

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 80/92

Dated the 15th day of October 1992

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

DR JANE RITCHIE

of Hamilton

Broadcaster

TELEVISION NEW ZEALAND
LIMITED

I.W. Gallaway Chairperson

J.R. Morris

R.A. Barraclough

L.M. Dawson

DECISION

Introduction

In a promotional trailer for a programme on cats broadcast on TV1 on 17 May 1992, Television New Zealand Ltd used the wording that cats were "the only domestic animal that man has never conquered".

Dr Ritchie complained to TVNZ that the wording was sexist and derogatory to women and thus contrary to the Codes of Broadcasting Practice.

TVNZ responded that it was unable to agree that the usage in the context was either derogatory or sexist. It declined to uphold the complaint. As she was dissatisfied with TVNZ's response, Dr Ritchie referred her complaint to the Broadcasting Standards Authority under s8(a) of the Broadcasting Act 1989.

Decision

The members of the Authority have viewed the programme to which the complaint



relates and have read the correspondence (summarised in the Appendix). As is its practice, the Authority has determined the complaint without a formal hearing.

The promotional trailer which Dr Ritchie complained about used the wording that cats were "the only domestic animal that man has never conquered." Dr Ritchie said that the wording was sexist, derogatory to women and therefore contrary to the Codes of Broadcasting Practice.

TVNZ examined her complaint under standard 26 of the Television Code of Broadcasting Practice and decided that no breach had occurred. Excluding the exceptions which are not relevant, standard 26 of the Television Code of Broadcasting Practice states:

- 26 The portrayal of people in a way which is likely to encourage denigration of or discrimination against any section of the community on account of sex, race, age, disability, occupation status, sexual orientation or the holding of any religious, cultural or political belief shall be avoided.

In her complaint to TVNZ, Dr Ritchie referred to a publication of the State Services Commission and enclosed a copy of the section on "Inclusiveness". She quoted researcher Janet Holmes, who said at page 8 of the publication:

There is abundant evidence to support the claim that for many readers "man" signifies a specifically male human being... For the sake of clarity as well as inclusiveness, substitutes should be found for "man" used in this sense.

The Authority agreed that as a general rule, the use of the word "man" did exclude women and it found the articles which Dr Ritchie submitted provided helpful background information. It was of the view that generally women did appreciate the use of non-sexist language. It regarded TVNZ's response, which relied solely on dictionary definitions, as too glib and superficial because it ignored the spirit of non-sexist interpretation to which TVNZ claimed, in its letter to the Authority, it was committed.

However, the Authority noted, the use of "man" in the context in which it was used in the trailer was in contradistinction to animals. It was clearly a reference to humankind and, the Authority felt, was as legitimate a use of the word "man", in the sense of humankind, as was possible. The Authority did not believe that in this context the language was discriminatory or exclusionary.

The Authority also observed that the phrase complained about was used in conjunction with a familiar quotation about cats being made so that "man might have the pleasure of caressing the tiger." Although that part of the promotional trailer was not the subject of the complaint, the Authority believed it was relevant to examine the context in which the phrase was used. In its view, the context lent further justification to the use of the word "man". By juxtaposing the quote containing the word "man" with the phrase containing the same word in the same sense, grammatical symmetry was attained.


The Authority noted that in a different context it might well uphold a complaint for



sexist language under standard 26 because a portrayal of people can certainly be achieved through words (see standard 8 of the Radio Code of Broadcasting Practice). However, in this instance, while it agreed with the sentiments of the complainant, it concluded that it was not an instance which justified a decision to uphold the complaint.

For the reasons set forth above the Authority declines to uphold the complaint.

Signed for and on behalf of the Authority


Iain Gallaway
Chairperson



15 October 1992

Appendix

Dr Jane Ritchie's Complaint to Television New Zealand Limited

In a letter dated 25 May 1992, Dr Ritchie complained to Television New Zealand Ltd about the use of sexist language on TV1 on 17 May 1992. A promotional trailer for a programme on cats was broadcast on 17 May 1992. The wording which the complainant objected to was that cats were "the only domestic animal that man has never conquered." Dr Ritchie wrote:

The use of the word man, to refer to humans, is sexist. Women and men are involved in the keeping cats as pets. To use the word man is therefore sexist and contrary to Television New Zealand's own policy. It is derogatory to women, and therefore contrary to the Approved Codes of Broadcasting Practice.

She referred the Authority to a publication of the State Services Commission and enclosed a copy of the section on "Inclusiveness". She quoted research which states that for many readers, the word "man" signified a specifically male human being.

TVNZ's Response to the Formal Complaint

TVNZ advised Dr Ritchie of its Complaints Committee's decision in a letter dated 15 July 1992.

It considered the complaint in the context of Standard 26 of the Television Code of Broadcasting Practice which states in part:

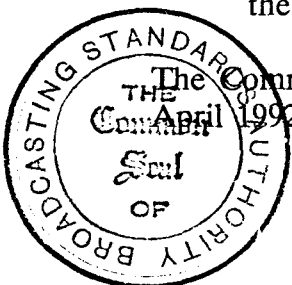
- 26 The portrayal of people in a way which is likely to encourage denigration of or discrimination against any section of the community on account of sex,...shall be avoided.

TVNZ studied the dictionary definition of "man" in the New Collins Concise English Dictionary and other reputable dictionaries, including the Oxford, and found that "man" was defined as "human beings", and "mankind". It was TVNZ's view that the dictionaries could not be construed as being sexist and Dr Ritchie's suggestion that the usage was derogatory of women was found to be untenable.

TVNZ continued:

Also it was observed that the usage comes up not infrequently in quality world wild life programmes to distinguish animals from human beings. In fact it was believed it often more realistically and succinctly describes the situation than does the word humans.

The Committee recalled that it had received a similar complaint from Dr Ritchie in April 1992 which it had not upheld and it felt that there was no reason why it should



is committed to eliminating language and behaviour which denigrates any portions of our community - and that commitment includes removal of sexist language from our programmes.

However, she stated, in practice TVNZ did not fulfil this commitment. She felt that TVNZ relied too heavily on dictionary definitions to defend their use of "man", and she observed that the Oxford Dictionary, unlike TVNZ, had not made a commitment to remove sexist language from its definitions. She maintained that TVNZ's use of "man" to mean all humans broke that commitment.

Dr Ritchie included reference material to support her view with both of her letters to the Authority.



reach a different conclusion from that in April. Further, it believed that to agree with her would be to deny the existence of correct dictionary definitions.

Dr Ritchie's Complaint to the Broadcasting Standards Authority

As Dr Ritchie was dissatisfied with the action taken by TVNZ, in a letter dated 29 July, she referred the matter to the Broadcasting Standards Authority under s8(a) of the Broadcasting Act 1989.

She was not satisfied with TVNZ's reliance on dictionary definitions to prove its contention that the use of the word "man" was not sexist. She believed not enough weight had been given to the State Services Commission's publication on elimination of sexist language. She wrote:

I find the committee's belief that it is only "the occasional individual" (ie me) who is unhappy with this use of the word borders on the arrogant. How can the [Complaints] Committee know how the majority of women feel? The State Services Commission was sufficiently concerned about sexist language to publish its guidelines.

In response to TVNZ's contention that the code was not breached because it did not portray people, Dr Ritchie agreed, but noted that:

the word used conveyed a meaning that psychological research has found that women, particularly, take to mean a male person. In this sense, women are left out and that is derogatory to them.

TVNZ's Response to the Authority

As is its practice, the Authority sought the broadcaster's response to the complaint. Its letter is dated 3 August and TVNZ's response is dated 7 August 1992.

TVNZ stated that it is committed to eliminating language and behaviour which denigrated any portion of the community, but that its commitment did not mean "the wholesale derangement of the English language." It referred to the dictionary definitions cited in its earlier letter and added the definition in the Shorter Oxford Dictionary, noting that not until definition (4) was the meaning given as "an adult male person". TVNZ's view was that

to outlaw the use of "man" as a generic term to denote the species amounts to barbarism of the English vocabulary.

Dr Ritchie's Final Comment to the Authority

In a letter dated 21 August, in response to TVNZ's comments, Dr Ritchie noted that she was pleased that TVNZ:

