

SPECTRUM

What is to be done? - Ten years since the advent of AIDS

by Adrian Park

An anniversary passed largely unmarked on the 3rd June this year. Ten years ago, the New York Times ran an extended feature on a rare cancer and a form of pneumonia afflicting gay men in New York and Los Angeles. Originally termed "Gay Related Immune Deficiency" (GRID), it rapidly obtained the name "Acquired Immune-Deficiency Syndrome" (AIDS), and experts warned of a major epidemic. Ten years on, with over 120,000 dead and 1.5 million infected on this continent alone, I need not elaborate on the consequences that are self-evident. Most gay men over the age of 25 can remember exactly what they were doing, and where they were when they heard the first rumour of this storm. It became for a generation what an afternoon in Dealy Plaza, Dallas, in November 1963 meant for their elders: the day the world changed.

Over the years, death, on a scale with few precedents in peacetime, has occurred among an age group for whom death was rarely an important consideration. Coming to terms with these new realities has taken place in an atmosphere of fear, intolerance and malice - for the epidemic erupted at the same time as the unholy alliance of New Right and Moral Majority were attempting to foist their narrow vision of selfish individualism and institutionalized bigotry on the USA and to a lesser extent (though with more success) the UK.

For gay men, the last decade has been a time of learning valuable lessons from the need to live with the dangers of HIV infection and not succumb to the panic, contrived or otherwise, that surrounds this disease. Successful alliances have been

created to provide support where health and social services have either failed or proven, at least initially, inadequate to the task. Such organizations as San Francisco's Shanti Project, New York's Gay Men's Health Crisis, and hundreds of other local organizations such as Fredericton's own AIDS New Brunswick/SIDA Nouveau Brunswick, have demonstrated that gay men, lesbians AND people who are neither, can share responsibility and bear witness to the only decent and humane response to this epidemic. Such organizations have also demonstrated the seamless web of health care provision and health care politics that enmeshes all citizens, their governments, providing agencies, the drug companies and insurance industry. How our society and its care-givers treat the terminally and chronically ill, how health care for these people is provided and paid for, how drug companies profit from controlling supply and access to their products, and how government connives in the process, and the ethics of medical professionals have all been subjected to a public scrutiny not readily envisaged ten years ago. Gay and Lesbian health issues were marginal in 1981 - in 1991 they are centre stage.

This epidemic has tested not only the emotional and physical resources of the gay and lesbian community, it has tested many aspects of society at large - particularly the limits of its tolerance. Over the coming decade, this epidemic's changing face will challenge the gay and lesbian community and the larger body politic in new ways. If the last ten years have seen an ugly eruption of homophobia, we are already witnessing the rise of a racial dimension to "AIDS

induced panic". As this disease becomes more closely associated with urban poverty, it will be those racial minorities trapped in that poverty that come to bear the brunt of organized hatred.

If anyone ever doubted the reality, racism is alive and well in the gay and lesbian community, and homophobia is no stranger to urban blacks and hispanics. It will be one of the coming decade's major challenges to see that parsimonious governments are not permitted to exploit this tension to set disadvantaged groups against each other in a fight for more resources.

In North America and Europe the public perception of AIDS

has been shaped largely by the response of the largest group among the epidemic's first victims - predominantly white, middle-class, educated, moderately wealthy gay men. This group was politically articulate, and spearheaded many of the initiatives, often in the face of indifference or hostility. But this group has also incurred a debt. Along side them from the beginning have worked, tirelessly, many lesbians, informed by their own experience in the feminist movement and activism on women's health issues. They helped shape the community response to AIDS in a major

way, at a time when few experts perceived any major threat to lesbians from the epidemic. This debt could be repaid by some of the experience gained in political dimension of AIDS activism being brought to bear on women's health issues. To cite one example, since 1981 cervical and breast cancer have prematurely killed far more women than the toll from AIDS. Research on promising drugs, like R4 486 is held up for purely political reasons. Is this beginning to sound familiar?

Positively Pink with Adrian Park

Copyright laws



The copyright laws do not exist to promote better ideas over less worthy ones. Therefore, when Peter sat down to design wind-up UNB beaver dolls, he knew he was onto something good. In fact, the application of copyright laws is not based on the merit of a thought, but is simply aimed at protecting the efforts which Peter devotes to this new "hot ticket item". We hear a great deal about copyright issues. We are familiar with the practices of copying tapes and computer programs. Although these are common practices, people are often unaware of the legal implications. In an effort to protect his little investment, Peter set out to properly understand the law of copyright in Canada as it is covered by the Copyright Act.

A copyright, Peter discovered, may be defined as the protection by the law of the works of authors and artists giving them the exclusive right to use, reproduce, copy or publish their works. Peter is the true owner of his work and is the only one who may give permission to another to make copies of it. As the owner, Peter may give away or sell his rights to someone else, making the other person the new owner of his work. Although Peter may give up the copyright, his right of ownership remains with him as the original author. As such, he has the right to prohibit any distortion, mutilation or other modification which may be prejudicial to him.

Peter noted that the laws are established to protect the expression of an idea, not the idea itself. Therefore, copyright legislation does not include plagiarism as it is concerned with ideas rather than with a mode of expression. Plagiarism is an academic offence and is handled

Legal Ease

by university regulations. In general, copyright law covers written works (books and published articles), tapes, photographs, films, music, sculptures and computer programs.

There are some acts that Peter discovered to be permissible under the copyright laws. He started to worry about all the photocopying he did for his term paper. There is a privilege extended to students and those engaged in study and research to reproduce a reasonable segment of work. No infringement takes place unless the very essence and substance of the work is used without the author's permission. Therefore, it is permissible to photocopy a few pages or even a chapter of a book, but to copy the whole book would be unreasonable. Although many of Peter's friends have copied his music tapes and video cassette, this is a violation of copyright law. The fact that many people do it does not dismiss the fact that it is against the law.

Peter's friends all have computers and they "borrow" each other's programs from time to time. Most computer programs purchased off the shelf, Peter discovered, include what's called a licence agreement which may restrict your right to lend it out to others. These agreements should be read carefully because they are not all the same. Most computer programs are not

owned by their purchasers as personal property, only the right to use the program is purchased. If one of Peter's friends lawfully possesses a copy of a computer program, he or she may reproduce, convert or modify that program as long as only he or she uses it. If, for some reason, Peter's friend is no longer entitled to own the original, he or she must destroy the copy.

Peter wanted to know what would happen if someone violated his copyright. An infringement of copyright is not an offence under the criminal code and so it does not carry a set punishment. If any penalty is to be issued, Peter must voluntarily choose to sue for the unauthorized use of his work. The punishment can be severe, resulting in a fine up to one million dollars or five years imprisonment. As well, the court may award Peter any proceeds that may have been gained by the infringement of the copyright.

If Peter wishes to obtain a copyright, information is available from the Department of Consumer and Corporate Affairs: Consumer and Corporate Affairs Canada, Atlantic Regional Office, Suite 1500, 1489 Hollis Street, Halifax, NS, B3J 3M5. 902-426-6080.

The Federal Minister of Consumer and Corporate Affairs keeps the Register of Copyright in which the names and titles of works and names and addresses of authors are entered. Application for the use of a piece of work which has copyright is made to the Minister who, in turn, gives notice of the application to the owner of the copyright.

A relatively simple way for Peter to establish his ownership

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