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*The Office of the President*

December 30, 2011

**Via E-mail**

Mrs. Kathleen Smith,  
Director of Policy & Regulation,  
Utilities Regulation and Competition Authority,  
UBS Annex Building,  
East Bay Street,  
Nassau, Bahamas

Dear Mrs. Smith,

Once again, thank you for kindly facilitating the December 17 meeting with me and members of the clergy.

Attached, please find our response to the draft Code of Practice for Content Regulation together with the following attachments referred to in our response:

1. Copy of the article, "The Effects of Pornography on Individuals, Marriage, Family and Community," by Dr. Patrick Fagan of the Family Research Council;
2. A copy of the Broadcasting Commission of Jamaica's Directive on Sexual Content;
3. A copy of the Broadcasting Commission of Jamaica's Directive on Violent Lyrics; and
4. A copy of the Broadcasting Commission of Jamaica's Directive on Calypso/Soca.

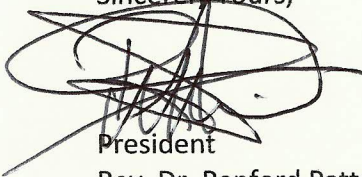
We would appreciate it if the attachments are published together with our response, even as a separate documents.

We believe that our response and recommendations are thoughtful and reasonable, and we trust that URCA sees the wisdom in adopting some, if not all, of them, especially those that pertain to a full prohibition against pornography at all times by all Licensees, crime and violence filled content, the protection of children, and the clarification of Clause 4.1(1)(a)(v) (especially in relation to religion and sexual preference).

If you have any general questions, please feel free to contact me, and any specific clarifying questions about our response may be directed to Pastor Cedric Moss, who was delegated the primary responsibility of compiling our response. Pastor Moss can be reached at 393-8262 or by e-mail at [cmoss@kingdom-life.org](mailto:cmoss@kingdom-life.org).

Please be assured of our prayers as you do the work the government has mandated you to do.

Sincerely Yours,

A handwritten signature in black ink, appearing to be "Ranford Patterson", written over a circular scribble.

President

Rev. Dr. Ranford Patterson

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*The Office of the President*

## **Responses to URCA's List of Consultative Questions**

December 29, 2011

### **Preface**

First of all, we are very grateful to God and to URCA for the privilege of being able to participate in this consultative process to develop a Code of Practice for the regulation of content services and audiovisual media services in The Bahamas. This consultative process is an expression of the rich democracy which we continue to enjoy in our beloved nation, and we greatly value this opportunity to speak on behalf of hundreds of the churches represented by The Bahamas Christian Council and thousands of citizens in our churches and country who share our views and values on matters of morality.

Without hesitation, we acknowledge that this consultative exercise brings into sharp focus the fact that we as a nation have lost our way morally. For decades, in the absence of laws and regulations, immoral, violent, and obscene content have been allowed to be broadcasted, and now, rather than prohibit the broadcast of such content that URCA recognizes is inconsistent "with the standards of good taste and decency which are generally prevalent and accepted in Bahamian society," it is now being proposed to give such content an official, legitimate place in Bahamian society. We disagree with this.

As it relates to determining the suitability of content for broadcast, perhaps the foundational flaw in the draft Code is that within it is no stated or recognizable set of objective presuppositions upon which the proposed broadcast content standards are based; they seem to be primarily based on the low standards of other countries, like the United States, the primary producer of most of the objectionable content that the draft Code seeks to regulate. However, we believe that the preamble to our nation's constitution provides URCA and all participants in this consultative process with a set of

objective presuppositions that should guide us, and for ease of reference it is restated here:

## **THE CONSTITUTION OF THE COMMONWEALTH OF THE BAHAMAS**

**WHEREAS** Four hundred and eighty-one years ago the rediscovery of this Family of Islands, Rocks and Cays heralded the rebirth of the New World;

**AND WHEREAS** the People of this Family of Islands recognizing that the preservation of their Freedom will be guaranteed by a national commitment to Self discipline, Industry, Loyalty, Unity and an abiding respect for Christian values and the Rule of Law;

### **NOW KNOW YE THEREFORE:**

We the Inheritors of and Successors to this Family of Islands, recognizing the Supremacy of God and believing in the Fundamental Rights and Freedoms of the Individual, **DO HEREBY PROCLAIM IN SOLEMN PRAISE** the Establishment of a Free and Democratic Sovereign Nation founded on Spiritual Values and in which no Man, Woman or Child shall ever be Slave or Bondsman to anyone or their Labour exploited or their Lives frustrated by deprivation, **AND DO HEREBY PROVIDE** by these Articles for the indivisible Unity and Creation under God of the Commonwealth of The Bahamas.

We would be among the first to acknowledge that we as a nation have not lived up to the national value of being committed to “self-discipline, industry, loyalty, unity and an abiding respect for Christian values and the rule of law,” and we need to return and recommit ourselves to doing so. We believe that the government and government agencies should be an integral part of this process since they have an official charge to govern in ways that are consistent with our nation’s constitution.

As an independent, sovereign nation, God has providentially blessed us with an excellent constitution that allows for an orderly, democratic society. In this regard, it should be noted that the United States has a different constitutional context than we do in The Bahamas, and the “freedoms” that producers and consumers of pornographic, violent, profane, and other objectionable broadcast rightly or wrongly claim from their constitution are expressly curtailed in ours (Section 23 of our constitution is a prime example). Therefore, we have a constitutional context that allows The Bahamas government, in the interest of public morality, to pass reasonable laws that prohibit the broadcast of objectionable content that many American citizens rightly or wrongly claim that their First Amendment Rights entitle them to see. No similar claim can legitimately be made by Bahamians in The Bahamas. Accordingly, our response is premised upon the constitutional reality that we enjoy in The Bahamas.

Although we have many concerns for our nation, there are three particular areas that are touched upon in this draft Code about which we are especially concerned. The first is family values. We firmly uphold the view that human sexual conduct expressed within the boundaries of marriage between one man and one woman is both what Christians hold to and what is without argument in our national best interests. Therefore, it will not go well with us as a nation if we continue to promote, encourage, and seek to normalize deviant sexual conduct (whether heterosexual or homosexual), and government and government agencies should be helping to promote strong families, not undermine them. A strategic opportunity is available in the regulation of broadcast content, and we urge URCA on behalf of the government to embrace it.

Our second concern is crime and violence. In 2011, we have seen an unprecedented increase in crime, violent crime in particular. At the time of this writing, December 29, 2011, the murder count stood at 125 (the previous record of 94 was recorded last year). We don't have the numbers for attempted murder, causing harm, rape and sexual assault, armed robberies, and other violent crimes. However, it is reasonable to assume that, when the statistics are revealed for 2011, there will be an increase in most, if not all, of these categories. Therefore, we find it inconsistent with this sad state of affairs that some of the proposed standards for broadcast content seem to be nurturing the Hollywood culture of being entertained by crime, violence, profanity, and obscenity. While we applaud the efforts in the Code that are aimed at the protection of children, it is our view that the Code does not reflect any acknowledgement that many adults in our country are being negatively influenced into criminal conduct through the crime filled and violence laced content being approved for them to view and listen to, and the wider society is being harmed, as is evidenced by the siege of criminality that our nation is under. We believe we are deluding ourselves if we fail to admit this. Therefore, we believe that government and government agencies should not be involved in facilitating such content that is harmful to individuals and our society at large.

Our third concern is for our nation's youth, the ones we are to be setting examples for and raising to be law abiding, productive citizens. Our country faces very complex and pervasive social problems with young persons, especially adolescents (educational decline, moral decline, drug and alcohol abuse, disrespect for authority, violence and antisocial behaviour, sexual promiscuity, teen pregnancy, AIDS & STD's, etc.). As church leaders, we know this first hand because we are regularly intervening to help some of them, and we know second hand because some persons in our congregations who are teachers, doctors, and health and social workers tell us about the horrors our youth face on a daily basis. Therefore, we find it is contradictory for the government and government agencies on one hand to express concern about these problems that our youth face and then on the other hand turn around and pass laws and rules that facilitate and help to promote the same harmful values, ideas, and conduct about which they appear to be concerned.

While we recognize that the explosion of technology and media sources make it impossible to quarantine our society from destructive content; further, we recognize the fact that other countries are doing exactly what we are asking our government not to do. However,

we firmly believe that our government and government agencies should not be in the business of providing licenses for individuals and businesses to sell content to its citizens that is harmful to them and of a depreciating effect on the society as a whole. We acknowledge that these are hard decisions to make, but we believe they are necessary to help in the multifaceted efforts required to help to stem the tide of pervasive family breakdown, to arrest the culture of crime and violence, and to protect our children and their future.

Some will no doubt say that we are seeking to take away people's freedom, but we are not. We fully understand and value personal freedom in a democratic society. However, in the words of Pope John Paul II, we believe that "freedom consists not in doing what we like, but in having the right to do what we ought." Also, some will say that we are seeking to legislate morality and morality can't be legislated. However, such a statement fails to see that, on the contrary, morality indeed can be legislated and is legislated every time a law is passed. In fact, the Code being developed by URCA reflects moral views concerning what is right and what is not right for broadcast in The Bahamas. Therefore, the question we need to ask is this: Whose morality should be reflected in the laws that are to govern us? We believe that the morality of the majority should. Here we hasten to add that we are not talking about the majority taking away the freedom of the minority to make choices that have no effect on others; we are all free to make such choices that do not harm or have the potential to harm the wider society. Accordingly, consistent with this view, we believe that the morality of the majority should be reflected in the Code governing broadcast content in The Bahamas, and we fully believe that the views represented in our response are consistent with those of the majority of Bahamians.

The time tested and proven words of Proverbs 14:34 tell us that "righteousness exalts a nation, but sin is a reproach to any people"; these words are still true today, and as a nation we would do well to heed them. In accordance with this preface, we have sought to engage and specifically respond to URCA's consultative questions as follows below.

## **Response to Questions**

### **Question 1:**

Do you agree with URCA's proposals in Part 1 of the draft Code of Practice regarding definitions and interpretation, purpose of the Code, the regulatory framework, compliance with the Code and review of the Code? If not, why not? Should any other provisions be included in this Part of the Code or any removed?

We generally agree with URCA's proposals outlined in Part 1 of the draft Code of Practice, but we believe that the watershed period as defined is too wide. Children are staying up later and getting up earlier, and many of them have radios, televisions, and internet access in their bedrooms. Accordingly, we believe that the watershed period should be between 11:00 p.m. and 4:00 a.m. This recommended watershed period is not unreasonable; it is the same as the watershed period in Jamaica.

**Question 2:**

Do you agree with URCA's proposals in Part 2 of the draft Code of Practice regarding positive rules, operational and technical rules? If not, why not? Should any other provisions be included in this Part of the Code or any removed?

We generally agree with URCA's proposals in Part 2 of the draft Code of Practice, however we have the following question:

Since, as noted in footnote 3 on page 15 of the draft Code of Practice, "URCA intends to regulate the content provided on all content services," do the Technical Rules outlined under Clause 2.4, especially (1) and (2), also apply to foreign produced content that is provided through Licensees (like via carriage service)?

In the event that the Technical Rules do not apply to foreign produced content that is provided through Licensees (and we strongly believe that they should apply), we seek URCA's elaboration on the reasoning behind exempting such content.

**Question 3:**

Do you agree with URCA's proposals in Part 3 of the draft Code of Practice regarding underlying principles and positive rules? If not, why not? Should any other provisions be included in this Part of the Code or any removed?

With the exception of Clause 3.1(3), we agree with URCA's proposals in Part 3 of the draft Code of Practice regarding underlying principles and positive rules.

We believe that Clause 3.1(3) should be changed to state that this clause **also** includes content delivered via carriage service, or alternatively we believe that Clause 3.1(3) should be removed. Our reasoning follows.

Perhaps it could be justifiable to allow Licensees under stipulated conditions to sell content to adults that "would be considered by the general public in The Bahamas to be harmful, abusive, offensive, discriminatory or otherwise contrary to the standards of taste and decency which generally obtain in Bahamian society" **if** it were possible to ensure that the harm done to those adults is restricted to them. However, we all know that such harm is not restricted to them. Instead, and unfortunately, the undeniable reality is that individuals in relational proximity to those adults (like family members and others in the wider society) are oftentimes harmed, and sometimes irreparably so.

A good example to consider is the case of adults who view pornography (one type of content contemplated in Clause 3.1(3)). Why should URCA, through its Licensees, facilitate the sale of pornography, in light of countless scholarly and professional studies that affirm again and again the harmful effects of pornography on those who view it, their families, and society at large? In a very sobering article entitled, "The Effects of Pornography on Individuals, Marriage, Family and Community," Dr. Patrick Fagan of the Family Research Council notes the following:



Pornography is a major threat to marriages, the family, and the society at large. It is not a private choice without public consequence. Pornography alters both sexual attitudes and behavior, undermining marriage, which in turn, undermines the stability of the entire community.<sup>1</sup>

The same can be said of other types of content contemplated in Clause 3.1(3): they are not private choices without public consequences. URCA should not ignore the personal, familial, and societal harm that can and do result from the type of content contemplated in and exempted by Clause 3.1(3).

In addition, URCA should not think that requiring the adult content contemplated in Clause 3.1(3) to be sold in accordance with the provisions of Clauses 5.10 and 5.11 is a sufficiently protective solution for children. Experiences in The Bahamas and abroad have already shown us that not all adults who view pornographic content are responsible enough or care enough to utilize set top box parental controls or only do so when children are absent or asleep. Pornography is powerfully addictive and enslaving because it perverts a pleasurable, God-given appetite, therefore it is not unusual to find pornography viewers succumbing to the compulsive urge to view pornography at home with their children around and at work when they should be working.

Presently, outright pornographic content is being advertised and offered by Cable Bahamas on channels 874-895 for all and sundry to subscribe to or to pay to view. Here is a list of Cable Bahamas' pornographic movie offerings (the titles are in quotation marks, and the onscreen descriptions are in italics); this information was viewed and noted from a TV with the Prime package — "Basic Cable") on Sunday, December 25, 2011, around 3 p.m.:

1. **Play Boy** - Channel 880: "Cheerleader Camp": *Cheerleaders get an "S", an "E", and an "X".*
2. **Hustler** - Channel 882: "Housewives Gone Black": *Busty babes ditch their husbands for huge black meat.*
3. **Fresh**- Channel 884: "Big T... Lesbian Lovers": *An All-girl extravaganza features dripping wet sluts.*
4. **Juicy** - Channel 886: "Screaming Sex Friends": *When hitting it's this good we gotta get vocal about it: even the neighbors can hear cuz we're louder than the headboard hitting the wall.*
5. **Skin TV** - Channel 887: "Broke Down Bitches": *Hot tramps need a huge rod for roadside assistance.*

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<sup>1</sup> Patrick Fagan, "The Effects of Pornography on Individuals, Marriage, Family and Community," <http://www.frc.org/pornography-effects>, accessed on December 21, 2011.



6. **Penthouse** - Channel 889: *“My Campus Porno”: Lucky guys get freaky with their choice of porn star.*
7. **Extsy** - Channel 890: *“Real Big Bouncing Boobs”: Natural knockers are silicone-free and down to get dirty.*
8. **Heat** - Channel 891: *“Daughter Loves Black”: Well endowed black studs wreck havoc on these fresh faced nymphos.*
9. **XXXPOSE** - Channel 892: *“Best BJ Contest”: (No description given by Cable Bahamas...the title evidently is sufficient)*
10. **Jenna** - Channel 893: *“The MILF Café”: Get a real healthy dose serving of hot tasty moms.*
11. **Real XX.5** - Channel 894: *“Monsters of Meat”: Real-life babes get crammed by the biggest and thickest poles.*
12. **XCESS** – Channel 895: *“Latin All Stars”: Sizzling Hot Chicks spread wide for humongous shafts.*

These pornographic movie titles and descriptions were viewed from the home of a senior citizen who is ignorant about parental controls and who in any event can't operate her set top box. But her home is frequented by her many minor grand children and their friends, all of whom can use the remote control to surf and see Cable Bahamas' pornographic channels and listings and, in some cases, order them. Surely as a country we can do better than this, and as an established agency of The Bahamas Government, URCA should seek to protect children above catering to the perverted preferences of a small minority of adults.

If URCA allows the broadcast of pornography and similar content via Clause 3.1(3), URCA would be giving companies like Cable Bahamas a license to participate in undermining and eroding our nation's standards of taste and decency over time because they will advertise and sell pornography and seek to attract more customers, and they will succeed as more and more Bahamians intentionally and accidentally indulge in these pornographic offerings to their and society's detriment. So, overtime the standards of taste and decency, which URCA on the face of the draft Code seems minded to protect, will be eroded and will have far reaching negative effects beyond those who indulged in pornography and similar harmful content.

So we ask: What will adults lose if URCA made a decision to require all content (inclusive of carriage service content) to be governed by Clauses 3.1(1) and (2)? What irreparable harm will be done to them? On the other hand, we as a society, and our children especially, will gain much if URCA, without exception, seeks to uphold the standards of good taste and decency which generally obtained in Bahamian society.

Therefore, bearing in mind the realities and reasons stated above, we believe URCA should hold all of its Licensees to the same standards of taste and decency outlined in Clauses 3.1(1) and 3.1(2) and remove Clause 3.1(3).

**Question 4:**

Do you agree with URCA's proposals in Part 4 of the draft Code of Practice regarding Law and Order, Harmful and Offensive Content, and Religious programming? If not, why not? Should any other provisions be included in this Part of the Code or any removed?

We disagree as follows with URCA's proposals in Part 4 of the draft Code of Practice:

1. We are gravely concerned that Clause 4.1(1)(a)(v), as written, is vague as to the meanings of "hatred in any form" and "vilifies," and our concern is primarily confined to two of the nine categories: "religion" and "sexual preference."

We believe that clarifying and excepting language, similar to the language in Clause 4.2(4), should be stated under Clause 4.3 that would allow for the broadcast of opposing views in the areas of religion and sexual preference. Left as is, unnecessary uncertainty and interpretative conflicts between Licensees and the general public will undoubtedly result. Our expanded reasoning follows.

- a. In the case of religion, we do not believe that it is of a criminal nature nor an expression of hatred or vilification to express objection to or disagreement with adherents of a particular religious group and what they teach. We believe this to be the case from both theistic and atheistic perspectives. For example, because of some Islamic leaders' encouragement for their followers to engage in "holy wars" (Jihad) from time to time, Islam is generally referred to as "a religion of the sword," which a simple Google search would reveal. Therefore, we do not believe such a statement about Islam is of a criminal nature, nor do we believe that it expresses hatred or vilification; it is a view, and we believe it and similar opposing religious and irreligious views are suitable for broadcast.

Even within The Bahamas Christian Council, we have members who hold opposing doctrinal views, and these opposing views are stated from time to time in sermons and in other contexts, and they are regularly broadcasted locally and abroad in some cases. These expressed doctrinal differences are seen as disagreements between brothers and sisters in the household of faith who simply understand Scripture differently, but not as causes for "war" between enemies.

- b. Similarly, in the case of sexual preference, we do not believe that it is of a criminal nature nor an expression of hatred or vilification to express objection to or disagreement with homosexuality and other forms of deviant sexual conduct. In keeping with the clear teaching of Scripture, Christians in general believe that homosexuality is sinful, unnatural sexual conduct, and those who practice it are

warned (together with others) that they will not inherit the kingdom of God (1 Corinthians 6:9-10). We do not believe that such objecting statements about homosexuality and other forms of sexual deviance (inclusive of sinful heterosexual conduct like adultery and fornication) are of a criminal nature, nor do we believe that they express hatred or vilification; they are views, and we believe they are suitable for broadcast.

Accordingly, we urge URCA to clarify Clause 4.1(1)(a)(v) and to expressly provide excepting language for religious and other opposing views.

2. In light of the unprecedented crime wave we are facing in our country, we have reservations about the inclusion of the words “humorous,” “dramatic,” and “satirical” in Clause 4.1(2) and encourage consideration for their removal; we simply find it difficult to see how, for example, humoring ourselves about threats of harm or evil (Clause 4.1(1)(a)(iii) — being proposed for exception) is consistent with taking crime seriously.
3. We believe that Clause 4.4(2) should be removed, unless this clause relates to the broadcast of content teaching AGAINST the excepted sexual content AND it is non-explicit.

In our view, it is inconsistent to fully prohibit the broadcast of child pornography (Clause 4.4(1)(a)), explicit degrading sexual conduct (Clause 4.4(1)(d)), and sexual exploitation of minors (Clause 4.4(1)(g)), while at the same time permitting watershed broadcast of scenes showing other horrific, indecent, and harmful acts like bestiality, incest, rape, explicit violent sexual conduct, extreme violence which constitutes incitement to cause harm, and exploitative or non-consensual sexual relations as being desirable.

While it might be necessary for any of these subjects to be addressed, it is unnecessary to broadcast any real or simulated scenes. Conscientiously produced material addressing the subject matters enumerated in Clauses 4.4(1)(a)-(g) treat such subjects off screen, so there is no need give a visual account or reenactment of them.

We believe it is naïve to think that what we watch and are entertained by does not affect us for good or bad; it does. Further, we believe that the exceptions proposed in 4.4(2) are making light of sexual perversion by saying that scenes of such acts may be viewed in certain contexts during the watershed. While adults are not protected from being influenced to experiment with such sexual perversions by virtue of being adults, this is especially true for children who, despite the watershed period, will be exposed to such content that URCA is proposing to allow. Again, we reiterate our view that, if allowed, the broadcast of material which contains scenes of these excepted sexual perversions will prove harmful to adults and children who view them and will permeate into the wider society.

Therefore, since all of the acts outlined in Clauses 4.4(1)(a)-(g) assault the moral sensibilities and standards of decency in Bahamian society, we strongly recommend that

Clause 4.4(2) be removed. Alternatively, if the full removal of Clause 4.4(2) is considered too far reaching, we strongly urge that the words “humorous,” “dramatic,” and “satirical” be removed; and we also strongly urge that the words “as limited and” and “as possible having regard to the context” (also be removed to mirror the proviso wording of Clause 4.1(2)) to read as follows:

- (2) Save for the content described in 4.4(1)(a), (d) and (g), exceptions to the provisions of Clause 4.4(1) of this Code may be justifiable during the watershed in the context of programmes with a legitimate, cultural, religious, historical or educational purpose or where the depiction or demonstration is non-explicit.
4. Consistent with our comments in 2 above, Clause 4.4(3) should be removed if Clause 4.4(2) is removed.
  5. Clause 4.6(3) is an excellent example of a code designed to protect individuals through total prohibition of a particular kind of broadcast. We commend URCA and the Working Group for proposing this responsible, protective code, and we encourage the adoption of similar responsible codes to protect people, and by extension the wider society, from viewing and listening to harmful or potentially harmful content. The same kind of protective code practices can be implemented in the cases of other kinds of harmful or potentially harmful broadcast material like those being proposed for exception under Clause 4.4(2).
  6. Clause 4.10 (**Violence against women**): This clause is undermined and contradicted elsewhere in the draft Code (e.g. some of the exceptions in Clause 4.4(2) and pornography and sexually explicit material that are excepted under Clause 5.9).

While we wholeheartedly agree with the prohibition against broadcast of material “that sanctions, promotes or glamorizes any aspect of violence against women,” we believe that other parts of the draft Code reflect an accidental or intentional overlooking of the link between violence against women and broadcast content that the draft Code allows in other parts of the Code that studies and experience have shown to encourage and produce the exact same violence that Clause 4.10 seeks to prevent.

The truth is that “men who view pornography regularly have a higher tolerance for abnormal sexuality, including rape, sexual aggression, and sexual promiscuity.”<sup>2</sup> In the main, these acts are committed against women and we know this all too well in Bahamian society. In addition, “prolonged consumption of pornography by men produces notions of women as commodities or as ‘sex objects.’”<sup>3</sup> For easy reference, Dr. Fagan’s article in its entirety is attached.

Pornography and sexually explicit material disproportionately promote violence, degradation, and exploitation of women and young girls, therefore it is contradictory to

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<sup>2</sup> Ibid

<sup>3</sup> Ibid

allow in some parts of the draft Code (like in Clauses 4.4(2) and 5.9) the broadcast of sexually explicit and pornographic material and then in other parts of the draft Code (like Clause 4.10) to prohibit the broadcast of very the same material. Is URCA saying that pornography is not material that “sanctions, promotes or glamorizes any aspect of violence against women?” Also, is URCA saying that by confining such content that promotes violence against women to carriage service protects women? A review of the previously mentioned sample listing of pornographic titles on Cable Bahamas’ pornographic channels on page 3 of this document will show that ALL of the titles reference women and some of the titles reference graphically violent sexual acts against them.

Accordingly, we ask that URCA take the above realities into account and align other parts of the Code like Clauses 4.4(2) and 5.9 to be consistent with the values expressed in Clause 4.10 and thereby help to protect women from violence generally.

7. In Clause 4.12(2), we believe that the words “humorous,” “dramatic,” and “satirical” should be removed. Being entertained by that which we prohibit is contradictory and tends to cultivate and promote an accepting attitude towards what is prohibited. Accordingly, if we as a society want to treat violence against animals as a serious offence, we should not facilitate broadcast material that makes light of it.
8. In Clause 4:13, the second sentence (“A Licensee must ensure that any religious programming, which simultaneously reaches persons of all creeds and races, shall not be used by the Licensee or any person to convey attacks upon another race or religion.”) should be removed or clarified to make it patently clear that disagreement and refutation of religious or denominational beliefs do not amount to attacks. See our response to Question 4 (especially 1(a)).

**Question 5:**

Do you agree with URCA’s proposals in Part 5 of the draft Code of Practice regarding the protection of young persons and a television programme classification system? If not, why not? Should any other provisions be included in this Part of the Code or any removed?

While we agree with the overall intent of Part 5 to protect young persons, we suggest the following:

1. Clause 5.2(1): We believe that offensive language that has obscene or vulgar connotations should not be used at all in broadcasts because using such language during a watershed period still has a degrading effect on public standards of decency. Again, the children who are in the protective scope of Part 5 are not automatically protected if obscenities and vulgarities are spoken during a watershed period by adults who should be setting examples for them.

2. Clause 5:5(2): For reasons already stated (see responses to Clauses 3.1(3) and 4.4(2)), we believe there should be a total prohibition against the broadcast of pornography by all Licensees (including those providing carriage service) at all times.

Accordingly, Clause 5.5 should be removed from the excepted clauses listed in Clause 5.9.

3. Clause 5.9: Bearing in mind the reality that the content regulated in Clauses 5.1 to 5.6 is primarily delivered in The Bahamas via carriage service and that there are many subscribers (like senior citizens, those who are illiterate, and others who are challenged using and programming electronic devices), we believe that a requirement should be added that for carriage service Licensees to offer assistance to explain parental controls and assist in setting the same for new subscribers and to advertise the availability of this service for existing subscribers. Such intentional equipping of parents will go a long way in causing the protection of children to become an increasing reality in The Bahamas.
4. Clause 5.10(7)(e): Change “may” to “must.”
5. We believe there should be added to the Code an express prohibition against the broadcast of any audio recording, song or music video which employs editing techniques of “bleeping” or “beeping” of its original lyrical content.

Some current Licensees of URCA (especially two radio stations in New Providence) whose target audience includes children or whose broadcasts can be heard or viewed by them broadcast offensive musical and other recorded content that employ crude editing techniques of “bleeping” or “beeping” of originally produced lyrical content. Without fail, these recordings promote and glorify criminal acts, sexual promiscuity, and profane and anti-social behaviour in general. In many cases, these “bleeped” and “beeped” songs are banned from public broadcast in their countries of origin (for example in Jamaica). Please see attached three directives from the Broadcasting Commission of Jamaica in which Licensees are prohibited from broadcasting such content by radio, television, and Cable.

To not categorically ban this type of content upfront will undoubtedly result in a stream of complaints that can easily be prevented or reduced by an upfront ban.

**Question 6:**

Do you agree with URCA’s proposals in Part 6 of the draft Code of Practice regarding election broadcasts and advertising, other aspects of election broadcasts and political advertisements and operational matters in elections, referendums and political broadcasts? If not, why not? Should any other provisions be included in this Part of the Code or any removed?

We gave no attention to Part 6 and accordingly have no comment.

**Question 7:**

Do you agree with URCA's proposals in Part 7 of the draft Code of Practice regarding advertising and sponsorships? If not, why not? Should any other provisions be included in this Part of the Code or any removed?

1. Consistent with our recommendation for a total prohibition against the broadcast of pornography by all Licensees at all times, the advertisement of pornography should be prohibited and as such Clause 7.12(2) should be removed.
2. There should be an express statement that alcohol is not to be advertised during programs geared for children or that children are likely to watch.

Sadly, local radio stations are saturated with alcohol advertisements and advertisements advertising events promoted or sponsored by liquor companies, and the tag reminder "to drink responsibly" comes across more as a reminder to drink and an extension of the ad.

It is commendable that tobacco advertisements are being prohibited, but in The Bahamas, children are far more likely to experiment with alcohol than tobacco and more consideration needs to be given to curtail the flood of alcohol related advertisements that children are exposed to.

**Question 8:**

Do you agree with URCA's proposals in Part 8 of the draft Code of Practice regarding accuracy and impartiality, fairness and privacy, national emergencies and disasters, miscellaneous news and factual material in news and factual programmes? If not, why not? Should any other provisions be included in this Part of the Code or any removed?

We agree with URCA's proposals in Part 8 of the draft Code of Practice.

**Question 9:**

Do you agree with URCA's proposals in Part 9 of the draft Code of Practice regarding the provision of access services by broadcasters for members of the audience who are visually and hearing impaired? If not, why not? Should any other provisions be included in this Part of the Codes or any removed?

We agree with URCA's proposals in Part 9 of the draft Code of Practice.

**Question 10:**

Do you agree with URCA's proposals in Part 10 of the draft Code of Practice regarding the complaints-handling process, monitoring compliance, reporting complaints and Code administration? If not, why not? Should any other provisions be included in this Part of the Codes or any removed?



Our general comment is that we find that the Complaints Handling Process outlined is inadequate, inefficient, delegates too much authority and responsibility to Licensees (especially in the case of allegations of serious breaches), and is unnecessarily burdensome for all parties involved.

Accordingly, here is what we suggest:

### **1. Automate and Unify the Complaints Handling Process**

While we recognize that initially URCA might have to allow Licensees to put in place their own individual complaints handling processes, we believe that URCA should move expeditiously to automate and unify the Complaints Handling Process. This is especially important because at the end of the day, URCA is charged with the responsibility of protecting and serving the interests of the Bahamian public. Therefore, we recommend that URCA seeks to as soon as possible put in place a robust, web based, proprietary computerized Complaints Management System (CMS) that will handle all complaints made against Licensees.

We have appended some specific suggestions for such a system.

### **2. Specify and Classify Code Breaches**

In Clauses 10.9(14)(b) and 10.9(27)(a), the term “serious breach” is used, but nowhere in the document is it or any other kind of breach defined or described. We recommend that URCA specifies and classifies a range of breaches from minor to serious. If URCA desires to use co-regulation to handle resolving alleged breaches, in order to achieve efficiency and effectiveness, such a classification seems necessary, and it goes without saying that alleged serious breaches are best handled promptly by URCA from the outset rather than by Licensees against whom the complaints are made.

### **3. Complaints Handling Process Comments**

- a. Clause 10.1 (2)(d): The very nature of oral complaints leaves room for considerable confusion in terms of what is actually said and what is actually heard and understood, and what is written down. We encourage URCA to elaborate on what it means by the requirement of Licensees to ensure that they “maintain adequate procedures for receiving oral complaints.” What is adequate? Does URCA want Licensees to digitally record all oral Code Complaints as voice files? Does URCA want Licensees to have a Complaints Officer to whom all oral complaints must be reported, and if so, in what format? This requirement is too open and requires guidance in accordance with what URCA has in mind.
- b. Clause 10.1 (3): URCA should require each Licensee to designate a Complaints Officer who would be responsible to oversee the Licensee’s

complaints process (reviewing complaints and ensuring compliance with the Code). This will also make each Licensee's liaison work with URCA and the general public easier.

- c. Clause 10.2 (4): What happens if the complainant claims to have sent the complaint by letter, fax, or e-mail, but the Licensee claims to have not received it (one or the other case may or may not be true), and meanwhile 30 days have elapsed since the broadcast being complained about, and the alleged breach is a serious one which has been repeated and compounded? This in our view is a loop hole that can be addressed to a large degree by requiring that an acknowledgement or notification of receipt of the complaint be sent by the Licensee to the complainant within a specified period of time and that notification should advise the complainant of the case number, the process, and the time frames involved in handling of the complaint. In this way, if the complainant has not received the acknowledgement of receipt notification within the specified period, it can be followed up. Again, an automated CMS would make this easy and efficient.
- d. Clause 10.3: A window of time should be specified during which the publicising of the Code must be done; otherwise, Licensees can opt to publicise at times when they have little or no audience.
- e. Clause 10.4: Welcoming and noting comments from listeners and viewers is a good business practice, but it does not seem like something that URCA can appropriately require Licensees to do. Clause 10.4 as written does not clearly apply to complaints, therefore if what URCA has in mind is Code related complaints, it should be clearly stated.
- f. Clause 10.6(5): We believe that URCA should make provision for confidential complaints to be reported directly to URCA. The nature of a complaint might be such that a would be complainant might fear for his or her life or property as a result of making the complaint. For example, a radio ad that is pulled or the live coverage of an event that is cancelled due to a valid complaint and results in financial or business loss for the Licensee, the owner of the ad or the promoter of the event and could result in retaliation (a practice that is all too common in The Bahamas today). Therefore, since the identity of the complainant is not necessary to be able to investigate the alleged breach, URCA should make provision to allow for confidential complaints under certain conditions, at least for serious breaches defined by URCA, to be made to URCA.

Further, We believe that URCA needs to put place provisions for members of the public to make direct and general complaints to URCA. For example, it is widely known that two radio stations on the island of New Providence almost

exclusively play music from foreign sub-cultures that glorifies glorify criminal acts, sexual promiscuity, and profane and anti-social behaviour in general. We believe it is too burdensome for URCA to require, for example, a broadcast by broadcast, song by song complaint to the Licensee in the case of systemic violations of the Code. Alternatively, URCA needs to advise regarding how systemic violations will be handled.

- g. Clauses 10.9(8) and (9): URCA needs to make great effort to not overburden and thereby frustrate complainants. We wonder whether it might be easier and more efficient to have the Licensee automatically copy URCA's Complaints Monitoring Desk on substantive responses that involve any serious breach (to be defined by URCA) where the Licensee disagrees with the complainant, and in this way URCA can have carriage of the matter automatically; thus the complainant is not further burdened regarding a serious breach allegation that URCA should want to consider promptly.
- h. Clauses 10.9(11) and (12): If URCA adopts a unified CMS, all of the details outlined would already be in the database and will require no further action to furnish details of Code Complaints referred to URCA.
- i. Clause 10.9(13): As the Code is currently written, this clause will result in a partially confidential complaint because Clause 10.9(23) only binds the parties to confidentiality during the course of URCA's investigation.
- j. Clause 10.9(14)(b): Again, "serious breach" needs to be defined. Also, as the Code is currently written, how will serious breaches promptly come to URCA's attention, especially ones that Licensees are able to "resolve" or ones that complainants do not follow up even though the Licensee disagreed with their complaint? Will URCA have to wait for the quarterly reports and wade through to find these "unresolved" allegations of serious breaches that complainants did not follow up? Or will Licensees get a pass so long as no referral is made to URCA by the complainant?
- k. Clause 10.9(21): URCA should also consider the nature of the breach with the view to determining if it is reasonable to conclude that the breach was repeated, and if it is reasonable to so conclude, URCA should further investigate and any further breaches committed should compound any action by URCA.
- l. Clause 10.9(28): In addition to issuing a direction to a Licensee (especially for an advertisement), URCA should ensure that all Licensees, not just the offending one, are made aware that the ad is not to be broadcast.

- m. Clause 10.11(1): A computerized and centralized CMS would largely eliminate the need for Licensees to keep in house records (beyond temporary/emergency ones).
- n. Clause 10.11(2): A computerized and centralized CMS would totally eliminate the need for Licensees to send quarterly reports to URCA.
- o. Clause 10.11(4): With a computerized and centralized CMS, Licensees would be able to efficiently upload digitized complaints related broadcast recordings (voice and video).
- p. Clause 10:12(6): What does this clause mean? How will the Industry Group monitor the compliance of Licensees with the Code? Is this function carried out collectively or individually or both? What will the Industry Group members do with their findings should they become aware of Code breaches? Is provision for such an eventuality covered in the draft Code? If not, we believe provision should be added.
- q. Clauses 10:12(8)-(9): Who are the persons who have served and are currently serving in the Industry Group and who do they represent (as per the interests enumerated in Clause 10:12(9)(a)-(h))?

What does part time mean, who are the part time and full time members, which members are paid to serve, and who pays them?

We believe that the Industry Group needs to be expanded to include a representative for parents, teachers, the Bahamas Christian Council (BCC), the Commissioner of Police, and other appropriate stakeholder representatives. We also encourage the early formation of foreshadowed sub-groups and suggest that they focus on the various parts of the code, especially those of interest to the public, like "Harm and Offence," "Protecting Young Persons," and "Complaints Handling Process." While we have no objections to how URCA chooses to appoint representatives of providers of broadcast content, we believe that the process to appoint members from the general public needs to be transparent. Perhaps URCA can invite applications from members of the public who wish to be considered to sit as a member of the Industry Group or a sub-group. In this way URCA will have a pool of people to review and select from.

- r. Clause 10:13(3): If URCA adopts a unified CMS, the Code Complaints report will be very easy to compile.

**Question 11:**

Do you have any further comments to make on the proposals in this consultation document that are not covered or raised by the other consultation questions?

We offer the following two recommendations:

1. Certain parts of the code are unclear in terms of their practical outworking. Therefore, we believe that URCA needs to seek to identify these and develop and publish guidelines to help Licensees and the public to understand how they should work in reality. This is being proposed in Trinidad and Tobago in their draft content regulation rules.
2. While we recognize that it is not within the scope of URCA's mandate, we believe that URCA should seek to prevail upon the government to either enforce laws (if they exist) or pass laws (if none exist) to address the practice of installing Satellite TV (like DIRECTV) in The Bahamas. To make the case for this point, here is the e-mailed information provided on December 26, 2011 by DIRECTV in response to an inquiry regarding the possibility of subscribing to their service in The Bahamas:

*"Thanks for writing. I understand that you would like to know if you can have DIRECTV service in Nassau, Bahamas and I appreciate being given the chance to assist.*

*I'm glad to hear that you are interested in getting DIRECTV service. However, we are prohibited by law from offering service outside the United States. DIRECTV abides by all applicable legal restrictions and does not condone or support violation of law."*

If laws were to be passed prohibiting the installation of equipment in The Bahamas to receive broadcast content from content providers not licensed by URCA, to our mind, such laws would be no different from the laws governing telecommunications. This is especially so in the case of companies like DIRECTV who expressly state that they are prohibited by law from offering service outside the United States. Since URCA is charged with the responsibility to regulate broadcast content, it seems to us that URCA should have an active interest in any person or business who is providing or facilitating the provision of broadcast content in The Bahamas. Such involvement is justified for the protection of the Bahamian public and URCA's Licensees.

**Conclusion**

Once again, we are grateful to URCA for a well organized and well written draft consultative document, an orderly consultative process, and for the opportunity for The Bahamas Christian Council, other stakeholders, and the general public to participate in the same.

We recognize that some of the matters that URCA has to decide upon are difficult in determining exactly where to strike the right balance; we pray for URCA to have the

wisdom to determine it. On the other hand, there are some matters, like the broadcast of pornography and sexually explicit content, where we can safely say that the overwhelming majority of Bahamians are in favour of prohibiting altogether; we pray for URCA to have the courage to prohibit it. Finally, while choosing between options that might adversely affect particular groups and the Bahamian public that URCA has been charged to protect, we urge URCA to choose to rather err on the side of caution rather than on the side of risk.

In this consultative process and the rest of your valuable work, we assure you of our ongoing prayers as you seek to do what is best for our nation.

## Appendix 1

### The Bahamas Christian Council Responses to URCA's List of Consultative Questions

December 28, 2011

#### *Suggestions for a Unified Automated Complaints Management System*

A Unified Automated Complaints Management System will reduce the burden of the complaints process outlined in the draft Code for both Licensees, complainants, and URCA, as it will make some of the double reporting work unnecessary and make for a dependable, efficient system over which URCA will at all times have oversight and ownership of. Here are some thoughts and suggestions on how such a system can work.

1. Licensees will be given access to URCA's CMS securely over the internet and, within a time frame determined by URCA, be responsible for entering all complaints and responses to complaints using the data entry screen forms designed by URCA to capture the Code specified information for complaints. As such, all Licensees would be required to have in place the necessary computer equipment to access URCA's CMS.
2. Each Licensee will be required to have in place their own standby complaints handling system for emergency use in the event that URCA's CMS is for any reason temporarily inaccessible. Once it becomes accessible, Licensees will have the responsibility to transfer any privately recorded complaints to URCA's CMS.
3. Each complaint that a Licensee enters into the CMS will be assigned a case number and an automatic complaint notification e-mail with complaint details entered will be sent to the complainant, to official management representatives of the Licensee (as well as in the Licensee's mail folder on the CMS), and to URCA's Complaints Monitoring Desk (CMD). The same will happen when any action is taken on the case by the Licensee or URCA (complaint updates, resolution correspondence, etc.).
4. If the complainant does not have an e-mail address, within the determined number of business days from the date of generation of any complaint notification, complaint update, or complaint resolution, the Licensee is responsible to send by the same to the complainant by registered mail. Sending communications by regular mail as is being proposed in the draft Code leaves too much room for human error (lost mail) and for disputes over whether a communication was mailed or received.



5. In the case of non-electronic written Code Complaints (by post, fax, and hand delivery), Licensees would be required to enter the details of the complaint into URCA's CMS and scan and upload the written complaint, while retaining the hard copy of the complaint until the same has been resolved. In the cases where the complainant does not have an e-mail address, 1(d) above should be followed. The CMS should have an uploading feature for e-mail complaints.
6. In addition to a free response field for the Licensee to describe the complaint, the complaints data entry form should have a selectable code menu of types of complaints to immediately classify complaints into certain categories. In this way, URCA's CMD can immediately review complaint notifications that are in the alleged serious breach category and be in a position to act immediately as opposed to having to wait 30 or more days to be notified of the complaint, if not resolved, as is now being proposed in the draft Code. Such a long delay in the case of serious breaches undermines the effectiveness of regulation, and it also allows for the real possibility that a complainant might lose interest in a complaint about a serious breach might be of live interest to URCA.
7. In cases where URCA gets involved due to a reference from the Licensee or a complainant, with the CMS in place, all URCA would need is the case number and complainants name (for verification). There would be no need to duplicate the information outlined in Clause 10.11 because URCA will have full access to the full history of the case.
8. The draft Code makes no provision for any Code Complaints to be made to URCA in the first instance. We believe this is a major weakness in the Complaints Handling Process. We believe while URCA should encourage complaints to be directed to Licensees, URCA should allow for complainants to complain directly to URCA and URCA's CMD can on the face of the complaint direct the complainant to the Licensee or directly handle the complaint against the Licensee. Having in place a CMS as described, URCA can have a feature that allows members of the public to make Code Complaints directly to Licensee and to URCA. The complaint notification (same as 1.e) will be generated and sent to all parties concerned (official representatives of the Licensee, URCA's Complaints Monitoring Desk, and the complainant). In this way, the Licensee will still have the first opportunity to resolve non-serious breaches, and URCA will still be in a position to act immediately in the cases of alleged serious breaches.
9. Because the CMS is an intelligent database application and will have a report generating feature, URCA will have the ability to formulate and generate reports on any aspect of data or combination of data. For example, the burdensome reporting requirements outlined in Clause 10.11 will be unnecessary because everything related to all Licensee complaints will be on URCA's CMS, and a wide range of standard reports can be set up (for all Licensees, sector specific Licensees, individual Licensees, complaint categories, unresolved complaints,

resolved complaints, etc.), those contemplated in 10.13(3), and on the fly reports.

10. Finally, a unified Complaints Handling Process will eliminate multiple types of Licensee generated systems, some of which will be manually maintained, and mitigate against lost/destroyed complaints logs and records.

We fully understand that the CMS roughly described above might be filled with deficiencies, however our thoughts and suggestions are offered purely to illustrate our recommendation that the Complaints Handling Process needs to be unified and standardized so that URCA will have official control of Code Complaints data from start to finish.

February 6, 2009

## **DIRECTIVE**

### **TO: ALL LICENSEES**

WHEREAS **Regulation 30 (d)** of the **Television and Sound Broadcasting Regulations** provides that "no licensee shall permit to be transmitted any indecent or profane matter ... "

AND WHEREAS **Regulation 30 (I)** provides that no licensee shall transmit "any portrayal of violence which offends against good taste, decency or public morality":

AND WHEREAS **Regulation 31** of the said **Regulations** provides that the Commission may, from time to time issue to licensees, directives in respect of any matter to which the Act and these Regulations relate:

AND WHEREAS there is currently a proliferation of recordings popularly referred to as "dagging songs" being transmitted on the Jamaican airwaves:

AND WHEREAS the word "dagging" is a colloquial term or phrase used in dancehall culture as a reference to the simulation of violent sexual intercourse or what is popularly referred to as "dry" sex, or to the activities of persons engaged in explicit public simulation of various sexual positions:

AND WHEREAS in recent times some music producers and certain dancehall artistes have released several explicit 'dagging' recordings and music videos which contain explicitly sexual and violent lyrics:

AND WHEREAS the widespread practice has developed of transmitting on the public airwaves musical and other recorded content that employ crude editing techniques of 'bleeping' or 'beeping' of originally produced lyrical content:

AND WHEREAS the indiscriminate transmission by some licensees of such content on the airwaves to widespread audiences including children, has been found by the Commission to be in breach of the **Television and Sound Broadcasting Regulations** and of the **Children's Code for Programming**:

**NOW THEREFORE, the Broadcasting Commission HEREBY ISSUES THE FOLLOWING DIRECTIVE**, to take effect immediately:

1. There shall not be transmitted through radio or television, **any recording, live song or music video** which promotes the act of 'dagging', or which makes reference to, or is otherwise suggestive of 'dagging'.
2. There shall not be transmitted through radio or television or cable services, **any audio recording, song or music video** which employs editing techniques of 'bleeping' or 'beeping' of its original lyrical content.
3. Programme managers and station owners or operators are hereby required to take immediate steps to prevent transmission of any recorded material relating to 'dagging' or which fall into the category of edited musical content using techniques of 'bleeping' or 'beeping'.

Signed:   
**Hopeton S. Dunn, Ph.D.**  
**CHAIRMAN**

Dated this **6<sup>th</sup>** day of **February, 2009**

**DIRECTIVE #03/09**

**TO: ALL LICENSEES**

WHEREAS **Regulation 30 (I)** of **The Television and Sound Broadcasting Regulations** provides that no licensee shall transmit “any portrayal of violence which offends against good taste, decency or public morality”,

AND WHEREAS **Regulation 31** of the said **Regulations** provides that the Commission may, from time to time issue to licensees, directives in respect of any matter to which the Act and these Regulations relate,

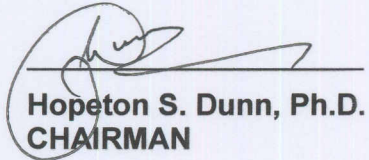
AND WHEREAS there is a proliferation of recordings with lyrics that promote and glorify “gunmanship” as well as various offences against the person such as murder, rape, arson and mob violence,

**NOW THEREFORE, the Broadcasting Commission, acting under Regulation 31, HEREBY ISSUES THE FOLLOWING DIRECTIVE** to take effect immediately:

1. There shall not be transmitted through radio or television or cable services, **any recording, live song or music video** which promotes and/or glorifies the use of guns or other offensive weapons;
2. There shall not be transmitted through radio or television or cable services, **any recording, live song or music video** which promotes or glorifies any offence against the person such as murder, rape, mob violence and other offences such as arson;



3. Programme managers and station owners or operators are hereby required to take immediate steps to prevent transmission of any such live or recorded material falling into the categories described in paragraphs 1 to 2 above or which also falls into the category of edited musical content using techniques of 'bleeping' or 'beeping'.



**Hopeton S. Dunn, Ph.D.**  
**CHAIRMAN**

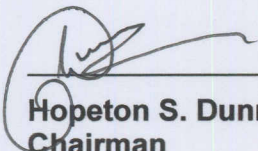
Dated this 20th day of February 2009

**DIRECTIVE #02/09**

**TO: ALL LICENSEES**

**Pursuant to the Directive of February 6, 2009 relating to 'Dagging Songs' the Broadcasting Commission HEREBY ISSUES THE FOLLOWING FURTHER DIRECTIVE:**

1. There shall not be transmitted on radio, television or cable any recording, live presentation, or music video from the soca/calypso, hip hop or any other music genre, which promotes, contains references to, or is otherwise suggestive of, 'dagging' or which publicly displays, simulates or instructs about explicit sexual activities or positions;
2. There shall not be transmitted on television or cable any live or recorded coverage of shows, dances or events which include the participation of children in activities that publicly display or simulate sexual activities or positions whether in street parades, stage shows or at any other event intended for adults; and
3. Programme managers and station owners or operators are hereby required to take immediate steps to prevent transmission of any material to which this Directive applies or which falls into the category of edited musical content using techniques of 'bleeping' or 'beeping'.

  
\_\_\_\_\_  
**Hopeton S. Dunn, Ph.D.**  
**Chairman**

Dated this 20th day of February 2009



## THE EFFECTS OF PORNOGRAPHY ON INDIVIDUALS, MARRIAGE, FAMILY AND COMMUNITY

Pat Fagan

Pornography is a major threat to marriages, the family, and the society at large. It is not a private choice without public consequence. Pornography alters both sexual attitudes and behavior, undermining marriage, which in turn, undermines the stability of the entire community.

### THE FAMILY AND PORNOGRAPHY

- Married men who are involved in pornography feel less satisfied with their conjugal relations and less emotionally attached to their wives.
- Pornography use is a pathway to infidelity and divorce, and is frequently a major factor in these family disasters.
- Couples affected by one spouse's addiction usually experience a loss of interest in sexual intercourse and good family relations.
- Both spouses perceive pornography viewing as tantamount to infidelity.
- Pornography viewing leads to a loss of interest in good family relations.

Pornography affects all members of the family. Not only does it eliminate an affectionate family life, children can experience traumas related to encounters with their parents' pornographic material. A study of adolescents revealed that viewing sexually explicit internet materials significantly increased their uncertainties about sexuality, and it can lower their self-esteem and bring about feelings of loneliness<sup>1</sup> and depression.<sup>2</sup> Pornography devastates marriages, as husbands report to loving their spouses less due to the addiction, and the wives of these users have deep psychological wounds, with feelings of betrayal, mistrust, and anger towards their partner, sometimes requiring clinical treatment for trauma.<sup>3</sup>

Pornography use and "cybersex" can often be just as damaging to family relationships as real-life infidelity, and this estrangement has tangible consequences: when viewing pornography becomes an addiction, 40 percent of "sex addicts" lose their spouses, 58 percent suffer considerable financial losses, and about a third lose their jobs.<sup>4</sup>



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<sup>1</sup> Peter and Valkenburg, "Adolescents' Exposure to Sexually Explicit Internet Material," 595-6.

<sup>2</sup> Todd G. Morrison, Shannon R. Ellis, Melanie A. Morrison, Anomi Bearden, and Rebecca L. Harriman, "Exposure to Sexually Explicit Material and Variations in Body Esteem, Genital Attitudes, and Sexual Esteem Among a Sample of Canadian Men," *The Journal of Men's Studies* 14 (2006): 209-22 (216-7)

<sup>3</sup> Barbara A. Steffens and Robyn L. Rennie, "The Traumatic Nature of Disclosure for Wives of Sexual Addicts," *Sexual Addiction & Compulsivity* 13 (2006): 247-67.

<sup>4</sup> Mary Anne Layden, Ph.D. (Center for Cognitive Therapy, Department of Psychiatry, University of Pennsylvania), Testimony for U.S. Senate Committee on Commerce, Science and Transportation, November 18, 2004, 2.

## THE INDIVIDUAL AND PORNOGRAPHY

- Pornography is addictive, and neuroscientists are beginning to map the biological substrate of this addiction.
- Users tend to become desensitized to and bored with the type of pornography they use, seeking more perverse forms of sexual imagery.
- Men who view pornography regularly have a higher tolerance for abnormal sexuality, including rape, sexual aggression, and sexual promiscuity.
- Prolonged consumption of pornography by men produces notions of women as commodities or as “sex objects.”
- Pornography engenders greater sexual permissiveness, leading to a greater risk of out-of-wedlock births and STDs.
- Child-sex offenders are more likely to view pornography regularly or to be involved in its distribution.

Pornography changes the habits of the mind, and its use can easily become habitual, leading to desensitization, boredom, distorted views of reality, and an objectification of women. A greater amount of sexual stimuli becomes necessary to arouse habitual users, leading them to pursue more deviant forms of pornography to fulfill their sexual desires, e.g., watching “depictions of group sex, sadomasochistic practices, and sexual contact with animals.”<sup>5</sup>

## THE COMMUNITY AND PORNOGRAPHY

- The presence of sexually-oriented businesses significantly harms the surrounding community, leading to increases in crime and decreases in property values.
- Pornography viewing and sexual offense are inextricably linked.
- There is a connection between the consumption of violent pornography with behavioral aggression and the incidence of rape.

Today’s media-saturated society has made it much harder for parents to protect their children from pornography. The growth of digital media and the internet have allowed pornographers to harness technology for their own profits. Studies have shown that individuals who were convicted of the collection and distribution of internet child pornography had also committed an average of over thirteen different child sex abuses.<sup>6</sup>

## CONCLUSION

The main defenses against pornography are close family life, a good marriage and good relations between parents and children, coupled with deliberate parental monitoring of internet use. Traditionally, government has kept a tight lid on sexual traffic and businesses, but in matters of pornography, that has waned almost completely, except where child pornography is concerned. Given the massive, deleterious individual, marital, family, and social effects of pornography, it is time for citizens, communities, and government to reconsider their laissez-faire approach.

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<sup>5</sup> Weaver, “The Effects of Pornography Addiction on Families and Communities,” 3.

<sup>6</sup> Michael L. Bourke and Andres E. Hernandez, “The ‘Butner Study’ Redux: A Report of Incidence of Hands-on Child Victimization by Child Pornography Offenders,” *Journal of Family Violence* 24 (2009): 183-91 (187).