

SPECTRUM

IN THE PINK SUCH LANGUAGE

by James Gill

At its meeting on Tuesday night this week, the Fredericton Senate of the University endorsed recommendations which would require all official university publications to use gender inclusive language, and encourage all members of the university community to avoid using inappropriate gender-specific references. I, for one, am delighted that the University is beginning to take such positive steps.

Language is a powerful force in our society for it affects us at a subconscious level. Without realizing it, the way we express ourselves often makes us tools in perpetuating unacceptable social norms. Changing the way that we refer to the world around us can radically alter the way we perceive that world.

Language is a device which can be used to tremendous advantage by those who are expert in its manipulation. For words carry far more than the simple dictionary meaning which is attributed to them. Words like "lady" and "handicapped" carry with them connotations which generate images in our mind. More importantly, perhaps, they convey a message to those to whom they refer. A woman may object to being referred to as a lady, notwithstanding the connotations of sophistication, because of connotations of subservience. "Young ladies do not do such things!"

On the other hand, some women may appreciate the reference, but it is a matter each woman decides for herself, and in referring to women, we must be sensitive to the reaction which may be generated. Conservatives might call this bowing to over-

sensitivity, but I think is more a lack of sensitivity on their part. When I ask that people call me "James", rather than "Jim" or "Jimmy", my preference is respected, except by those who want to annoy me. Why should my name be treated differently than any other label which is used to describe me?

For our part, the gay and lesbian community has reacted negatively to the use of the word "Homosexual" as a socially descriptive term. The reason is that the term "homosexual" focuses in on the sexual aspect of being lesbian or gay. While it is our sexual orientation which defines us, we exist as people who are a distinct culture beneath that definitive element. Racial groups are communities not just because of the similarity of their skin colour, but also because they are a culturally cohesive unit, with distinct and different social patterns that deserve respect, recognition and concern. There is far more to being gay or lesbian than just sex, thus sexual references are an inappropriate means of referring to us as a social group.

"Homosexual" is, however, an accurate term, technically speaking, and its use is accurate. That does not mean to say, however, that its deliberate use instead of the term preferred by most people to whom it refers can be interpreted as anything from a mere slip to deliberate aggravation, depending on the context.

In an issue of the *Brunswickan* last term, Mr. Martin Yaqzan made passing reference to "the lesbians, homosexuals or any sex

deviate..." The implication is clear—in Mr. Yaqzan's opinion, homosexuals and lesbians are

sex deviates. If one uses the term "deviate" to mean one who follows a different path from the common standard, then indeed, in matters of sex, gay men and lesbians do indeed "deviate." However, it cannot be denied that the term "sex deviate" carries with it a host of judgmental connotations which any lesbian or gay man would be perfectly justified in finding insulting and offensive. What, then, is the alternative? If Mr. Yaqzan truly wishes to indicate nothing more by that statement than our difference, then what is wrong with the word "different?" For example, "the lesbians, gay men, and others with different sexual preferences."

In that same letter, Mr. Yaqzan states that lesbians and gay men are "the fodder for hell according to the religious beliefs of many parents." I concede that there are indeed parents who would use such language to describe us, but if that is all that Mr. Yaqzan meant to indicate, then why not describe us as "people who many parents do not approve of..." or if one wants to use the stronger language, "people who many parents would call 'the fodder for hell.'" Otherwise, it is reasonable to think that Mr. Yaqzan would adopt that view himself.

Next GALA Meeting:
Tuesday, February 13, at 8:00 p.m. in Room 203 of the SUB. We will be going over the details of our benefit dance for AIDS New Brunswick to be held Friday, February 16 at the STU cafeteria from 9 til 1.

The views found in SPECTRUM are not necessarily those held by the BRUNSWICKAN. Writers interested in writing for SPECTRUM should submit at least three articles of no more than 500 words each. The BRUNSWICKAN retains the right to publish material at its own discretion

When you want to bring a Small Claims action, you must file a Notice of Claim. The forms to do this can be obtained from the clerk at the Registrar's Office at the Justice Building.

Once a Notice of Claim has been filed, the party you are suing has 35 days to respond to the action by filing a Dispute Notice. If he or she does not respond, you can ask the clerk to give you a Default Judgement.

WHAT HAPPENS WHEN YOU GO TO COURT?

Both parties will appear and each will have an opportunity to present their case. The clerk of the court, or the judge (whoever is hearing the case) will then make a decision based on the evidence presented. The evidence may take the form of witnesses or of an affidavit, which is a written statement of facts which are sworn to be true. It is wise to prepare yourself before appearing in court by writing down all the facts of the case in the order they

occurred so that you will not become confused and so that you may present a clear argument. As well, you should gather any evidence that may be of aid to your case, such as letters, cancelled cheques, contracts, guarantees, receipts, or photos.

HOW DO YOU COLLECT YOUR JUDGEMENT IF YOU WIN?

When the court decides in favor of one of the parties, it will order the unsuccessful party to pay an amount decided on by the court. If the court order is not followed, a judge can enforce the order by having that person's goods seized and sold in order to pay the debt. Also, it is possible to be placed in contempt of court for refusing to pay such a judgement.

NOTE: THIS LEGAL COLUMN IS WRITTEN FOR INFORMATION PURPOSES ONLY. IT IS NOT INTENDED TO BE A REPLACEMENT FOR PROFESSIONAL LEGAL ADVICE.

SMALL CLAIMS COURT

If you have ever experienced the frustration of arguing with your roommates about sharing the expenses such as your utilities and rent, or you have been left unpaid for a loan you gave someone, this article may be of interest to you. Small Claims Court was developed to permit a citizen to sue another without the assistance of a lawyer. You are permitted to be represented by a lawyer if you so wish, but the procedure is designed so that this is not necessary. A small claim is defined as "any claim that a person (called "Plaintiff") brings against another person (called "Defendant") for debt or damages to a value of \$1000."

WHAT SORT OF CLAIMS MAY BE HEARD IN SMALL CLAIMS COURT?

Small Claims Court has been developed to hear cases involving personal debts, damages, and consumer claims. The following are examples of these sorts of claims:

- defaults on payment of rent.
 - claims by landlords for damages to rented premises.
 - loss or damage to goods (ex: a friend who borrows your television damages it and then refuses to pay to have it repaired).
 - defective goods, workmanship or services based on warranties or guarantees.
 - damages to motor vehicles.
- HOW MUCH MONEY MUST**

BE INVOLVED IN A SMALL CLAIMS ACTION?

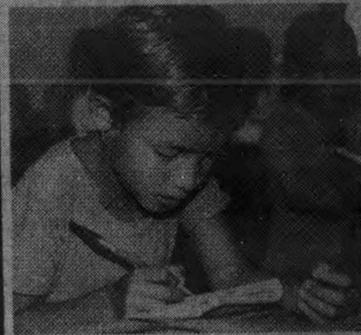
There is no minimum claim requirement. In order to bring a Small Claims action, your claim must not exceed \$1000. If the potential claim is more, it can be reduced so that it will fall within the jurisdiction of Small Claims. For example, if you are owed \$1200, you could reduce the amount you will claim to \$1000.

WHAT DOES IT COST TO BRING A SMALL CLAIMS ACTION?

As of July 1, 1989, the filing fee for all small claims is \$35.00.

HOW IS A SMALL CLAIMS ACTION BROUGHT?

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