

# AN INDECENT PROPOSAL?

## Should Congress stiffen the penalties for television and radio broadcasters who violate FCC indecency standards?

In the months following pop-star Janet Jackson's racy performance at the Super Bowl halftime show this year, a long-simmering debate over regulation of the nation's airwaves heated to a boil. Subsequent rulings by the Federal Communications Commission (FCC) involving the rock-star Bono and radio shock-jock Howard Stern stiffened federal broadcasting standards. In Congress, meanwhile, legislation is pending to impose steeper penalties on broadcasters and performers who violate FCC standards.

Civil libertarians have cried foul. They argue that FCC standards are vague and that stricter



*Courtesy of Corbis*

enforcement has a "chilling" effect on broadcasters, stifling free expression. Lawmakers counter that stricter enforcement is long overdue to rein in oversexed and underdisciplined broadcasts that offend many people.

The debate takes place on a murky legal landscape. The courts have ruled that indecent material has some measure of First Amendment protection: It cannot be banned entirely, but it can be regulated to reflect "contemporary community standards." What community and whose standards are at the core of the current debate.

## Should Congress stiffen the penalties for television and radio broadcasters who violate FCC indecency standards?

### YES

- The networks are broadcasting a steady diet of sex and violence that they shouldn't be allowed to show.
- Broadcasting indecent material violates federal law, and offenders should be punished appropriately.
- As a nation, we owe it to our children to shield them from the influence of indecent material.

### NO

- Stricter enforcement suffocates artistic expression and may be used to stifle political dissent.
- At a time when "community standards" vary from one locale to the next, it's impossible to define a national community standard for the broadcast media.
- The government has no business interceding on behalf of viewers who can make their own choices about what to see and listen to.