Response to the CRTC’s Television Policy Review

June 29, 1998

Introduction

The Evangelical Fellowship of Canada (EFC) welcomes the opportunity to participate in this broad and fundamental review of the Canadian Radio-television Telecommunications Commission’s television policies. EFC has participated in previous CRTC hearings including an intervention on Vision TV in 1987, and in hearings on religious broadcasting in 1992 and television violence in 1996.

EFC is a national association of 31 evangelical denominations, as well as numerous church-related organizations, churches and individuals. It is estimated that 2.5 million Canadians are evangelical.

Our participation in this review will consider two policies on television programming. We will examine the CRTC’s policy on religious broadcasting first, and then briefly address regulations on television violence and sexual content.

Religious Broadcasting

In the CRTC’s call for comments in Public Notice 1998-44, this review of television policy is described as “broad and fundamental.” Of the many areas of television policy addressed in the questions for consideration throughout the public notice, the CRTC’s policy on religious broadcasting is not mentioned. The religious broadcasting policy is of particular concern to us and we will address several concerns with the CRTC’s current approach to it in this brief. All religious groups are affected by the CRTC’s current policy on religious broadcasting, Muslims, Sikhs and Hindus, as well as evangelical Christians. The current system does not properly and adequately reflect the diversity within Canadian society and thereby cuts out certain voices. We will consider the discriminatory nature of restrictions on religious broadcasting, the requirement of balance, the relationship between religion and life and the definition of religion in the CRTC’s Religious Broadcasting Policy.

According to the Broadcasting Act, the Canadian broadcasting system should

(i) serve to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada,

(ii) encourage the development of Canadian expression by providing a wide range of programming that reflects Canadian attitudes, opinions, ideas, values and artistic creativity,

(iii) serve the needs and interests, and reflect the circumstances and aspirations, of Canadian men, women and children.

The broadcasting system is to reflect Canadians to themselves and to serve their needs and interests in ways that benefit the whole society. Faith is the foundation of life from which flow understandings of the cultural, political, social and economic fabric of society.

Religion is an important part of life to 60% of Canadians and 22% of Canadians attend religious services weekly, according to an Angus Reid Group survey released June 8, 1998. For Canada’s broadcasting system to reflect the requirements of the Broadcasting Act, it must include faith and the expression of religious beliefs.

Recent Progress

For many years, while religious programming was allowed on commercial stations, religious broadcasting as currently defined by the CRTC was prohibited. The CRTC has since loosened the prohibition on religious broadcasting. The licensing of Vision TV as a multi-faith network in 1987 was a step towards opening the Canadian airwaves to reflect the interests and values of the Canadian population. The CRTC’s 1993 policy on religious broadcasting allowed a little more freedom in this area of programming by allowing single faith broadcasting while requiring balance in the form of broadcasting time for other faiths. We welcome the CRTC’s decision to license Vision TV and single faith television stations. These incremental steps have slowly been opening
the airwaves. However we believe that the CRTC needs to act further to fulfill the mandate of the Broadcasting Act and to treat ‘religious’ broadcasters in the same way it treats other broadcasters.

**Religion Restricted**

We are concerned by the restrictions placed on broadcasting that the CRTC has identified as religious. Why does the CRTC feel it needs to treat ‘religious’ broadcasting differently from other types of programming? We note that the CRTC currently requires diversity and balance from ‘religious’ proposals that it does not require from commercial ones. One example of this is the recent decision to refuse a broadcasting licence for the Catholic broadcaster Eternal Word Television Network because there was no Canadian station with which to package it. As well, commercial stations may broadcast explicitly religious programs without the requirements placed on single faith broadcasters and applicants. We believe the Canadian broadcasting system reflects great unfairness. Most broadcasting in this country is done by a narrow range of special interest groups - that is, by commercial broadcasters. Such interests see broadcasting as a business and the programming they produce is shaped by this commitment.

The CRTC has the policy of encouraging differences in race and ethnic identity in its policy on diversity. However, broadcasting explicitly about religion has strict limitations placed on it. As well, broadcasting explicitly about religion has its own guidelines on ethics. If such guidelines are necessary, they should be in place for all broadcasters. Why does the CRTC treat religion differently?

We are concerned that the CRTC’s policy on religious broadcasting may be rooted in a belief that religion is socially harmful. For example, the minority dissent in the CRTC’s religious broadcasting policy of 1993 explicitly links religion to intolerance. This dissent states, “We are disturbed by the extent of social, cultural and racial intolerance which is often rooted in religious intolerance.” The dissent goes on to state, “We believe that removing the requirement for balance in discretionary religious broadcasting will promote religious, cultural and racial intolerance in Canada and will lead to a weakening of the cultural, political, social and economic fabric of Canada.” We note that it is not abusive comment within religious broadcasting which is prohibited, it is all religious broadcasting which is limited — as if religion by its nature is destructive.

There is no evidence that religion by its nature causes violence and intolerance, or that religious broadcasting inherently causes violence and intolerance. Without such evidence, the CRTC’s segregation of explicitly religious programming is arbitrary discrimination.

Cooperation between religious groups can be seen both nationally and internationally. EFC has been involved in multi-faith coalitions voluntarily organized around a common goal. These coalitions of Muslims, Sikhs, Hindus and Christians have worked together in seeking funding for schools and in promoting traditional definitions of marriage. In these coalitions, the various faith groups do not concede or compromise their foundational beliefs in order to participate. It is possible to co-exist and to work together on common goals while living according to different religious beliefs. EFC’s experiences serve as examples that religion does not breed conflict or destruction. We support the access of these religious groups to the public airwaves.

Another reason for the CRTC’s special treatment of religion is that it deems religion to be a matter of public concern because it deals with ethical matters. All programming has an ethical dimension. Programs such as Ready or Not or Black Harbour deal with ethical matters in every episode. It seems that the CRTC is censuring certain expressions of values or ethical perspectives in its targeting of ‘religious’ broadcasting.

**Freedom of Expression and Freedom of Religion**

For the CRTC to choose which worldview is allowed free expression is an illegitimate use of its regulatory authority. The CRTC has curtailed the expression of organized, traditional religious groups. In so doing, the restrictions on religious broadcasting curtail freedom of religion and expression and do not accurately reflect the mandate of the Broadcasting Act. Section 2 (2) of the Broadcasting Act states that the Act should be interpreted in a manner that is consistent with the freedom of expression. The Broadcasting Act as quoted previously describes the mandate of the broadcasting system as reflecting the views and beliefs of Canadians.

The CRTC’s religious broadcasting policy also conflicts with Canadian Charter of Rights and Freedoms guarantees of freedom of religion and freedom of expression. The CRTC’s religious broadcasting policy has the intent of limiting religious expression, which is a violation of the guarantee of freedom of expression in the Charter and discrimination on the basis of religion. The Supreme Court described the parameters of government regulations with respect to freedom of expression in the Irwin Toy decision. “If the government’s purpose is to restrict the content of expression by singling out particular meanings that are not to be conveyed, it necessarily limits the guarantee of free expression. If the government’s
purpose is to restrict a form of expression in order to convey access by others to the meaning being conveyed or to control the ability of the one conveying the meaning to do so, it also limits the guarantee. On the other hand, where the government aims to control only the physical consequences of certain human activity, regardless of the meaning being conveyed, its purpose is not to control expression.” According to the Supreme Court in the Irwin Toy decision, the CRTC’s policy on religious broadcasting unduly restricts freedom of expression.

In terms of freedom of religion, the Supreme Court in the Big M Drug Mart decision stated, “The essence of the concept of freedom of religion is the right to entertain such beliefs as a person chooses, the right to declare religious beliefs openly and without fear of hindrance or reprisal, and the right to manifest belief by worship and practice or by teaching and dissemination.” People should be free to manifest their religious beliefs. Given the Charter guarantee of freedom of religion, how can the CRTC justify its restrictions on religious expression?

Providing Balance
The Broadcasting Act does not specifically require a balanced opportunity for the expression of differing views. It states: “the programming provided by the Canadian broadcasting system should... provide a reasonable opportunity for the public to be exposed to the expression of differing views on matters of public concern.” The CRTC requires balance from each broadcaster. We believe that the Broadcasting Act does not call for this and that balance is better provided across the broadcasting system. Because it is not possible for a broadcaster to be neutral or objective, diversity and balance occur where a variety of broadcasters and programming are available.

Religion and Life
Thus far in this brief we have used the CRTC’s definition of religion. However, this is a falsely narrow definition of religion. There is another, more comprehensive definition of religion which is common in many areas of thought. Theologian Paul Tillich characterized religion as “ultimate concern.” Sociologist Clifford Geertz defined religion as “1) a system of symbols which acts to 2) establish powerful, pervasive and long-lasting moods and motivations in men by 3) formulating conceptions of a general order of existence and 4) clothing these conceptions with such an aura of facticity that 5) the molds and motivations seem uniquely realistic.” Neither Tillich nor Geertz, nor any other contemporary scholar of religion would confine the field to traditional, organized faith groups. We do not accept a compartmentalized view of religion either.

Religious beliefs involve one’s ultimate commitments in life. The attitudes, opinions, ideas and values of Canadians are rooted in their religious beliefs. One’s faith, or religious beliefs, determine how one sees the world and one’s place in it. From faith comes an understanding of the world, or worldview, which addresses basic questions: what is the nature of the world? what is my place in it? what are the problems and solutions in life? Everyone asks these questions and most find answers for them. These answers people find take many forms— a search for personal power, the pursuit of wealth as one’s highest goal, or submission to the will of God. Traditional organized religion is only one form of religious faith.

Defining Religion
This understanding of religion is at variance with the definition of religious broadcasting found in the CRTC’s policy on religious broadcasting. The CRTC’s definition takes a narrow approach toward defining what is religious. In its religious broadcasting policy of 1993, the CRTC defines religious as “anything directly relating to, inspired by, or arising from an individual’s relationship to divinity, including related moral or ethical issues.” This definition excludes, for instance, Buddhism which is a world religion that doesn’t believe in a divinity. The CRTC’s definition of religion reflects a secular notion of religion, which attempts to separate religious beliefs from the rest of life. However this division is artificial; religion does not refer to a particular area of life but rather to a dimension of all of life which shapes our understanding and actions. One’s worldview may be based on a belief in the autonomy of the human person or in God or in another divinity. Applying this broader notion of religion, all broadcasting endeavours have a religious dimension. As we noted in our 1992 brief on religious broadcasting, “The question of religious programming, and of religious diversity in programming, is a question about the nature of all programming, whether that be news, documentaries, church services, drama, music or sitcoms. It is a question of what ultimate commitments will shape the patterns of broadcasting.”

Examples of this faith dimension are evident in shows like Star Trek: The Next Generation. Each show deals with questions about the purpose of life, what it means to be human and how to behave ethically towards others. The characters portrayed in Star Trek: The Next Generation come to these questions with a particular bias or perspective on life, and often find answers for them. These are religious or faith
questions. To search for answers to them is a religious exercise. Even shows that do not explicitly discuss ultimate commitments nevertheless portray characters who act out of a particular worldview. *Seinfeld*, purported to be a show about nothing in a world about nothing, has characters who seem to seek self-gratification as their chief purpose in life. It’s not surprising that in a world about nothing, the characters resort to self-gratification as the highest end. These shows speak to us as viewers and communicate an understanding of the nature of the world and our role in it.

**The Religious Broadcasting Policy**

Given this more comprehensive understanding of religion, the CRTC’s religious broadcasting policy is inadequate. It narrowly defines and then restricts religious broadcasting. As well, the policy tends to slot religion in with specialty channels, which assumes that religion is a “taste” which people can switch to. However, those who understand their faith to be at the root of their understanding of the world would far rather see their faith tackle the big issues of life in all types of programming.14

We believe that this is an area of Canadian life where the CRTC has not fulfilled its responsibility to safeguard, enrich and strengthen, and in fact has acted to suppress Canadian values and interests. The June 8, 1998 Angus Reid Group survey notes that 65% of weekly churchgoers feel “the media does a poor job of covering faith and religion and that this area does not get the kind of media coverage it should.” The CRTC’s policy on religious broadcasting has the intent of severely limiting the expression of some religious beliefs and values on the Canadian broadcasting system. The policy on religious broadcasting should be dismantled.

**Religious Broadcasting Redefined**

Flowing from our definition of religion as ultimate commitment, we would say that all programming has a religious dimension. Granting a broadcasting licence to an applicant that identifies itself as religious will not necessarily result in broadcasting sermons or hymn singing 24 hours a day. Religious broadcasters will broadcast programs which agree with their fundamental commitment in life and their understanding of the world. A Christian station would be able to broadcast programs like Christy or Touched by an Angel or have a music video time slot as well as broadcasting church services. Perhaps one difference between explicitly religious broadcasters and others is that the explicitly religious broadcasters may include programming which deliberately provides information on and explanations of faith, as well as programs which entertain. We are concerned that the CRTC not have an impoverished vision of explicitly religious broadcasting.

**Recommendations**

1. Recognize that all broadcasting has an ultimately religious character in that it inevitably reflects a particular view of the world and a particular commitment in life.
2. Do not demand of ‘religious’ broadcasters what is not demanded of other broadcasters.
3. Address concerns about intolerance by regulating behaviour or comment rather than applying a stereotype to religion, and discriminating against religion on the basis of that stereotype.
4. Deal equitably with diversity not in requiring of each broadcaster a (mythical) balanced perspective but by requiring that fair access be allowed to distinctive points of view and approaches in broadcasting.

**Television Violence**

We are concerned about the portrayal of violence as it objectifies the human person and distorts human dignity. The unlawful use of physical force, demonstrations of power intended to force submission or subjugation, the threatened use of violence intended to instill fear and to intimidate; these acts of violence dehumanize the offender as well as the victim. They reduce the victim to an object to be manipulated for one’s own advantage or pleasure and thus debase the personhood of the victim. This objectification of the victim violates the dignity we all share by virtue of our being created in the image of God. This violation is one of the worst offences of violence.

The CRTC is responsible to safeguard and strengthen the social fabric of Canada. We understand and value the need for freedom of expression in Canadian society. The Canadian broadcasting system should not be a medium through which Canadians, and particularly children, are harmed. The Supreme Court’s decision in *Irwin Toy* quoted above allows government regulation where the aim is to control only the physical consequences of certain human activity, regardless of the meaning being conveyed.15 The CRTC’s own review of studies indicates that violent programming has a detrimental effect on children, as well as adults.16 We support the CRTC’s use of ratings to designate the appropriateness of television programs for various ages of viewers. However, a ratings system and the v-chip technology will not solve the need to regulate violence on television. There is still a need to enforce a watershed hour, to ban gratuitous violence from the public airwaves and to make serious violence available only by the specific request of the viewer.

We have similar concerns about programming involving
sexual content. In our previous submission to the CRTC on television violence, we proposed a multi-tiered approach to regulation as follows.

**Recommendations**

Programming containing gratuitous and glamorizing violence should be banned from the broadcasting system. The CAB and pay-TV and pay-per-view broadcasters agree that such programming should be banned. The Standing Committee on Communications and Culture recommended that extremely violent programming be illegal in Canada.17

Programming containing brutal violence (some movies shown in theatres have this warning) should be restricted to discretionary (pay-TV or pay-per view) services. Over the air and basic cable subscribers should not have to be affronted by such programming. If it is carried on the broadcasting system, then it should require a specific request by the viewer to obtain it.

Programming containing violence which is unsuitable for children, either due to a mature theme or no alternatives to violence being depicted, should be broadcast after the watershed hour.

Non-violent programming and programming containing violent scenes where parental discretion is appropriate should be broadcast over the air and as part of basic cable services.

A similar model could be applied to regulation of sexual content.

We urge the CRTC to more effectively regulate sexual content and to continue its efforts to diminish television violence.

---

**Endnotes**

1 Broadcasting Act s. 3 (1) (d) i, ii, iii.
3 Public Notice CRTC 1997-96.
5 Public Notice CRTC 1993-78 section V. 18.
9 Broadcasting Act s. 3 (1) (i) iv.


One issue that should be addressed is what ultimate commitments shape the structure of the broadcasting system. For example, the belief that economic growth produces happiness and that science and technology will solve our problems has led to a system structured according to the forces of mammon and the technological imperative. This issue deals with the power of choice over who determines which voices get on the system to interpret life to other Canadians. If the broadcasting system is set up simply for profit, the incentive is to turn one’s broadcasting into entertainment and to attract more viewers by broadcasting sex and violence in order to attract increase advertising revenue. This perverse incentive transforms all programs into packaging for commercials.


The CRTC’s review of 200 scientific studies about television violence finds television violence a risk factor for antisocial behaviour and aggressive tendencies. The CRTC survey also notes that most research finds a link between exposure to TV violence and aggressive behaviour. Scientific Knowledge About Television Violence prepared by the CRTC Television Programming Directorate and released in May 1992.