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## Old attitudes prevail in the land of the free

What do Gary Hart, Oliver North and Jim Baker all have in common? For those of us with short memories, does the "year of the bimbo" bring back anything?

What this somewhat infamous trio have in common is that they are all linked women who—fairly or unfairly—were linked to their downfall. Donna Rice, Fawn Hall and Jessica Hahn were dubbed "bimbos" by the media, and were explicitly or implicitly blamed for what happened to the men they were involved with.

Even though this was clearly unfair in each of the cases, the media picked up on an image as old as humanity: that women, using their feminine wiles, are able to put men in such a state that they're no longer responsible for what they do. This goes all the way back to Eve giving Adam the apple to eat; in ancient Greece, Harpies were evil winged female monsters who set traps for men to fall in and be destroyed.

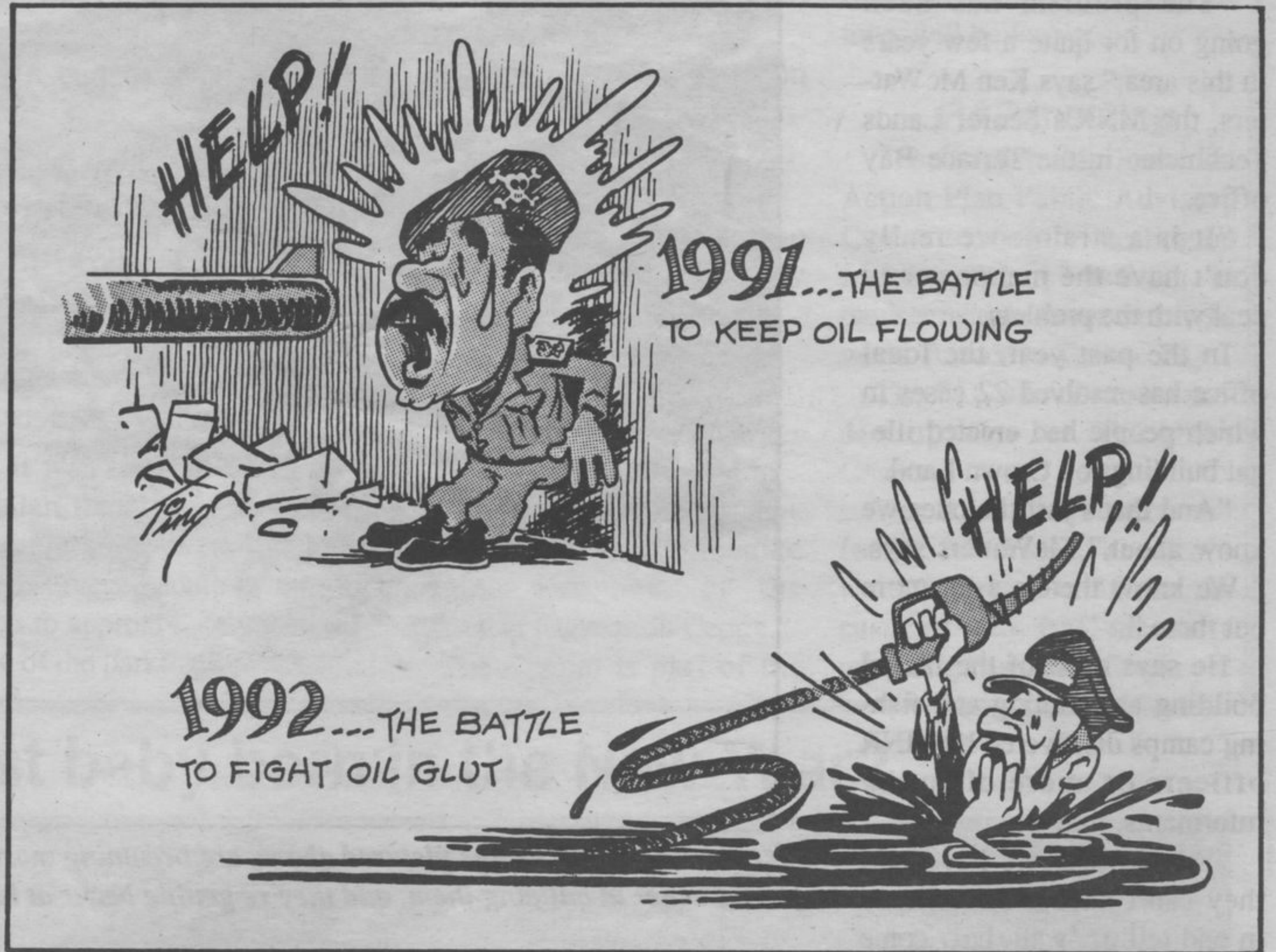
The reason I bring all this up is that in the past little while, we have seen another three cases which, while similar in outcome, are darker in tone.

It all began with the Anita Hill/Clarence Thomas case. Even though Anita Hill was a respected law professor and had nothing to gain and everything to lose by coming forward with her accusations of sexual harassment, she was still called a liar. Thomas's right-wing supporters led an assault on her character which played directly to the deep-seated prejudices many people still have in America that roughly corresponds to the adage "hell hath no fury like a woman scorned."

In other words, she was getting her revenge on Thomas because he spurned *her* advances. This line of thinking had no basis in logic, and there was no proof other than Thomas' word; and yet it was accepted.

The same thing happened when William Kennedy Smith was accused of rape. Again, the woman had nothing to gain from coming forward, had her reputation smeared in the press—in fact, her name was even published in some papers. And, as in the Anita Hill case, the whole world watched as this woman was cleverly discredited—both in the court room and in the press—by Smith's handlers. And the verdict was the same: it was the woman's fault, she's just doing this out of spite or for her personal gain.

And Mike Tyson is now the third prominent figure to be accused of sexual impropriety. His accuser—and the victim of an alleged rape by Tyson—is an honour student and a former beauty pageant contestant. Even with Tyson's history of violence, I wouldn't bet any money on a conviction. Facts are besides the point in this, the year of the Harpy.



## Defence takes on new meaning

Stop the presses! Bulletin! Bulletin! Tell Mansbridge to slick down what's left of his forelock and get ready for a brand new lead story! A Calgary court decision has slam-shifted Canadian criminal law right out of the twentieth century at warp speed and straight into the Twilight Zone.

Here's the deal: A Calgary lawyer, charged with defrauding the province of Alberta to the tune of \$900,000, was convicted and sentenced to jail. (Two years, suspended—the man was a lawyer, after all. Only little people actually go to jail.)

But the lawyer even avoided the suspended sentence by pleading—*are you ready?*—Chronic Fatigue Syndrome.

His defence was that a viral infection attacked his mind and forced him to steal the money.

"This illness was the cause of this crime" argued his attorney. "This kind of crime gave him a thrill . . . a temporary relief from the ravages of the disease."

Oh, I get it. The man's not a thief—he was just . . . *overtired*.

But here's the beautiful part of the whole story (from a lawyer or a crook's point of view) Chronic Fatigue Syndrome is medically undetectable. There is no known diagnostic test or cure for it.

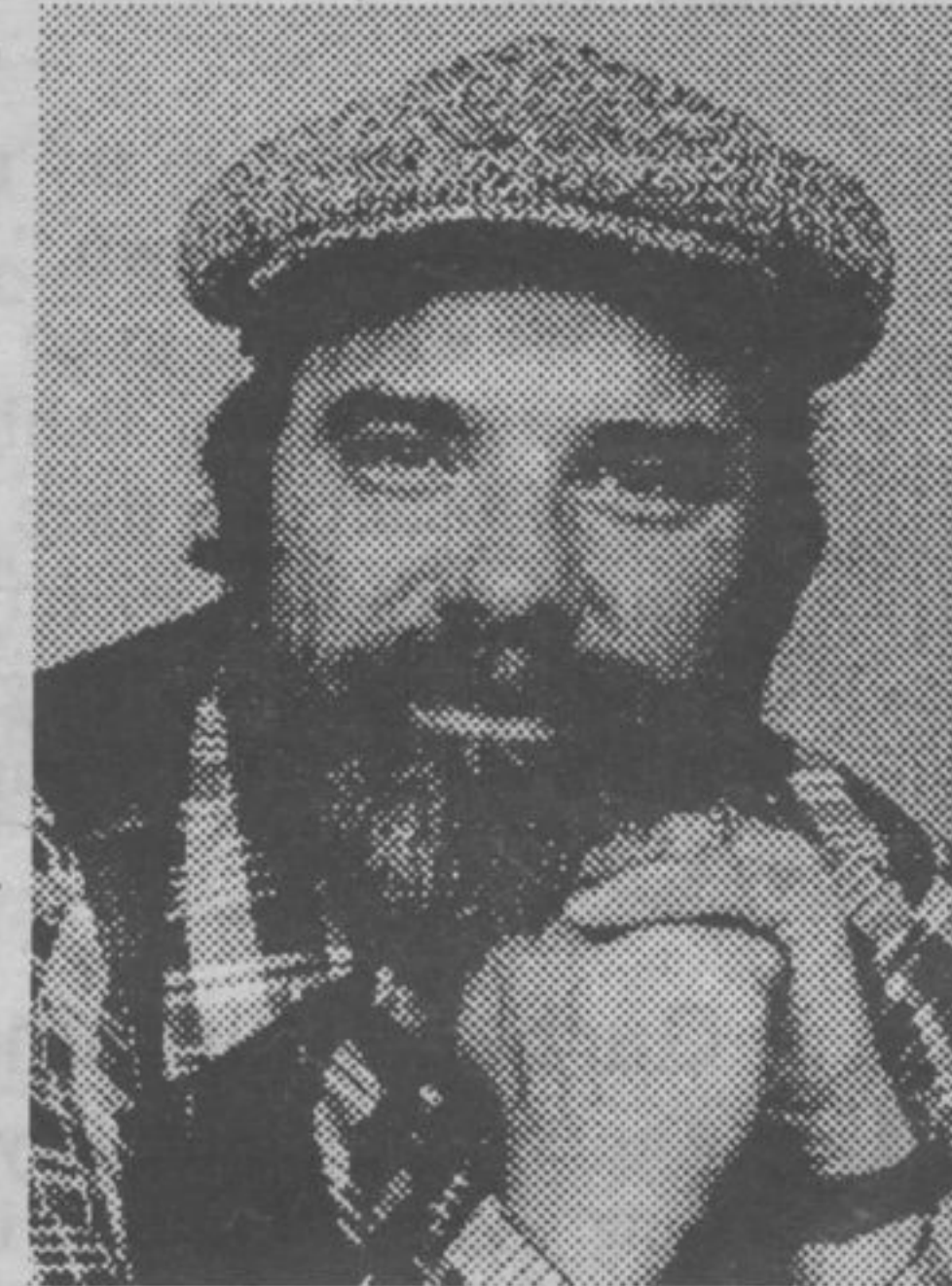
That makes it even better than the Twinkie Defence. Remember that? Back in 1979, a homophobic whacko by the name of Dan White murdered the mayor and the supervisor of the city of San Francisco.

At White's trial, his lawyer argued that White was not responsible for his actions because he had overindulged in junk foods—specifically Twinkies—before the shooting. In other words, he'd committed the murders while out of control on a Sugar High.

A couple of years ago there was a court case in Florida where a lawyer argued that his client—an adolescent who'd dusted his parents with the family .357—was not a cold-blooded killer. He was just an innocent victim of too much TV violence. Endless viewing of programs such as Miami Vice and Starsky

and Hutch, claimed the lawyer, had convinced the gormless tadpole that the best way to deal with pressing problems was to squint down a gun barrel and blow them away.

Ah, the Boob Tube Solution, the Twinkie Defence, the Chronic Fatigue Syndrome—I can see unlimited possibilities for criminal jurisprudence here. And not just with cases of misunderstood rapist, underprivileged psychopaths and misfortune-bedogged serial killers currently languishing with the system.



Arthur Black

No, clearly the time has come to revise the history books and expunge the unjust blots beside the names of the Historically Misunderstood.

I look forward with relish to a treatise called the Capone Conundrum, in which a psychologist explains the Valentines Day massacre was merely Al's way of "acting out" his frustration at not receiving a single Valentine card that year.

No doubt some academic is toiling away at this very moment over a manuscript which examines Jessie James' unfortunate Freudian fixation on trains. "Phallogentrism In Late 19th Century Rural Kansas" it might be called.

What other innovative defence stratagems can we expect? The Hitler Hanguap perhaps, in which it is made clear that Adolf was no despot—merely the victim of tight underwear. The Genghis Gambit, whereby historians discover that the Great Khan never meant to hurt a fly. His conquests were merely the attention-getting device of an inveterate bed-wetter.

As for me, I'm rather bored. Think I'll stroll down to the Canadian Tire put my boot through the glass counter of the gun display, grab a Winchester pump, then amble over to the CIBC and stick 'em up.

Maybe I'll do a spot of rape and pillage over at the milk store too. Am I worried about getting caught? Hell, I expect to. Already got my defence strategy worked out.

I'm gonna tell the judge the Devil made me do it.

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