

SPECTRUM

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In the Pink

"AIDS" and the Law

by James Gill

More: ..What would you do? Cut a great road through the law to get after the devil?

Roper: ..I'd cut down every law in England to do that!

More: ..Oh? And when the last law was down, and the Devil turned round on you-- where would you hide, Roper, the laws all being flat?

--from Act I of A Man for All Seasons by Robert Bolt

On Monday the readers of The Daily Gleaner were treated to one of the most appalling displays of bigoted and homophobic editorial journalism I have ever seen in that paper. The editorial piece displays an ignorance and irrationality which is deplorable among those who have the ability to shape public opinion.

The piece arose from a discussion held during "Law Week" on AIDS and the Law. The editorial says, "Our opinion is that people infected with or carrying AIDS have to be identified to safeguard the public. A system of quarantine has to be installed; that method has been used for many years in the cases of a contagious disease, and certainly AIDS is that. How can authority get a grip on it if no one knows who has it and is spreading it?"

Such a system would require mandatory testing, since not all people who are HIV positive have been tested and people in their right mind would never consent to be tested with the threat of lifetime quarantine handing over the result. Mandatory testing is a violation of our right to be free from unreasonable search and seizure, guaranteed under section eight of the Charter of Rights and Freedoms, and a quarantine infringes on the right to life, liberty and security of the person, as guaranteed by section seven of the Charter.

Would such a program be found by the Courts to be demonstrably justifiable in a free and democratic society? I think not. The test is not one hundred per cent accurate. Furthermore, AIDS cannot be spread through casual contact. No one is at risk from a person with AIDS or a person who is HIV positive around them. You have to have unprotected sex with the person, share a needle, or come into direct blood contact. Forget the spurious tales of "What if the

person bleeds all over the place and I happen to touch it?" The answer is, don't touch it!! Common sense is what will protect us from AIDS, not quarantine.

The resource do not exist for this program, anyway. The cost of testing every single New Brunswicker on an ongoing basis, combined with the cost of quarantining HIV positive individuals makes the cost of Official Bilingualism look like small change. We cannot afford to incarcerate all of our convicted offenders -- how does the Gleaner propose to pay for the quarantine of hundreds, even thousands of New Brunswickers?

Far less expensive, and far more effective is education. The editorial claims that "Noting has worked to date, and that makes a serious clamp-down necessary." If nothing has worked to date, then why is the incidence rate among gay men levelling out? We are taking care of ourselves. Those who are blind to the danger put themselves at risk. We must stop ignoring the problem, hoping it will go away. We must teach people that we are all at risk, and how we can protect ourselves. Silence only condemns the ignorant to death, and condemns us to pay for their health care.

The most disgusting passage in the piece state, "It must be remembered that 85 per cent of those known to have AIDS are homosexuals. That makes the disease all the more offensive to the vast majority of citizens." Just who the hell gave the editors of the Gleaner the right to speak for the vast majority, anyway? And since when does the vast majority prevail when matters of human rights are at stake? (or is the French language policy of the majority in Quebec justified then?) Fully seventy per cent of Canadians, and seventy one per cent of Atlantic Canadians in a Gallup poll in 1985 agreed that discrimination on the basis of sexual orientation ought to be made illegal. I find this to be a tad more credible than the bad assertions of the editors of the Gleaner.

The Nazis did not manage to eliminate all of the Jews, the gay men, or the gypsies with their programs of extermination. Do the editors of the Gleaner seriously believe that their proposal will eradicate AIDS?

LEGAL EASE

DRUGS, ALCOHOL, AND THE LAW: PART 4

LIABILITY OF ALCOHOL PROVIDERS

It is now common knowledge that people who drink and drive can face very serious consequences if they injury or kill someone. Because the costs of such accidents can be so very high, the legal community has had to look beyond the drunk driver to obtain restitution for the person who has been injured. As a result, the providers of alcohol, such as bars and bartenders are now being held financially responsible.

Traditionally, the law did not require that establishments such as bars control the conduct of people, except while they were actually on the premises. now, after a series of important decisions, the law says that alcohol providers (bartenders, bars, pubs, etc.), have a legal duty not to serve customers past the point of intoxication. if they do, they can be held partly liable for the conduct of the intoxicated person.

This issue has become a matter of great concern to licenced establishments because they can be held liable even if

they only sold the customer one drink. For example, a patron could have a number of drinks at one establishment and then go to another bar. he or she could then order a drink and the bartender would have no idea how much liquor that person had already consumed. A person need not appear drunk to be dangerously intoxicated. If that establishment was the last place that patron visited before driving home, it could be held liable for serving someone past the point of intoxication.

In order to combat this problem, providers of alcohol are now being encouraged to set up and participate in programs that are designed to promote awareness of alcohol and its effects on the body, as well as the legal issues. In New Brunswick, the Alcoholism and Drug Dependency Commission has responded to the problem by introducing the Responsible Beverage Service Program. This program covers the following topics:

- facts about alcohol (effects on the body)
- (tips on preventing intoxicating)ex. : serving food, longer

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intervals between drinks, recognizing symptoms of intoxication)

- managing intoxicated patrons
- understanding the law (how to calculate Blood Alcohol Levels,

- legal consequences of intoxication)
- social attitudes towards alcohol consumption
- the risks of civil liability

The bartenders employed by Campus Bar Services are required to take this course which is offered by the New Brunswick Community Colleges. The ultimate purpose of the program is to prevent alcohol-related problems for both servers and drinkers.

It must be emphasized that the intoxicated person is still largely responsible for his or her actions. The liability of alcohol providers is merely an extension of the chain of responsibility to the victim. The costs will be split between the individual who caused the accident and the establishment which provided him or her alcohol.

THE WOMAN'S ROOM

by Alexandra Fremont

SEXISM IN TELEVISION ADVERTISING

Years ago, when I made a conscious decision to acquire knowledge about women's issues t attain a better understanding of myself, I had no idea of the Pandora's box I was opening. As my awareness increases I have come to believe that enlightenment generates nothing more than feelings of anger, helplessness, and a total sense of despair.

However, in all my years of learning about women's issues, no issue has brought on more feelings of anger and irritation than that of the covert, and at times flagrant, sexism found in advertising. The problem seems to be that society has been socialized so well that it accepts this blatant oppression, particularly of women and children. I recognize that sexism directed towards men exists, nevertheless, the focus of this article will be on sexism directed towards women.

Television is a medium of communication which is available in at least 95 per cent of homes (McArthur and Resko, 1975), and it has been estimated that people of all ages spend more time viewing television than any other single activity participated in during waking hours (Gomey, Loye and Steele, 1977). Television therefore has the ability to profoundly influence society, and its definitions of social reality cannot be ignored. Advertising is a \$100 billion a year industry, a large part which is derived through television. The power which advertisers hold is enormous, and although their main purpose is to market products, they are also selling the public values, images, and the concepts of love, romance, success and normalcy at the expense of women and children.

Studies on the topic of sex stereotyping in television commercials have found that males are represented as the central figure in 66 per cent of advertisements. Males are also characterized more often as an authority (70 per cent) on the product, where females are typically portrayed as product users (86 per cent) (Manstead and McCulloch, 1981). An example of the typical advertisement features a suave and debonair older gentleman telling his young beautiful wife which product she should use to clean her toilet bowls.

The aspect of television ads to which I personally take offence is the situation where the only actor in the commercial is a female, who might expound the merits of her favorite shampoo, while stating that we should not hate her because she's beautiful. For the first 49 seconds her voice is the only one heard, but lo and behold, a male voice-over cuts in to tell us that he only dates women who use this certain brand of shampoo. The fact remains that in 87 per cent of commercials tested by Dominick and Rauch (1972) males were used as voice-overs. Females only accounted for 6 per cent of voice-overs, regardless of the product which was being advertised.

Denise Warren in her study on commercial liberation (1978) stated: "A woman may never buy Hamburger Helper, but she may accept as 'natural' and 'normal' (and therefore not even think about it) in their commercials that mother/daughter cooks for husband/son, serves them and waits, standing, hands clasped, breath baited, for a tidbit of praise." Seventy-three per cent of central figures shown at home are females, whereas sixty-four per cent of central figures who are males are featured in an occupational environment (Manstead and McCulloch, 1981). These figures are in no way correlated to the actual percentage of women in the labour force.

Oh yes, the world of advertising has responded to the women's movement, but not in the way we think! Their response has simply been to market, package, and sell the "sexual revolution" under the guise of liberation. They have successfully created a fiction of the liberated woman which further establishes women in sexual role-playing by exploiting their needs and fears - fear of aging, fear of being overweight, fear of being alone. Advertisers have invaded the media with images and representations of the sexually active women, who if of course completely deodorized, antiseptisized, epilated and perfumed. Only in this way can she "hook a man" and liberate herself to the home - her rightful place in their eyes!

Even though we don't really watch television commercials as intently as other programs, only an hour of television viewing can yield as few as 200 commercials. This means that over a child's lifetime he or she may view hundreds of thousands of commercials. These images act as a strong socialization agent (Murray et al., 1972), and may very well play an active role in shaping cultural values.

A sense of helplessness and despair can easily be sensed when television commercials, as well as print ads, are analyzed. Realization of this existence of gender stereotyping has altered my television viewing and I find myself watching commercialized channels less often. My socialization is largely completed, but my son is still very young and I can choose to restrict his television viewing to programs without advertisements. How about you?