
**CANADIAN BROADCAST STANDARDS COUNCIL
ONTARIO REGIONAL COUNCIL**

CFRA-AM re Dr. Tomorrow

(CBSC Decision 95/96-0152)

Decided October 21, 1996

A. MacKay (Chair), R. Stanbury (Vice-Chair), P. Fockler, T. Gupta,
M. Hogarth, M. Ziniak

THE FACTS

On March 13, 1996, CFRA-AM (Ottawa) ran a segment of its "Dr. Tomorrow" short feature program, in which Frank Ogden, the futurist host, introduced his subject of the day as follows:

I predict women will rule the workplace. I'll explain after this [commercial break].

If you're a man who's having trouble adjusting to today's empowered women, let me ruin your day. In the United States, women own almost three million businesses. That's 25% of the total, generating around 100 billion in revenue. And they're often getting into new sunrise deals, not the sunset industries men are familiar with. For example, here in Canada, two of the largest corporations, General Motors and Xerox, are run by women. In the communications age, women have a huge advantage: intuition. It's true that the computer is extending all human mental capacity. But women are doing more with it. Decisions in the future will be based on the latest information available, the perception of reality and intuition. Men aren't even in the same game with that ability but, in evolutionary times, those with even a 1% advantage will be the dominant survivors. Look for women to soon hold more than 50% of jobs and positions of power and influence. I'm Frank Ogden, Dr. Tomorrow.

The Listener's Complaint

A listener who had filed three other complaints about the same broadcaster wrote on the date of the broadcast to complain about this program as well. He said, in part:

Frank Ogden, a "Futurist" stated that "for all you men out there who can't accept successful women in business" implied [*sic*] that many or large numbers of men are sexist and opposed to successful women in business. This in itself is a violation of your Code and it is unfair: some women are jealous of successful women. Many men encourage and mentor bright, hardworking women. His comments were a provocative and unfair portrayal of men's attitudes toward women.

Ogden also stated that "Women have a huge advantage, they have instinct" and implied that women will take over businesses and management because they are overwhelmingly better at it. Ogden's pseudo-scientific mumbo-jumbo is sexist and just plain wrong. No study shows women have instinct and men do not. No study shows that "instinct" determines business success. Rather, successful men and women both have the following characteristics: hard work, new ideas, persistence, experience and leadership skills, none of which are transmitted by instinct. Ogden insults women by implying that women are successful in business not because of individual merit, effort, or value, but because all women were born with some magical voodoo-feminist instinct that men can never hope to have. Ogden clearly promotes his idea that men and women are not intellectual or emotional equals. This is gender warfare promotion by politically correct bigotry disguised as "futurism." Ogden's "future" evidently does not include men in business. Ogden conveniently ignores all male-founded businesses such as Microsoft, Corel, Mitel and Newbridge and seems to imply businesses should not hire or promote men.

This program segment violates just about every principle of your code. Specifically, I cite: "... radio programming shall respect the principles of intellectual and emotional equality of both sexes and the dignity of all individuals" and from your policy on exploitation. "Negative or degrading comments on the role and nature of women, men and children shall be avoided."

The Broadcaster's Reply

The letter was forwarded by the CRTC to the CBSC, which in turn forwarded it to CFRA-AM for reply. The General Manager of CFRA wrote to the complainant on March 27. The parts of that letter relevant to this complaint are the following:

We are in receipt of your 3 letters to the CRTC in the month of March. The CRTC forwarded them to the Canadian Broadcast Standards Council who forwarded them to CFRA for a response.

Your three letters complain about CFRA's violation of the CRTC policy on gender portrayal.

In your letter of March 6th, 1996, your complaint focused on a Canadian Association of Broadcasters Public Service Announcement concerning family violence. Your complaint was that it "...showed only women as victims of violence". You claim the Public Service Announcement "...ignores a large part of the problem; women's violence against children as well as men".

The Public Service Announcement you refer to in your letter is one that CFRA has aired for many months in support of awareness of family violence. It is a well documented problem in our country and in our local community. We have reviewed the copy and are quite satisfied it does not violate the spirit or letter of the CRTC's policy on gender portrayal. This announcement has been airing for close to 12 months without a single complaint until your letter.

In your letter of March 13th to the CRTC, you were concerned about a segment of the "Dr. Tomorrow" program aired on CFRA. You claim one of Frank Ogden's comments violated the CRTC's gender portrayal policy. Mr. Ogden's comment was tongue-in-cheek, fair and good natured. He was subtly reminding men that technology and advances in the technological workplace are evening the playing field for everyone. All people will soon have an equal opportunity at success. He did *not* in any way, shape or form suggest that, as you charge, "...many or large numbers of men are sexist and opposed to successful women in business". Mr. Ogden's comments and opinions are fair, balanced and well within the sphere of comment in the public domain.

The complainant was unsatisfied with this response and requested, on March 27, that the CBSC refer the matter to the appropriate Regional Council for adjudication.

THE DECISION

The CBSC's Ontario Regional Council considered the complaint under the *Sex-Role Portrayal Code* of the Canadian Association of Broadcasters (CAB). The various components of the preambulatory language of that Code which the Council considers relevant to this matter read as follows:

General Principles

- (a) The objective of equal representation is recognized and the portrayal of women and men shall be comparable to, and reflective of, their actual social and professional achievements, contributions, interests and activities.

Interpretation

The CAB Sex-Role Guidelines are designed so that any interpretation of sex-role differentiation in television and radio programming is assessed in the dramatic or informational context of a program, feature, character, dialogue, voice-over or visual interpretation; recognizing that balance in presentation within a specific or individual program is not always possible or desirable.

Negative or Inequitable Sex-Role Portrayal refers to language, attitudes or representations which tend to associate particular roles, modes of behaviour, characteristics, attributes or products to people on the basis of gender, without taking them into consideration as individuals. Negative or inequitable portrayal of women and men can be both explicit and implied.

The relevant provisions of the *Sex-Role Portrayal Code* are as follows:

Clause 1: *Changing Interaction*

Broadcasters recognize the changing interaction of women and men in today's society. Women and men shall be portrayed, in programming, in a wide range of roles, both traditional and non-traditional, in paid work, social, family and leisure activities.

Guidance: The roles and opportunities for both sexes are becoming more diverse due to such factors as the elimination of female-only and male-only occupations, changing patterns of parenting and lifestyles. Women and girls should be portrayed in a range of roles as diverse as that shown for men and boys. Men should not always be

portrayed as the aggressor in personal relationships. Women and men should be portrayed as working together in circumstances where the "power" balance does not always favour the man by virtue of his position or personal attributes.

Clause 2: *Diversity*

- (c) Television and radio programming shall respect the principles of intellectual and emotional equality of both sexes and the dignity of all individuals. Television and radio programming should portray women and men as equal beneficiaries of the positive attributes of family or single-person life. Women and men should perform in a range of occupations and function as intellectual and emotional equals in all types of thematic circumstances. This should be the case for both work and leisure activities requiring varying degrees of intellectual competence.

Guidance: Women and men should be portrayed as working toward a comfortable existence through mutual support, both economically and emotionally, and in both public and private spheres. Despite the problems of societal systemic discrimination, television and radio programming should reflect an awareness of the need to avoid and overcome discrimination on the basis of gender.

Clause 4: *Exploitation*

Television and radio programming shall refrain from the exploitation of women, men and children. Negative or degrading comments on the role and nature of women, men or children in society shall be avoided. Modes of dress, camera focus on areas of the body and similar modes of portrayal should not be degrading to either sex. The sexualization of children through dress or behaviour is not acceptable.

The Regional Council members listened to a tape of the program in question and reviewed all of the correspondence. The Council considers that the program is not in violation of any of the provisions of the *Sex-Role Portrayal Code*.

The Content of the Program

The Council is, first of all, of the view that the complainant's understanding of what the futurist said in the short piece is distorted. Since much of his complaint rests on these distortions, it is relevant to examine them closely.

Of the observation by Frank Ogden that “If you're a man who's having trouble adjusting to today's empowered women”, the complainant concluded that Ogden had “implied that many or large numbers of men are sexist and opposed to successful women in business. That is not Council’s view of the statement at all. It is merely a rhetorical technique to set up a “straw man” to knock down. The statement is totally devoid of any quantitative connotation. Nor does the statement deny in any way that “Many men encourage and mentor bright, hardworking women.” The Council does not agree that the foregoing comments “were a provocative and unfair portrayal of men’s attitudes toward women.”

As to the statement that “women have instinct [*i.e.*, the complainant’s recollection of the word used by Ogden, which was “intuition”]”, the complainant concludes that this is an example of “pseudo-scientific mumbo-jumbo” and is both “sexist and just plain wrong.” It is clear from listening to the text of the piece that it does not purport to be “scientific” or statistically unassailable. The Council realizes that the Ogden item is not a news item; it is nothing more or less than an opinion piece. It cannot, in that sense, be either right or wrong. It is on the basis of certain *hypotheses* which are not alleged to be *factual*, such as the suggestion that “women are doing more with it [*i.e.*, the computer]” and that “men aren't even in the same game with that ability [*i.e.*, intuition]” that the futurist draws *his* conclusion that women will fare better in the future. That, of course, is his *opinion* and one could hardly conclude that, in a world in which women represent more than 50% of the population, it is either wild speculation or inspirational genius to conclude: “Look for women to soon hold more than 50% of jobs and positions of power and influence.”

On another level, the complainant concludes that the nature of the *Dr. Tomorrow* segment is that “Ogden’s ‘future’ evidently does not include men in business. Ogden conveniently ignores all male-founded businesses such as Microsoft, Corel, Mitel and Newbridge and seems to imply businesses should not hire or promote men.” The Council concludes that the complainant’s mis-perception must flow from the disadvantage that all complainants suffer, namely, that a bit of programming goes by them without their having the precise words to play back and assess *carefully and accurately*. Had the complainant been able to replay the segment, he would have realized that Ogden had represented that women in the United States own “25% of the total [businesses]”, which clearly means that *men* own the other 75%. And, in the Canadian context, by referring to the fact that “here in Canada, two of the largest corporations, General Motors and Xerox, are run by women”, the implication is that the balance, or most of the balance, of the major Canadian corporations are run by men.

The piece is, if not expressly, then by implication, filled with the notion that men are doing better than women *today* and that, for Ogden’s speculative reasons, women may *catch up* and even do *slightly* better down the road. There is no reasonable way in which these assessments can be seen to be degrading. It appears to the Council that the complainant views any positive statement about women as the

equivalent of a degrading statement about men. The CBSC does not share this view; nor does it believe that such positive assertions constitute a violation of any provision of the *Sex-Role Portrayal Code*.

It is critical to the understanding of the Council's view of inequitable treatment to appreciate that the praising of one group does not imply any degradation of the other. The reflection of the "actual social and professional achievements" of women, or men, is precisely what the Code anticipates in its "General Principles".

The Broadcaster's Response

In addition to assessing the relevance of the Codes to the complaint, the CBSC always assesses the *responsiveness* of the broadcaster to the substance of the complaint. This case is somewhat unusual in the CBSC's experience in terms of the multiplicity of complaints brought by the complainant against a single broadcaster. The comments made by this Regional Council in *CITY-TV re Beavis and Butt-head* (CBSC Decision 93/94-0074, June 22, 1994) are appropriate to review here:

It is, therefore, encouraging that the vast majority of complaints which the CBSC refers to the broadcasters for response are satisfactorily resolved at that level between the broadcaster and the complainant. Of those few which remain unresolved at the "grass roots" level, it is often clear in the review of the correspondence that the territory staked out by some complainants is *unlikely to permit reconciliation* despite the care taken in the broadcaster response. In such cases, the Council is acutely conscious of the broadcaster's effort or lack of effort to be responsive to the issues raised in the complaint. [Emphasis added.]

And, in *CITY-TV re Silence of the Lambs* (CBSC Decision 94/95-0120, August 18, 1995), the Ontario Regional Council was faced with a situation not dissimilar from that arising in this matter. The Council made the following statement:

This is not the first complaint brought by this complainant against this broadcaster. It does not make the complaint any less valid. Indeed, the complaints have tended to raise important issues for consideration. Nonetheless, the broadcaster has a duty to be responsive to even a militant viewer.

In this case, the General Manager's letter expressed his concern over the number of complaints he had been called upon to deal with. His response, nonetheless, clearly made an effort to deal appropriately with each issue in turn, thoughtfully and

temperately. The broadcaster's obligation to a member of the public, albeit a persistent one, and to the CBSC has been amply fulfilled.

This decision is a public document upon its release by the Canadian Broadcast Standards Council. It may be reported, announced or read by the station against which the complaint had originally been made; however, in the case of a favourable decision, the station is under no obligation to announce the result.