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

Vision TV re an episode of *Power Today*

(CBSC Decision 01/02-0617)

Decided September 13, 2002

R. Cohen (Chair), S. Crawford (Vice-Chair), R. Cugini, E. Duffy-MacLean  
and H. Pawley

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**THE FACTS**

On February 24, 2002, Vision TV aired an episode of *Power Today*, hosted by evangelist R.W. Schambach, at 5:00 am. At the beginning of the program, Schambach “proclaim[ed] the saving and healing power of Christ” and he advised that the subject of the episode was “demon possession”. He preached that demon possession was real and that he wanted to “set people free”, whether the victims were vexed, oppressed or possessed by the devil. He followed the general treatment of the subject with a specific commentary aimed at the gay and lesbian community. The portion of his preaching which dealt with homosexuality was in the following terms:

You don't have to go out into the world to find homosexual devils. They're in the Church. I'm not gonna get on that world; I'm gonna get on that Church first. Before we can help the world we gotta clean up the Church. You can't, you can't even tell who's playing the organ in some churches. Whether it's a man or a woman. Demon possessed, a homosexual. I know you don't like to hear it! They don't like me to air this on television. But I don't care what they like! I am not politically correct! God's given me power to cast out devils and if you are a homosexual, I can deliver you! And I can set you free! Hallelujah!

You may not hear this from your pastor, but he gotta live with you. But I don't, I'm an evangelist. I come to hit'ya and run. I'm gettin' outta here. But I gotta stand before God someday. I come to tell you the truth. Can you shout 'Amen'?

Homosexuality is not another lifestyle. It's a demon spirit. In the beginning God made Adam and Eve. He didn't make Adam and Steve. God made man; God made woman. Are you listening to me? Some of you women layin' up with a, with another woman. You are a

lesbian. Don't tell me that that's the way God made you. God made you a man; God made you a woman. And the devil has come in and he's thwarted the program of God. And now you're living in sin. You sing like Peter and James and John on Sunday morning. You hide that thing under a choir robe. But God has taken it off and he's exposing it to the Church. What you do in private, God's gonna splash it all over the front page. Demon spirit.

Are you vexed of the devil? Are you oppressed of the devil? Are you possessed? You don't know me, don't have to know ya. If the shoe fits, put it on. Wear the thing. I didn't come here as your judge, I just come here to preach the gospel. And if it hits you, then take it. I come with a double-barrelled gospel gun tonight. Hallelujah. Thank God he set me free.

On February 25, a complainant sent a letter to the CBSC in which she said, in part (the full text of the letter and all other correspondence can be found in the Appendix):

Yesterday morning I heard the worst case of words against homosexuals and lesbians on television that I have ever heard in my life. Needless to say, besides being appalled and sickened, I realized that these words are very hurtful to the gay and lesbian community and dangerous.

Mr. Schambach told us that "he knows we don't like to hear him talk this way but that he was going to say it anyways" and he did just that. Very disturbing.

Vision TV's Director of Mosaic Programming responded on March 25, in part:

As you may know, conservative Christians produce this program in order to teach and explain their own understanding of the Bible. Vision TV's Code of Ethics, Standards and Practices (the Code) states in section 2a:

*Religious and Faith groups who purchase time on VISION TV are entitled to state their faith and beliefs freely and clearly within a framework of responsibility.*

The idea of "within a framework of responsibility" in the Code means that Vision TV will not allow any faith group to encourage any harm or victimization of any identifiable groups including homosexual people. Pastor Schambach was trying to state his understanding of biblical sexual injunctions. He did not suggest that any harm be done to gay and lesbian people. However, I do regret the negative impact that his statements have had on you and on any other viewers.

Unsatisfied with the response, the complainant returned her Ruling Request on April 2.

## **THE DECISION**

The National Specialty Services Panel considered the complaint under the following provisions of the Canadian Association of Broadcasters (CAB) *Code of Ethics*:

*CAB Code of Ethics*, Clause 2 (Human Rights):

Recognizing that every person has a right to full and equal recognition and to enjoy certain fundamental rights and freedoms, broadcasters shall endeavour to ensure, to the best of their ability, that their programming contains no abusive or discriminatory material or comment which is based on matters of race, national or ethnic origin, colour, religion, age, sex, [sexual orientation], marital status or physical or mental handicap.

*CAB Code of Ethics*, Clause 14 (Treatment of Religious Programming):

Broadcasters should endeavour to make available to the community, adequate opportunity for presentation of religious messages and should also endeavour to assist in all ways open to them the furtherance of religious activities in the community. Recognizing the purpose of the religious broadcast to be that of promoting the spiritual harmony and understanding of humanity and that of administering broadly to the varied religious needs of the community, it shall be the responsibility of each member station to ensure that its religious broadcasts, which reach persons of all creeds and races simultaneously shall not be used to convey attacks upon another race or religion.

The National Panel Adjudicators viewed a tape of the program in question and reviewed all of the correspondence. The Panel considers that the broadcast of the challenged episode of *Power Today* is in breach of Clause 2 of the *CAB Code of Ethics*; in this regard, they also find that it does not benefit either from its nature as a religious program or from the fact that it was a Mosaic program on Vision TV.

**The Responsibility of the Broadcaster for Mosaic Programming**

Vision TV is a multi-faith and multicultural network, whose broadcast grid is basically made up of two kinds of programming, Cornerstone and Mosaic programming. Cornerstone programming is made up of “general interest, value-based programs which the network produces or acquires to serve a broad audience” (according to the definition in Vision TV’s own “Mosaic Programming Policies and Practices”). Mosaic programming, on the other hand, is supplied to Vision TV “by a wide variety of faith groups and broadcast ministries” for which the airtime is purchased by the sponsoring groups.

Although this programming is produced by groups having no relationship with Vision TV (other than as purchasers of airtime), the broadcaster is as responsible for the Mosaic material as all broadcasters are for anything they air. Nor is there *any* suggestion in the foregoing observation that Vision TV is not solidly and consistently supportive of this responsibility; it is merely a point of information for others reading of Mosaic programming for the first time that this point is made. In fact, Vision TV has a set of carefully wrought Mosaic programming practices to which it insists that all Mosaic programming sponsors adhere.

## **Religious Programming**

There are specific provisions in both the *CAB Code of Ethics* and the Canadian Radio-television and Telecommunications (CRTC)'s Public Notice dealing with religious programming. In *Religious Broadcasting Policy* (P.N. CRTC 1993-078, June 3, 1993), the Commission describes its "new approach to its religious broadcasting policy". Among other things, in Section IV, the "Guidelines on Ethics for Religious Programming", the Commission states:

The Guidelines recognize and support the freedom and rights of individuals and groups to state their beliefs freely and clearly, and are intended to enable individuals and groups to communicate these beliefs in an appropriate and meaningful manner. *The Commission, however, expects that programming of religious nature, like any programming, must demonstrate tolerance, integrity and social responsibility.* [Emphasis added.]

That spirit is echoed in Clause 14 of the *CAB Code of Ethics*, which recognizes the purpose of the religious broadcast "to be that of promoting the spiritual harmony and understanding of humanity." In other words, whatever recognition is provided for religious programming in Canada, there is an underlying expectation that principles of tolerance and harmony will prevail. Moreover, the Code provides no special dispensations from the need for such programming to respect the right of identifiable groups to be free from abusive or unduly discriminatory comment "which is based on matters of race, national or ethnic origin, colour, religion, age, sex, [sexual orientation], marital status or physical or mental handicap." In the foregoing Guidelines, in fact, the Commission also provides that

The purpose of these guidelines is to serve as an effective guide to program development, production, acquisition and scheduling, and *to protect viewers and listeners against intolerance and exploitation...* [Emphasis added]

The Panel considers that intolerant comment can find no salvation by wrapping itself in religious garb. Broadcasters of religious programming must be as vigilant with respect to the other societal values (such as the human rights of identifiable groups) as broadcasters of all other types of programming.

## **Breadth of Application of Clause 14**

It should be noted that the Panel does not consider that the concluding words in the Clause, namely, "another race or religion", should be read as limitative. The point of the provision is a positive one relating to ensuring the presence of religious messages in local communities. The final words, "shall not be used to convey attacks upon another race or religion" are clearly intended to suggest that even such positive messages should not be used to abuse other groups. The examples given of race and religion are only examples; the Panel considers it unlikely, if not inconceivable, that broadcasters would intend that attacks on persons on the basis of their nationality, gender, skin colour or other personal

characteristics would be tolerable. The Panel assumes that it is reasonable to interpret that provision in such a way that all of the identifiable groups envisaged in Clause 2 will be understood as being included here.

### **Pastor Schambach's Comments about Gays and Lesbians**

The CBSC has considered comments made by preachers regarding gays and lesbians on three previous occasions. In *CHCH-TV re Life Today with James Robison* (CBSC Decision 95/96-0128, April 30, 1996), the Ontario Regional Panel did not find that criticism of “the gay lifestyle” in a religious program constituted abusively discriminatory comment.

The host's message was that monogamous heterosexuality was the “right” lifestyle. He expressed the view that a proper interpretation of the Bible leads to the conclusion that homosexuality is an unacceptable lifestyle (as is also the case with adulterous heterosexuality, according to his interpretation). It is not the Council's mandate to determine the correctness of the views presented, but only whether the views were presented in a non-abusive, legitimate manner. In a contrary circumstance, they would be in breach of the Code; however, in this case, the Council finds that the host's statements were expressed as his moral position, presented in a legitimate manner and not at all as hateful commentary.

Similarly, in *CFYI-AM re Focus on the Family* (CBSC Decision 99/00-0724, June 28, 2001), the Ontario Regional Panel dealt with a complaint about an episode in a religious series entitled “Hope for the Homosexual”. The program featured discussions about “lifestyle” issues, “root causes of homosexuality”, the morality of single gender sexual relationships, the “distinction between homosexual and gay”, the raising of children in gay or lesbian households, the relationship between homosexuality and Christianity, and so on. Although the program contained references to homosexuality being a “condition”, “problem” and “disorder”, the Panel found that such words were “so *incidental* to the entire issue and so far from the centre of any portion of the dialogue that they are, in terms of this decision, irrelevant.” It additionally determined that

there is no place in this entire episode where discriminatory comment *about persons in a group identifiable on the basis of their sexual orientation* can be found. There is discussion about homosexuality but not about homosexuals and then it consists of legitimate points of discussion or debate. It was not, in the view of the Panel, “bigoted in its characterization of gays and lesbians,” as argued by the complainant. It did not even go there. It was not “hate propaganda”. It was a point of view on a lifestyle subject, not on its practitioners.

In a contrary circumstance, in *CKRD-AM re Focus on the Family* (CBSC Decision 96/97-0155, December 16, 1997), the Prairie Regional Panel ruled that a religious program dealing with the topic of homosexuality constituted abusively discriminatory comment on the basis of sexual orientation:

While *Focus in the Family* is free to describe the homosexual lifestyle as sinful, as did *Life Today with James Robison*, the program under consideration here has gone much further. It has treated support for the movement as “flimsy” and has disparaged that support (see, for

example, the dismissal of a study authored by a gay activist with the general statement that “like all gay science, it really has very flimsy foundations”). Moreover, it has attributed to the gay movement a malevolent, insidious and conspiratorial purpose, a so-called “agenda”, which, in the view of the Council, constitutes abusively discriminatory comment on the basis of sexual orientation, contrary to the provisions of Clause 2 of the *CAB Code of Ethics*.

In the case at hand, many of the host’s comments are hostile and vitriolic in comparison. He refers to “homosexual devils”, a “demon spirit”; in the context of the episode, he isolates and vilifies homosexuals. Moreover, in his evangelical style, he whips up the sentiments of his studio audience against gays and lesbians. The intolerance and bitterness that drip from his lips are extreme; they constitute abusive and unduly discriminatory comment; they have no place on Canadian airwaves, much less in the generally positive and tolerant broadcast environment of the multi-faith and multicultural Vision TV. In any event, the program was broadcast and Vision TV has, in consequence, breached the provisions of Clauses 2 and 14 of the *CAB Code of Ethics*.

### **Broadcaster Responsiveness**

It is a fundamental obligation of broadcasters to be responsive to complainants who take the time to express in writing their concerns about programming they have heard or seen on the airwaves. It is the duty of all CBSC Panels to assess the thoughtfulness of the broadcaster replies on each occasion that they adjudicate a file. In this case, the broadcaster’s letter is brief; however, it does deal with substantive issues, among other things, by referring to Vision TV’s own *Code of Ethics, Standards and Practices*. The Panel finds that it is a satisfactory response. Nothing more is required of Vision TV in this respect on this occasion.

### **ANNOUNCEMENT OF THE DECISION**

Vision TV is required to: 1) announce this decision, in the following terms, once during prime time within three days following the release of this decision and once more within seven days following the release of this decision in the time period in which *Power Today* was broadcast; 2) within fourteen days following the broadcast of the announcements, to provide written confirmation of the airing of the announcements to the complainant who filed the Ruling Request; and 3) at that time, to provide the CBSC with that written confirmation and with air check copies of the broadcasts of the two announcements which must be made by Vision TV.

The Canadian Broadcast Standards Council has found that Vision TV’s February 24, 2002 broadcast of the episode of *Power Today* breached the Human Rights and Religious Programming provisions of the *CAB Code of Ethics*. By airing a Mosaic program which demonized gays and lesbians, it

broadcast abusive or unduly discriminatory comment against an identifiable group, contrary to the requirements of Clause 2 of the *Code of Ethics*. By doing so, it also broadcast material which conveyed an attack on that group, contrary to the terms of Clause 14 of that Code.

*This decision is a public document upon its release by the Canadian Broadcast Standards Council.*

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## APPENDIX

### CBSC File 01/02-0617 Vision TV re an episode of *Power Today*

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#### I. The Complaint

The following complaint dated February 25, 2002 was sent to the CBSC:

Re: Vision TV (Feb. 24<sup>th</sup>, 2002 – 5-6:00A.M.)

“Power Today” – Bro. R.W. Schambach – (Condemnation & denunciation of homosexuals and lesbians)

Dear Sirs,

Yesterday morning I heard the worst case of words against homosexuals and lesbians on television that I have ever heard in my life. Needless to say, besides being appalled and sickened, I realized that these words are very hurtful to the gay and lesbian community and dangerous.

Mr. Schambach told us that “he knows we don’t like to hear him talk this way but that he was going to say it anyways” and he did just that. Very disturbing.

Could you please view this tape and let me know if any action will be taken? How can Vision TV allow this kind of programming to air?

#### II. Broadcaster Response

The broadcaster responded to the complainant’s letter on March 25 with the following:

I am responding to your recent complaint to the Canadian Broadcast Standards Council (CBSC) concerning Pastor Schambach’s description of homosexuality on *Power Today*, broadcast on February 24, 2002. As you may know, conservative Christians produce this program in order to teach and explain their own understanding of the Bible. Vision TV’s Code of Ethics, Standards and Practices (the Code) states in section 2a:

*Religious and Faith groups who purchase time on VISION TV are entitled to state their faith and beliefs freely and clearly within a framework of responsibility.*

The idea of “within a framework of responsibility” in the Code means that Vision TV will not allow any faith group to encourage any harm or victimization of any identifiable groups including homosexual people. Pastor Schambach was trying to state his understanding of biblical sexual injunctions. He did not suggest that any harm be done to gay and lesbian people. However, I do regret the negative impact that his statements have had on you and on any other viewers.

We offer broadcasting opportunities to a broad range of religious voices, from liberal to conservative provided that the content of each program is within our Code. Thank you for giving us an opportunity to explain our position as a multi-faith broadcaster.