



ADJUDICATION NO: 21/A/2025

NAME OF PROGRAMME: THOKOZA GOGO
DATE AND TIME OF BROADCAST: 22nd JUNE 2025 AT 20:00
BROADCASTER: MULTICHOICE CHANNEL 157
COMPLAINANT: BALOYI

COMPLAINT

THE COMPLAINANT IS OF THE VIEW THAT THE EPISODE WAS EXPLICIT.

APPLICABLE CLAUSES

THE RELEVANT CLAUSES OF THE SUBSCRIPTION CODE CITED ARE:

CLAUSE 9.2 AND 9.5

A SUBSCRIPTION BROADCASTING SERVICE LICENSEE MAY NOT KNOWINGLY BROADCAST MATERIAL WHICH, JUDGED WITHIN CONTEXT, CONTAINS A SCENE OR SCENES, SIMULATED OR REAL, OF BESTIALITY, INCEST OR RAPE.

CLAUSE 12: CLASSIFICATION AND SCHEDULING (E.G., WATERSHED PROVISIONS)

CLAUSE 13: WARNINGS AND ADVISORIES

ADJUDICATION

[1] A complaint was lodged with the BCCSA against an episode of Thokoza Gogo broadcast on Multichoice Channel 157 on the 22nd of June at 20:00. The episode in question featured gogo maweni and a client discussing and allegedly performing a ritual wherein a woman's underwear, purportedly taken without consent, was placed on a pig as part of a bewitchment ritual.

[2] **The complaint reads as follows:**

"Title: The Witchcraft Debate: Moja Love's Gogo Maweni and the Influence on Young People
Show: Thokoza Gogo, Episode dated: 22 June 2025, Time: 20:00

Nature of complaint: *Explicit content*

Gogo Maweni and the client admit to taking/stealing a panty belonging to a lady who's unaware and making a pig wear this panty in performing a ritual to bewitch this lady for cheating with Gogo Maweni's husband's client.

Title: The Witchcraft Debate: Moja Love's Gogo Maweni and the Influence on Young People
Moja Love's decision to feature Gogo Maweni performing witchcraft on their television platform during prime time has sparked controversy and raised questions about the influence of such content on young people. While some may argue that it's a form of cultural expression or entertainment, others are concerned about the potential harm it may cause.

The portrayal of witchcraft on national television can have a profound impact on young viewers. For some, it may seem like an endorsement or promotion of supernatural practices, potentially leading to a fascination with the occult. This can be particularly concerning for children and adolescents who may not fully understand the implications of such practices.

Moreover, the use of voodoo or any form of witchcraft to allegedly harm or manipulate others raises serious ethical concerns. Advocating for harm towards another individual, regardless of the method, is problematic and can have real-life consequences. It's essential to consider the potential impact of such content on vulnerable individuals who may be influenced by what they see on television.

Television platforms have a responsibility to their audience, particularly when it comes to content that may be perceived as promoting or glorifying harmful practices. While freedom of expression is essential, it's equally important to consider the potential consequences of broadcasting such content, especially during prime time when a large audience is watching.

Ultimately, the decision to feature Gogo Maweni's witchcraft performances on Moja Love should be reevaluated, considering the potential influence on young people and the promotion of harmful practices. A more nuanced approach to cultural expression and entertainment may be necessary to ensure that the content aligns with the values of respect, empathy, and responsibility."

[3] **The Broadcaster responded as follows:**

"IN RE: VUYANI BALOYI// MOJA LOVE TV (PTY) LTD (IRO THOKOZA GOGO) EPISODE)

Introduction and background:

1. We refer to the complaint lodged by Mr Vuyani Baloyi ("**Mr Baloyi**") against Moja Love TV Channels (Pty) Ltd ("**the Channel**") with the BCCSA dated 24 June 2025.
2. The Complaint arises out of a show titled "Thokoza Gogo" ("**the Show**") which was aired on 22 June 2025.
3. The Channel will demonstrate below, that whilst the Complaints relate to a purported violations of the BCCSA Code ("**the Code**") specifically clause 9 of the Code and related sub-

sections thereof, the BCCSA ought to dismiss the Complaint as the Show does not infringe on the Code nor violates any other provision of the Code as the Show is a reality Show and aimed at sparking debate on issues such as Witchcraft which are often seen as taboo.

4. Insofar as the debate on witchcraft and the like is raised, including the suitability thereof, it is respectfully submitted that the BCCSA does not have jurisdiction to make a finding on this; its jurisdiction is limited to the nature of the content and whether it violates the Code or not.

The Channel's Response:

Purpose of the Show

5. The Show is a reality and highly dramatised show of Gogo Maweni's ("Maweni") life and loved ones, including how she sees herself as a Sangoma, however, practising what is often referred to as Witchcraft and known to be taboo.
6. The Show challenges typical stereotypes on cultural practices and also highlights other types of cultural practices.
7. South Africa is a constitutional and diverse democracy and consists of various cultural practices that are recognised and ought to be practised in accordance with section 15 of the Constitution.
8. It is crucial to mention that the Show does not have as its intention or objective, the encouragement or incitement of viewers to cause harm, and/or practice witchcraft. As pointed out above, the Show is a reality Show on the life of Maweni and is highly dramatised.
9. The Show has an appropriate classification as required by the Code, and it is broadcast post the watershed peremptory period.
10. At the core of this are the adult, willing participants who often consult with Maweni and are agreeable for such content to be aired and footage to be recorded. The Show, therefore highlights their experiences and aids to tell their stories with Maweni being at the centre of the discussions.
11. The Show does not promote or incite harm. In fact, the Show:
 - 11.1 Highlights spiritual or ancestral practices and Maweni properly contextualises these;
 - 11.2 On the contrary and if one has regard to the episode impugned, it actually demonstrates the extent in which people can go for a cultural belief;
 - 11.3 The complexities associated with beliefs and ancestry, including the myths often associated with such, and
 - 11.4 Raise awareness on the personal nature of such experiences.
12. In seriatim response to the alleged clauses that the Channel has violated. For ease of reference, the alleged contravention of clause 9.5, as shown below, is Mr Baloyi's complaint.

Content which may not be broadcast

Child pornography, bestiality, incest, rape, sexual conduct and violence

9. A subscription broadcasting service licensee may not knowingly broadcast material which, judged within context, contains a scene or scenes, simulated or real, of any of the following –

9.1 child pornography;

9.2 bestiality, incest or rape;

9.3 explicit violent sexual conduct;

9.4 explicit sexual conduct which violates the right to human dignity of any person or which degrades a person and which constitutes incitement to cause harm; or

9.5 the explicit infliction of or explicit effects of extreme violence which constitutes incitement to cause harm.

13. Mr Baloyi states in his complaint that clause 9.2 was violated by the Channel in that *‘a woman’s undergarments were taken without her knowledge, and a pig was dressed in it for the purposes of bewitching for sexually sinister reason.’*

14. What Mr Baloyi does not state is how this scene, which he finds offensive relates to bestiality, incest or rape. His submission does not reconcile the provisions of the Code with the scene in which he is complaining about.

15. He is complaining with a dramatised version of what he assumes is meant to cause harm to another through the practice on the said scene. It is important to note that to date, the alleged person in which the scene relates to, has not referred a complaint to the BCCSA nor to date, has there been reports that she was bewitched and/or is injured through Maweni’s actions.

16. Mr Baloyi further states that clause 9.5 was violated by the Channel in that the said scene was intended to cause harm to another person. At the juncture, it is key to repeat that the Show is highly dramatized. No person was injured nor suffered harm as a result of Maweni’s action. The Channel is yet to receive a direct complaint relating to this harm and/or injury.

17. On whether the Channel is encouraging young children to practice witchcraft, it is once again key to point out that the Show is scheduled post the watershed period and thus no children under 16 ought to be watching such a show. In any event, there is no incitement (active encouragement) of people to commit harm by Maweni.

Conclusion:

18. Having stated the above and contextualised episode, it is the Channel’s view that the BCCSA should find as follows:

18.1 The Complaint by Mr Baloyi is dismissed.

18.2 The Channel did not violate any provisions of the Code.”

[4] **The Complainant replied as follows:**

“RE: Response to Moja TV Channels Submission – Thokoza Gogo Episode Aired on 22 June 2025

Introduction

I write in response to the submission made by Moja TV Channels (Pty) Ltd dated 10 July 2025 regarding my complaint against the broadcast of “Thokoza Gogo”. I respectfully submit that the broadcaster’s response fails to adequately address the seriousness of the violations and instead attempts to deflect responsibility under the guise of cultural exploration and dramatisation.

1. The Defense of Cultural Diversity Is Misleading

Moja TV frames this episode as an attempt to spark “debate” and “highlight spiritual practices.” However, entertainment cannot be used as a shield for irresponsibility. The depiction of harmful acts, such as stealing a woman’s undergarments and dressing a pig in them for a ritual, goes beyond mere dramatisation; it normalises dehumanisation, especially against women.

South Africa’s Constitution supports cultural rights, but those rights are not absolute and must be exercised with respect for dignity and the rights of others. This episode crossed that line.

2. Dramatisation Does Not Excuse Harm

The claim that the show is “highly dramatised” is irrelevant to the impact on viewers. Viewers are not provided with any disclaimer or educational context to indicate that the practices shown are symbolic, fictionalised, or satirical. The scene in question was treated seriously, which means it cannot now be dismissed as mere drama.

Moreover, the lack of a formal complaint by the woman involved is not proof that no harm occurred. Consent cannot be presumed in the absence of objection—especially when the violation portrayed is not directly targeted at a named individual but has societal consequences, especially for women and children who internalise such imagery.

3. The Show Violated Clause 9.2 and 9.5 of the Code

Clause 9.2 prohibits material that contains or promotes sexual conduct involving bestiality or behaviour that offends against public morals. Dressing a pig in a woman’s underwear for the purposes of a sexually motivated ritual is, at best, offensive and humiliating; at worst, it leans toward symbolic bestiality and sexual violence by implication.

Clause 9.5 prohibits content that promotes, glamorises, or encourages conduct that is harmful. The act of using personal items in a ritual without consent, to allegedly manipulate or harm others constitutes emotional and symbolic violence and may be perceived by audiences as either normal or effective. That is irresponsible broadcasting.

4. Watershed Period Is Not a Justification

Broadcasting after the watershed does not absolve Moja TV from its responsibility under the Code. Children are not the only protected group the general public is entitled to content that respects human dignity and public morality, regardless of timing. Airing harmful content at night is still a violation if it promotes abuse or incites fear or hatred.

5. Reality TV Cannot Override Public Accountability

Moja TV asserts that the episode reflects “real experiences.” If that is true, then it admits to showcasing dangerous and potentially illegal behaviour without condemnation or context. If false, then it misleads the audience. Either way, it reflects poor editorial judgment.

Conclusion

I submit that Moja TV's defence fails to show how the content in question upholds the Broadcasting Code. Their reply trivialises legitimate concerns and fails to take accountability for the harmful implications of the episode. Therefore, I respectfully request the BCCSA to:

1. Uphold the complaint in terms of clause 9.2 and 9.5 of the Code.
2. Direct Moja TV to issue a public apology and place an on-screen disclaimer on future episodes warning of sensitive or potentially harmful rituals.
3. Consider sanctioning the Channel for normalising gendered spiritual abuse under the guise of entertainment.”

EVALUATION

[5] This matter concerns a complaint lodged by Mr Vuyani Baloyi against Moja Love TV regarding an episode of *Thokoza Gogo* broadcast on 22 June 2025. The complainant alleges that a specific scene in the programme violated Clauses 9.2 and 9.5 of the BCCSA Code of Conduct by depicting sexually suggestive content bordering on bestiality, promoting harmful cultural or occult practices, and potentially influencing vulnerable viewers, particularly young people.

[6] The broadcaster disputes the allegations, arguing that the programme constitutes a dramatised reality show exploring cultural practices, that all participants were consenting adults, and that the episode was broadcast after the 20:00 watershed with an appropriate age restriction.

[7] Cultural Expression vs Harm

The Constitution of South Africa recognises the right to freedom of cultural and religious expression. However, such expressions are not absolute. It is subject to limitations, for example, where rights to privacy, dignity, or the protection of vulnerable groups are at stake. The impugned scene may depict elements of cultural authenticity, but it can also be seen as demeaning towards women.

[8] **Clause 9.2 – Bestiality, Incest, or Rape**

Clause 9.2 prohibits the depiction of bestiality. The impugned scene did not depict any explicit sexual act between a human and an animal, and although the use of female underwear on an animal is degrading and offensive, it does not comply with the definition of bestiality. Accordingly, the complaint under Clause 9.2 is not upheld.

[9] **Clause 9.5 – Incitement to Cause Harm**

Although no direct instruction or call to action was issued to viewers, the depiction of a ritualised act of vengeance involving stolen personal items without any corrective commentary or measures suggests tacit approval. This is concerning, considering the ongoing societal concerns about gender-based violence and the spiritual exploitation of women. However, the clause pertains to the explicit infliction of or explicit effects of extreme violence, which constitutes incitement to harm and is therefore not applicable.

[10] **Watershed and Clause 13 – Warnings and Advisories**

The episode was broadcast after the watershed at 20:00 at the cusp of the watershed with an age restriction of 16 years, complying with the warning and audience advisory requirements. Although the programme was broadcast after the watershed, the broadcaster is urged to follow the guidelines in Clause 13, indicating that an attempt must be made “to ensure that the more the broadcasting of programming material is unsuitable for children, the later that programming material must be broadcast after the commencement of the watershed period”. This is a reality show, and the nature of the content cannot be enhanced by referring to it as a “dramatisation”. The exemptions in Clause 11 do not apply to reality shows.

[11] **FINDINGS**

- Clause 9.2: *Not upheld*. The scene, while offensive, does not meet the legal definition of bestiality.
- Clause 9.5: *Not Upheld*. The impugned scene did not constitute “the explicit infliction of or explicit effects of extreme violence which constitutes incitement to cause harm”.
- Clause 13: *Not Upheld*. The broadcaster did comply with the provisions of the Code, but adherence should be given to the guidelines expressed in Clause 13.

The complaint is not upheld. The affected party whose undergarment was stolen in this episode did not file a complaint with the BCCSA, with the result that the applicability of the dignity clause was not considered.

While cultural and religious expressions are constitutionally protected, such protection does not absolve broadcasters from the obligation to avoid normalising harmful practices or symbolically degrading conduct, especially where gendered demeaning or harm is implied.



**ISAAC DHLUDHLU
COMMISSIONER**