



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0137/19
2	Advertiser	HSV
3	Product	Vehicle
4	Type of Advertisement / media	Radio
5	Date of Determination	22/05/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Religion

DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement features a Godly voice saying “Noah” and the sound of thunder. Noah replies, “yeah” and God instructs him to build an ark 300 cubits by 50 cubits and to put two of every animal on board. Noah replies that that won’t be big enough and begins to list the reasons why. God interrupts and instructs him to build and ark 3 million by million cubits. Noah asks how he will tow it, and God responds that he was planning to use Noah’s Silverado. Noah agrees but tells him not to flood it like last time.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

The usage of GOD as a marketing tool BUT if the world or in this case used another Leader of the church then the outcry.



THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

I write in response to your emails of 9/5/19 and 15/5/19 as they relate to advertisements currently being run by HSV to promote its Chevrolet Silverado vehicle.

HSV has always ensured that both the AANA Code of Ethics (and the FCAI Voluntary Code of Practice for Motor Vehicle Advertising) are acknowledged and central to the development of any and all HSV promotional (creative) assets. In the instance of the complaints noted above, we would like to defend them most vigorously.

A large part of a complainant's argument seems to centre on the impact our creative concept would have if another deity was used. The facts are that another deity wasn't used and, as such, we believe this part of his argument should be disregarded.

A complainant also makes reference to Moses being called upon to build an ark. For an individual who has used the basis of his Christian faith to file a complaint about these ads, we find it surprising that he does not know the very essence of the story that involves Noah, not Moses.

Both complainants claim that God is being denigrated/trivialised in our ads. We believe our light-hearted commercials, both TV and radio, play to the Noah's Ark story in a totally respectful manner. In our creative executions, God is, in fact, portrayed as all-powerful and all-knowing.

These ads have been running on TV and radio for the last seven weeks nationally to a potential audience estimated at in excess of 1 million people. We do not believe the opinions of both gentlemen are representative of the wider public who we have received many compliments from via our social media channels.

We look forward to the Panel's response.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement uses God as a marketing tool.

The Panel viewed the advertisement and noted the advertiser's response.



The Panel noted that the radio advertisement features a Godly voice saying “Noah” and the sound of thunder. Noah replies, “yeah” and God instructs him to build an ark 300 cubits by 50 cubits and to put two of every animal on board. Noah replies that that won’t be big enough and begins to list the reasons why. God interrupts and instructs him to build an ark 3 million by 1 million cubits. Noah asks how he will tow it, and God responds that he was planning to use Noah’s Silverado. Noah agrees but tells him not to flood it like last time.

The Panel considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Panel noted the Practice Note to Section 2.1 provides the following definitions:

“Discrimination – unfair or less favourable treatment.

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule.”

The Panel noted that in order to find a breach of Section 2.1 it would need to determine that the advertisement depicted material in a manner that was unfair or less favourable or humiliating or inciting ridicule of a person or section of the community, because of, in this case, religion.

The Panel noted that they had previously considered an advertisement which used a depiction of Jesus nailed to a cross in case 0478/18, in which:

“The Panel noted complainants’ concerns about the depiction of Jesus on the cross, which is considered by many members of the community to be cornerstone of Christian faith...The majority of the Panel considered that the depiction of Jesus ignores, or makes light, of the suffering of Jesus in being nailed to the cross, and that Jesus died as a result of the crucifixion...The majority of the Panel considered that many people of the Christian faith would be likely to be offended or upset by the images and humour, in particular as the depictions exceeded what most members of the community would consider to be appropriate humour and that the depictions would be considered to be insensitive and derisive of the pain and suffering that Jesus endured...the Panel considered that this depiction of Jesus on the cross was not merely use of a traditional religious image in an unusual context or irreverent manner, but rather the depiction amounted to a disparaging take on an important religious belief. In this instance the Panel considered that the demeaning take on an important Christian belief did amount to vilification of Christians and the Christian religion.”



Unlike case 0478/18, the Panel considered that the story of Noah's Ark, while important to many Christians is not a cornerstone of Christian faith. Further, the Panel considered that the Noah's Ark narrative appears in three major religions – Islam, Judaism and Christianity, and that the reference to this story is not identifying of a particular religion.

The Panel noted it had previously dismissed an advertisement which featured a cartoon character named Jesus apparently performing a miracle by appearing to walk on water (0079/12). In that instance:

“The majority of the Board considered that the advertisement was not attacking of a vulnerable minority group and that it does not discredit any specific elements of Christianity. In fact the Board considered that the advertisement clearly acknowledges that walking on water is “another one? of the miracles that Jesus performed and is supportive of the Christian belief that Jesus did perform miracles. The majority of the Board considered that the imagery depicted in the advertisement does not denigrate Christianity or Christians and would be seen by most people as a humorous play on a well-known biblical story with no reflection on the beliefs underpinning the scene.”

Similarly, the Panel considered that the current advertisement plays on a well-known biblical story that has become commonly used in non-religious contexts and that there was no reflection in the advertisement of the beliefs underpinning the scene.

The Panel acknowledged that some members of the Christian faith may be offended by the use of the biblical story in such an irreverent manner, and in particular the depiction of God making a mistake would be considered in contrast with Christian views of God.

However, the Panel considered that the purpose of the advertisement was not to make fun of the concept of God and the Noah's Ark story, it was to highlight features of the advertised vehicle using a story which would be recognisable to most members of the community, regardless of their religion.

The Panel considered that the reference to the Noah's Ark narrative in this advertisement was not undermining a central tenant of any particular faith and was not a depiction which discriminated against or vilified a section of the community based on religion.

The Panel determined that the advertisement did not breach Section 2.1 of the Code.

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.

