
APPENDIX

CBSC Decision 10/11-1767 CFNY-FM re the *Dean Blundell Show (Women at War)*

The Complaint

The CBSC received the following complaint via its webform on May 19, 2011:

Dear Sir/Madam,

This morning, May 19th, 2011, I happened to tune into 102.1 in Toronto at 8:32 am. The host of this particular radio show and his sidekick were speaking about women, the nature of their conversation caught my attention. They were making "jokes", stating that women should be found doing chores and baking muffins; then, in order to justify these misogynist comments, went on to say that they were kidding, that women are superior to men. They didn't stop there and went on to say that women smell better than men and shave their junk (by saying "junk" they're referring to a woman's vaginal area), they proceeded to call women bitches and to call vaginas "foxholes."

Their highly offensive discourse went on to explain how women do far worse things to each other and how well women would do in war, that we would kill far more people. They referred to female soldiers as "Army Broads" and made reference that they (army broads) could wear white outfits while fighting and easily fake death because their periods could fool the enemy into thinking they were dead. They proceeded to make comments related to the sexual orientation of "army broads". They imagined what they called "A Night in the Foxhole", and make reference to the gun doubling as a ... (they left out the words "sexual device" or "dildo") because they were obviously "concerned" they might perhaps sound inappropriate, which, given their previous comments, was laughable.

Misogyny in popular culture is dangerously commonplace. It is extremely offensive to use the word "bitch" or "broad" as a synonym for "woman"; it is also rude to refer to a woman's vaginal area as a "foxhole" or "junk". I am extremely concerned as these hosts demonstrate that they are deeply desensitized to the contemptuous treatment of women. They didn't seem to find their comments in any way unacceptable; in fact, they were having a great laugh at the expense of all females and females who are lesbians.

This station is widely listened to, not only by adults but also teenagers and children. Making comments like these about women is offensive, obscene and dangerous. This morning, these individuals exposed their contempt of all females, namely female lesbian soldiers. I have every intention of addressing this with the Ontario Human Rights Commission as "the hosts" have sexually harassed women this morning and put women in danger of further sexual harassment. They have helped perpetuate hatred towards females, female soldiers and lesbian females. All soldiers, including the females, put their lives on the line and to speak negatively of them is shameful. As a mother of 3 girls I am disgusted at the hatred of females on this radio station ... "disguised" as humor. This is not a laughing matter.

Broadcaster Response

The broadcaster replied on June 9:

The Canadian Broadcast Standards Council (the “CBSC”) has asked us to respond to your email of May 27 [sic], 2011, in which you raised concerns regarding comments made during *The Dean Blundell Show* (the “Program”) that was aired on May 19, 2011, on 102.1 the Edge (the “Station”). Specifically, you were offended by comments made by the Program’s hosts, Dean Blundell and Todd Shapiro (the “Hosts”), during a discussion about the equality of women. You stated that the Hosts made jokes that women “should be found doing chores and baking muffins”, and that, in order to justify these misogynist comments, the Hosts went on to say that they were kidding, and that “women are superior to men”. Among other things, you also referred to what you felt was a highly offensive discourse between the Hosts when they stated that, “women would do far worse in war, and would kill more people in war, and that women would wear white outfits while fighting and easily fake death because their periods would fool the enemy into thinking that they were dead”. In short, you believe the Hosts demonstrated that they are deeply desensitized to the contemptuous treatment of women, that they didn’t seem to find their comments in any way unacceptable and that they were having a great laugh at the expense of all females.

We have reviewed the tape of the Program, and while we agree that the Hosts did make the statements you complain of, it is important to note that these were all said in jest, tongue firmly planted in cheek. We do not believe that the comments made during the Program constitute a violation of the Canadian Association of Broadcasters’ *Code of Ethics* (the “Code”), which is administered by the CBSC and to which we adhere.

First, as you are aware, the Station’s programming is directed at an adult audience of 18 years of age and older, consists of music, news, talk, and entertainment information and covers diverse topics. The Station offers edgy humour that is sometimes controversial. The Program is an irreverent show and is not a show where the discourse is taken seriously by its listening audience. The Program has entertained its audience with this type of humour for many years on the Station, and while not everyone is going to enjoy that brand of humour, the Hosts make it clear that their show is not to be taken seriously.

The CBSC has said that where programming is directed at an adult audience, “there is no overriding societal interest in curtailing the broadcaster’s right to freedom of expression”, and that in those circumstances, crude and vulgar language should be regulated in the same way as other matters of bad taste, i.e. via the on/off or dial button.¹ As noted above, the Program is directed at an adult audience, and as such, need not be rigorously screened.

In view of the foregoing, we do not believe that the Program violated the Code. We do regret, however, that you were offended by some of our programming and since receiving your email, we have had discussions with the Hosts about appropriate on-air content. We take our responsibilities as broadcasters very seriously, and work hard to make sure all of our programming complies with the *Broadcasting Act*, the *Radio Regulations* and the Code and standards required of us as a member of the CBSC.

We trust that this letter has addressed your concerns. We at the Station recognize the importance of listener feedback and appreciate all comments.

¹ *CIQC-AM re Galganov in the Morning*, CBSC Decision 97/98-0473

Additional Correspondence

On June 10, the complainant filed her Ruling Request with the following letter:

I am using my response to [The Edge's Program Director] as my additional comments to be considered by the council. Please see below.

Thank you for your letter. While I too value the right to free expression, it does not follow that radio stations need provide a forum for the exercise of that right at all costs. "Humour" such as that displayed by the hosts contributes to an overall devaluing of women in our society. That others who may devalue women find it funny to do so does not mean that this particular exercise of "free expression" ought to be supported by a responsible corporate citizen.

I recognize that comedians make a business of finding humour in things that make us uncomfortable. In that way, their art is also socially relevant. But your hosts are not comedians in this sense. They don't push boundaries to make us examine our views on controversial topics. They disrespect and devalue the contributions of women, among others. There is no humour or social commentary in that.

You are correct that the on/off dial is the marketplace's way of regulating content. I have spoken to many people who do turn off The Edge because they are offended by your hosts. Unfortunately it seems there is a large enough segment of the population that finds this inappropriate and insensitive programming entertaining. However, you may soon find that the more reasonable majority of listeners find some value in expressing their views of The Edge's corporate decision to provide a forum for such offensive programming to your advertisers. That, I suspect, may have more sway with you than the moral rightness or wrongness of the content you are helping to distribute.

Fundamentally, while we cannot and should not restrict the right of people to express ideas, even bad ones, there is no need for a radio station to provide a forum for such "entertainment". You are not government, bound by the *Charter of Rights and Freedoms*. Like any other citizen, The Edge can choose the "off" button too -- with more impact than an individual listener, and therefore arguably more responsibility to do so.