



Habitat for Profanity

Broadcast TV's Sharp Increase in Foul Language



Because our children are watching

SUMMARY:

A comparison of the first two weeks of the 2010 fall season's prime-time programming on the broadcast networks with a comparable period in 2005 shows a significant increase in both the number of instances of use of profanity, and the harshness of the profanity used.

INTRODUCTION:

In July 2010, the U.S. Second Circuit Court of Appeals issued its ruling in the most recent stage of the ongoing *Fox v. FCC* case. The lawsuit – in which all the major broadcast networks joined Fox – sought to strip the Federal Communications Commission of authority to enforce broadcast decency laws, specifically those restricting the use of profanity on the public airwaves. In its ruling, the Second Circuit's three-judge panel struck down the FCC's attempt to limit the broadcast of so-called "fleeting expletives" to the late-night "safe harbor" hours, thereby nullifying the FCC's enforcement powers outright.

In the wake of the Second Circuit's ruling, media experts predicted an increase in graphic content and language on broadcast television. FCC Commissioner Michael Copps stated that the Commission should act to "clarify and strengthen" its authority, "to ensure that American parents can protect their children from the indecent and violent images that bombard us more and more each day." Andrew Schwartzman, head of the Media Access Project – an legal organization that advocates on behalf of entertainment industry writers and producers – admitted that "There's no question that this decision is going to mean more [explicit content] ...They're already much more aggressive about trying to get stuff in."

This has proven to be the case. In a side-by-side comparison of the content of the first two weeks of the broadcast networks' fall prime-time television season of 2010 with that of 2005, the Parents Television Council found a significant increase in both the number of instances of use of profanity, and the harshness of the profanity used.

METHODOLOGY:

The PTC recorded, analyzed, and tracked all use of profanity on all prime-time entertainment programs on the major broadcast networks (ABC, NBC, CBS, Fox, UPN and the WB in 2005, and ABC, NBC, CBS, Fox, and the CW in 2010) during the first full two weeks of the fall television premiere season (September 19-October 2, 2005, and September 20-October 3, 2010), for a total number of 124 programming hours in 2005, and 128 programming hours in 2010. Movies, news programs, and sporting events were not included in the analysis.

In 2005, ABC premiered its programming a week later than did the other broadcast networks. Thus, while in all other cases the first two weeks of programming from the other networks were included in

the selected study period, only the first week of ABC's programming in 2005 was. The PTC cited both per-hour and absolute totals where necessary to ensure comparable data sets.

MAJOR FINDINGS/RESULTS:

- Using absolute totals, across all networks use of profanity on prime-time broadcast entertainment programming increased 69.3% from 2005 to 2010. This increase occurred in spite of the fact that there were six prime-time broadcast networks in 2005, and only five in 2010.
- The largest increases were found in the use of the harshest profanities, and in explicit references to genitalia and bodily functions. The greatest increase in the use of the harshest profanities occurred in the 8:00 p.m. ET time period (the "Family Hour"), and at 9:00 p.m. ET.
- Across all networks and prime time hours, use of the bleeped or muted f-word increased from 11 instances total in 2005 to 276 instances in 2010 – an increase of 2,409 %.
- Across all networks, use of the bleeped f-word in the Family Hour increased from 10 instances in 2005 to 111 instances in 2010 – an increase of 1,010%. In the 9:00 p.m. ET hour, use of the bleeped f-word increased from 1 instance in 2005 to 156 instances in 2010.
- Across all networks, use of the bleeped s-word in the Family Hour increased from 11 uses in 2005 to 42 uses in 2010 – an increase of 281%.
- Across all networks and prime time hours, use of the bleeped or muted s-word increased from 11 instances in 2005 to 95 instances in 2010 – an increase of 763%. (This does not include CBS using a bleeped s-word in the title of its sitcom *\$#! My Dad Says* – or NBC's use of a scripted, unbleeped s-word on the September 23rd episode of *30 Rock*.)
- There were also increases in the use of anatomical and sexual references. Across all networks and all hours of prime-time, use of the word "balls" to refer to male genitalia increased 200%. Similarly, use of the word "screw" increased 121%, and use of the word "boobs" in reference to breasts increased 90%.
- The Fox broadcast network showed the greatest per-hour increase in use of profanity from 2005 to 2010, with an increase in all profanity across all prime-time hours of 269%.

CONCLUSION:

"It's legally permissible for stations to air uncut R-rated movies after 10 p.m. -- or to have Letterman and Leno dropping F-bombs. But you never see or hear that material from broadcasters because of the relationships and expectations we've built with our audiences over decades." [emphasis added] – National Association of Broadcasters Executive Vice President Dennis Wharton, *Washington Post*, July 14, 2010

“Please know that I am committed to making season eight of *Two and a Half Men* as easy for you as possible. I have vowed to eliminate all the penis jokes, vagina jokes, boob jokes, orgasm jokes, masturbation jokes, oral sex jokes, prison sex jokes, insertion jokes, pee jokes, poop jokes, booger jokes, puke jokes, fart jokes and ethnic jokes that have caused you and your colleagues at broadcast standards so much distress. Going forward, I sincerely hope this letter helps you to put aside any worries you might have about the creative direction of the show.

Your faithful servant, Chuck Lorre.

P.S. Look forward to hearing your comments regarding tonight’s episode, which dealt with Jake having a ménage a trois while Charlie drinks himself to death and Alan gets caught banging Jake’s best friend’s drug addled mom.”

-- Onscreen "vanity card" shown at the conclusion of the fall premiere of the CBS sitcom *Two and a Half Men* (9/20/2010, 9:00 p.m. ET)

The statistics and examples in this study demonstrate that, freed of regulation in the wake of the Second Circuit Court's castration of the FCC's powers of enforcement, Hollywood's "creative" personnel and their TV network distribution outlets have deliberately unleashed literally unparalleled levels of profanity and graphic language upon the public – the most egregious of it in a timeslot in which children are most likely to be in the audience. By so doing, these “creative” personnel – and the networks which employ them – exhibit continued defiance for the broadcast decency law, the American people whose airwaves they use, and the very concept of acting "in the public interest."

In their hearings before various courts, the networks have claimed that the law should allow them increased leeway in the use of “fleeting” profanities, such as accidental slips of the tongue during live awards ceremonies and other events. And in public statements, broadcast television’s representatives have repeatedly claimed that they can be trusted to use the public airwaves wisely, and that they will not air profanity deliberately.

But that is precisely what they are doing. A 69% increase in scripted profanity on pre-planned, filmed entertainment is not equivalent to a couple slips of the tongue during live events. The statistics above demonstrate that use of such language by the networks is both deliberate and pervasive.

The broadcast networks seek an end to any and all forms of content regulation of the programming they provide Americans, using the public utility of the broadcast airwaves. Their lawsuits to this end, challenging the FCC’s power to regulate the airwaves, are ongoing.

RECOMMENDATIONS

The Federal Communications Commission must vigorously pursue its appeal of the grossly deficient ruling of the Second Circuit Court. The drastic increase in the use of profanity in the wake of the Second Circuit Court's ruling clearly demonstrates the need for government regulation of the airwaves, and points to the need for a clear FCC policy covering use of foul language on the publicly-owned airwaves.

Additionally, the FCC should call on the networks to consider the public's interest before that of their so-called "creative" employees – as indeed FCC Commissioner Robert McDowell has done. At the 2010 Radio Show, the commissioner stated that, with the future of the government's power to enforce standards in doubt, "it's a terrific opportunity for broadcasters to say, what are your standards." Congress and other government policymakers should also encourage more responsible use of the public airwaves.

Though they are somewhat limited by the program inventory the networks make available to them, advertisers too have significant influence over broadcasters. Ultimately, television's entertainment programming is simply a way to get viewers to watch advertisers' commercials. So long as advertisers continue to buy commercial time on programming featuring such content, the networks will continue to push the envelope. Advertisers should use their unique influence with the broadcast networks to encourage greater responsibility in programming, especially when children are likely to be in the viewing audience.

Ideally, neither government regulation nor advertiser pressure would be required for the broadcast networks to act in the best interests of the American public. The cognizance that broadcasters are "guests in the homes" of millions of citizens, and the knowledge that they are permitted to use a public utility free of charge to make immense profits, should cause them to act responsibly.

The broadcast networks must step forward and tell the American people what their broadcast standards actually are. Are Americans to expect a 69% increase in profanity *every* five years? Or, if the Supreme Court ultimately should eliminate the FCC's power to regulate program content, will profanity, depictions of explicit sex, and scenes of graphic violence, increase without limit? What guarantees do the networks offer the American people that, once freed of all governmental oversight and regulation, they will use the airwaves responsibly? The broadcast networks can – and should – freely choose to maintain standards of common decency, rather than seeking every opportunity to push graphic and gratuitous content onto unsuspecting viewers.

Network executives and others consistently defend the vast increase in offensive television content by saying, "if you don't like it, don't watch it," or "use parental controls and the V-Chip to block it" – but when profanity and other offensive content is as pervasive as it has become, such "solutions" are utterly meaningless. In effect, the broadcast networks are telling families, "swallow whatever we feed you, or starve." The public airwaves should offer a banquet for all; but increasingly, American families are relegated to eating scraps at the table they themselves own.

Table 1: %Change By Word/Time

	8:00			9:00			10:00			TOTAL		
	2005	2010	%Δ	2005	2010	%Δ	2005	2010	%Δ	2005	2010	%Δ
CRAP:	23	29	26.09%	13	29	123.08%	8	11	37.50%	44	69	56.82%
DAMN:	55	37	-32.73%	64	66	3.13%	30	38	26.67%	149	141	-5.37%
HELL:	74	62	-16.22%	95	119	25.26%	24	63	162.50%	193	244	26.42%
ASS:	52	64	23.08%	53	59	11.32%	14	25	78.57%	119	148	24.37%
BITCH:	33	23	-30.30%	45	52	15.56%	17	36	111.76%	95	111	16.84%
BASTARD:	12	2	-83.33%	12	11	-8.33%	3	4	33.33%	27	17	-37.04%
BOOBS:	5	19	280%	5	2	-60%	1	0	-100%	11	21	90.91%
OTHER BREASTS:	6	15	150%	14	8	-42.86%	5	3	-40%	25	26	4%
BALLS:	0	5		1	1	0	2	3	50%	3	9	200%
OTHER GENITALS:	22	28	27.27%	26	26	0	3	18	500%	51	72	41.18%
BLEEPED FUCK:	10	111	1010%	1	156	15500%	0	9		11	276	2409.09%
EUPH. FUCK:	5	13	160%	10	11	10%	5	17	240%	20	41	105%
BLEEPED SHIT:	11	42	281.82%	0	45		0	8		11	95	763.64%
EUPH. SHIT:	3	1	-66.67%	2	3	50%	0	3		5	7	40%
DOUCHE:	1	0	-100%	2	1	-50%	0	2		3	3	0
PISS:	4	20	400%	10	17	70%	11	7	-36.36%	25	44	83.33%
SCREW:	16	27	68.75%	7	17	142.86%	5	18	260%	28	62	121.43%
SUCK:	15	25	66.67%	11	14	27.27%	3	13	333.33%	29	52	79.31%
	347	523	50.72%	371	637	71.70%	131	278	112.21%	849	1438	69.38%

Table 2: % Change By Network/Time: 2005-2010

	%Δ	Per Hour
ABC		
8:00	213.04%	73.91%
9:00	310.53%	131.04%
10:00	411.11%	2.22%
Total	303.33%	65.52%
CBS		
8:00	8.75%	13.28%
9:00	0	-18.14%
10:00	384.62%	238.71%
Total	36.77%	18.01%
NBC		
8:00	26.23%	33.70%
9:00	-34.92%	-35.24%
10:00	23%	47.66%
Total	7.59%	18.82%
Fox		
8:00	140.95%	269.44%
9:00	381.01%	292.06%
Total	244.02%	268.91%
All	69.38%	54.61%

