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LAW

Our Concern Over 'Indecency' Is Misguided

While the Supreme Court debates nudity on old episodes of *NYPD Blue*, research shows we have a much bigger problem with kids and TV

By Erika Christakis and Nicholas A. Christakis @NACChristakis | Jan. 13, 2012

There's something ironic and misguided about the Supreme Court's delicate concern for our television-watching sensibilities. The Justices are currently debating whether the FCC can continue to enforce its policies on nudity and profanity on broadcast TV, with an ancient episode of the now-defunct show *NYPD Blue* which showed a woman's naked backside as central evidence.

A number of justices long for a fairytale world where "government can insist on a certain modicum of decency," as Justice Antonin Scalia archly observed. Chief Justice John Roberts, a father of young kids, plaintively noted that "all we are asking for is a few channels" where kids won't be exposed to profanity and sexual acts. Justice Elena Kagan opined that "it seems to be a good thing to have a safe haven" during prime time.

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A safe haven on television? How quaint. Leaving aside the availability of profanity and sex to anyone with cable or a laptop, the Supreme Court justices — and most Americans — are kidding themselves if they think keeping F-bombs off TV will keep children safe. It's like taking your car to be detailed when the brake pads are worn out: it deflects attention from what really matters.

The painful reality is that the great majority of screen time — prime-time television included — can have



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A scene from "NYPD Blue," which went off the air in 2005.

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detrimental effects on children, and it's unlikely we can legislate ourselves out of this problem. We need an attitude change more generally about TV and kids.

Decades of research have produced a mountain of evidence that violent imagery on television can cause aggression in children, as summarized in a [report](#) by the Institute of Medicine. Moreover, the rapid-fire pace of even the most apparently benign cartoons has [well-documented damaging effects](#) on early brain development that can set up children for a lifetime of academic, social, and behavioral problems.

We know this in the same way that we know it's a good idea to eat fruits and vegetables and lay off the fatty donuts — which is to say that we can go ahead and quibble with the methods or sample size of an individual study, but the overall truth is unchanged. We also can't ignore what ordinary people have understood since before the advent of radio: Monkey see, monkey do. So much research has been done on this subject that we even have piles of [“meta analyses”](#) which aggregate individual research studies to produce even more robust conclusions.

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So why can't we do more to tackle this problem? First, there are many occasions — and television habits are just one of them — where adult and child interests simply do not intersect. Any parent knows that it's not merely difficult but also meltdown-inducing to put a child's interests first and turn off the TV. It's impossible to keep up with all the pernicious influences on our children and, frankly, depressing to realize that many aspects of our child-rearing are sub-par. We salve our guilt by pretending to make prime time clean.

A second reason is our tawdry national love affair with violence and our prudish suspicion of unclothed human bodies. Can't we just get over this, already? How is it possible that active-viewer video game depictions of decapitations, mutilation and gang rape can be [“protected speech”](#) and thus not subject to oversight for children, according to a 2011 Supreme Court ruling, but a nationally televised wardrobe “malfunction” is not?

Third, many adults also feel that, where TV is concerned, what didn't hurt them won't hurt their kids. Unfortunately, our media environment has significantly worsened for children. Just watch an episode of *Mr. Rogers Neighborhood* to see what an impossible processing burden we now place on children's developing brains compared to 20 years ago. Additionally, the *content* of broadcast TV (not to mention cable, movies and video games) has changed, too. One [2009 study](#) found a dramatic recent increase in stories and jokes about violence toward women on shows ranging from *CSI* to *Family Guy*, *Desperate Housewives*, and *American Dad*.

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We always get sidetracked by free-speech debates. It's certainly discouraging to read a Supreme Court opinion that likens digital sexual assault and dismemberment to a Grimm's fairy tale; and that sort of callous attitude seems almost deliberately ignorant of the current science of child development. But this is not about free speech. It's about whether we can be consistent. If a swear word on prime time is harmful, how can it be okay to subject kids to violent and cognitively impairing imagery? All of these can be true, but let's at least get our priorities straight.

Since none of us wants to live in an Orwellian dystopia, the solution to our problem is not censoring so called obscenity. It may not even be restricting media violence, at least through legislative channels. (Supply and demand is another matter, of course.) The solution, rather, is to get our heads out of the sand.

We can't fix a problem until we appreciate its gravity. We need to face what we already know and, even better, offer constructive alternatives to the brain-scrambling and soul-crushing reality that many children experience for hours on end every day.



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