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**CANADIAN BROADCAST STANDARDS COUNCIL  
NATIONAL SPECIALTY SERVICES PANEL**

TSN re *WWF Monday Night Raw*

(CBSC Decision 01/02-0660)

Decided September 13, 2002

R. Cohen (Chair), S. Crawford (Vice-Chair), R. Cugini, M. Hogarth and H. Pawley

Since E. Duffy-MacLean, who normally sits on this Panel, is employed by the corporate group that owns TSN, she did not participate in this decision.

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**THE FACTS**

On March 18, 2002, from 9:00 pm to just after 11:00 pm, the specialty service TSN broadcast an episode of the World Wrestling Federation (WWF)'s *Monday Night Raw* program. Before describing the challenged content of the show of that date, some explanation of the different abbreviations used to describe the corporate producing entity is in order.

First, at the time of the broadcast, the WWF was identified by those letters on-screen. Notwithstanding that, at the time of an earlier letter provided to the CBSC by counsel for the production company, which is cited below in part, the organization identified itself as the World Wrestling Federation Entertainment (WWFE) and, beginning in the month of May (prior to the drafting of the broadcaster's response), it evolved into World Wrestling Entertainment (WWE). Differing abbreviations in the correspondence (or references to it) hereinbelow reflect those changes although, for all purposes relevant to this decision, the corporate producer of the program is the same. It is, of course, with the broadcaster that the CBSC has its relationship and it is the broadcaster, not the producer, that is bound to respect the provisions of the private broadcaster codes.

It should be noted preliminarily that the challenged episode of *WWF Monday Night Raw* was preceded by an advisory stating that "The following program contains material that may offend some viewers. Viewer discretion is advised." This advisory in both audio and visual format was repeated throughout the episode following each commercial break.

For purposes of this decision, the principal event during the course of that episode is a tag team match between the Dudley Boyz (Bubba Ray and Devon) and Billy & Huck. At one point during the match, the Dudley Boyz's manager/valet, Stacy Keibler, attempts to distract one of her team's opponents by provocatively wiggling her posterior. When the wrestler ignores her, she becomes annoyed, climbs into the ring and hits him on the back with a championship belt. This interference results in the automatic disqualification of the Dudley Boyz. In their anger and frustration at being disqualified, the Dudley Boyz yell at Stacy and, as she tries to leave the ring, Bubba Ray grabs and pulls her by the hair. While she pleads with them, he continues to hold her by the hair, before pushing her up against the ropes. Bubba Ray then makes a ceremonious call for the "table". Devon then brings out a folding conference table stored under the ring. He hoists Stacy onto Bubba Ray's shoulders. Bubba Ray then jumps off the ropes and slams Stacy into the table, breaking it. This scene is replayed twice. Stacy then lies, apparently unconscious, in the ring, while the two male wrestlers give each other a congratulatory high-five.

Throughout this attack on Stacy, the WWF commentators make remarks such as "This isn't right for a man to hit a woman like that," "I'll tell you what, this is over-reacting if there ever was," "That was sick. Poor Stacy," and "Like her or not, she did not deserve that."

The complainant, who was not a regular wrestling watcher, admitted that he "was channel surfing and decided to watch a few minutes of wrestling to see what they are up to now." What he found was not to his liking. In his letter of March 22, he said in part (the full text of the letter and all other correspondence can be found in the Appendix):

What I saw, I found very disturbing, and seriously crosses the line of being acceptable. There were 2 wrestlers beating up on a woman (probably their manager or something). One wrestler got a table and the other climbed the ropes with the woman on his shoulders. The latter then slammed the woman onto the table, leaving her writhing in pain (fake of course), then the 2 men celebrated.

The President of TSN replied on May 28. He acknowledged that, since not all members of the audience are familiar with the show, the specialty service runs "a disclaimer at the beginning of each episode and out of every commercial break during the program advising viewer discretion." He then detailed the steps that TSN takes to ensure that WWE programming meets Canadian broadcast standards:

- \* Broadcast the program during evening hours only (9 pm and midnight ET)
- \* Preview all pre-taped programming for excessive material
- \* Preview all scripts for excessive material
- \* Edit unacceptable material where possible (program is live at 9 p.m.)
- \* Meet regularly with the WWE to communicate and discuss our programming codes
- \* Screen a disclaimer at the beginning of the episode and out of every commercial break during the program advising viewer discretion

The complainant responded two days later. He was concerned that the broadcaster had made no reference to his specific complaint and that, in any event, the issue was larger

than the specific episode. He said:

My primary concern is that the children of our community are watching this type of activity. The same children who will become tomorrow's adults [*sic*].

Watching 2 men beating up on a single woman is certainly not the type of message we want any of our children to be viewing. [...] A mere warning at the beginning of the show is clearly NOT ENOUGH.

## THE DECISION

The National Specialty Services Panel considered the complaint under the following provision of the Canadian Association of Broadcasters' (CAB) *Voluntary Code Regarding Violence in Television Programming*:

*CAB Violence Code*, Article 7.0 (Violence Against Women):

- 7.1 Broadcasters shall not telecast programming which sanctions, promotes or glamorizes any aspect of violence against women.
- 7.2 Broadcasters shall ensure that women are not depicted as victims of violence unless the violence is integral to the story being told. Broadcasters shall be particularly sensitive not to perpetuate the link between women in a sexual context and women as victims of violence.

The National Panel Adjudicators viewed a tape of the episode of *WWF Monday Night Raw* in question and reviewed all of the correspondence. The Panel considers that the broadcast of this incident described by the complainant is not in violation of the *CAB Violence Code*.

### The Distinctive Nature of WWF Wrestling

The Panel considers it unnecessary to revisit the threshold issue of wrestling as sport, given that its position on the matter has already been enunciated in *TSN re WWF Monday Night Raw* (CBSC Decision 99/00-0398, January 31, 2001) and *TSN re WWF Raw Is War* (CBSC Decision 99/00-0607, January 31, 2001). Suffice it to say that, for all intents and purposes relating to the programming reviewed in this decision, the subject, WWF wrestling, is sport.

The foregoing being said, legal representatives of the WWFE (as it then was) presented their perspective on that issue in a letter of October 10, 2001 to the CBSC and the Panel considers it fair and useful to cite counsel's observations in this context:

Let me start by addressing the nature of the WWFE program. Both the first and second decisions make the point that WWFE professional wrestling programs qualify as a form of sport under the CRTC program categories, and WWFE does not disagree. Like other sports,

to quote from the first decision, the action “involves athletics, competition (however unorthodox) and a winner and loser.” The fact that the event is scripted in part, and that the organizers know the outcome, does not affect the situation since, as noted in the decision, the event appears to be a contest from the audience’s point of view. In addition, the CRTC definition for the program category of sports includes a reference to “scripted sports”.

That being said, the field of professional wrestling in general, and WWF events in particular, have some unique attributes that differentiate them from competitive sports. The key point is that, to enhance its entertainment value, the event is planned and scripted and the protagonists play the part of “characters”, with scripted personalities, costumes, choreography, movements, and a unique persona.

The evolution of professional wrestling into a hybrid genre, best titled “sports entertainment”, has been much-noted in the press. For example, WWFE was featured in a cover story in *Newsweek* on February 7, 2000, which added:

[WWFE] has crafted a luridly compelling new delivery system: comic, winking, with daredevil action, larger-than-life cleavage and soap-opera plots. For a jaded audience raised on Quentin Tarantino and bored by political correctness, [Vince McMahon] gave up the pretence that wrestling was real. In its place, he framed the bouts with a “behind the scenes” saga about his own family, full of sex and intrigue, and starring the McMahons themselves--a second layer of unreality, creating ironic distance from the first. You could take it straight, or with a twist. Here was something to believe in: the candidly, honestly fake.

The point to note here is that WWFE matches are carefully written as soap operas, involving scripted characters performing wrestling, not as competitions between real people.

The Panel appreciates this intervention by representatives of the Federation, which was provided to the Council on an information basis only, following the CBSC’s first two decisions concerning professional wrestling.

## **Violence against Women**

While there were aspects of each of the two previous CBSC decisions relating to the WWF that touched on the *portrayal* of women, neither decision dealt in any way with *violence* against women. The case at hand reflects only the latter issue.

In this respect, the Panel understands and agrees with the complainant’s concern in seeing “2 wrestlers beating up on a woman.” He added, in his second letter:

Watching 2 men beating up on a single woman is certainly not the type of message we want any of our children to be viewing.

Notwithstanding that concern, it is clear that it is not every depiction of violence against women that will fall afoul of the proscriptions of Article 7 of the *CAB Violence Code*. What the codifiers of the *Violence Code* sought to prevent was the *glamorization* and the *promotion* of violence against women. Indeed, Article 1 of that Code is a general prohibition against the depiction of such violence. Strictly speaking, there is no legal need

to include an article prohibiting such violent portrayals in the case of women when they are not permitted vis-à-vis *anyone*. The presence of the additional article only serves to underscore the importance attached by the codifiers to *that* prohibition.

Other CBSC Panels have interpreted Article 7 in the past. In *CTV re Complex of Fear* (CBSC Decision 94/95-0022, June 13, 1994), the Ontario Regional Panel examined a movie-of-the-week about a series of sexual assaults in an apartment complex. A viewer complained that the movie glamorized rape. The Panel disagreed, stating that the scenes did not

encourage or glorify violence against women. While the film dealt with a form of crime that is defined by violence against women, the film itself did not depict gratuitous, or unnecessary, violence against women. In other words, the Council affirmed that a film *about* rape does not necessarily *condone* rape.

Similarly, in the case of the challenged episode of *Monday Night Raw*, there is violence present; however, that content is most assuredly *not* condoned. While the wrestlers unquestionably celebrate their “accomplishments” vis-à-vis Stacy, the position of the scripted ringside commentators is clear. They disapprove. They repeatedly express the opinion that the attack is excessive and unjustified with statements such as “she did not deserve that” and “it isn’t right for a man to hit a woman like that”. It is also significant that they express these reactions while the attack is *in progress*; thus leaving viewers with the unequivocal message that such violence against women is *not* acceptable. The actual beating up of Stacy may be tasteless and terrible role modelling but the scene is not in violation of Article 7.0 of the *CAB Violence Code*.

### **Broadcaster Responsiveness**

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. In this case, the Panel considers that TSN’s response was borderline at best. It did not in any way address the specific concerns of the complainant or refer in any way to the single scene in question. It is the purpose of the dialogue between the broadcaster and the complainant that there be some recognition of the specific concerns of the complainant and communication in that respect. While it is fair for the broadcaster to provide more information regarding its view of a challenged program, the market at which it is targeted, steps it has taken to deal by anticipation with complaints, and so on, it owes someone who has taken the time to write more attention than an anonymous form affords. There is no obligation on the part of the broadcaster to agree with the complainant’s perspective but a modicum of that personalization which would acknowledge the efforts and concerns of a genuine complaint would help the process.

*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.*

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## APPENDIX

### CBSC File 01/02-0660 TSN re *WWF Monday Night Raw*

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#### **The Complaint**

The following complaint dated March 22, 2002 was sent to the CRTC and forwarded to the CBSC in due course:

Monday night (March 18th), on TSN's wrestling show (Monday Night RAW I believe), at approximately 10:30 pm.

Wrestling has always tried to push the envelope as far as its material goes. I do not watch wrestling, and am thankful that my children do not either. On Monday night, I was channel surfing and decided to watch a few minutes of wrestling to see what they are up to now.

What I saw, I found very disturbing, and seriously crosses the line of being acceptable. There were 2 wrestlers beating up on a woman (probably their manager or something). One wrestler got a table and the other climbed the ropes with the woman on his shoulders. The latter then slammed the woman onto the table, leaving her writhing in pain (fake of course), then the 2 men celebrated.

Again, I am thankful that my children have no interest in wrestling, but I am seriously concerned with such material. I will be very relieved if there is anything the CRTC can do to prevent such a disgusting display in the future.

#### **Broadcaster Response**

The broadcaster responded to the complainant on May 28 with the following:

Thank you for your letter, which we received through the Canadian Broadcast Standards Council. I understand and appreciate your concerns regarding WWE programming and whether it crosses the line of acceptability.

Professional wrestling has a large and loyal following on TSN. However, acknowledging that all potential viewers may not be aware of the sports entertainment nature of WWE Raw, TSN screens a disclaimer at the beginning of each episode and out of every commercial break during the program advising viewer discretion.

It is important to note that our viewer feedback on wrestling is quite varied. There are those viewers who say more editing is required and many more who say too much editing already occurs.

In order to strike a balance between these opposing views and meet the network's commitment to quality programming, TSN edits WWE programming by referencing Canadian Broadcast Standards Council guidelines and following the Canadian Association of Broadcasters Violence and Gender Portrayal Codes.

The network will continue to apply TSN programming codes and standards to all our wrestling broadcasts. To ensure the programs meet our requirements, the following activities will continue to be undertaken:

- Broadcast the program during evening hours only (9 p.m. and midnight ET)
- Preview all pre-taped programming for excessive material
- Preview all scripts for excessive material
- Edit unacceptable material where possible (program is live at 9 p.m).
- Meet regularly with the WWE to communicate and discuss our programming codes
- Screen a disclaimer at the beginning of the episode and out of every commercial break during the program advising viewer discretion

We hope this letter relieves you of your concerns and conveys how seriously we take our programming responsibilities. Thank you for taking the time to write to us.

### **Additional Correspondence**

On May 30 the complainant sent the CBSC the following letter:

The broadcaster's response indicates the regulations that they follow, but I do not feel that they have dealt with the situation at hand, they do not even make any reference to it. I did not obtain satisfaction from their reply at all.

My position now, is as a parent. I will ensure that my children continue to avoid any wrestling on television, as well as any programming on TSN as best I can. My primary concern is that the children of our community are watching this type of activity. The same children who will become tomorrow's adults.

Watching 2 men beating up on a single woman is certainly not the type of message we want any of our children to be viewing. Three years ago, we received a message from my son's school (he was in grade 1 at the time), asking that we prevent our children from watching wrestling. A number of 6 and 7 year olds were walking around the school yard making obscene gestures and yelling "Suck It". They were simply imitating a so-called role model seen on wrestling. I believe that the TSN and the Wrestling community as a whole owe more than that to our community. A mere warning at the beginning of the show is clearly NOT ENOUGH.