

The choice of online dispersal methods for the document – including the particular online forums where links to the document were posted – appear to have been intended to ensure the widest possible dispersal and the greatest likelihood of receipt by a small number of people with the will and ability to act on its terrorist message.

s3(4)(e) *The purpose for which the publication is intended to be used.*

The document is evidently intended to inspire and persuade like-minded people to believe that individual violent acts of terrorism are justified and easy to carry out. It seeks to achieve this by providing justification for violent, terrorist attacks of the kind which occurred in Christchurch on 15th March 2019.

s3(4)(f) *Any other relevant circumstances relating to the intended or likely use of the publication.*

There is a vast amount of media and official comment on the attacker and his views but we have sought to focus on factors immediately relevant to the classification of the material.

Conclusion:

The Great Replacement is classified as objectionable.

The publication promotes and supports criminal acts including mass murder, terrorism and the killing of children to a high extent and degree. It presents this justification in a manner that is intended to glorify the writer and inspire others towards terrorist violence. It identifies other possible groups, individuals and locations for attack, and references means of carrying out attacks.

While likely not persuasive or harmful to most adult readers, there is a high risk of the publication persuading some young people and adults who are vulnerable to the way it promotes terrorist violence. The very real possibility that even a small number of individuals may be persuaded to act on the terrorist’s message creates a high level of risk to the safety and security of all New Zealanders.

This publication has particular resonance and impact because it is linked with the horrific attacks on two Christchurch mosques during which 50 unarmed people were killed. The link to these events and the attacker increases the impact and persuasiveness of the contents to those that are vulnerable to radical extremism.

In making this decision, the right to freedom of expression, that is to seek, receive, and impart information and opinions protected under s 14 of the New Zealand Bill of Rights Act 1990 (NZBORA) was considered, together with s 5 of the NZBORA that states that this freedom is subject “only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society”.

The Classification Office has had extensive and careful regard to NZBORA and the need to ensure that freedom of expression continues to be preserved in New Zealand. *The Great Replacement* is not classified as objectionable because it is an example of ‘hate speech’ (although it is evidently a racist, discriminatory tract that most New Zealanders would find repugnant), nor is it banned because of the extreme political views that it espouses.

In this case an objectionable classification for this publication is considered to be a demonstrably justified limit on freedom of expression due to the high likelihood of significant, real injuries to the public good arising directly from the publication’s continued availability.

The publication contains the stated justification for two violent and lethal terrorist attacks. It forms part of the context of the attacks and provides some information in relation to them and accordingly could be of value to researchers and analysts, as well as reporters seeking to inform the public.

The Classification Office considered imposing a tailored restriction allowing access to researchers, analysts and journalists. However a restricted classification is inconsistent with the classification of, and degree of harm associated with, similar promotional material from other known terrorist sources. Furthermore, a tailored restriction could introduce uncertainty and may reduce the effectiveness of the classification as a protective measure for the New Zealand public.

Those who believe they have a legitimate interest in possessing the publication may lodge an application to the Chief Censor for an exemption under section 44 of the FVPCA.

Date: 23 March 2019

For the Classification Office (signed):

Note:

You may apply to have this publication reviewed under s47 of the FVPC Act if you are dissatisfied with the Classification Office's decision.

Copyright Office of Film and Literature Classification. This document may not be reproduced in whole or in part by any means in any form without written permission except for brief quotations embodied in articles, reports or reviews.