

TESTIMONY



**Statement of
William Baldwin
President, The Creative Coalition
to the
United States Senate Committee on Governmental Affairs
July 25, 2001**

Mr. Chairman and members of the committee, thank you for inviting me to appear at this important hearing. My name is William Baldwin and I am here as a parent, an actor and as President of The Creative Coalition, the leading nonprofit, nonpartisan advocacy organization made up of members of the arts and entertainment community.

Senator Lieberman and I have had many discussions about the role of media in our culture, its effect on our children and ways in which we can help parents and kids find their way through the overwhelming barrage of words, images, sounds and ideas that bombard us daily. Although we agree there is a problem, we don't agree on the specific definition of the problem and we are even further apart on potential solutions. Despite this, we consider him a partner in the effort to empower parents.

In recent years, there have been many welcome changes in the approach of the arts and entertainment industries to issues of violence and sexual content, and the ratings systems that we are discussing today are among the most significant. But let's be clear. Even if we could devise the most perfect ratings system imaginable, we would be no closer to solving the real social problems of this country.

We are all horrified by the destructive acts that have so disturbed the nation in recent years. But in spite of a great deal of rhetoric to the contrary, the real issue isn't media violence; it's youth violence. The core causes are drug and alcohol abuse, divorce and family breakdown, and physical and sexual abuse. The culprits are neglect, poverty, mental illness and easy access to firearms. And, yes, there may be a role for the media in indirectly contributing to aggression, desensitization or over-stimulation. But the problem is greater than violent movies or video games, and the ratings we use to control access to violence and sexual content are not going to solve the

deeper issues afflicting children today. Printed warnings on rap CDs are not going to raise anyone's children, or make them go to school, or keep them away from drugs. Broken families are not going to be healed by a sticker on a video game.

Ratings are merely one tool that parents can use to find entertainment that matches their own values. They are not a substitute for those values themselves, nor can they instill values if they don't exist. Ratings are extraordinarily valuable and could be made stronger and more informative. Like any subjective judgment, there will never be unanimity about every rating. But no one could argue that ratings serve no purpose, and no one could argue the current system can't be improved. In my view, any system that indiscriminately lumps "Schindler's List," "Billy Elliott" and "Saving Private Ryan" in the same category as slasher movies clearly is ripe for reform. As a parent I want to know why a movie received a particular rating so I can intelligently apply my own judgment and values. Descriptive labels that let a parent know what caused a rating, whether it's language or sexual content or violence, would make the ratings more rational and credible.

But no matter what rating system is adopted, it must be voluntary. Oversight committees, no matter how well intentioned, cannot be allowed to impose their own judgment on constitutionally protected expression. Government sanctions of any kind to enforce subjective standards of "accuracy" or appropriateness are a clear violation of the First Amendment.

There has been much discussion about mandating a so-called universal rating system that uses the same terminology and standards of judgment no matter which medium is being rated. Many apparently fear that parents are easily confused, even though the FTC has determined that parents are overwhelmingly familiar and satisfied with the current systems. We believe that whatever confusion exists should be fixed within each medium's particular system and not by creating a one-size-fits-all concept.

A universal system assumes that all media are the same and affect audiences in the same way. But each artistic medium addresses its audience differently. An argument can be made that more visual media like movies and television are intrinsically different from media that rely on more subjective interpretations, like music. A single standard, applied across

all media, might be impossible to devise. And if we are talking about age appropriate ratings for all media, does that mean we should start labeling books and the evening news as well?

Clearly, though, within the context of self-regulation there is still work to be done. Ratings systems should be made stronger and more informative. Movies that would have been given an R rating only a few years ago are now given a PG-13 rating. Parents are understandably concerned as standards of acceptability grow softer every year. The credibility of self-regulation requires consistency and honesty, and the industry should take a hard look at both.

Although reforms need to continue, we don't actually know how effective the current ratings systems are because they have never really been enforced. Let's be honest. It's pretty easy for any resourceful kid to get into R-rated movies or buy video games meant for mature audiences. We must find incentives for retailers and theater owners to enforce ratings systems in ways that are not cost prohibitive.

My organization is proud of the recent efforts of the industry to alter its marketing practices. The pressure needs to continue to make sure that all media is made and marketed to appropriate audiences. But unless attitudes change at the retail level, these hard-won changes will be wasted. Moreover, as we work to cease inappropriate marketing practices, we must be vigilant in guarding the industries' right to market to adults, as well as the right of adults to receive those messages.

I would like to suggest one more idea that is rarely discussed. I believe that not only must we give parents the tools they need to help guide their children, but we also must give children tools to interpret the media onslaught. We need to institute media literacy programs that can help children understand and process with a critical eye the incredible amount of information they receive from media of all kinds.

The Creative Coalition is eager to work with other interested parties to develop media literacy curricula that can be used in schools nationwide. Kids need to develop inner filters that help them make sense of what they are digesting. The more they understand how and why media is created, the better armed they will be to fight the battle we are discussing today.

I thank the committee for its concern about our children's

future. Senator Lieberman and many others have held our industries' feet to the fire, and I believe we are all better for it. Legislators, advocacy groups, the media and most important, parents, should continue to pressure the entertainment industry in this effort to empower parents. But we must be mindful to avoid governmental regulation and any direct or indirect censorship; improve the ratings systems; by strengthening them and making them more informative; improve enforcement; and incorporate media literacy in the schools. In the end, though, voluntary self-regulation is the only constitutionally acceptable way to address these issues. We look forward to working with you to find common ground that protects both fundamental freedoms of artistic expression and the freedom of families to protect their values.

Thank you.

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