

### Editorial Mary Rogal-Black

ed (to-ri-al) (ed/ri-tyoos) (ed/ri-tyoos). An article in a newspaper, magazine, or the like, published as the personal or official expression of opinion on some issue. —adj. 1. Of or pertaining to an editor or editing; editorial policy. 2. Write

## Alleged sexism in reporting

I was asked an interesting question this week about two stories that appeared in last week's issue: Why, when we reported a sexual assault on campus, did we write "alleged sexual assault" whereas, in stories about a convenience store robbery and thefts on campus, we didn't use the word alleged? Does our use of the word imply that the woman who reported the assault was lying?

The word alleged, "to assert to be true without proving," connotes disbelief because the concept of the lack of proof is central to the word's meaning.

I thought that maybe there was a legal reason for using the term, to avoid making a statement of guilt against a suspect, but the more I thought about it, the less I understood why we would apply this element of disbelief to a story about sexual assault.

Amateur journalist that I am, I sought a higher authority.

Bruce Eddy is a senior partner at the Fredericton law firm Eddy, Young, Hoyt and Downs. He advises *The Brunswickan* on how to avoid getting sued for things like libel and defamation, the main legal problems we're likely to run into when writing news stories. I asked him if there is a legal reason for the use of the term "alleged" in reporting on incidences of sexual assault.

The sensitive nature of the issue of sexual assault does affect the legal implications, Eddy pointed out. "The law's 'right-thinking man' (by whose wisdom we determine what is defamatory and what is not) may find that the victim in a sexual assault case is defamed by a report that he or she has been sexually assaulted and therefore disgraced," he told me. "By contrast, the victim of a car theft is not likely to be disgraced or humiliated by a statement that he or she is the victim of such a crime."

However, I was surprised to learn that the term "alleged" doesn't provide journalists with a lot of protection against charges of defamation.

"There is no magic to the word 'alleged' that I know of," said Eddy. "The thing is to avoid the imputation of guilt. Sometimes the word 'alleged' helps to do this, sometimes it is just a thin veneer over a defamatory imputation of guilt which is nonetheless defamatory."

So much for a legal excuse. Maybe there's some kind of journalistic ethic behind the use of "alleged?"

I asked Mark Pederson, Producer of CBC's *NB Now*, who said he thought that journalists may use the term "alleged" more frequently in cases of sexual assault than, say, car theft, because sexual assault is considered more difficult to prove than theft. Whether a man and a woman have had consensual sex can be a less definite issue than, as Pederson put it, "the car was here, the car is gone, the owner didn't do it."

Pederson said that the choice for journalists whether to use the term alleged comes down to three issues. The first two involve the degree of evidence in the case and whether the intercourse was consensual or not. In cases of sexual assault, defense lawyers will often argue that the intercourse was consensual. If a reporter is unsure, based on the evidence available to them, that there was an assault, they may use the term "alleged" to reflect that uncertainty.

The third issue, Pederson said, is the possibility that a male-dominated media has institutionalized doubt. "You could argue that it's gender politics. Males think differently. Experiences shape your beliefs. Men don't suffer assaults as often and are less likely to believe them," said Pederson. "A male-dominated media is inclined to question allegations of sexual assault. Women are more likely to believe it."

If Pederson is correct in supposing that gender politics have insinuated themselves into journalism in this way – and I think that he is – it's interesting to note that the front-page piece about the sexual assault that took place on campus last week was written by a woman, as were the other articles about crimes in Fredericton and on campus. The former was "alleged"; the latter were not, and the staffer said the choice was "instinctive." *The Brunswickan*, albeit inadvertently, victimized the woman yet again with its automatic attitude of disbelief. There is no substantial legal reason to "allege" about sexual assault and, despite our reluctance to believe the horror of rape, it's past time for the media to admit that sexual assault is just as real as car theft.

Wouldn't it be great if we lived in a world where the "National Enquirer" was accurate?

I've never bought those tabloids at the supermarket, but I love to check out the headlines. I sleep better at night thinking that maybe John Kennedy really is alive, living happily on the moon and telling Elvis to rewind the Oliver Stone film ("See, right there, BOOM!! Cool, huh?). I wish the mermaid nothing but happiness in her secret marriage to John Tesh (can he sing underwater?). Most of all, I fantasize that those diet plans really do work.

You know the ones: "Lose 25 pounds by eating nothing but cheesecake!" "Jelly Donuts Increase Metabolism" and "Beer for Breakfast Beats the Bulge!"

Of course, having just dropped 70 pounds on my own secret diet plan (I call it, "Lay Off The Bon Bons, Tubby!!"), I know these others don't work. They're based on the notion that some people will wish so badly for a painless solution that they'll put their brains in park and try everything. But who would believe that we're that mush-brained and gullible?

National Enquirer, meet Preston Manning. Canada's favourite zany zealot has developed a new plan to reduce our debt and preserve our social programs. Cut taxes!

In a related story, Reformers are now advising graduates whose student loan debts are too high to work for less money. But I digress, metaphorically.

Now we all know that this hocus-pocus has been tried before. Ronald Reagan tried cutting taxes too – the debt ballooned, interest rates went up, and economic growth was even slower than the meagre increases that have occurred under the Clinton Administration.

But of course, Reformers have never been held back by the fear of insulting our intelligence. This is a party whose contribution to political dialogue is to prove that complex problems have simple, easy-to-understand, wrong answers.

They try to convince us that Quebec will be happier if we simply refuse to deal with distinct society. Their solutions on crime all involve tougher sentencing, assuming we're too dumb to notice that all their proposals matter only after the crime has already occurred. And they've tried to convince us that a party convention that gives a standing ovation to an MP who would move a black employee to the back of

## But I Digress... Kelly Lamrock



the store to keep a racist's business is actually an open, inclusive party which sees all Canadians as equal (at least as long as equality doesn't entail actual action to realize it.)

So, I'm not surprised that Reform believes they can trick us into trying their version of the National Enquirer diet plan – eat all the tax cut cheesecake you want and watch your deficit waistline magically fade away. Here are four things to think about to help your common sense overcome your cravings:

1. The first chestnut is that tax cuts mean more people spend money. Newsflash – taxes get spent, too. The government buys things like desks, photocopiers and roads. Or they give the money to people – employees, parents,

schools, students, welfare recipients, small businesses – who spend it. In fact, studies show that these groups are more likely to spend all the money and to spend it in Canada. Reformers say government

takes too much money out of the economy, and spends too much. They can't have it both ways. Which leads us to ...

2. Reform says the key is to "get spending under control". This is the polite way of saying that they'll cut so many programs that you'll spend your whole tax cut covering hikes in tuition fees, hospital user fees and private health insurance, not to mention higher interest rates.

If you like the fact that we have to cut programs now because we don't have the money, you'll love Reform's cuts. If they want to target tax breaks to help middle class families buy homes, send their kids to college or save for retirement, that's great. But Preston Manning knows you

don't need to cut everyone's taxes to help the middle class. Instead, he's cutting programs the middle class relies on to extend the tax cut to people who need it least.

3. In 1993, Preston Manning said that he didn't want to cut social programs, but bringing down the deficit was the way to save them. Now that the deficit is coming down, he's moving the goal posts. Now the aim is actually to cut taxes. You don't need to be an economist, read a graph, or peruse a budget to recognize one basic fact – Reformers lie and lie and lie about what the real agenda is.

The fourth reason is the one that matters to me the most. We all know that Jean Chretien is going to win the next election as surely as Lucien Bouchard will be outraged at least three more times this month. Reform does too. But what they are counting on is that they can win votes with an old trick – give people a strong enough temptation to make them forget what's sensible and what's right. In Ontario, Mike Harris showed people children growing up in homes dependant on welfare cheques and said to Ontarians – I'm

offering you a clear choice – you can pay \$1200 less in taxes if you're ready to take \$1200 away from this child. No one will know when you're all alone in that voting booth.

Deep down, you know what it is. He bet that we would cross that moral line, and he was right. Preston Manning thinks many of us will cross it again.

I notice Keystone Kelly's is offering deep-fried cheesecake on their menu. Sounds good. But I won't delude myself into thinking it's good for me. I won't give up good schools, good roads, and good hospitals to eat more of it than I should. And I sure as hell wouldn't take money from someone less fortunate than me in order to pay for it.

Preston Manning thinks you will. I say you won't. You can live up to your hopes. Or you can live down to his expectations. And next year, you'll tell us who's right.

"...I'm not surprised that Reform believes they can trick us into trying their version of the National Enquirer diet plan – eat all the tax cut cheesecake you want and watch your deficit waistline magically fade away..."

## Mudwump

Joseph W.J. FitzPatrick3

## Warning, this is not a news story. (I'm kidding)

I am so flattered. The recent hubbub surrounding *The Brunswickan* and its relationship with residence has been the result of the sinister influence I have been able to maliciously apply at the paper through my opinion column. (Remember, this is my opinion and my opinion only. Nobody else is worthy of having it. And I doubt anybody else would be able to express it as eloquently as I.)

I have, through my nefarious means, been able to perpetrate the ultimate violation of the single most important precept of UNB, an offense for which the punishment is eternal damnation.

And this sacred trust? Residence. Residence is an issue so sacrosanct that nobody dare question it, or question the people who administer it or the motives behind their actions.

Now this follows, I do not know. For obviously the students in residence are personally responsible for the fact that members of their community are charged with crimes. And obviously, it is in my power to make others believe the lunacy of that statement.

Apparently, the irony of that suggestion is lost on most people in residence who believe that poking fun at the extremes of residence antics is an indictment of the entire population of residence students. This is as likely as people believing that the "residence life before and after" jab referred to with dread around the office as the 'naked people photo,' was actually a depiction of residence life, before or after. The debate about the picture is quite similar to the debate about Gary Larson's (*The Far Side*) Cow Tools cartoon. Larson wishes he never drew the humble cartoon of a cow standing behind a bench with a bunch of objects on it with one of the tools resembling a saw. Most of the confusion arose because people tried to understand what the other tools were and why he had drawn it.

The photo in question was of my attempts at humour. Cynical though it may have been and, after some reflection, in questionable taste, it was not on the front page, it was not in the News section, and it was not meant to "mean" anything. It was silly, it was punnile. That's also what I think of the debate over it, but I digress...

Although criticizing *The Brunswickan* serves as an outlet for the frustration about the negative stereotypes of residence and residence students, it is not a solution. The solution is to express your opinions through Blood 'n Thunder, through interviews with our News staff, or, gasp, coming up and pitching residence stories to our News Editor, Cynthia Kirkby. Offering to write a few could prove even more gratifying. By the way: I don't get to edit news.

One of the real problems associated with student media is that we, unlike commercial papers, do not have expertise in all areas of the University. And, consequently, our coverage is determined by

what we can base our decisions on. That does not, by the way, invalidate the coverage of anything in the paper. I'll give you an example: coverage of OHSR. Having members of staff who volunteer at the station (or who, like me, sit on the Board of Directors) is one of our most valuable commodities. While it is more difficult to cover the stories with staff members involved, we do have access to valuable background information that non-involved students simply don't know. In addition, without having people with direct knowledge of the Student Union and Administration, our reporting of both would be less trenchant, and less informative.

Do I deny that I have serious questions about the purpose of residence? No. Do I deny that I have echoed and, in effect, condoned the stereotypes associated with residence? No. However, I've been known to do the same thing to Engineering and Nursing students. Plus on my off days, I am philosophical and retrospective and quite good at self-deprecation. There is more to me (and to this paper) than meets the eye of the odd Norseman.

Here's the straight dope: residence students shouldn't assume that my accusations of the system are in some way a reflection of the individuals in the system. That would be as absurd as blaming the failure rate in Math 3003 entirely on the students who flunk it. You should be more concerned with finding solutions to the problems in residence, because I didn't make up the stereotypes or the incidents that prompted their creation.

However, there are reasons for me to apologize personally to residents for some of the coverage. The Bed Push mistake was my fault. So was the "Residence before and after" photo. Yes, we got the name wrong. But no, it wasn't to malign the residences. The mistake was no more malicious than last year's horrifying typo in the Marjorie McQueen Ferguson Foundation article which stated, "women are amused by their husbands' instead of "women are abused by their husbands." Just a reminder not to rely too heavily on spell check.

Okay, maybe I'm not a fan of residence, but that opinion is not, to my knowledge, shared by other members of the Brunswickan staff. The reason I'm not a fan is not a direct result of actions of residence students. It's a result of unresolved questions about the residence system. Why it does exist? Is it, like football, a way to foster community spirit, school pride, etc., or is it just a place to party and flunk out? What advantage is it to the University? Does it matter which house you live in? Are houses just defacto fraternities and sororities or are they real communities? Why do they cost so much more than an apartment? Why does the University only have 93 parking spaces for 200 students? Why is there a separate student government in residence? How does the House

Committee fit into the Residence Representative Board? Why does a student pay Student Union fees, a house fee, and a RR fee? Why is there a separate disciplinary system for residence students? Why do students in residence have the obligations of a tenant, but none of the rights, and why doesn't the University have the legal responsibilities of a landlord?

These are questions I have of residence, among others. But not only will nobody talk about them, there aren't enough residence students up here to help us find out. Therefore, I am left to rant about these questions in this opinion forum, hoping somebody can shine some light on the residence system and its intricacies.

Maybe the closeness residence has to the University administration makes this likely. After all, I don't live in the same building as any of my professors or people who can affect my academic program. I don't have a landlord who could evict me for speaking out against the University or its institutions.

But last time I checked, living in residence did not qualify you as "persons of any given sex, race, physical and/or mental disability, religion or sexual orientation." As such, they are no more protected than the rest of us dopes at University, like, for example, articles like Mary and me.


**WARNING: SARCASM AHEAD**

By the way, if I really had a competition with Mary to generate Blood 'n Thunder, let me tell you, I would be talking a lot more about the sexual inadequacies of football players who have communal showers after handling balls until they are battered, bruised, and broken. I also wouldn't fail to mention relations between law students and their four-legged "inflatable friends" or point out the relationship between the height of a woman's nipple to her IQ. And I wouldn't forget to mention the surprising regularity with which esteemed members of the University Community partake of the "medicinal" plants.

**ATTENTION: YOU ARE NOW LEAVING A SARCASM ZONE**

Oh, and don't be so silly as to write in telling me that I shouldn't have written about stuff I could write about if there was a contest, since by saying that there wasn't a letter writing contest in this manner may just be a way for me to deny its existence when, in fact, it does and by writing in you would be participating. But since not only is there not a contest, but I wouldn't write about those things unless they were true, or I thought they were in some way relevant, and since they aren't and I don't, I won't write about them. All right?

This is a Mudwump. For opinions to be taken without salt, see above left. For News, turn to page one.

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