



Case Report

1	Case Number	0490/11
2	Advertiser	Beach Burrito Company
3	Product	Restaurants
4	Type of Advertisement / media	Print
5	Date of Determination	18/01/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Religion

DESCRIPTION OF THE ADVERTISEMENT

Day of the dead graphics featuring a skeleton draped in a blue hooded cloak with its hands clasped as if in prayer and four smaller skeletons at its feet playing musical instruments. There are roses in the background and two bird like skulls. www.beachburritocompany.com.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

Yet again it seems that the Christian faith is the one to be mocked. It seems that because Christians are the peaceful accepting tolerant ones we are the ones whose religion gets tramped on for the sake of a laugh or some piece of stupid thoughtless and even mindless (certainly tasteless and unscrupulous) advertising. As a Christian I am offended to the highest degree. And the timing? Christmas of all occasions, an occasion where Our Lady is remembered and revered by so many people in Australia and across the globe. If Jesus and Christianity is so false, so fake, then why does our entire world operate on a timeline that is before and after his birth? If Jesus is false why do people even bother to celebrate Christmas and give gifts in memory of the great gift that was given to us by God our Father? And even if people choose not to believe in God or the Christmas story then at the very least non-believers could show a bit of respect. Yet again when I see these things I think why not Allah? Why don't people mock and jeer Allah and offend the Muslim population? Sometimes I wish Christians would go and blow people up just so that idiots such as those behind the Beach Burrito Company advertisement would stop making a mockery of our faith. But clearly that

was not what Jesus taught and not what He is about. He is about love. Yet at the same time Jesus overturned the tables in the synagogue when people were abusing the forecourts and using them as a place for commercial enterprise rather than worship. He got angry, He felt sad, He got disappointed. Just as he does today from where He sits in our world and yet beyond it. And He asks those of us with a bit of decency, a bit of understanding, to stand up for what we believe is true. Really, I am so tired of these kinds of advertisements. I have complained about the abuse of the Christian faith before. It would be great to see some standards drawn up that stop this kind of thing from happening in the future. They are long overdue.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

The ad is a celebration of day of the dead. The graphics used are day of the dead imagery that has been used and is currently used by most latin american CATHOLIC countries. The person complaining just doesn't realise this.

http://en.wikipedia.org/wiki/Day_of_the_Dead

http://en.wikipedia.org/wiki/Santa_Muerte

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board noted the complainant's concerns that the advertisement mocks the Christian faith in its portrayal of Our Lady as a skeleton.

The Board viewed the advertisement and noted the advertiser's response.

The Board considered whether the advertisement was in breach of Section 2.1 of the Code. Section 2.1 of the Code states: "Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of ...religion..."

The Board noted the advertiser's response that the image used is one which is commonly used in conjunction with Day of the Dead celebrations: a Mexican based tradition of remembering those who have died.

The Board noted that although the main skeleton in the advertisement is draped in a cloak and has its hands pressed together as if in prayer, there are no other religious symbols in the advertisement. The Board considered that while the imagery could be seen to suggest the

Virgin Mary, the depiction is a well know one for another festival and does not denigrate Christianity or Christians.

The Board determined that the advertisement did not discriminate against or vilify any section of the Community and that the advertisement did not breach Section 2.1 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.