

***Registering justice: A critical discourse analysis of daily newspaper coverage  
surrounding key queer rights changes between 1992-2005***

Geoffrey Tobin

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By: Geoffrey Tobin

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complies with the regulations of the University and meets the accepted standards with respect to originality and quality.

Signed by the final Examining Committee:

Professor Stanton Paddock \_\_\_\_\_ Chair

Dr. Brian Gabriel \_\_\_\_\_ Examiner

Dr. Janik Bastien-Charlebois \_\_\_\_\_ Examiner

Dr. James McLean \_\_\_\_\_ Supervisor

Approved by \_\_\_\_\_  
Graduate Program Director

\_\_\_\_\_  
Dean of Faculty

Date: 2 December, 2014

## Abstract

### ***Registering justice: A critical discourse analysis of daily newspaper coverage surrounding key queer rights changes between 1992-2005***

Geoffrey Tobin

Mobilizing James W. Carey's role for journalists as “professional communicators” who “forge a link between distinct persons or differentiated groups” (1997, p.13), this thesis explores discursive shifts within Canadian daily newspaper coverage of rights issues for queer communities through a critical discourse analysis of three news narratives from the 1990s and 2000s. It examines and compares aspects of the language, symbols, phrases, and connotative meanings surrounding themes of *justice*, *difference*, and *Canadian identity*, and contrasts these historic shifts through literature that examines queer news discourses. Through this analysis, this thesis explores how Canadian journalists increasingly embraced *justice* as a “register” or “argument strategy” in coverage, how this news discourse has been positive for news readers’ understanding of sexual *difference*, how it has been problematic, and how it has been *Canadian*. This thesis maintains that a thoughtful, reflective approach to the way that queer difference is addressed through journalistic narratives is necessary to staying at the forefront of progressive discourse surrounding queer sexual identities and, in its conclusion, offers starting points for how journalists can most professionally navigate the representation of sexual identity moving forward.

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## Chapter 1: Introduction

In August 2007, at a wedding ceremony in Cheverie, Nova Scotia, Member of Parliament Scott Brison married his partner, Maxime St. Pierre, in what was widely acknowledged in Canadian news coverage as the country's first same-sex marriage involving an MP. Headlines and stories characterized the event as “historic,” “significant” and “a good symbol” for queer equality in Canada and in the process claimed Brison as 'poster-boy' for Canada's recent legalization of same-sex marriage (Zitner, 2007a; Zitner, 2000b; Taplin, 2007).

Brison had publicly acknowledged his homosexuality in 2002, and in 2004 became Canada's first openly gay cabinet minister. He had also publicly clarified his stance on the conflation of his public and political life with his private life, identifying himself as “not a gay politician, but a politician who happens to gay” (Zitner, 2007b). Prior to the wedding, Brison was quoted as saying “I'm looking forward to the day when the idea of a gay or lesbian politician getting married is not a story at all” (Zitner, 2007b).

It was clear in news coverage—as articulated by his spokesperson—that Brison was not interested in seeing his “private, personal moment become a circus” (Mandel, 2007a, p.A14). Unsurprisingly, nation-wide coverage outlined the details of the ceremony. It included supportive quotes from the many politicians who attended, as well as personal comments from Cheverie locals, some who knew Brison and his partner. The wedding was a ‘first’ for Canada—it also fittingly involved an Anglophone and Francophone Canadian—and it was bound to draw considerable coverage that could be reasonably justified through commonplace journalistic principle and practice. Still, a contrast within the perspectives that appeared in news stories suggested an underlying

tension at play that is, as this thesis argues, representative of an ongoing tension within journalism's address of queer sexual identities.

Throughout the coverage—and within the same news stories—the event was characterized by sources through somewhat contradictory terms both as a historically significant “first” by politicians, but as “no big deal” and a “so-what kind of thing” by community members (Smith, A., 2007). Sentiments placed high in stories and headlines trumpeted the event as “significant” and an “important milestone” (Mandel, 2007b; Zitner, 2007e) and appeared to be at odds with that of the community members quoted, who downplayed the event's newsworthiness to reporters. Notably, one newspaper included a local voice pointing out, “It's just a wedding between two fellas... the media are talking about it a lot, but nobody else is,” (Smith, A., 2007, p.A1). While the opinion quoted here isn't intended to be representative of this community or Canadians at large, it was one that underlined a dissonance between political rhetoric, the feelings of those at the centre of coverage, and the sentiments expressed by the public.

It is worth noting, as Peter Knegt points out in *About Canada: Queer Rights* (2011) that same-sex marriage was often not considered a high priority in the pursuit of queer rights and equality, although it is often held up as such by mainstream news media. Furthermore, Brison's wedding echoes a trend (domestically and abroad) of drawing attention to homosexual “public” individuals and those involved in same-sex unions that emphasizes queer difference, seemingly in the name of social progress and greater justice for these communities. Keeping these patterns in mind, the coverage of Brison's wedding provides one example among many that demonstrates an ongoing tension at play between fostering visibility and acceptance through emphasizing difference. The coverage also



provides an opportunity to discuss an arguable turning point in Canadian news discourse surrounding sexual orientation, as well as an opportunity—and responsibility—to reconsider the purposes and consequences behind how and why journalists draw attention to queer difference.

In addition, it is important to acknowledge the historic value of media coverage of events and discussions such as these. In Laura Castañeda and Shannon B. Campbell's *News and Sexuality: Media Portraits of Diversity* (2006) the authors explain,

Particularly for those groups that historically have been and continue to be marginalized, mass media representation is of great significance [...] mass media images contribute to the construction of 'social reality.' Although most individuals do not rely solely on the mass media to make sense of the world around them—and their place in it—most people are affected by the images produced by the mass media (p.38).

As contemporary literature surrounding these topics makes clear (although much of it originates in the United States and, therefore, lacks a distinctly Canadian perspective on these issues) much has improved for the media representation of queer sexual identities.

As an example, Ron F. Smith's *Groping for Ethics in Journalism* (1999) quotes

American editor, who claimed,

We look at sexuality a lot differently from how we did 10 years ago, because the media have been willing to talk about it. There've been homosexual relations since the beginning of time, but if you look at the newspapers of the 1950s, 60s, and 70s, they didn't exist. In the last 15 years we've started talking about it, the attitudes have started to change (p.160).

Since the publication of Smith's book in 1999, these changes have gained considerable momentum. While Smith's book is dated, the quoted passage offers a good starting point for a contemporary examination. This thesis will consider U.S.-centric material in comparison to the Canadian context of these discussions—discussed in the chapter that follows—and will draw on more recent Canadian work to help illustrate the trajectory of these issues in Canadian journalism. While discourse surrounding sexual orientation has undergone substantial progress both in Canada and abroad, there is more work to be done. The challenges of reporting on queer difference is the central theme in Kevin G. Barnhurst's article, "Visibility as Paradox: Representation and Simultaneous Contrast" (2007), a theme that is also central to this thesis:

Since the 1960s, queers have become increasingly visible in the media. Queer identities in community life and politics may rely in the twenty-first century on the prevailing media landscape. And yet visibility, like other semantic and semiotic forms, contains its own contradictions. The paradoxes of visibility are many: spurring tolerance through harmful stereotyping, diminishing isolation at the cost of activism, trading assimilation for equality, and converting radicalism into a market niche (p.1).

Moving forward, as this thesis argues, queer news discourse will benefit from a mindful, critical, and perhaps, more reflexive approach to such reporting. Journalism (and journalists) must remain cognisant both of the progress made and the conditions that prompted it - ever-aware of the challenges, triumphs and failures behind them, and vigilant in their consideration of the impact of their work as they navigate the road ahead. It is, therefore, of great value to critically investigate journalism's emphasis on queer

difference and its treatment of news events related to queer rights and legal changes for queer communities. By regarding journalists through the filter of Carey's notion of the “professional communicator,” this thesis seeks to define and comprehend the discursive shifts in Canadian journalism's attention to queer sexual identities and matters of justice and human rights for queer communities; here, these discursive shifts are identified as broadly-evidenced changes or developments in the characteristics of language used by journalists to articulate the themes discussed below. Through considering *professional* journalistic communication, it will also explore how coverage has both benefitted these communities and set them back. It investigates how journalists have shifted in their regard for issues related to queer rights, and the positive and problematic aspects surrounding mainstream media's representation of queer sexual identities that results.

More specifically, this thesis investigates shifts in mainstream news discourse by identifying specific aspects of language, symbols, phrases, and connotative meanings through three related lenses of inquiry. The first lens includes discourses surrounding *difference*, considering that which either reinforces or challenges notions of 'heteronormativity' or the hetero/homosexual 'binary' that has characterized and categorized homosexual individuals historically. Secondly, it assesses discourse that addresses or underlines legal barriers for queer communities through an argument strategy of *justice* for these communities. Thirdly, this thesis considers discourse that ties this coverage to notions of *Canadian identity*. Changes in this discourse are illustrated through highlighting three key news narratives surrounding legal change for queer rights. These changes, spanning a decade of considerable momentum for queer rights, are framed as catalysts for wider shifts in the regard for queer difference. To this end, this

thesis pinpoints a range of news events related to developments for queer sexual identity that are crafted to satisfy a critical discourse analysis of queer news representation in Canada during this time. Additionally, this research mobilizes these observations in the concluding discussion of contemporary coverage and literature to better understand how journalists ought to move forward in their navigation of these issues.

Both the academic material and the news coverage related to queer representation can lack precision or consensus regarding whom, specifically, is being spoken for or about when using the term “queer” or other identifiers. While disputes over meanings of terminology in these areas of scholarship continue, given the relatively recent emergence of the field, this thesis embraces the term “queer” in line with recent academic literature surrounding sexual identity and the media (Barnhurst, 2007; Fleras, 2011; Knegt, 2011). According to Augie Fleras (2011), the term “queer,” is used for individuals or communities who identify as “LGBTTIQQ2S,” encompassing “lesbian, gay, bisexual, transgendered, transsexed, intersexual, queer, questioning, and two-spirited” (p.116). This follows Knegt's argument, where, rather than “LGBTT,” the author has “purposely not utilized that initialism, instead opting for the less specific 'queer', or when historically applicable, 'lesbian and gay.' The reasoning behind that is largely because for a book of this scope to take on an acronym so officially expansive is simply impossible” (2011, p. 108). While, this thesis employs the term “queer” in the interest of inclusivity and consistency, it is important not to overstate or generalize the impact of discursive developments as affecting all queer individuals equally or as a whole. In this regard, the analysis chapters of this thesis - regarding rights issues that specifically addressed gay

and lesbian identities and same-sex relationships - aim to reflect the language used within coverage, while considering its applicability to queer communities at large.

As detailed in the following chapter, this research investigates both positive and problematic examples of discourse through the lens of recent scholarship that addresses ongoing patterns of heteronormative discourses in journalism, including those that reinforce a hetero/homosexual binary, as asserted by Barnhurst and echoed in the literature detailed below (Barnhurst, 2007; Fleras, 2011; Gross, 2007). Evidence of *positive* or *progressive* discourse will be considered as discourse that attempts to move beyond these binary-reinforcing or heteronormative tendencies, and to, where relevant, help to more thoroughly represent sexual diversity. This includes—though is not limited to—greater efforts to include voices from members of queer communities (virtually absent from the Scott Brison coverage referenced above) rather than those speaking 'on their behalf', and language that fully reflects the diversity of these communities, and that moves beyond defining individuals through their belonging to rigid identity groups. In particular, this includes language that avoids emphasizing sexual identities in terms of “wedom” and “theydom” (as discussed below)(Hartley, 1992). By contrast, *problematic* or *negative* discourse in coverage will be considered that which fails these discursive trends, contributes to heteronormative or binary representations or marginalization of queer sexual identities, including coverage that unnecessarily draws attention to queer difference for ulterior motives (such as political gain), or against the wishes of their subjects.

Bound up with this attention to discourse is a careful consideration of who, within stories, is doing the 'talking'. In this regard, the examination of the coverage around three

cases (below) assesses shifts in the prioritization of sources within stories, the reliance on and support of sources traditionally viewed as “experts” and “authorities,” and the agency taken by journalists and their sources in defining these issues and underscoring their importance. Particularly, throughout, is a consideration of how journalists attempt to tie coverage surrounding these three cases to broader contexts of human rights and justice for Canadians at large, and existing notions of Canadian identity.

Issues regarding the discussion and understanding of difference involve an intricate set of relationships that are bound up with the complex concept of difference itself. This thesis supports the widely-held notion that differences between communities and individuals are, at once, defined by tangible realities *and* understood through socially-constructed categorizations. One’s understanding of difference—be it of sexual identity, or otherwise—is informed by a multitude of sources, with meanings that are subjective to its interpreters, and shaped by its communicators. In this regard, academic discussion of the social understanding of difference demands a multi-disciplinary approach that is sensitive to the damaging and marginalizing effect of reductive or simplistic conversations of difference. While this study investigates difference specifically as it relates to sexual identity, a consideration of how difference is constructed, communicated, and perceived is observed throughout.

It is also valuable, upfront, to address the challenges faced by “communicators” in their use of labels, descriptors, and definitions when addressing issues related to queer individuals and communities. Defining sexual identity as “an individual’s behavioural and/or erotic proclivities or focus of desires,” Debra Merskin (2011) asserts that social labelling has had significant, negative impacts on those who do not identify as

heterosexual. Merskin also explains that the term “sexual identity” rather than “orientation” has become increasingly embraced, as it refers “to the individual as entire person, rather than only to his or her sexual preferences” ( p.92).

In this respect, this thesis seeks to satisfy three key research objectives that comprise the sections of this thesis: First, to define the historic role of journalists as professional communicators as it pertains to the journalist's address of queer sexual identity and rights issues, and explore the effectiveness of this positioning of the journalist in their regard of these issues. This will include a study of Canadian and U.S. scholarship examining queer representation in news reporting, exploring both the importance and the challenge of news attention to these issues. Second, to illustrate discursive patterns in news discourse surrounding queer sexual identity and queer human rights through a critical discourse analysis of coverage surrounding a selection of news events, and to contextualize these shifts within Canada's history of legal changes related to queer rights and their relationship to Canadian identity, illustrating where developments have been positive and where they've been problematic. Third, and finally, to identify today's relationship - and the arguable turning point - within journalism's reporting and representation of queer individuals, communities and rights issues, and to offer inroads for how journalists might approach these issues moving forward.

This project is a necessary and timely one for a number of reasons. While the subject matter is in rapid transition and popular within social sciences research today, there remains a gap within the substantive contemporary studies from a Canadian perspective analyzing the development of queer news media discourse. As many of the challenges faced by queer Canadians have shifted away from issues of legal equality

towards issues of fair representation, visibility and support, Canadian journalism has reached a turning point in the way it addresses queer sexual identity that calls for a more nuanced, holistic understanding of how Canadian journalism can address these issues. This thesis argues that a more critical, thoughtful approach to journalism's address of queer difference is necessary to staying at the forefront of progressive discourse surrounding queer sexual identity. Rather than simply idealize or demonize moments in Canadian newspaper coverage of the events targeted in the discourse analysis below, this thesis provides a critical examination of queer news discourse in Canada during a pivotal period for queer rights and queer media discourse in the interest of a forward-thinking contribution to the discussion of how journalists can most effectively navigate these issues on the road ahead.

The coverage selected circulated around three key moments of legal change in Canada. These moments include, the 1992 lifting of the ban prohibiting homosexuals from working in the Canadian military; the 1995 Supreme Court ruling that recognized sexual orientation as a prohibited ground for discrimination, along with, in 1996, the amendment to the Canadian Human Rights Act to include “sexual orientation”; and the legalization of same-sex marriage in 2005. From the point of view of legal precedent, this thesis seeks to demonstrate shifts in the tenor and characteristics of coverage surrounding changes for queer rights. Its focus on these three moments was designed as a means to assess a widely-covered period of transformation within daily Canadian journalism that offered unprecedented perspectives and reactions from the political, legal, and public realms. Selecting coverage was done with an interest in inclusivity of a range of article-types and focal points and, in some cases, is bolstered with examples at the periphery of



these events in an effort to capture an illustrative and meaningful snapshot of their coverage, the context in which they occurred, and the discourse that accompanied them.

The research is presented as follows:

**Chapter 2** establishes a foundation for this thesis, first by positioning 'the journalist' within this examination in the role of the *professional communicator* as articulated by James W. Carey, a role which is fitting for emphasizing the responsibility of journalists in considering the language, symbols and connotations they employ in news coverage. This chapter also details material that sets the historical and sociological context for this thesis by demonstrating the trajectory of discursive changes seen in Canada historically and by broadening the discussion to consider the myriad social implications of this news discourse on minority communities.

**Chapter 3** explains the value of the critical discourse analysis method to a study that is interested in examining and relating the language, symbols and connotative meanings that emerge from news coverage to their broader historical, legal and sociological contexts. To this end, **Chapter 3** details the benefits of analysis through “crystallization” as articulated by Laurel Richardson, an effective method for navigating the breadth of perspectives and sociological considerations of the subject matter. As such, it offers a structured framework for analyzing material from a range of perspectives. This chapter also articulates the concept of *registers* or *argument strategies*—which are, as explained below, value-driven thematic categories within news coverage that speak to the values of readers or audiences—as they appear within the discourse surrounding these moments of legal change.

**Chapters 4, 5, and 6** present the central study around which this thesis is formed, offering a critical examination of samples of coverage stemming from the three legal benchmarks identified above. These include (**Chapter 4**) the 1992 lifting of the ban preventing homosexuals from working in the Canadian Forces; (**Chapter 5**) the 1995 Supreme Court ruling recognizing sexual orientation as a prohibited basis for discrimination; and (**Chapter 6**) the legalization of same-sex marriage. Throughout these chapters, analysis focuses on journalists' attention to queer rights issues through the overlapping lenses of discourses surrounding justice, difference, and Canadian identity.

Finally, **Chapter 7** seeks to advance thought regarding journalism's approach to these stories by setting the selected examples within the context of recent academic literature that problematizes the approach used in news accounts to report on queer sexual identities and queer visibility. This section offers suggestions for further discussion of how these issues might be navigated and emphasizes the need for continued consideration. While a great deal of in-depth—and commonly cited—research addressing contemporary queer representation in media focuses largely on the United States, it is the position of this thesis throughout that it is essential to bolster a distinctly Canadian discussion of these issues in order to advance the academic frontier in addressing, in a more critical and reflective sense, queer news discourses in Canada.

## Chapter 2: Literature Review

During moments of significant change for queer rights and queer Canadians, mainstream news media can be a foremost source of exposure and education surrounding the realities of these communities. As the literature detailed below explores, however, aspects of historic mainstream journalism discourse—both in Canada and abroad—has led to enduring forms of marginalization and misrepresentation of these communities. Journalists today, as professional communicators—and through the argument strategies they employ—continue to bear great responsibility in their representation of queer and other marginalized communities. However, between these two aspects of journalists' craft—their role as professional communicators, and their part in the argument strategies that arise from coverage—a tension is at play. Periods of change and struggle in recent history have proven to be transformative catalysts for the news media's discursive representation of queer matters. This thesis pinpoints a period of legal changes for queer rights in Canada and explores how argument strategies within coverage contributed to transformations within mainstream news discourse and the habits of professional communicators.

In this regard, this chapter sets the stage for examining a period of 'growth' or 'maturing' in Canadian journalism's attention to queer communities by exploring the history of this relationship prior to this period. This research is intended as a means of better understanding the role and autonomy of journalists today as they face contemporary issues with regard to the representation of these communities. News representation of marginalized communities, as this thesis argues, demands vigilant attention to how news discourse and argument strategies shape public perception. As

prompted by Barnhurst's argument of the “paradox” of visibility, this chapter also details literature that supports a call to think critically about how journalists steer discourse and attention to queer difference, and about how they might do so moving forward. As today's news attention—along with its inherent registers—has shifted away from a focus on matters of justice towards matters of visibility, diversity, and difference, this chapter aims to contextualize the following analysis of coverage within a forward-thinking discussion of contemporary issues within journalism discourse.

To that end—and with the relationship between professional communicators and the argument strategies that shape discourse in mind—the following section establishes a foundation for this research by placing its critical discourse analysis in context within its theoretical, historical, and sociological settings. It will first situate journalists' roles in relation to their craft, conditions, and audience, following the role articulated by James W. Carey (1997). Secondly, it will detail the history of changes and struggles that have lead to the events and issues examined in the discourse analysis. Finally, it will explore recent scholarship addressing the challenges and failures of queer representation and visibility within the news, to more critically approach both the analysis that follows and this thesis's concluding discussion.

## **2.1 Professional communicators and *registering* justice**

In “The Communications Revolution and the Professional Communicator” (Carey, 1997) (originally published in 1969), Carey positions journalists operating within mainstream news as those who interpret the language, symbols and labels that their audiences use to communicate with and about one another, and in Carey's words, those who translate “the attitudes, knowledge, and concerns of one speech community into

alternative but suasive and understandable terms for another community” (p.132). This positioning of the journalist underlines the impact of choices made by those involved in the formation of the discourse that emerges from news coverage, and it is particularly valuable when considering journalists' role in contributing to discourse and the argument strategies surrounding the representation of minority or marginalized groups. Moreover, this positioning of the journalist helps to illustrate the ongoing tension between professional communicators and the argument strategies that emerge from journalism that takes an 'activist' stance.

Carey identifies three dimensions of the so-called “communications revolution” that illustrate the development of—and relationships within—the contemporary (American) media landscape (1997). Firstly, he identifies the rise of national or “mass” media that “cut across structural divisions in society, and drew their audiences independent of race, ethnicity, occupation, region, or social class” (p.129). This form of media allowed—for the first time, Carey asserts—for individuals to connect “directly to a national community” without the influence of regional and other local affiliations as an intermediary (p.129). The contemporary version of this media is targeted within the analysis that follows. The second dimension Carey identifies is the development of specialized media that were located in “ethnic, occupational, class, regional, religious, and other 'special interest' segments of society,” that Carey maintains formed the “building blocks upon which the social structure is built up,” serving as “intermediate mechanisms” that linked “local and partial milieus to the wider community,” which, while valuable to the broader consideration of queer media discourse, is beyond the scope of this thesis (p.130).

The third dimension—and the one most directly explored within this thesis—is the development of a new social role, the “professional communicator,” who “controls a special skill in the manipulation of symbols and who uses this skill to forge a link between distinct persons or differentiated groups [...] a broker in symbols” (p.132). These “symbols” serve as a central component of the evolving discourse surrounding identity and difference, be it sexual, cultural, racial, or otherwise. This new role for journalists, as the “brokers” of these symbols, developed out of shifts towards “objective reporting” during the nineteenth century, through a process that Carey identifies as a “conversion downwards” (p.137). This conversion saw journalists transition from the role of “independent interpreter” towards one of mediator between audiences and institutions, with journalists losing their independence in the process and becoming facilitators within a process of news “transmission” (p. 137). This positioning of journalist—in a role of “forg[ing] a link” between groups and individuals—precisely articulates the task for journalists targeted in this thesis. As illustrated in the chapters that follow, journalists’ hand in shaping discourse surrounding identity groups and their impact via the argument strategies they employ illustrates both the impact of journalists role as “professional communicators” and the limits inherent in this role.

Carey distinguishes the professional communicator from other communicators—including novelists, writers, scholars, and others who “produce messages”—as producing “messages” or content without a *necessary* relationship to their individual thoughts and perceptions (emphasis added). Carey explains,

Professional communicators operate under the constraints or demands imposed on one side by the ultimate audience, and, on the other hand, by the ultimate source.

Their skill is not so much intellectual and critical as a skill at interpretation and communication (or obfuscation)[...] The professional communicator takes the messages, ideas, and purposes of a source and converts them into a symbolic strategy designed to inform or persuade an ultimate audience (p.132-3).

The balancing act imposed on journalists through this role is a tricky one, and Carey's articulation of the professional communicator's craft as having no “necessary” relationship to their own thoughts and perceptions offers a valuable starting point for considering the challenging negotiation of their role as professional communicators and the argument strategies that emerge from their coverage of these issues. Carey explains that through the “de-intellectualization” and “technicalization” of the role of journalists—into a role as impartial observer, following trusted guidelines of reporting—valuable aspects of journalism's service to its audience were compromised. Carey focuses on two pitfalls of “objective reporting,” whereby qualities of journalism suffered at the hand of routinization. This included the development of “norms and procedures governing how reporters could utilize sources” (p.138). Through the normalizing of the “press conference” and the “background interview,” new rules governing anonymous disclosure and attribution of sources, and the proliferation of the “public information officer,” reporter’s interactions with sources were routinized and formalized, granting sources “exceptional control over news dissemination” (p.138). Secondly, Carey asserts that the rise of “objective reporting” led to a compromising of the reporter's independence through the psychological influence of this new reporting environment. Carey explains,

Because reporters mediate between the audience and sources, they are pulled in two directions, serving the interests of the source or the interest of the audience, which

are rarely identical. Often, if not usually, reporters develop contempt for both parties they serve: the audience because it so often apathetic and uninterested, the source because it is so often dishonest (p. 139).

This loss of “independence,” the routinization of how journalists use sources, and the challenge of serving 'two masters' are each highly relevant constraints affecting journalists' address of queer sexual identities, and the presence and qualities of queer visibility within mainstream media. Journalists' service to both their sources and their public within the interplay of legal changes, political stances, and public opinions surrounding queer rights involves a complicated balancing act. This thesis argues that this balancing act can be understood as an ongoing tension and negotiation within professional communicators' attention to these issues that is evidenced in the argument strategies that emerge from coverage. Following Carey's claims of the pitfalls of “objective reporting,” and the “de-intellectualization” of journalists, this research proposes that journalists seeking to improve on problematic discursive patterns of the past might operate most successfully through ‘re-intellectualizing’ aspects of their discussion of difference and identity in news coverage, and through an awareness of the challenging yet powerful relationship between the responsibilities of the *professional communicator* and the argument strategies that arise from their work.

In regard to this thesis's concern with coverage of justice for queer communities, the concept of registers or argument strategies offers an illuminating tool for analysis. Véronique Rodriguez (2009), in her examination of fierce debates that appeared in newspaper coverage surrounding the plans for *Mémoire Ardente*—a controversial contemporary art-installation by Gilbert Boyer that appeared in Old Montreal from 1994-



97—examined media discourse by identifying recurring argument strategies or “registers” that emerged from across coverage. In the debates surrounding the installation, arguments were predicated on—among others—“aesthetic,” “economic,” and “functional,” argument strategies, all of which played a role in shaping the media discourse surrounding the plans for *Mémoire Ardente*. Here, these strategies or registers served as a useful means of defining and tracking the political and editorial opinions that emerged from coverage. Considered another way, James S. McLean (2012) explains,

Simply put, registers may be used to frame an issue within certain thematic categories that resonate broadly with the value commitments of multiple publics. These categories might include (but are not limited to) matters of law and order, public safety, economic stewardship, employment, and so forth. By their very nature, argument strategies provide a basic communicative frame that may be used by a participant in a debate to advance and/or protest a particular point of view (p.143).

McLean explains that these registers are bound to requirements of credibility to the context of the discussion at hand, and the requirement of a “distinct position” on its debate. Justice, as this thesis argues, increasingly became the register upon which coverage was built, and the concept of registers is used here both to articulate the presence of this strategy within discourse, and for considering competing strands of discourse across coverage.

As demonstrated in the analysis that follows, through these argument strategies shifts arise within *professional communicators*’ relationship to their craft, sources, and audience in cases when the trajectory of news discourse challenges typical professional

communication protocols. In exploring this, the following critical discourse analysis will encompass a limited but important aspect of the field of potential professional communicators, focusing primarily on those who work within the Canadian landscape of mainstream daily newspaper reporting. This will benefit a focused study and bolster a cause for further discussion and analysis surrounding mainstream news discourse.

The following section on the history of news media representation of queer sexual identities illustrates, perhaps most starkly, the necessary reliance on U.S.-centric literature when discussing issues related to queer news media representation. While there is undoubtedly cross-border influence between the two countries on these issues, a brief scan of the timelines of legal progress in Canada and the United States illustrates significant contrast. Still, the existing U.S. scholarship offers valuable insight for considering the role and responsibilities of the media in its regard of these issues, and helps set a valuable foundation for a discussion of these issues in Canada. Both the American and Canadian bodies of literature offer inroads for understanding shifts and patterns within discourse and argument strategies that surround queer identity and sexual orientation. Where American scholars have provided in-depth examination of the relationship between news events, the resulting coverage, and the ensuing discourse, there is valuable insight into these relationships. Several U.S. sources, for example, highlight the coverage of the AIDS epidemic as a transformative period for queer discourse in mainstream news wherein journalists were forced to confront and address issues affecting large populations of Americans. This scholarship offers both insight and a valuable point of comparison for the development of news discourse. In many ways, Canada has proven itself an international frontrunner in matters concerning the fair

treatment of its queer communities and individuals, though many developments in this regard have only recently passed, and they—and the conditions that preceded them—are all but forgotten.

## **2.2 Queers in the news (in the U.S.)**

Fred Fejes and Kevin Petrich (1993) explain that, prior to the 1960s, homosexuality was rarely mentioned explicitly in news coverage, although the authors assert that “many commonplace stories involving violence and crime often were disguised reports of incidents involving homosexuals” ( p. 402). In the 1960s, news coverage was, itself, a target for lesbian and gay activism, responding to the often condemnatory coverage appearing in news stories. These efforts were met with some successes to move news discourse beyond the negative stereotypes of the 1950s and 1960s, and, by the late 1970s, the authors assert, news discourse “varied depending on the nature of the market and management” (p. 402). The authors highlight a period of change beginning in the 1980s. As the AIDS epidemic loomed, the severity of the disease forced mainstream news media to confront and discuss the existence of a “large and growing gay and lesbian community” in the United States. While the discourse often perpetuated the homophobic and stereotyping framing tendencies of coverage from previous decades, Fejes and Petrich explain that the magnitude of the epidemic demanded a sea change in journalism's address of issues affecting queer communities:

If the 1980s coverage and depiction of the AIDS epidemic betrays strong evidence of homophobia and reluctance to deal with gay and lesbian life, AIDS did force the media to regard the gay and lesbian community more seriously, and in a different light. Often mainstream media turned to the gay press for accurate and up-to-date

information about the epidemic. As the enormity and significance of the AIDS epidemic became apparent during the 1980s, the gay community became the major battle site, to which reporters flocked to get a first-hand account of the epidemic (p. 404).

Fejes and Petrich position the epidemic as a turning point in the trajectory of *heterosexist* representations of homosexuality. While journalists were bringing unprecedented attention to issues faced by queer communities, this representation, the authors explain, was marked by “a diverse set of social practices in an array of social arenas in which the homo/hetero binary distinction is at work whereby heterosexuality is privileged, den[ying] an acknowledgement of gays and lesbians in their own distinct reality and diversity” (p.412).

Despite the devastating impact of the disease across America, the corresponding attention to these issues was not immediate. On describing journalism's address of the epidemic at its outset, Gross, in *Up From Invisibility* (2011), explains,

The immediate response to the medical mystery that we know as AIDS was a deafening silence from the mainstream media [...] The homophobia of the press, combined with its assumption that audiences shared its bias, led it to ignore and downplay the story (p. 95, 99).

Rodger Streitmatter, in *From Perverts To Fab Five* (2009) describes a reporter from the *Wall Street Journal* who, in 1981, was shocked when his story about the emergence of the disease—which he felt was destined for the front page—was rejected by his editors. The *Wall Street Journal* editors were one of many examples of how American journalism's leaders reacted in the early days of the epidemic. Streitmatter quotes David

Shaw, of the *Los Angeles Times*, who explained, “The press reacted very slowly to AIDS. It was 'their' disease and few editors were terribly concerned about it, not in a country still largely uncomfortable, if not downright hostile toward, homosexuality” (p.53). Similarly, Edward Alwood (1996) discusses the delayed reaction to reporting of the AIDS epidemic in U.S. new coverage, quoting journalism professor Joe Salzman, who found coverage to be an illustration of “how the media are failing their readers, viewers and listeners ... just when these citizens need an accurate knowledgeable, and informative media the most” (p. 216). Alwood's *Straight News* details other influential moments in journalism's address of queer sexual identity, including the “coming out” of journalists in the newsroom in the 1970s—also highlighted by Gross (2011)—and the reaction of gay and lesbian activists and journalists to the 1980 CBS documentary, “Gay Power, Gay Politics” (Alwood, 1996). This, the author explained, “was a classic example of how news can be based on facts yet fail to portray the truth. Rather than inform the public, it demonized homosexuals and frightened the viewers” (p.185). Alwood's argument signals a call echoed throughout more contemporary literature that addresses ongoing issues within media discourse: simple visibility within mainstream media presented without careful, forward-thinking attention to its discursive qualities can run risk of considerable consequences for the fair representation of these communities.

Changes in news discourse often involves the displacing (and replacing) of norms that have become commonplace across news production. These changes often require time and a complex interplay of the many actors involved, including institutions and individuals within them, and the producers and consumers of news and other media. Such progress is often far from immediate or linear. As demonstrated by the coverage of the

AIDS epidemic, periods marked by particular, significant challenges for these communities can offer valuable perspectives on the wheels of discursive change for news media coverage. Here, as Fejes and Petrich assert, journalists underwent notable growth in their address of queer communities. However, while the AIDS epidemic saw unprecedented amounts of news coverage acknowledging the existence and struggles of these previously neglected communities, these events may be more reasonably considered an elucidating recognition of an ongoing failure, rather than a catalyst for any sort of 'victory' on part of news media. Streitmatter (2009) explains,

It is beyond the limits of common sense to suggest that the AIDS epidemic had a silver lining for Gay America. To suggest that any benefit whatsoever resulted from a public health crisis that had, by the end of 1989, swollen to the point that 90,000 cases had been diagnosed among gay men—50,000 of the victims were already dead—seems highly insensitive, bordering on ghoulish. [...] And yet scholars and journalists alike have unequivocally stated that one positive aspect of the epidemic was that it moved gay men into the national spotlight as never before (p.62-3).

Fejes and Petrich assert that since the 1980s, while news coverage of the gay and lesbian community has indeed experienced considerable transformation—particularly in cities bearing large, visible gay and lesbian populations—that these changes should also not be exaggerated. The authors explain that coverage in more conservative communities lags behind, that gay and lesbian news practitioners continue to face obstacles regarding being “open,” and that the controversy surrounding “outing” homosexual individuals remains.

Today, as much of the ongoing research asserts, journalism's queer discourse has continued to make considerable strides, but it is far from 'out of the woods' in its

challenge of addressing queer sexual identities. Gross (2011), discussing “visibility and its discontents,” explains,

By the late 1990s, while things had changed to a dramatic degree, they have also stayed the same. Gays, lesbians, bisexuals, and transgendered people have all become reasonably familiar presences on the various stages of America's media-dominated culture. News professionals—editors, reporters, talk show hosts, columnists, and members of the punditocracy—now include gay-related issues and events as a regular category of news, and we make the front pages and the network evening news with regularity. Yet those appearances are almost invariably in the context of some controversy centering on our right to pursue our lives in ways that heterosexuals take for granted. (p.252)

In the years followed, changes in the inequalities faced by queer communities continued to spur further changes in news discourse. Older forms of marginalization have been replaced with new ones, with news discourse and its inherent registers following suit.

More recently, Streitmatter's (2009) text, while focusing largely on television shows and other non-news media in the U.S., positions the topic of same-sex marriage as a “journalistic love fest” (p.159), explaining:

Same-sex marriage was not only a major news story but also a momentous milestone in the changing depiction of gay people. The enormity of this particular media product's importance comes into sharp focus when the fact is noted that the major messages that the coverage sent were the *exact opposite* of those [...] fifty years earlier (p.167).

Streitmatter furthers that, by the early 2000s, gay people were portrayed—even, emphasized—as being emotionally stable, high-productive members of society committed to long-term relationships, rather than the “emotionally unstable and morally corrupt” portrayal commonplace in the 1950s (p.167). At the same time, news outlets continued to ignore or downplay certain aspects of stories, including 2008 poll numbers showing that a majority of American voters opposed same-sex marriage, as well as George W. Bush's public endorsement of an amendment to the U.S. Constitution to prohibit same-sex marriage. Streitmatter furthers,

Unambiguous statements on the editorial pages of the nation's leading liberal news voices made it crystal clear that the publications supported the initiative [...] the overwhelmingly supportive coverage of same-sex marriage reveals that news organizations sent manifestly positive messages about both the issue itself and the legion of couples who appeared in the stories (p.159-60).

Streitmatter also details other emergent “messages” prompted by coverage, including that “gay people are happy,” “gay people make excellent parents,” and that “gay couples are monogamous” (p. 163, 164, 165). These discursive patterns, too, are evidence of more contemporary argument strategies emerging from coverage surrounding queer identity that are valuable for considering in an examination of contemporary coverage. Out of these messages emerge examples of both a culture of positive change, as well as tendencies of speaking in sweeping generalities—even if positive ones—about queer communities. Together, they are evidence of an ongoing tension between fostering visibility and the consequence of further “othering” queer communities through homogenous descriptions.



### **2.3 The development of queer news discourse and legal change in Canada**

While these sources offer valuable insight into the experiences of Canada's neighbours to the south, the above-mentioned outline of the impact of these discursive turning-points in the United States should be considered primarily as elucidating points of entry and comparison, and to illustrate the mainstream media's habits of discursive development. Turning to Canada, some commonalities emerge. Augie Fleras' (2011) work detailing news attention to diversity in Canada offers this starting point:

History offers a bleak picture of media-homosexual relations. Gays and lesbians were rendered invisible by mainstream media, framed as laughs for a comedic break, or demonized as the personification of evil to be dealt with accordingly.

Sparse and selective representations ... tended toward their victimization as vixens or villains - little more than problem people with deep-seated pathologies (p.118).

Moving forward, Fleras argues, efforts towards fostering positive queer identity have brought on the emergence of "a gay and lesbian aesthetic" that challenges the harmful discourses of the past. Today, major news organizations cover queer political issues more regularly and positively, and there is growing visibility of homosexuality in television programming. However, as the author argues, considerable failures in their regard of these communities continue. It is, therefore, valuable to understand the historic progress of these issues in order to better understand the trajectory of its future. As the history detailed here suggests, shifts in discourse and argument strategies have often been reactionary rather than proactive. If, as this thesis argues, there exists a call for journalists to work more proactively to shape discourse surrounding marginalized and minority communities, it demands a cognisance of the interplay—both presently, and

historically—between journalist's service as professional communicators and their role in feeding mainstream news media registers.

Tom Warner (2002) explains that post-war mainstream press in Canada paid “virtually no attention” to homosexuality or homosexuals (p.36). Even mainstream newspapers in cities that, today, include large, visible queer communities, such as the *Toronto Star*, avoided mention of non-heterosexual identities until the 1960s. Warner explains that “such stories as did appear were usually reports on murders or sexual offences, or dealt with deviancy, quoting the opinions of psychiatrists. There was virtually no mention of homosexuality in a positive light” (p. 36). One exception was found in the letters of James Egan, commonly recognized as “Canada's first gay activist” who relentlessly contributed letters to the editor of publications where he found harmful or stereotyping depictions of homosexuality (including one to *Time* magazine, for its use of the word “pervert” to describe homosexuals) (Warner, 2002). Egan's letters called for “a reform of the Criminal Code, an end to discrimination, and greater understanding and tolerance,” and the legacy of Egan's efforts have been significant (p.36). Egan's continued activism would later lead to his role as plaintiff in the Supreme Court case in 1995 that would establish sexual orientation as a prohibited basis for discrimination under the Canadian Charter, as detailed in the analysis below.

To situate, historically, the legal processes surrounding queer rights in Canada, Knegt (2011) will be drawn on throughout. Knegt explains,

Canada—a state built on differences of class, gender, race, language and nation—has an international image of tolerance of diversity but racism, sexism, and classism remain serious issues and play prominent roles in major issues

surrounding the queer 'community'. Major battles have been won, but largely those battles have been won to serve a privileged group of queer people, more often than not those who are male, white and earn a middle-class wage or more. (p.107)

Knegt articulates the legal and social reform in Canada in three stages, including: the *decriminalization* of homosexual activity; the achievement of legal *equality* through processes of identifying sexual identity as an illegal basis for discrimination; and *relationship recognition*, through the legalization and institutional acceptance of same-sex marriage (2011). His detailing of these stages—particularly the latter two—provide a valuable time-line and foundation for examining the social and legal contexts of the news events detailed in this thesis's analysis and for examining the impact of these changes on news discourse and argument strategies. While the chapters that follow address these latter stages at length, it is valuable here to consider the first stage of legal reform that Knegt identifies, which targets Pierre Trudeau's Bill C-150. The bill, introduced in 1967, acknowledged that there was “no place for the state in the bedrooms of the nation” and sought to decriminalize homosexual “acts” between two consenting adults if they were twenty-one years of age or older (Adam, 1999; Knegt, 2011, p.35). The proposed bill was prompted by the Supreme Court case of Everett George Klippert who, while being investigated for an unrelated crime—arson, for which he was found to have no connection—was issued a three-year prison sentence after admitting to having consensual sex with other men. Klippert's appeal reached the Supreme Court, where the case was dismissed, prompting NDP leader Tommy Douglas to acknowledge to the House of Commons that “homosexuality should not be considered an issue” (Knegt, 2011, p.35). On this point, the mainstream press largely agreed, and Bill C-150 was passed in 1969.

Still, Knegt explains, the bill was not as grand a victory for queer rights and equality as it may have appeared:

The record of the debate of the bill in the House of Commons was described by George Smith as perhaps “the most heterosexist document in Canadian government history. Moreover, it led to a limited form of decriminalization that did not actually legalize homosexuality itself and allowed for the continued regulation of queer sex (p.36).

In response, in 1971, a coalition of gay and lesbian groups organized a public statement asserting that “the bill had done little to alleviate the oppression of homosexual men and women, whose lives were 'still confronted with discrimination, police harassment, exploitation and pressures to conform” (p.36).

In regard of the mainstream press's coverage of issues surrounding queer human rights, Knegt (2011) explains: “the mainstream mass media has occasionally been friends of the queer community, and has at times been useful in providing an avenue to communicate to a society beyond them. That's much truer in the past decade or so than in earlier years of organizing, but there were examples then as well” (p.65). The author highlights a 1964 *Maclean's* article, “The Homosexual Next Door: A Sober Appraisal of a New Social Phenomenon,” as “the first full-scale article in a mainstream Canadian publication to take a generally, though not extensively, positive view of homosexuality” (p.67). Aside from a small number of “relatively progressive examples,” however, Knegt maintains that mainstream media—particularly newspapers and magazines—largely censored queer groups while serving as a platform for anti-gay organizations, and

through editorial policies that facilitated “heterosexist norms” and “homophobic hysteria<sup>1</sup>.”

Knegt explains that in the early 1970s, the *Toronto Star* earned a reputation for refusing to publish queer-related advertisements, and in 1973 rejected an advertisement seeking subscribers for *Body Politic*, a gay and lesbian liberation magazine. The newspaper later responded to the client's complaints, saying it was not their policy to “accept advertising which would identify or tend to identify a person as a homosexual or carry advertisements relating to homosexual activity” (Knegt, 2011, p.66). The author also highlights coverage of the sexual assault and murder of twelve-year-old Emmanuel Jacques, for which Toronto newspapers went on “a rampage against all queer men,” referring to the crime as a “homosexual” one (p.66). Knegt also describes a commonplace sensationalizing of gay “scandals” that cause harm to queer communities and individuals, and targets the *Toronto Sun* and the (now defunct) *Alberta Report* as two outstanding examples of papers that continued these patterns of harmful discourse well beyond the 1970s and 1980s. As recently as 1996, the *Alberta Report* published an article entitled “An AIDS cure could increase gay promiscuity,” and Knegt points to the *Toronto Sun's* founding editor, Peter Worthington, as responsible for contributing to an anti-gay news agenda. Here, too, there is evidence of how significant moments of struggle can prompt

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<sup>1</sup> On that point, and useful to this study's discussion of sexual identity representation, Knegt defines “heterosexism as “the social system that favours opposite-sex sexuality and relationships, including the presumption that everyone is heterosexual, or that heterosexual attraction and relationships are 'normal', and therefore, superior” (p.9). On the subject of “homophobia,” Knegt quotes Gary Kinsman's *The Regulation of Desire*, which articulates homophobia as “a particularly virulent personal response organized by heterosexist discourse and practice” (p.9).

competing argument strategies. Moreover, by examining these argument strategies side-by-side and identifying those that prevail and permeate mainstream discourse, they prove as valuable indicators of the forces of transformation in news discourse.

The first known death from AIDS in Canada is believed to have occurred in 1979, although at the time, it had not been diagnosed as such. The following year saw four deaths, with six more in 1981 (Warner, 2002). By September 1982, Canada had fourteen reported cases, while the United States had seen 527. In the year that followed, with a “fully fledged health crisis” underway, Warner explains that the mainstream press began paying attention:

AIDS was taken beyond the mere discussion of cold statistics in Canada's mainstream media in 1983 after Peter Evans, a twenty-eight-year-old gay man in Ottawa, decided to give AIDS a human face by outing himself. His action produced some of the first positive media exposure focusing on people with AIDS (p.163).

Warner explains that by the time of Evan's public announcement, Quebec had formed the first agency in the country dedicated to dealing with AIDS, the Comité SIDA du Québec (Warner, 2002). Like their neighbours to the south, the disease was a call for Canadian journalists to address issues surrounding queer sexual identities that could not be ignored. By 1989, over 2500 Canadians had been diagnosed and Canada still had “no national strategy to combat the epidemic” (Knegt, 2011, p. 97).

While the legal changes in Canada in the 1990s that form the timeline of this thesis will be further contextualized within the chapter that follows, it is valuable to identify upfront that each contributed to a culture of considerable change for journalism's address of—and discourse surrounding—queer sexual identity. From the 1990s-onward,

Canadian newspapers have brought an increasing level of visibility to queer rights issues in Canada. Considerable media discussion was focused around the 1992 lifting of the military ban on homosexual participants, the 1995 Supreme Court decision surrounding sexual orientation and the Canadian Charter and the ensuing 1996 amendment the Canadian Human Rights Act, as well as the national legalization of same-marriage in Canada in 2005 (preceded by legislation by individual provinces, beginning in 2004). The end of the twentieth century (and the beginning of the next) also saw considerable victories for queer discourse emerging from the efforts of the queer community's own news media that “worked actively against the ideology presented in the mainstream media,” and “played a massive role in organizing community, both socially and politically” (Knecht, 2011 p.68).

More recently—as explored further in the concluding chapter of this thesis—drawing attention to the homosexuality of queer individuals in Canadian mainstream news stories is often done within the context of larger stories, to humanize grander developments or aspects of queer life in Canada, or to provide role models for (young) Queer Canadians today. Such is the case in the instance of Scott Brison, who saw his private wedding become a media 'circus' in the interest of putting a (public) face on same-sex marriage while serving as a venue for politicians to vocalize their support of the new legislation. As mentioned above, Knecht (2011) acknowledges that same-sex marriage has not, for all members of queer communities, been at the forefront of notions of progress, explaining,

Essentially, same-sex marriage only serves people who are in a position to take advantage of such expanded recognition. It also maintains the idea of heterosexual

marriage as a “norm” to which queer people should aspire. And as we will see, it leaves many other important issues out in the cold (p.47).

Considering the range of opinions on same-sex marriage's address in the news presented here, it is valuable to explore the attitudes surrounding media attention to same-sex marriage before assessing this coverage in the analysis chapters that follow. Beginning in the U.S., Sine Anahita's (2006) article attempts to set issues surrounding same-sex marriage in “cultural and historical context,” reminding journalists that “no matter what anyone says about marriage, the truth of the matter is this: The institution of marriage has been constantly changing” (p. 214). While addressing the then-current challenges to queer persons in the United States seeking to marry same-sex partners, Anahita asserted that “journalists have a unique role to play in the discussions about same-sex marriage and can play an important liberating role [...] through the choices they make in terms of style, tone, and even whom they chose to interview” (p. 228).

In studying broadcast stories about same-sex marriage (in the United States) that appeared between 2003 and 2005, Leigh Moscovitz (2010) identifies a prevalence of certain, privileged voices appearing in coverage. Categorizing quotations by actors, political figures, gay and lesbian couples, gay-rights activists, academic commentators and religious figures (among others) the study explored “how well the 'gay voice' fared in news coverage of the marriage issue, specifically the degree to which gays and lesbians were able to offer their perspectives” (p.33). Moscovitz noted that sound bites from gays and lesbians accounted for 8.2 per cent of quotations, and the author asserts that while the issue—directly concerning queer individuals—was given a considerable amount of news media attention during Moscovitz’s period of inquiry, much of it relied on heterosexual



—and, perhaps, heteronormative—perspectives. Moscovitz's article argues that news stories related to the LGBT communities can easily be turned into a platform used to advance political interests. The author explains, “political figures such as senators, governors, mayors, congressional leaders, and political candidates, constituted 27.4 per cent of sources, while White House spokespersons and President George W. Bush himself constituted another 10.6 per cent” (p.32-3). Further, the author asserts that it is often the case that stories privilege the voices of those who support queer communities above the members of queer communities themselves, explaining that queer individuals are quoted less than “most other sources speaking on their behalf such as straight allies and gay rights activists” (p. 36). Each of these qualities—these news stories' use as a political platform, the reliance on supportive non-queer community members, and an absence of voices from queer individuals themselves—are unwaveringly true of the coverage of Brison's wedding mentioned above.

Today, further challenges endure. Knegt points out that as recently as 2011, (the aforementioned) founding editor of the *Toronto Sun*, Peter Worthington, told the CBC that “a person's sexual orientation or preferences should remain in the closet” (2011, p.68). While, as mentioned Brison stated, he's “looking forward to the day when the idea of a gay or lesbian politician getting married is not a story at all,” a scan of stories related to the coverage of Ontario premier Kathleen Wynne's 2013 election—explored in the conclusion to this thesis—show that patterns of underlining queer sexual identity endure (Zitner, 2007b). These tendencies are evidence of ongoing discursive trends—and emerging argument strategies—for coverage emphasizing visibility, that, while suggesting further growth on the part of journalists, point to enduring questions for

journalists in the face of queer news discourse in Canada. As discussed in the concluding chapter of this thesis, the call demonstrated by the history of discourse in Canada and in the scholarship below suggests that journalists, instead of seeking to 'escape' or 'resolve' these enduring challenges regarding journalism's address of queer difference, they should instead embrace the permanence and complexity of these questions, and focus on developing effective tools for navigating them.

#### **2.4 Discursive challenges surrounding difference and visibility**

In an effort to fulfill a thoughtful, grounded perspective of the challenges of queer sexual identity's discourse, this research's examination of coverage sets its analysis in context not only with the historical conditions under which they occur, but also within a forward-thinking consideration of literature related to the social significance and social impact of journalism's address of queer difference. Today, issues within news representation of queer sexual identities often take subtler, or less easily-detectable forms. Whereas the magnitude of the AIDS epidemic pushed journalists to address communities of Canadians who were still significantly under- and misrepresented within Canadian news media, and whereas the strides towards equal rights for homosexuals and same-sex couples in the 1990s-2000s pushed journalists to target institutional injustices for these communities within Canada, Canadians today, still face enduring residues of long-held stereotypes and representations surrounding communities whose regular presence in mainstream Canadian media is still relatively novel.

In this regard, it is necessary to examine *how* and *why* journalists draw attention to sexual identity. As précis to the critical discourse analysis, the literature introduced here is valuable for beginning to unpack the many facets and challenges of news

representation of sexual identity, and the gradual pace through which journalism discourse has transformed. As the history detailed above indicates, changes in news discourse have often been reactionary to significant moments of change for queer communities, or when the weight of ongoing challenges for queer communities have prompted shifts in the tenor of journalism, and the registers through which coverage was predicated.

To begin, it is useful to identify a central challenge in the face of reporting on queer difference as being within the challenging nature of understanding difference, itself. Tracy E. Ore (2003) identifies the media at large as one of a number of the major social institutions that “construct” categories of difference, along with family, education, the economy, and the state. More specifically, Ore identifies the media as being “responsible for supplying members of society with information, for reinforcing the policies of other institutions, and for socializing members of society with regard to appropriate ways of behaving and accepted cultural values,” (p.8). More directly addressing sexuality, Ore explains,

Categories of sexuality are also constructed within institutional contexts. Claims that sexuality is constructed may at first appear as strange as claims of sex being a social construct. Just as we generally recognize only two categories of sex, we often recognize sexuality as existing in only two opposing categories: gay and straight. Furthermore, we tend to see these categories as polar opposites, with each fundamentally different from the other [...] we are often required to place all of the varying aspects of our sexuality into one of two categories. Thus, a complex part of who we are becomes socially defined within rigid and limiting constructs (p.13).

Ore's articulation of these socially constructed “polar opposites” reflects the call responded to by the field of Queer Theory that Debra Merskin describes as an area of research and theory that “challenges binary thinking (good/bad; right/wrong; straight/gay)” (2001, p. 93), and seeks an alternative view whereby identities are fluid rather than fixed and capable of being defined and redefined. The approach offered by queer theory is arguably of value to discussions of how the news addresses (queer) sexual identity moving forward, and offers countless starting points for how journalists might consider their roles as professional communicators moving forward.

Further, Jonathan Ned Katz explains that the concept of heterosexuality applies only to one particular means of perceiving, categorizing and imagining the social understanding of sexuality (1990). Katz explains, “not ancient at all, the idea of heterosexuality is a modern invention, dating to the late nineteenth century. The heterosexual belief, with its metaphysical claim to eternity, has a particular, pivotal place in the social universe of the late nineteenth and twentieth centuries that it did not inhabit earlier” (p.137). Katz's article details the process through which this heterosexual claim was normalized, made “ahistorical,” and became taken-for-granted. In conclusion, Katz argues that this historical construction of the hetero- and homosexual implies an opportunity to “unmake and radically remake” one’s understanding of his or her ways of “feeling, acting, and being with each other” moving forward (1990). The arguments advanced by Ore and Katz for difference as a social construct effectively clarify journalists' position as both producers and receivers of media messages in the “feedback loop” articulated by Stuart Hall (1980). Moreover, these constructs form and feed the discourse and argument strategies that emerge from news coverage and emphasize the

importance of journalists' cognisance of their role and responsibility as *professional* communicators in contributing to queer news discourse.

Returning to American scholars Fejes and Petrich (1993), on the subject of “outing,” the authors offer one perspective that is a valuable entry point in considering contemporary discussions regarding the disclosure and repeated reference to sexual identity:

The controversy over 'outing' (Singnorile, 1993; Gross, 1993) shows that the press still treats homosexuality as a very private and problematic issue, reflecting a homophobic assumption that being labelled gay or lesbian represents a derogatory, and possibly libellous comment (p. 405).

Relatedly, Hillary Warren's and Gary Hicks's (1990) research explores the ethical decision-making behind the news' disclosure of an individual's homosexuality, and targets the practice of “outing” - that is, the “unauthorized” identification of homosexual individuals through the press. The authors arranged a forum for journalists working in Texas to discuss ethical decisions behind 'outing' in news stories that explored the ensuing invasions of privacy, and the advocacy tendencies that prompt such stories. The authors quote Mayo and Gunderson who claim that outing is “a *prima facie* violation of privacy” and say,

The sexual acts of gays and lesbians are protected by privacy rights just as the sexual acts of heterosexuals are, but [...] to protect the sexual acts of gays and lesbians, information about sexual orientation must be protected as well” (p.17).

The authors explain that in literature prior to the 1990s, the topic is scarcely discussed, and addressed with “uncertainty and discomfort” (p.16). They explain,

Some believe that gays and lesbians will continue to suffer discrimination as long as they remain in the closet and that gays in positions of prominence or power have a greater duty to be out so they can help in the cause of other gays and lesbians. Even more compelling are instances in which politically powerful gays and lesbians remain closeted while inflicting or failing to deflect harm from others in the gay and lesbian community (p.16).

The study discovered a common concern over individual privacy versus community good as a central theme emerging from interviews. One journalist claimed, “I don't think it's important; I don't think it's relevant; I don't think it's any of my business; and I don't think it's any of the reader's business” (p.23), while others defended the need “to protect and advance the gay community” (p.23). The authors argue,

The phenomenon of outing presents itself as an ongoing confrontation against the values, beliefs, principles, and prejudices of journalism professionals... we noted a distinct difference among the interviewees regarding when they see outing as appropriate. We found that these journalists approached the issue as a struggle between a respect for privacy and a desire for community progress (p.24).

While these dated American perspectives surrounding queer politicians' public openness about their sexual identity cannot be assumed to be reflective of those of Canadians today, the study offers valuable starting points for further research in Canada regarding journalists' procedures and principles in their approach of these issues. Still, today, as is explored in the concluding discussion of this thesis, Canadian opinions on the subject vary (Bascaramurty, 2011; *The Globe and Mail*, 2011).

While Barnhurst's (2007) work addresses mainstream media that has, perhaps, grown in the decade since the events targeted in the critical discourse analysis below, it holds particular value for an examination of queer discourse that considers the long-term and more insidious consequences of journalism's discursive patterns and argument strategies. Barnhurst articulates the challenging relationship between the media and queer representation as “representation and simultaneous contrast,” and distinguishes sexual minorities as different from ethnic, racial, and religious minorities. Unlike these other organizations of minorities, sexual minorities, the author explains, do “not necessarily” follow the pattern of raising up their heirs to join their cultural heritage. Barnhurst explains, it is “the exception, not the rule” when youth who identify as LGBT are raised by parents who also identify as lesbian, gay, bisexual or transgender. Barnhurst maintains that, particularly in a technology-rich age, understanding queer identity, community, or political life relies on understanding the relationship between the news media and queer visibility.

Arguing for a re-examination of how queer difference is discussed in the media, Barnhurst (2007) presents four paradoxes<sup>2</sup> that arise from the goal of queer “visibility”

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<sup>2</sup> Barnhurst's four themes include, first, the emphasis on disclosure of one's sexual identity that has fostered a culture of identifying individuals as being either “in” or “out” of the closet. Secondly, the author points to the “professionalization” of homosexuality—through gay liberation, pride organizations, and activism—that he says, while institutionalizing queer support, establishes a “containment system” that further isolates these communities as “outsiders.” Thirdly, he addresses the increasing prevalence of celebrating the “popularity” of queers and queer culture that increases visibility while emphasizing queer as being “opposite.” Finally, Barnhurst critiques claims of technology and the internet as a “queer utopia” that promises to “foster freedom and independence for individuals and to advance democratic and economic equality for societies” (p.13). While new technology offers greater opportunities for outreach and interaction, these channels simultaneously offers new risks of exposure to attack, stereotyping and backlash.

that have simultaneously brought needed attention to these communities *and* cast them as isolated “outsiders.” Barnhurst’s deconstruction of these “paradoxes” turns still-commonplace notions of positive queer visibility on their head, explaining:

Coming out is supposed to reap benefits, but often destroys personal relationships and may lead to social death in some circles or physical harm in others. Creating a queer marketplace provides employment for so-called professional homosexuals—reporters, travel agents, and the like—but may also create a ghetto. A sense of group or personal invisibility may persist even in the face of widespread popularity for queer characters in the media. And new technology promises to free everyone, but especially queer youths, from the shackles of geography, especially in rural and prejudiced places, but may end up endangering users (p.1-2).

In his discussion of “coming out” he explains the challenges facing queer representation in the media, explaining that “representation” automatically refers to the existence of an opposite, wherein “one cannot refer to oneself without implying the existence of another” (p.5). Barnhurst explains that “Queers not only experience an LGBT identity but may also operate in, and feel part of, a straight family and a heteronormative society. [...] Making things visible by speaking is teeming with oppositions” (p. 5).

Similarly, his description of the fourth of these paradoxes offers an illustrative explanation of the visibility paradox at large:

Placing a dot on a field (a canvas in painting, but also a page in the media or a screen on line) sets up a contrast. The spot asserts its shape, darkness, scale, location, and so forth by implying the opposite. A dot brings the field into the viewer's awareness, in a relationship between *figure* and *ground*. Every figure must



inescapably sit on a background, and the existence of one implies the existence of the other (p.13).

Relatedly, in his study of national boundaries, John Hartley (1992) discusses news framing through processes of representing “otherness.” The author employs the terms “*Theydom*” and “*Wedom*,” that are useful when thinking about other 'divides' such as citizenship, sexuality, race, class and ethnicity. Hartley explains,

The news is organized around strategies of inclusion and exclusion from ‘our’ community; strategies which not only distinguish our nation and its leaders or representatives from others, but which separate out various values, types of action or classes of persons who, although they may be in the home community, are treated as ‘foreign’ to it (p.207).

This emerging duality is, it appears, at the centre of issues regarding the ongoing discursive patterns that characterize queer communities today, and can emerge out of the language, symbols, connotative meanings used by journalists within coverage. If there are—as this thesis argues—improvements to be made, journalists may begin by deconstructing, challenging and replacing this 'duality' with a discourse that more fully characterizes the complexities of sexual identity.

To address these discursive challenges, Barnhurst (2007) seeks an alternative to the stark contrasts perpetuated by the media, and echoes Michel Foucault's assertion that “there is no binary division that permeates discourse,” and that, in navigating the waters ahead, “we must try to determine the different ways of not saying things” (p.18).

Ultimately, the author calls to rethink how we address homosexuality in the media, and to “reject the question of visibility, to set it aside, and to choose something other than

focusing on queer difference” (p.18). Barnhurst's argument is a compelling and promising one and suggests a need for careful consideration of contemporary argument strategies surrounding visibility. While Barnhurst offers some suggestions of ways to move forward, the call he makes is largely an entry-point for analyzing the past and considering the future. In his conclusion, the author offers a succinct clarification of the challenge at hand: “Signalling the existence of queer persons may aim for inclusion in public discourse, but, through simultaneous contrast, the assertion contains its inevitable opposition: Queers are different and cannot go unremarked” (p.1).

Fleras (2011), whose study is broader in scope, similarly discusses a “paradox” inherent in queer visibility, explaining, “too little visibility hardly advances the cause of media gays [...] Too much exposure is equally problematic when media coverage is framed and filtered through a heterocentric gaze. For mainstream media, the politics of representation involves the challenge of balancing a heterosexist media gaze with the realities and aspirations of homosexuals” (p.117). Fleras explains that “media-constructed images” of diversity can run the risk of marginalizing and excluding these and other minority communities through habits of exclusion, under which,

Media presentations are gendered, raced, classed, and sexualized, yet they conceal their underlying logic and production values to convey the appearance of neutrality or objectivity [...] not surprisingly, media-constructed images of diversities and difference—although constructions in their own right—eventually evolve into lived-in realities (p.136).

Fleras explains that recent studies on news coverage addressing homosexuality suggest that while this exclusion is not deliberate or absolute, often, rather than giving queer

individuals and communities a 'voice' in coverage, news stories talk 'at' them, calling on their input only as background voices in stories. Still, today, when homosexual voices do appear, they often do so through a limited scope through which “homophobia is reinvented and legitimized by/for/around a more inclusive heteronormativity (norms that naturalize the superiority of heterosexuality)” (p.125). While less overt than the harmful discourse surrounding queer identity of the past, this “heteronormative” scope can perpetuate insidious and enduring patterns of marginalization. Fleras maintains that the solution does *not* lie in “a commitment to equality or law reform that intends or has the effect of assimilation into a heterosexist consensus” (p.125), and argues,

Rather than an assimilationist equality, what is advocated is a commitment that celebrates the uniqueness of (homo)sexuality as different yet equal; as socially constructed and as normal as heterosexuality; and as requiring a media space between separation and assimilation both to ensure sexual liberation and to acknowledge the societal contributions of gays and lesbians (p.125).

Still, the author explains, we face a “hetero-media whitewashing” of homosexuality that can be equally as damaging to affirmative gay and lesbian politics as the more blatant negative stereotypes of the past. “Visibility,” Fleras asserts, “does not guarantee legitimacy” (p.124).

With work spanning the period of coverage examined below, Larry Gross (1991a; 1991b; 2001; 2007) discusses queer representation throughout mass media. His research incorporates a wide scope of mass media influences, and includes analysis of television and Hollywood film, issues related to 'outing', and patterns of identifying the

homosexuality of “public persons,” specifically politicians (2001). His research also offers suggestions about how journalists might navigate the road ahead, and though U.S.-centric, reflects a common theme within contemporary literature regarding the challenges of visibility in the media and the complex power relations that challenge these issues (Gross, 2001; 2007). Gross explains,

Representation in the mediated 'reality' of our mass culture is in itself power; certainly it is the case that non-representation maintains the powerless status of groups that do not possess significant material or political power bases [...] When groups or perspectives do attain visibility, the manner of that representation will itself reflect the biases and interests of those elites who define the public agenda. (1991b, p.21).

While there have been considerable changes since the above quote appeared in his *Out of the Mainstream: Sexual Minorities and the Mass Media* (1991b), its underlying assertions stand true: media representation—and the *manner* of this representation—continues to be an ever-changing organ shaped by those that hold the power to produce media.

While several of the issues mentioned here address discursive issues that are more relevant in the decade that has followed the coverage examined below, they illustrate the wheels of transformation that feed and challenge news media discourse, and emphasize the significance of a study of discourse and argument strategies surrounding these topics. This literature also speaks about these challenges in broad strokes, although it contributes meaningfully to the subtler facets of these discussions, and offers valuable critical lenses for assessing the triumphs and failures of historic coverage. As with the issues of “outing” mentioned by Barnhurst and Gross, digging deeper into other questions such as

the impact of queer role models in the news, the tenor of news addressing pride events, or the widespread “journalistic love fest” surrounding the legalization of same-sex marriage, each area offers valuable insights into the nuances of navigating these issues in the news. Across these avenues of news coverage, journalists face enduring challenges in ensuring a positive trajectory of discourse surrounding sexual identity.

Lynda Johnson (2002) asserts that pride parade coverage in the U.S. has tended to present pride parades as tourist “spectacles,” which she contends can run the risk of emphasizing difference as binary or *otherness* through reinforcing “Western dichotomous categorizations of homosexuality and heterosexuality as distinct, separate and hierarchical subjectivities.” Further, challenges bound up with identifiers such as “queer” or “LGBT” continue to invite the risk of conflating the progress and experiences of some members of queer communities with that of all of those addressed by these identifiers, while further emphasizing the hetero-homosexual binary discussed above. This, too, is an ongoing facet of journalists' complex role and responsibility to most effectively and compassionately communicate difference to their readers.

Moving forward, journalists must remain mindful in their representation of historically-marginalized groups, and of the interplay between their role as professional communicators and their hand in shaping discourse surrounding these groups. Fleras (2011) offers this cautionary remark:

To say we are living in an era best summed up by the expression 'We're here, we're queer, get used to it' is surely an understatement. And yet, as many have noted, appearances are deceiving ... Seemingly emancipatory messages, narratives and representations may well have the perverse function of reinforcing an

assimilationist status quo by parlaying a sanitized version of homosexuality into the dominant discourse (p.117).

As the following chapters explore, a close inspection of the subtler facets of this discussion emphasizes the demand for journalists' continued, careful attention to their contributions to queer news discourse through their role as professional communicators and through the argument strategies through which news is filtered.

## **2.5 Canadian identity**

Given the objective to tie queer rights and equality to Canada's national identity, it is valuable to briefly consider some ideas about Canadian identity. As literature on Canadian identity suggests, Canada is a country that can be defined as being not easily definable (See Cohen, 2006; Studin, 2007). Despite allegiances to national symbols and icons of Canadian identity, it remains ever-shifting and difficult to articulate. Andrew Cohen, in *The Unfinished Canadian* (2007), discussed the contemporary and historical influences that continue to challenge Canadians' sense of identity, explaining,

Canadians are an echo. We have both civil and common law, which are French and British; a constitutional monarchy and a Charter of Rights and Freedoms, which are British and American; the rule of Parliament and the power of the courts, which are also British and American. We have an economy of both public and private ownership, mixing capitalism (American) and socialism (British and French)[...] We have French and English languages, and a good deal of American in our vocabulary, too. And that's just government, language, and law (p. 26).

Similarly, Irvin Studin, in *What is a Canadian?*, enlisted forty-three “distinguished Canadian thinkers and achievers” to help answer questions about their “national self” (Studin, 2006). One response from Mark Kingwell notes, “A Canadian is... an imaginary creature with various mythological traits, some of them charming, some irritating, many of them contradictory” (quoted in Studin, 2006, p. 146). Professor and former Canadian Poet Laureate George Bowering wrote, “A Canadian is ... a person who will probably be dumbstruck if you ask him the question 'What is a Canadian?'" ( p. 63). Studin argues that recent generations of Canadians are continuing to seek such a definition “so that [we] may better appreciate the essence of [our] fellow Canadians” ( p. ix).

J.L. Granatstein (1998) explored the causes of Canadians’ confusion with its own sense of culture, and assessed the costs and benefits of this unclear relationship with cultural identity, explaining that Canadians “are not culture-bound [...] We are open to the world, and as a people we benefit hugely from this openness [...] But this openness, advantageous as it is, means that our culture is international” (p. 159). This “openness”, as this thesis argues, extends to ideas surrounding sexual identity. While these works specifically addressed identity and difference along lines of culture and heritage, they offer valuable inroads for considering sexual- and other notions of identity and difference. As this thesis explores, this theme plays a valuable role in an assessment of Canadian news discourse surrounding issues of justice and human rights, and issues surrounding sexual identity.

In regard of these themes, this thesis positioning journalists as professional communicators, and in the analysis section that follows, explores this material with consideration of the literature surrounding queer Canadians’ history of marginalization

detailed in this chapter. Before presenting this analysis, the following chapter explains the methods that will be used to for assessing these themes, and the discursive characteristics and argument strategies that appear across coverage.



## Chapter 3: Research Methodology

The central component of this thesis is a qualitative critical discourse analysis of three selected news events that illustrate patterns that emerge from coverage that began with legal changes for queer rights in Canada (see Table 1 for corresponding dates):

- 1. In 1992, the lifting of the ban prohibiting homosexuals from working in the Canadian military*
- 2. In 1995, the Supreme Court ruling that discrimination because of sexual orientation would no longer be permitted, and the ensuing amendment to the Canadian Human Rights Act, and*
- 3. In 2005, the legalization of same-sex marriage in Canada.*

This analysis focuses on themes of justice, difference and Canadian identity and observes trends and shifts that occur across them. This method of analysis allows for a nuanced, critical reading of the material that considers the quality and the implications of the language, sourcing, and construction employed in stories discussing queer equality, rights, and difference. Through this analysis, this thesis explores these events as a 'snapshot' in the development of Canadian news media discourse as a forward-thinking contribution to the progress of discourse surrounding sexual orientation.

### 3.1 Critical discourse analysis

Aligning closely with the role of “professional communicators” described by Cary, Mary Talbot (2007) defines discourses as “bodies of knowledge and practice that shape people” (p. 13), and asserts the news media's considerable importance in the circulation of language, symbols, and connotative meanings that make up shared meanings, as articulated by Stuart Hall (1997). Talbot references Hall's *Representation*,

in which Hall describes 'shared meanings' as those that are exchanged “through language in its operation as a representation (signifying) system” (Talbot, 2007, p.5). Hall's ideas concern this exchange of meanings as not simply a one-way transmission, but as an ongoing relationship between the producers and consumers of 'shared meanings', that together regulate and influence the evolution of these meanings. While, indeed, news media *consumers* play an important role in discourse development, this thesis focuses on news discourse's *production and producers* on the basis that these producers hold a position of significant responsibility and influence in regards to the news discourse surrounding queer sexual identity.

Ron Scollon (1998) similarly argues for the value of scholarly attention to news discourse, explaining that while journalists and news media practitioners “carry on their social interaction as a spectacle for the consumption of the reader or viewer, those readers and viewers are using the spectacle as an active component of the construction of their own social environments and social interactions” (p.ix). It is for this reason—the potential for news audiences' adoption of the language, symbols, meanings, associations and stereotypes that appear in the news—that scholars ought to maintain a watchful, critical eye on discourse, and continue to problematize the discursive patterns and norms that develop within the news.

Turning to critical discourse analysis (CDA), Talbot explains that a *critical* approach to discourse analysis is influenced not only by the oft-associated work of Gramsci and Foucault, but also more broadly by the larger field of cultural studies itself, including Hall's work on *encoding* and *decoding* messages (2007). The insight offered by Halls' work and by the cultural studies field is invaluable to the study of discourse and its

exchange, and while will be drawn on where relevant to the discussion of news media's representation of queer sexual identity.

CDA, as articulated by Norman Fairclough (2001), is an “analysis of the dialectical relationships between discourse... and other elements of social practice” (p.1). In “Discourse, Change, and Hegemony,” Fairclough explains that CDA is ideal for research related to social and cultural change because it “foregrounds links between social practice and language, and the systematic investigation of connections between the nature of social processes and properties of language texts” (1995, p.96). Fairclough adds that representation in news media discourse suggests that,

The representation of discourse in news media can be seen as an ideological process of considerable social importance, and that the finer detail of discourse representation, which on the face of it is merely a matter of technical properties of the grammar and semantics of texts, may be tuned to social determinants and social effects (1995, p.65).

This thesis's critical discourse analysis will also incorporate aspects of Teun A. van Dijk's model for critical discourse analysis, which he describes as valuable to research that investigates social power and inequality, and necessitates the analyst's awareness of his or her role within the social environment he or she analyzes (van Dijk 1993; 2008). Van Dijk explains that CDA “focuses primarily on social problems and political issues rather than on current paradigms and fashions,” and that, rather than “merely describe discourse structures,” or view them in isolation, that CDA aims to “explain them in terms of properties of social interaction and especially social structure” (1993, p.353). Together, Van Dijk's and Fairclough's framework for critical discourse analysis provides

a method to recognize both the social and political relationships between the various 'players' involved, and the presence of justice, difference, and Canadian identity within the discussion, for considering a critical, meaningful consideration of this material.

### **3.2 Crystallization**

Given the transformative nature of—and the myriad influences involved in—the evolution of discourse surrounding sexual identity, this thesis employs a lens of inquiry that allows for a well-rounded analysis. One valuable framework for this type of qualitative research is the concept of “crystallization,” which, as articulated by sociologist Laurel Richardson, permits researchers “to break out of traditional generic constraints” to gain a broader understanding of a subject by freeing one’s research model from a rigid “triangulated” or two-dimensional perspective (Ellingson, 2009). Laura L. Ellingson explains that “crystallization provides us with a deepened, complex, thoroughly partial, understanding of the topic” (p.3). Ellingson quotes Richardson, explaining,

Crystallization provides another way of achieving depth, through the compilation not only of many details but also of different forms of representing, organizing and analyzing those details. Strong themes or patterns supported by examples provide a wide-angle view of the setting or phenomenon; stories or poems highlight individual experiences, emotions, and expression; critiques shed light on relevant cultural assumptions and constructions; and so on. Brought together, the depth of understanding enlarges and also changes shape and form (Ellingson, 2009, p.11).

Given the complexity of the shape and progression of social and discursive change and the myriad influences and perspectives emerging from the legal, political and public realms involved in the events analyzed below, it is valuable to employ a design that

examines its subject thoroughly and thoughtfully. These lenses of inquiry help illustrate the complexity of these transformations, and serve as a framework for the discourse analysis component of the research. They include:

- (a) *Who is talking?*
- (b) *What is being talked about?*
- (c) *How are the themes of “justice, “difference, and “Canadian identity” presented and articulated?*

These themes have been chosen as defining and interconnected aspects of Canadian life that commonly affect citizens at large. Each of the chosen news events provide ample coverage for examination, and are intended to help illustrate the forces behind changes within mainstream news discourse while collectively contributing to an investigation of how Canada has been at the forefront of fostering queer acceptance, ways it has succeeded and failed, and how it might reposition itself in the face of these challenges.

One weakness of crystallization that Ellingson identifies is the trade-off between “breadth” and “depth” in the demand of specificity in regards to its target of analysis. This thesis, however, offers an alternative perspective on this trade-off. With respect to this specific study, crystallization offers a way to effectively identify and track discourse surrounding queer sexual identity and queer human rights to produce a meaningful and representative conclusion of the trajectory and characteristics of this discourse.

While the three news narratives identified above serve as the central focus of this study, it will be supplemented with other coverage when it provides an opportunity for a deeper examination of discursive trends. These news narratives or 'events' have been selected primarily as three pivotal moments organized around the theme of legal change.

While they are not spaced equally in time, these events represent a continuum in legal and political discussions and decisions surrounding queer rights, with the first 'event' pointing ahead towards the next, and so on. These events also each provide opportunities to generate sufficient news coverage to analyze.

### **3.3 Data selection**

This thesis's analysis of the coverage draws on Canadian daily city newspapers that have been selected because they may be considered opinion leaders in their respective communities. The analysis is further enhanced by examining concurrent coverage at the national level. Daily mainstream newspaper coverage has been targeted as a means of gauging shifts in news discourse across leading voices in print journalism in major Canadian cities. Keyword searches in *Factiva* and *Canadian Newsstand's* online databases generated the items for analysis which included news and editorial pieces for the weeks prior to and following the targeted news events that are pinpointed in the chapters below (See Table 1). These keyword searches involved a keyword group of relevant sexual identity descriptors, and were paired with topic-specific keyword groups for each of the targeted news events (See Table 1). Further examples were drawn from outside the targeted period of analysis, as well as from supplementary searches involving only one or the other keyword group, when they were helpful to illustrate additional or related coverage surrounding the development of these changes (see Table 2).

This analysis of coverage includes coverage from eight Canadian daily newspapers, including the two national dailies (*The Globe and Mail* and *National Post*) and the three currently-largest English-language newspapers in Canada's three largest

Table 1 <i>Dates and keyword groups for targeted news events and periods of analysis.</i>			
	Targeted news event	Period of analysis	Keyword group used in search
Chapter 4	On <b>October 27, 1992</b> the Supreme Court rules to lift the ban prohibiting homosexuals from working in the Canadian military	Oct. 6 to Nov. 17	** (Michelle Douglas OR military OR Canadian Forces OR armed forces OR navy OR army OR soldier* OR rights OR Bill C-108 OR Kim Campbell OR Svend Robinson)
	On <b>December 9, 1992</b> , Federal Justice Minister Kim Campbell introduces Bill C-108, the first attempt to add “sexual orientation” to the Human Rights Act.	Nov. 18 to Dec. 30	** (Michelle Douglas OR military OR Canadian Forces OR armed forces OR navy OR army OR soldier* OR rights OR Bill C-108 OR Kim Campbell OR Svend Robinson)
Chapter 5	On <b>May 25, 1995</b> , the Supreme Court rules that sexual orientation should be “read into” the Canadian Charter as a prohibited grounds of discrimination.	May 4 to June 15	** (James Egan OR Jack Nesbit OR Canadian Charter OR Charter OR Bill C-33 OR rights OR Kim Campbell)
	On <b>May 9, 1996</b> , “sexual orientation” is added to the Canadian Human Rights Act as a “prohibited grounds of discrimination.”	Apr. 18 to May 30	** (James Egan OR Jack Nesbit OR Canadian Charter OR Charter OR Bill C-33 OR rights OR Kim Campbell)
Chapter 6	On <b>February 1st, 2005</b> , Bill C-38, “The Civil Marriage Act” is first introduced in the House of Commons.	*Jan. 11 to Feb. 15	** (marriage OR marry OR wed OR wedding OR union OR Bill C-38)
	On <b>July 24, 2005</b> , “The Civil Marriage Act” is given Royal Assent and becomes law in Canada.	*July 6 to Aug. 3	** (marriage OR marry OR wed OR wedding OR union OR Bill C-38)
<p><i>Notes:</i></p> <p>*Due to the volume of articles obtained for these news events, the periods of analysis for these two events were shortened. Beyond these periods of analysis, coverage surrounding the wedding of Scott Brison in August 2007 served as an example used in Chapters 1 &amp; 6.</p> <p>** To further limit articles to those that satisfied the research goals, a keyword group of relevant sexual identity descriptors was used concurrently with the keyword groups mentioned above: (homosexual* OR heterosexual OR gay* OR lesbian* OR queer OR same sex OR opposite sex OR sexual orientation OR sexual preference OR sexual identity)</p>			

cities (*Toronto Star*, *The Vancouver Sun*, Montreal's *The Gazette*, although *The Gazette* is not the largest paper in Montreal), the national capital's daily (*The Ottawa Citizen*). As both Atlantic Canada and the Prairie provinces are not represented in the above-mentioned publications—the currently-largest Atlantic Canadian daily, (*The Chronicle Herald*), and the currently-largest prairie-province daily (*Calgary Herald*) are also considered (See Table 2). For events that take place prior to the publication of *National Post* (1998), *Toronto Star's* coverage is drawn on more extensively. Throughout, examples have been selected to highlight trends and changes within reporting. This coverage is intended as a representative example of *mainstream daily newspaper*

Table 2 <i>Number of articles per newspaper analysed.</i>												
	Chapter 4				Chapter 5				Chapter 6			
Period of Analysis	Oct. 6 to Nov. 17		Nov. 18 to Dec. 30		May 4 to June 15		Apr. 18 to May 30		Jan. 11 to Feb. 15		July 6 to Aug. 3	
Number of articles per newspaper* analysed	CA	1	CA	2	CA	2	CA	3	CA	3	CA	1
	CH	-	CH	1	CH	1	CH	-	CH	-	CH	2
	EJ	1	EJ	3	EJ	-	EJ	-	EJ	1	EJ	1
	G	2	G	-	G	2	G	1	G	3	G	3
	GM	4	GM	6	GM	7	GM	4	GM	2	GM	6
	NP	-	NP	-	NP	1	NP	2	NP	1	NP	2
	OC	1	OC	1	OC	3	OC	1	OC	3	OC	2
	SP	-	SP	-	SP	1	SP	-	SP	1	SP	-
	TJ	-	TJ	-	TJ	1	TJ	-	TJ	-	TJ	-
	TS	6	TS	4	TS	5	TS	3	TS	3	TS	3
	VS	1	VS	2	VS	-	VS	1	VS	1	VS	2
Total Articles*	35				38				40			
<p><i>Notes:</i>  * These total represent the number of articles analysed after screening database searches for relevancy, and further refining to a manageable and representative amount of coverage.  **Titles are abbreviated as the following: Calgary Herald (CA); The Chronicle Herald (CH); Edmonton Journal (EJ); The Gazette (G); The Globe and Mail (GM); National Post (NP); The Ottawa Citizen (OC); Star-Phoenix (SP); Telegraph-Journal (TJ); Toronto Star (TS); Vancouver Sun (VS).</p>												



*coverage* across major Canadian cities. This thesis's analysis of coverage explores the qualities of both (a) traditional 'hard' news coverage, and, (b) related editorial content. Both bodies of news content, as this thesis demonstrates, are valuable to an analysis of the news discourse surrounding the issues explored in this thesis.

The following section, the critical discourse analysis of this coverage, comprises three chapters, each dedicated to a case study within the period of significant change for queer rights in Canada. As the body of this thesis, this analysis of news coverage considers journalists' successes and failures as professional communicators by assessing the language, tenor, sourcing and focus across news articles, by highlighting their attention to the three central themes articulated previously, and by analyzing shifts in these themes across these case studies.

#### Chapter 4: Michelle Douglas and the military ban

In November, 1991, a year before the Supreme Court ruling that would lift the Canadian military's ban barring homosexuals from employment, a *Globe and Mail* column by Stephen York, entitled “Gays in military live in limbo,” began with the following passage:

Somewhere in the Canadian military is a decorated veteran of the Persian Gulf war who lives in fear that his secret will be discovered. Despite the award he received for valiant service, the officer knows that his career would be ruined if his superiors find out that he is a homosexual. He is just one of the hundreds—perhaps thousands—of military officers whose careers would be effectively over if their homosexuality is revealed. Under the existing policy, he cannot be knowingly recruited or promoted by the armed forces (p.A5).

The article quoted former Lieutenant Michelle Douglas responding to reports that the federal cabinet was expected to announce a reform to the discriminatory policy: “It's agonizing to have dragged out so long [...] It's kind of anguishing delay. It really does begin to eat away at you. It's painful” (p.A5). According to Rosemary E. Park, (1994), the Canadian military had a “long history of opposing the enrollment of homosexuals in all of its regular or reserve forces” (p.166). Prior to 1967, the three separate services—Canadian Army, Royal Canadian Navy, and the Royal Canadian Air Force—had long-held regulations restricting homosexuals from enlistment. In 1967, when the Canadian Forces *Reorganization Act* combined these three services under one unifying body, an Administrative Order entitled *CFAO 19-20, Sexual Deviation—Investigation, Medical Examination, and Disposal*, reinforced these restrictions across Canadian Forces (Park,

1994). As the first of three cases selected to illustrate the trajectory of discourse surrounding queer rights in Canada during a period of significant legal change, the coverage surrounding Michelle Douglas and the fight to lift the Canadian military's ban on homosexuality is useful as a starting point for identifying the discursive strands in the legal, political and journalistic milieus. This analysis details the interplay between these—often competing—strands of discourse within this case, and points to shifts within this interplay throughout the cases that followed.

Both the progress of lifting the military ban and the discussion regarding amendments to the Human Rights Act happened slowly and involved a series of moments of progression and regression before each came to fruition. Newspaper coverage surrounding Douglas, the lift of the military ban, and preliminary discussions surrounding “sexual orientation” and the Canadian Human Rights Acts peaked at three moments between 1991-92. This began, in the final months of 1991, with then-Prime Minister Brian Mulroney's discussion of—and then, his retreat from—a decision to end the ban. Douglas and the military ban emerged in coverage again the following May, after the Canadian military rejected an independent committee's recommendation to rehire Douglas. Finally, a third and final wave of coverage appeared as Douglas's trial neared its date in Supreme Court. While coverage was mostly published in the days immediately before and after the out-of-court settlement, the bulk of editorial coverage was reactionary, appearing after the settlement had occurred.

For obvious reasons, the veteran cited in York's article at the beginning of this chapter maintained anonymity, but his story powerfully illustrated to readers the everyday experience of being gay in the military under the ban on homosexuality. Within

coverage, efforts to find human faces to illustrate the ban's effect were limited. York's article illustrated the ongoing struggles as an example of issues faced by the homosexual community.

Two years before York's article was published, Michelle Douglas had accepted a discharge from the military—on June 8, 1989—after admitting she was a lesbian. She would later describe the ban as an “archaic, discriminatory and blatantly unjust” policy regarding sexual orientation (Bindman, 1992a, p.A21). Douglas had joined the military in 1986 and graduated top of her class in basic training, became a lieutenant with the Air Force, and was assigned to a “special investigations” unit tasked with, among other things, rooting out suspected homosexual military employees (Mucciaroni, 2008; Kinsman & Gentile, 2010). When suspicions surrounding Douglas's sexual identity arose, Douglas was investigated, and taken to a hotel room by male colleagues —under “false pretenses”—and grilled about her sexual orientation before being “virtually forced” to take a lie detector test about her sexuality (Bindman, 1992a). Following her release from the military, Douglas filed a \$550,000 lawsuit against the department, and in the years that followed became an unofficial media-spokesperson for the fight against the ban. She is quoted as saying “this isn't simply for me. It's for the people who are still in the Canadian Armed Forces and for those who never had the chance to take this to court” (Bindman, 1992a, p.A21). In October 1992, before her case was brought to trial, she settled out-of-court for \$100,000. According to Mr. Justice Andrew MacKay of the Federal Court of Canada, the existing policies “regarding the service of homosexuals in the Canadian armed forces are contrary to the charter” (Bindman, 1992b, p.F9). In a written statement, General John de Chastelain, chief of the defence staff at the time,

stated: “Canadians, regardless of their sexual orientation, will now be able to serve their country in the Canadian Forces without restriction” (Vienneau & Lackey, 1992, p.A1).

Douglas's settlement, the lift of the military ban, and the ensuing traction for amending the federal human rights code are the focus of this section's analysis of news coverage. The analysis throughout this section considers both the coverage targeting the settlement itself, as well as timely peripheral coverage that contributed more broadly to the discussion of queer rights issues.

#### **4.1 Coverage surrounding the lift of the military ban**

Throughout, news coverage surrounding the trial and ruling exhibited a tendency to seek out various Canadian politicians for their thoughts surrounding the military ban and queer rights issues. While voices were prioritized differently within stories, Douglas and her lawyer Clayton Ruby, along with New Democratic Party MP Svend Robinson's, Justice MacKay, chief of defence staff General de Chastelain, and chief commissioner Max Yalden were quoted repeatedly within coverage. Politicians were also the primary sources sought out for their opinions on the debate, and were often given prominent voices as 'authorities.' Each of these political contributors ‘legitimized’ or ‘evaluated’ the ongoing debate. Justice Minister Kim Campbell—who was eventually responsible for helping to lift the ban, after Mulroney retreated from the controversy, became a central and polarizing figure within coverage. As legislators, these individuals affected the outcomes of these political debates lie. While their presence across coverage is essential, it is the prioritization of these individuals as sources and the overemphasis of these issues as a political debate that signalled a discursive imbalance in news reporting, and deflected focus away from these issues as human rights issues.

In the weeks before the settlement and in the months that followed, the *Toronto Star* published a number of articles that quoted Douglas in some capacity, although much of the newspaper's coverage privileged quotes from General de Chastelain, Max Yalden, and other political or legal authorities, offering lesser prominent quotes from Douglas and Clayton Ruby, Douglas's lawyer, and a human rights lawyer in Toronto. Douglas, Svend Robinson, and other sources whose homosexuality were publicly known were typically identified as “homosexuals” within coverage. The *Globe and Mail* article by Stephen York mentioned above added details on the specifics of Douglas's experiences while under investigation by the military, including the details of her suspicious colleagues' “intense prurient interest in her sexual activities,” and their questions on whether she had ever “fondled the private parts of another woman” (p.A5). The article relied heavily on quotes by both Douglas and on Conservative and New Democratic Party MPs, and notably gave considerable voice to each. York's article included quotes from MP Svend Robinson (Burnaby), who supported Douglas—and was the first and only openly gay MP holding office at the time—told the reporter that the “delays and flip-flops” concerning the ruling were having a “devastating impact” on gays and lesbians in the armed forces. York quoted Robinson, explaining,

To be told one day you're in, the next day you're out, the next day you may not be in, is enormously destructive. Senior military people are fed up with the indecision of the government on this issue. They say, 'Look, for God's sake, it's not fair to the men and women who are caught up in this absurd limbo” (p.A5).

Robinson called the existing policy “steeped in hypocrisy and homophobia,” noting the irony that “he could become the defence minister in an NDP government,” but could not

become a soldier in the Canadian military. The article added that “a similar battle is brewing” with respect to the long-delayed amendment to the Canadian Human Rights Act to include legislation that would prohibit discrimination on the basis of sexual orientation, a theme that was repeated throughout the coverage surrounding the lift of the military ban. The “battle,” York explained, was “controversial among the same Tory backbenchers who opposed any reform of the military policy” (p.A5).

In response to the Supreme Court decision to lift the ban, a *Toronto Star* article quoted Clayton Ruby, commenting that “it will affect a lot of people who[se] lives were made miserable for no good reason.... Today, the charter speaks, not the bigots” (Vienneau & Lackey, 1992, p.A1). Reflecting on Douglas’s case, Svend Robinson said,

The Michelle Douglas decision was the biggest victory in personal terms, and often, when I look back on these twenty-three years, there is a lot of frustration, but there have been times when I feel I've been able to make a big difference... We were able to work together along with Clay Ruby [the lawyer] of course... This decision meant a lot to me after fighting for so damn long and the committees and so on. To finally get to follow that through and to have them cave was sweet (Kinsman & Gentile, 2010, p.413).

In response to the decision, Douglas herself was quoted as saying “the best part of this... is knowing that the military is finally marching in step with reality. It's a great day for gays and lesbians and the armed forces” (Vienneau & Lackey, 1992, p.A1). The sentiments from Robinson and Douglas represented many of those expressed across mainstream news coverage.

Syndicated journalist Stephen Bindman, for *Southern News*, wrote several articles that chronicled the lifting of the military ban in papers across Canada, including the *Calgary Herald*, *Toronto Star*, and *The Gazette*. His articles quoted Douglas, Clayton Ruby, Svend Robinson, General de Chastelain, and chief commissioner Yalden, detailing their sentiments. In the days following the ruling, Bindman wrote an article entitled “Campbell called 'copout' for dropping gay promise,” and referred to Justice Minister Kim Campbell’s retreat from discussions of protecting sexual orientation from discrimination under Canadian law (1992b, p.F9). The article contained quotes from Svend Robinson, who accused Campbell of “hiding behind the courts in refusing to show leadership on a fundamental question of human rights” (p.F9). Outside of the regular canon of voices, Bindman's articles, like most, included reactions largely limited to those with political power. Voices from the gay community, or from the general public at large rarely appeared in coverage to offer their perspectives or experiences surrounding these issues.

Other articles offered similar treatments, with some referencing Bindman's article and largely drawing on the same sources. One *Edmonton Journal* article, quoted Svend Robinson describing the lift of the ban as a “major breakthrough” (*Edmonton Journal*, 1992a, p.D10). In reference to amending the Human Rights Act, the article quoted Robinson, saying that “the government has now accepted that its own act was in violation of the Charter of Rights... this is a scathing indictment of the government's inaction and its betrayal of the promise it made over six years ago to amend the act” (pD10). A *Globe and Mail* article, entitled “Gay rights unprotected, Robinson says,” followed the ruling to lift the ban and centred on Svend Robinson's feelings about Justice Minister Kim



Campbell's decision to abandon the six-year-old plan to amend the Human Rights Act to include sexual orientation, calling it a “fundamental betrayal of leadership on an important human rights issues” (*The Globe and Mail*, 1992a, p.A5). The article quotes Robinson's rebuttal that without specific legislation, gay rights will remain unprotected and that their fate lies “at the mercy of the courts,” given that the court ruling is binding only within that province. The article seemed indicative of the enduring media presence of Svend Robinson in coverage surrounding the lift of the military ban, whose efforts to enact change were highlighted throughout coverage. The cooperation between Douglas and Robinson, a well-known politician, received considerable attention in Canadian newspapers, with Robinson's visibility providing an important force in changing media discourse surrounding these changes. However, outside of Robinson, Douglas, and Clayton Ruby, few other sources outside of the political and legal spheres appeared in coverage.

Another *Globe and Mail* article appearing a month later lead with quotes from Svend Robinson, and followed with quotes from a range of political and legal authorities, including: Conservative backbenchers John Reimer, Donald Blenkarn, and Barbara Sparrow; human rights lawyer Philip McAdams; and NDP candidate Betty Baxter (identified in the story as a homosexual)(Fraser G., 1992b, p.A4). It also included quotes from UBC law professor Doug Sanders. Sanders and Philip McAdams comments broadened the scope of coverage, with McAdams drawing attention one facet of the controversy, calling it “nonsense to suppose that gays and lesbians don't have children.” Notably, quotes from politicians displayed a dramatic contrast in perspectives. John Reimer said, “I absolutely oppose the inclusion of sexual orientation in the act,” because

the Human Rights Act protects only those of “unchangeable status” who are facing discrimination. Reimer claimed, “simply, homosexuality is changeable.... That fact is indisputable” (p.A4). The article then quoted Betty Baxter, calling the legislation a “false front,” and explaining that “it's saying 'here, you can have it but it doesn't mean anything',” noting the legislation would “permit discrimination through a definition of marital status that excludes gays and lesbians” (p.A4).

While a range of perspectives is arguably valuable to news readers, the *Globe and Mail* article, again, provided a list of politicians as the key “experts” or moral authorities on the discussion. While sexual identity prompted the ongoing legal and political debates surrounding the military's discriminatory policy, articles typically addressed sexual identity at arm's length and from a limited range of perspectives, focusing largely on the sentiments of political authorities and positioning Douglas as a lone crusader seeking change. The feelings of Canadian citizens—or a broader representation of perspectives or moral authorities on these issues—were rarely expressed. Perhaps most markedly illustrative of this tendency is a front-page *Toronto Star* story published on October 28, 1992, that began with Douglas's comments and quoted from the recurring sources noted above. It concluded with responses from three Tory MPs, each weighing in on the lift of the military ban (Vienneau & Lackey, 1992, p.A1). Barbara Greene (Don Valley North) responded, “Wow... discrimination has no place in our society. Everybody is equal. They have to look at the job [Douglas] is doing, not her personal life.” The article then quoted Conservative MP Al Johnson (Calgary North), also the chairman of the caucus on family issues, who said the issue “is not sexual orientation as much as it is sexual misconduct.” Johnson further explained,

I would expect the defence department to be putting in regulations that make it very clear that sexual misconduct is prohibited and is reason for dismissal. We don't have to get into which sexual misconduct is wrong. It was discussed extensively in caucus, and I'm virtually positive that is what the regulations will be saying (Vienneau & Lackey, 1992, p.A1).

Finally, Don Blenkam (Mississauga South) said that the decision reflected reality and that “we live in a society where we don't discriminate against people in their employment because of their sexual orientation and the armed forces aren't much different than a toy company or a newspaper” (Vienneau & Lackey, 1992, p.A1). Blenkam, who appeared in earlier coverage, including the *Toronto Star* article, said he “seemed resigned to the change, but said rules will have to be introduced to make sure soldiers act ‘decently’ on ships and in military barracks” (Bindman, 1991, p.A1).

A month after the ban was lifted, Sean Fine published a two-part series with *The Globe and Mail*, with the first headlined: “The Rights Revolution: The courts lead the charge” (1992, p.A1). Fine wrote,

Gay Canadians were a long time boarding the great train of human-rights advances of the past 50 years. Unofficially, they boarded on Oct. 27, when the Canadian Forces, challenged in court, ran up a white flag. The military agreed to end its discriminatory policy and pay Michelle Douglas a 28-year-old lesbian from Barrie, Ont. \$100,000 and court costs for violating her constitutional rights (p.A1).

Writing about her case with the benefit of hindsight, the quote helps set the stage for a later analysis of the themes that emerge throughout this thesis. By underlining these issues as “human rights” issues, Fine emphasized their significance to Canada's national

identity (as “gay *Canadians*”), and used language that drew attention to these issues as ones of social injustice. In doing so, the article offered touchstones of discursive characteristics of Canadian journalism's attempts to address queer rights issues during this period. The article quoted constitutional law professor Ken Norman as a primary source, who claimed: “When one is talking about lesbians and gays, they are a disadvantaged and vulnerable minority with a history of exclusion. They must be seen to be protected by the Canadian Human Rights Code - that's a revolution” (p.A1).

The *Toronto Star's* extensive news coverage had chronicled the progress of these discussions, with several journalists paying close attention to Douglas when addressing the ban and the discussions surrounding protecting “sexual orientation” from discrimination that were taking place around the same time. One article, entitled “Ban on gays in military still in place,” and published a year prior to the final settlement and Supreme Court decision, addressed Mulroney's “retreat” from a decision to open the military to homosexuals after “bowing” to Tory pressure (Harper, 1991, p.A11). The story quoted Mulroney and explained that the decision was before the courts. It also quoted Douglas and Clayton Ruby, with Douglas saying that “the military is finally stepping into the nineties... keeping pace with social changes,” that were a “long-overdue step in helping to eliminate discrimination in the military.” Ruby was quoted saying that the ruling was a “first essential step.” Another *Star* article quoted Ruby saying “only a Tory government could be so mean-spirited to wait this long,” and recalled the 1990 inquiry by former Ontario judge Rene Marin, who noted that there was “no reason whatsoever” for the military counter-intelligence unit's practice of singling out homosexuals for investigation. (Bindman, 1991, p.A1).

While some reporters had characterized the lift of the ban as a triumph for justice, contributors of editorials and opinion-articles confronted matters of justice more directly. An editorial appearing in *The Ottawa Citizen* on Oct 29th—two days after the settlement—bore the headline “Gays in uniform; Attitude change in order,” explaining that the newspaper could “rejoice” over Douglas's victory, but warned, “obeying is only enough to guarantee gays and lesbians will be tolerated. It doesn't mean they'll be welcomed” (*The Ottawa Citizen*, 1992, p.A10):

This legal victory won't mean much for the rank-and-file until backed by actions that ensure gays and lesbians in the Armed Forces are judged by their professionalism alone, such as: An effective anti-harassment policy, including a formal complaint and penalty mechanism [...] Sensitivity education as part of basic training. If the military can discipline recruits to perform under fire, it can teach them to respect one another [...] A shrunken Special Investigation Unit authorized to check only the security—not sexuality—of military staff. A good way to get back some of those wasted dollars [...] Introduction of the same benefits for spouses and children of gays and lesbians as for heterosexuals” (p.A10)

The editorial indicated support for homosexuals that would become increasingly common in later coverage of the human rights issues to come.

Emphasizing the trajectory across coverage to suggest that this was the battle of a lone gay soldier and a gay politician to seek change, coverage of the deliberations and decisions surrounding Douglas's case commonly relied on the political and legal authorities detailed above to inform the trajectory of the debate and its moral foundations.

These sources were granted considerable opportunity to shape public opinions surrounding these issues.

Another *Star* article, in October 1991, notably focused on Douglas and her lawyer, bearing the headline “Military's 'rampant homophobia' finally coming to an end, lesbian says” (Wright, 1991, p.E7). While the final Supreme Court decision that lifted the ban would not come until a year later, in October 1992, this article demonstrated another pattern of making repeated references within the coverage to issues of 'sexual behaviour' within the military. Its inclusion in stories surrounding the ban drew attention to differences in sexual orientation as being related to appropriate of sexual behaviour, echoing a problematic history of connecting homosexuality with promiscuity. While not widespread, the connection was repeated in news coverage. The failure, here, to disconnect this false link between sexual behavior and military performance or to clarify its relevance suggests a troubling subtext within coverage that is worth further examination.

The analysis of the hard news coverage revealed consistent patterns of limited sourcing practices and a lack of effort to unpack or explain a broader picture of these socially significant issues. With little effort to illustrate a broader range of feelings from Canadians regarding these issues, or remove them from purely political and legal discussions, these issues surrounding queer rights were presented to news readers only through authoritative legal and political perspectives.

To a varying degree, editorials offered journalists and editors an opportunity to extricate these issues from journalistic rhetoric and present them with an emphasis on seeking justice for queer communities. Furthermore, these articles provided the forum for

a broader range of understanding for Canadian identities of all sorts. In that regard, journalists' efforts to step beyond the confines of professional objectivity and take part in the discussions surrounding legal inequalities, and through work that reflected the sum of their own experiences, feelings, and opinions. Whether praising or condemning the legal changes or political perspectives that were in play, these editorials and columns provided readers a range of perspectives on how to understand these changes and their implications.

To be clear, not all editorials supported the lifting of the ban; as indicative of a Canadian population of varying positions and perspectives, conservative voices also received a place in coverage. One editorial, entitled "The meaning of section 15," appeared in *The Globe and Mail*, and began with the Charter passage that the editorial described as a "finely modulated engine of social change" (1992b, p.A24):

Every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability. - Canadian Charter of Rights and Freedoms, Section 15 (1) (1992b, p.A24).

The editorial connected the Charter passage to the Douglas settlement, and to other cases involving sex discrimination and discrimination against disabled youths. The writer called the Charter's application to Douglas's case "more a catalyst for change in the military than a benediction that change has already occurred," adding that,

Though Charter conservatives will wail, this is a proper use of Section 15. The language of the section could not be more clear... Jean Chrétien, who as justice

minister helped draft the Charter, insisted at the time that the guarantee was open-ended, leaving courts free to make rulings on discrimination against groups not specifically mentioned. That was the intent, and that is how it has been read (1992b, p.A4).

The editorial's stance was clear; its writer supported a reading of Section 15 of the Charter that would protect sexual orientation, and the editorial offered a perspective that added to the news media's supportive voice surrounding these issues.

Displaying a contrast, David Frum in the *National Post*, began his column cautiously echoing the sentiments of "Svend Robinson, the gay New Democratic MP," who hailed the settlement as a "historic victory" (1992, p.S3). Frum continued, "and so it is. But like all historic victories, it is equally a historic defeat." Frum's column, "Homosexuals are different from heterosexuals," criticized the Supreme Court judges' decision, calling the decision a defeat "for what U.S. President George H.W. Bush's speechwriters might call 'traditional judicial values'" ( p.S3). Frum's editorial asserted,

It is a judge's job to apply the law, not invent it. Those values are not in good health in Canada these days. Our judges read the Charter of Rights as if it contained one fun-filled clause: 'Be creative!'. Seldom, though, have they been quite so creative as in the line of cases that have inserted the words "sexual orientation" into the charter over the past year ( p.S3).

Frum concluded his editorial with the claim that, "above all," it was wrong for Supreme Court judges to attribute the court's decision to the Charter:

Homosexuality—like IQ and looks—is one of those things that the text of our Constitution leaves us free to decide personally. We are free to write laws



outlawing discrimination on those grounds, and we are free not to. Perhaps we should write such laws. But that is a political controversy, not a matter of constitutional right [...] like all political controversies, it should be fought out in the political arena. It should not be judicially imposed on a recalcitrant society by the unelected, the unaccountable and the unfit ( p.S3).

Frum's conservative sentiments added that voice to the support for change, and provided value through a critical interpretation of the nuances of these issues. The coverage that followed Douglas's settlement, and the media discussion surrounding the lift of the ban had helped pushed newspapers to address queer rights issues in new ways. A month later, another step involving queer rights issues in Canada came with Justice Minister Kim Campbell's proposal to amend the Human Rights Act. Her move prompted another peak in newspaper coverage that is valuable to address.

#### **4.2 Kim Campbell's proposal to amend the Human Rights Act**

Following discussions of proposing to amend the Human Rights Act earlier that year, Kim Campbell introduced Bill C-108 on December 9, a proposal that would add “sexual orientation” to the Act, while still limiting same-sex marriage to opposite-sex couples. An op-ed appearing the following week in *The Vancouver Sun*—written by UBC law professor Douglas Sanders—opposed Campbell’s proposal to amend the Canadian Human Rights Act. Sanders claimed the amendment would be “a net loss, not a net gain,” by maintaining a definition of marital status limited to that of a man and a woman, and that the move harmed same-sex couples in the eyes of Canadian immigration laws (Sanders, 1992, p.A14). The column concluded, “We, the undersigned, oppose Kim Campbell's amendments to the Canadian Human Rights Act as long as adding ‘sexual

orientation' is linked to provisions that could deny immigration rights to same-sex couples" ( p.A14). Here, Sander's column provides one example of the value of critical and thoughtful voices in the newspapers offering perspectives on the long-term effects and casualties of these legal decisions. As an op-ed contribution, it also provides an example of the value offered by sources outside of the legal and political spheres.

Still, another editorial expressed support of the changes. A *Globe and Mail* column by Stan Persky, entitled "Don't they know when it's time to declare victory" addressed the mixed reactions to Campbell's proposal, and defended Campbell, calling it a move one that "at long last formally recognizes sexual orientation." Persky said,

Time for the lesbigay leadership to make its public response. The press release should have said: "We've just won a major victory as a result of out 20 years of historic organizing. That the Conservative Party finds itself introducing sexual orientation legislation is simply another sign of the widespread social acceptance we've achieved. We congratulate the Minister of Justice for providing some (1992, p.A17).

The editorial created another thread within the discourse surrounding the proposed legislation, and provided another opportunity for voices often silent in mainstream news media to be heard. Persky's editorial continued,

To satisfy those colleagues equipped with fangs rather than incisors, she throws in the marital-status restriction. The concession secures Ms. Campbell the support of her own polymorphously perverse caucus... she craftily omits any definition of "spouse" or "family," thus leaving the door open for conjugal and parental same-sex couples to obtain such benefits ( p.A17).

Persky's criticized Campbell's critics, including Douglas Sanders, who Persky said, "(Sanders) sniffs, 'She's giving us probably less than what the courts would give us,'" as well as Patrick Barnholden, a gay activist from Nova Scotia, saying, "(Barnholden) gripes, 'this is clearly discrimination under the guise of extending human-rights protection'" ( p.A17). Persky also characterized Svend Robinson's reaction, saying, "Declares gay MP Svend Robinson in solemn tones: 'I feel a sense of betrayal and sadness that Kim Campbell and the Conservative government have effectively allowed the right wing family caucus of the Conservatives to write this legislation'" (p.A17). Columns such as Persky's can offer a limited perspectives on these issues, but they also contribute to the broader range of feelings, opinions, and experiences that were revealed surrounding these issues. Moreover, their efforts help to pinpoint the registers through which these matters are presented.

In Edmonton, a *Journal* column, entitled "A courageous stand on gay rights; Human Rights," called the proposal "a courageous move in the face of an almost certain backlash." Here, again, the writer looked first to politicians for reactions, saying "the first shot has already been fired" by Agriculture Minister Ernie Isley, who had responded publicly to the controversy (Fraser, F., 1992, p.A12). Notably, the columnist helped to illustrate provincial standpoints on the issue:

Times have changed. Within the recent past, the Yukon and Nova Scotia governments have, in the words of Chief Commissioner Dr. Raffath Sayeed, done the 'right thing'. New governments in British Columbia and Saskatchewan are amending their legislation to include gays. At the federal level, Justice Minister Kim Campbell continues to battle a recalcitrant caucus to change the federal

Human Rights Act. If she succeeds, only Newfoundland, New Brunswick and Prince Edward Island will remain as provinces which fail to protect the rights of all citizens (p.A12).

The column also expressed ideas that many conservatives had about government interfering with personal views. For one example, he discussed Alberta's provincial human rights legislation, and the battles within both the provincial and federal legal codes:

The battle for equity for homosexuals is, to all intents and purposes, over. Only a few mopping up exercises remain to be completed. But they won't be easy. Too many Albertans still believe the Human Rights Commission has no right to interfere in their private discrimination; whether it's a landlord who won't rent to Indians, or a school board which discriminates against religious minorities. Religious institutions which preach Christian charity demand the right to keep homosexuals out. The battle will be corrosive, and prolonged (p.A12).

Fraser's column ended with a call to “those who support the respect for diversity, the sense of dignity and fair play that animates human rights legislation” to help “close the ranks” against the ensuing backlash (p.A12). Like others, the column offered a rallying cry for readers to examine more fully these issues.

Returning to the issue of sexual behaviour articulated by some sources in the coverage detailed above, in the month that followed the lift of the ban, an *Edmonton Journal* op-ed by Ellen Goodman took aim at these concerns in her discussion of the U.S. military. Bearing the headline “Sexual behaviour is the real problem; Homosexuals in the military,” the article referred to a string of stories about sexual harassment in the U.S.

military, noting that, perhaps, heterosexual men should be banned from the military (1992, p.A15). Goodman attacked the recurring conflation of sexual behaviour with sexual identity, explaining that,

[T]oday, military leaders acknowledge that there are thousands of homosexuals in the military, fighting and leading. The image of gay men and lesbians as security risks has been debunked. The last, tenuous but tenacious argument left is that removing the ban would somehow give permission for 'openly homosexual' behaviour. And that it would undermine morale and discipline [...] The other idea is that homosexuals are sexual predators who put other soldiers sharing quarters and showers at risk. This seems to be a particular worry to men, yet there is no evidence that gay men are more sexually aggressive than straight men. (p.A15).

Here, the writer contributes to the discussion surrounding these issues by challenging oversights within ongoing news media attention. The author continues, "It's still the sexual behavior that counts, not the sexual orientation" (p.A15). Goodman's ideas pushed readers to think more critically about long held stereotypes and how they were harmful to the discussion at hand.

Certainly, some editorials seem 'out of touch' with today's thoughts about these issues, they are worth recalling to help to illustrate the barriers and points of friction surrounding queer rights issues during a crucial and defining period in Canada. As reflected throughout news and editorials, issues regarding gay rights were tied up within a divisive political debate and a battle between 'conservative' vs. 'progressive' legal approaches of these issues. Still, these columns, editorials, and op-eds offered readers

more nuanced, personal perspectives—whether supportive or in opposition—that helped to 'flesh out' and further problematize these issues.

#### **4.3 Discussion: the coverage of the military ban as a signpost for discursive change**

The examples explored above are intended as the first of three snapshots of media discourse that took place during a period of significant momentum for queer rights in Canada. Within this coverage, there was only limited effort of journalists tying these stories to themes articulated above—justice, difference, and Canadian identity—that would later become dominant themes across coverage. Articles, and particularly editorials, focused centrally on political perspectives of these issues, and for presenting 'opposing views' in coverage, did so along political lines, rather than other lines of opposition. In doing so, efforts to elevate the present these issues as more than a political tug-of-war, or a tricky legal hurdle, or as Douglas's lone battle as an activist seeking change, were limited. The sourcing practices across coverage showed only limited effort by reporters to include voices of gay people, the general public at large, and even few other "authorities" outside political and legal realms. When newspaper coverage did include voices from outside these realms, and when writers—within columns and editorials—held the opportunity to offer more personal perspectives on these issues, the resulting contributions to the discussion were more critical and holistic.

Considering, briefly, public thought on these issues around the time the ban was lifted, in December 1992, the *Toronto Star* published the results of a Gallup poll conducted that year—based on 1,006 telephone interviews with adults—suggesting that "two of three Canadians believe homosexuals should be allowed to serve in the Canadian military" (1992a, p.A21). The poll noted that 66% of Canadians believed that gay men

should be allowed to serve, and 67% believed that lesbians should. While, perhaps, different than these percentages might be today, they're a helpful indicator of the sentiments surrounding these issues as they were being debated in the media. Certainly, this thesis does not intend to suggest that media coverage created the change; rather, the findings are indicative of a supportive voice for gay rights amongst Canada's population that was underrepresented in news coverage. While the poll itself was published in coverage, the majority that had answered in favour of gay men and women serving in the military were silent across news articles.

In research surrounding the lifting of the ban, Aaron Belkin's article, "Don't Ask, Don't Tell: Is the Gay Ban Based on Military Necessity" (2003) presents findings of a Canadian government report on the ruling conducted in 1995, concluding that, "despite all the anxiety that existed through the late 80s into the early 90s about the change in policy, here's what the indicators show—no effect" (p.175). Then, in 2010, Kinsman and Gentile, in *The Canadian War On Queers* (2010) recalled comments from Tom Warner—from the Coalition for Lesbian and Gay Rights in Ontario:

The policy is a step forward, but it also has to be accompanied by changes in basic attitudes. There's still an incredible amount of homophobia in the forces. It's going to be a brave individual who comes out and decides to announce his or her sexual orientation. (p. 414)

While, here, again, emerges a contrasting perspective regarding issues surrounding homosexuality and the military, these perspectives were limited or absent from much of the news coverage. Kinsman & Gentile offers an interesting perspective that lends itself well to an alternative lens through which to consider media coverage of these issues ,

proposing an approach that considers “an organization[al] endorsement of ... homosexuality as an alternative or accepted sexual orientation,” given that with the military's current approach of “difference,” there is “no plan to educate members about the subject” (p.415). The author continues,

The sexual subtext underlying the military culture, and working and living conditions, will remain heterosexual ... A distinction can be made between the [Canadian Forces] approach, which seeks to downplay the key characteristic defining the known homosexual, and an approach that respects the defining characteristic (p. 415).

Considering the work of professional communicators, the approach offered here offers inroads towards assessing how to more broadly source stories and further explore the realities of those affected by these issues. Approaches such as Kinsman’s are valuable entry points for a discussion of how to avoid “downplaying” homosexuality in stories, in favour of respecting and more fairly representing those at the centre of these issues.

While the following sections of this thesis more closely assesses the developing discourse surrounding the treatment of homosexuality—or queer difference—within coverage of these legal benchmarks for queer rights in Canada, the coverage surrounding the lift of the military ban in 1992 offers a valuable starting point for examining the larger discourse surrounding sexual orientation in Canada. The analysis here is meant to offer the first of a series of snapshots of the trajectory of the news’s media's address of queer rights issues within this significant period of change. Moving forward to sexual orientation’s legal protection from discrimination, journalists’ habits of sourcing and



focusing stories, and the attention they draw to themes of justice, difference, and Canadian identity begin to shift.

## Chapter 5: Legal protection from discrimination

In Donna Balkan's article, "Writing About Rights: The News Media Grapple With Diversity," (1997) she addresses ways that Canadian media can improve their coverage of issues related to human rights to better serve its diverse news audience:

When there are controversies surrounding minority rights issues, the media have a responsibility to deal with these matters fairly and in an in-depth fashion, not just inflame the situation further [...] much of the coverage of the federal government's move to amend the Canadian Human Rights Act to include sexual orientation focused on the political conflict between the government and its political opponents, rather than how the amendment would affect gays and lesbians (p.130).

Coverage would, again, between 1995-96, show patterns of focusing on politicians appealing to their constituents and overemphasize political voices above that of the general public. As this thesis argues, discourse in Canadian journalism surrounding these issues triumphed most in instances where it stepped beyond polarized political rhetoric and the limited casts of authorities, and sought to draw attention to enduring stereotypes, problematic definitions, or push readers to reconsider these issues under new light. Journalists' failures to locate these broader contexts arguably further inflamed political rhetoric, rather than presenting the issue as a prohibitive and unjust failure of the Canadian Human Rights Act. Where it did occur, journalists' efforts to predicate these issues on matters of justice did so by connecting these discussions to broader contexts of human rights for the Canadian population, offering more nuanced attention to the representation of sexual identity. Such efforts arguably improved discourse surrounding issues of Canadian gay civil rights.

Despite Justice Minister Kim Campbell's proposal in December 1992 regarding an amendment to add "sexual orientation" to the Human Rights Act—under Bill C-108, which did not pass its first reading—it would take more than four years and a series of legal stepping-stones before the Act would come to include "sexual orientation." A *Toronto Star* editorial from April 10, 1995 targeted the failure of the Canadian Charter to protect "sexual orientation" saying,

As a nation, Canada is committed to human rights and equality. The Charter of Rights says so, our court decisions say so, provincial laws say so. What remains distressingly incongruent, however, is our federal human rights legislation [...] [Human Rights Commissioner Max] Yalden points out that homosexuality is 'as old as history' and an incontrovertible aspect of human life. But that is really beside the point (*Toronto Star*, 1995, p.A14).

While the Douglas case and Campbell's proposal in 1992 had prompted considerable media attention to protecting "sexual orientation" from discrimination, stagnation endured.

Knegt (2011) identifies two Supreme Court cases that particularly helped to illuminate the value of the Charter to queer activists seeking rights equality under Canadian law—both of which were covered extensively in Canadian media—including *Vriend v. Alberta*, and the aforementioned *Egan v. Canada*. The first involved the case of Delwin Vriend, a professor at Kings College in Edmonton, who took legal action after being fired from his job over his homosexuality. The second, that of James Egan (along with his live-in partner for 25 years, Jack Nesbit) was heard by the Supreme Court in

May 1995, and involved Egan's pursuit of spousal benefits (as an established federal social benefit)(Fine, 1995, p.A1).

In the first case Knecht identifies, *Vriend v. Alberta*, while Delwin Vriend's sexual orientation was known to his employers at the time of hiring, it was not until he became more public about his homosexuality that the college fired him on the basis that "homosexual practice goes against the Bible" (2011, p.41). After Vriend's complaint to the Alberta Human Rights Commission was refused, he filed a lawsuit arguing that Alberta *Individual Rights Protection Act* was not in line with Canada's Charter. Vriend's case continued until 1998, when the college was found to have violated Section 15 of the Charter, and Alberta became the last province to introduce provincial legislation to protect sexual orientation from discrimination.

The second case Knecht identifies, *Egan v. Canada*, had been a divisive one, with the complainants losing in a 5-4 vote from Supreme Court judges. While Egan expressed that he was "disappointed" and "incredulous" about the loss of his own appeal, he and Nesbit were also quoted as being "ecstatic" about the Supreme Court ruling that sexual orientation was protected by the Charter (Fine and Philips, 1995, p.A1; Vienneau, 1995b p.A12). In regards to Egan and Nesbit, Mr. Justice Gerald La Forest said,

I have no difficulty accepting the appellants' contention that whether or not sexual orientation is based on biological or physiological factors, which may be a matter of some controversy, it is a deeply personal characteristic that is either unchangeable or changeable only at unacceptable personal costs, and so falls within the ambit of s. 15 protection as being analogous to the enumerated grounds (*Egan v. Canada*, 1995).

Along with Egan and Nesbit, another Supreme Court case that concluded the same day was that of common-law couple John Miron and Jocelyne Valliere (*Miron v. Trudel*, 2005), who sought insurance coverage for injuries stemming from a car accident. Miron was denied coverage on the basis that Ontario's Insurance Act provided benefits only to legally-married couples, Miron sued, claiming that the Act was a violation of section 15 of the Charter. The Supreme Court ruled in favour of Miron in a five-four decision. That case was often discussed alongside Egan's in coverage of the Supreme Court rulings. As addressed below, the range of cases surrounding rights issues for gay Canadians increased the presence of these issues in the news.

It was not until May 9, 1996, that Bill C-33—"An Act to Amend the Canadian Human Rights Act"—passed in the House of Commons by a vote of 153-74, adding "sexual orientation" to the list of prohibited bases for discrimination. This followed the support of nine Supreme Court judges, who, on May 25, 1995, agreed unanimously that sexual orientation was a protected ground and extended to gay and lesbian partnerships. The language of the existing Charter had offered valuable ammunition for future human rights cases for queer individuals and couples. Along with other historic legal benchmarks and the media's attention to the delayed promise to amend the Canadian Human Rights Act, the Supreme Court's decision in 1995 had been the final step in the progress towards the amendment a year later.

The analysis of coverage for this section focuses on two important moments within the news media's address of anti-discrimination rights including, primarily, the 1995 Supreme Court decisions surrounding James Egan's Supreme Court case and the judges' unanimous agreement surrounding the protection of sexual orientation from

discrimination, and, secondly, the coverage immediately surrounding the passing of Bill C-33 a year later, in May 1996. The analysis that follows is structured discretely as such. The Supreme Court decision regarding the Charter and the Human Rights Act amendment each offered considerable nation-wide coverage, and an examination of these events signals trends that grew out of the lift of the military ban.

### **5.1 Supreme Court rules that sexual orientation is protected under the Canadian Charter of Rights and Freedoms, May 1995**

On the day following the Supreme Court decisions that—while denied James Egan and his partner their appeal for spousal benefits and identified that “sexual orientation” should be considered protected in accordance with Section 15 of the Canadian Charter, a *Toronto Star* article by Bruce DeMara, bearing the headline “Activists celebrate decision,” claimed that “a battle was lost but the war was won, gay and lesbians activists say” (DeMara, 1995, p.A12). It quoted Rev. Brent Hawkes, spokesperson for the predominantly gay congregation of Metropolitan Community Church, who explained that “the door is now wide open for further court challenges. All the laws are now open for challenge and we will be there” (p.A12). After explaining the outcome of the Supreme Court case, the article turned to human-rights lawyer Susan Ursel, who told reporters, “It may appear to some that we have lost this case today... But in fact, we have won a significant victory. The court has established the principle of equality for gays and lesbians in Canada” (p.A12). Next, the article quoted a law professor from the University of British Columbia, who disagreed, calling the decision “a very heterosexual approach” to solutions for existing inequalities, explaining that the decision could “set back” efforts for gay rights to win spousal benefits by saying that

“governments can justify discrimination if it supports traditional heterosexual marriage - a social unity fundamental to society” (p.A12). Here, notably, in the direct 'news' coverage that followed, was evidence of sourcing legal authorities—with varying perspectives—alongside academics' perspectives, including one source who directly challenged the underlying messages behind these changes. By calling the ruling—hailed by several politicians as a 'victory' for queer rights—a “heterosexual approach” to equality, the article challenged notions of a heterosexual-homosexual binary—the distanced 'black and white' characterization of communities *divided* by sexual orientation—that had pervaded coverage of the lift of the military ban. Efforts such as these were recurring in news coverage immediately following the Supreme Court decision. With this series of legal decisions as the central catalyst for coverage, most articles—like DeMara's—prioritized the voices of legal authorities over political ones.

Another *Toronto Star* article by David Vienneau (1995b) described the outcome of the Supreme Court decisions, explaining that “in a unanimous decision, the Supreme Court of Canada said yesterday the Charter of Rights prohibits discrimination against homosexuals, even though it doesn't specifically state it,” and that “gay activists hailed the ruling as a victory that will allow them to challenge dozens of federal and provincial laws that deny benefits to gays and lesbians” (p.A12). The first quoted source was Mr. Justice John Sopinka, who cast the swing vote that denied Egan and Nesbit compensation for the social benefits offered to heterosexual couples on the basis that governments need to “retain flexibility in determining tax dollar allocation,” particularly as it pertains to extending financial benefits to certain groups, while withholding them from others. Following Sopinka, James Egan was quoted in regards to his reaction to the Supreme

Court's ruling to consider sexual orientation as a prohibited grounds of discrimination, telling reporters "the day will come, there is no doubt about it, when Canadians who happen to be homosexual will be on a level playing field with the rest of Canada. What we did with this case was open the door" (p.A12). The third and final source quoted was Justice Gerard La Forest, defending the denial of spousal benefits to gay couples by explaining that the court's intent was support for the "traditional family unit" and its "unique ability to procreate" (p.A12). While this coverage of the Supreme Court decision exhibits different patterns of sourcing—including considerably less reliance on political authorities—it similarly focused on only a limited cast of voices. Here, and repeatedly across all coverage, was an effort to draw attention to the relationship between these Supreme Court decisions and Canada's definition of the "traditional family." Efforts such as these were arguably indicative of the 'activist' efforts of journalists—even with 'hard' news coverage—that addressed the root of existing legal inequalities, and seemed to underscore the fight to amend the Human Rights Act as a matter of justice that affected Canadians at large. Notably, some journalists like Vienneau—and the *Toronto Star*, in general—had chronicled the developments with recurring coverage that kept the spotlight on these issues.

A lengthy front-page *Globe and Mail* article published on the same day responded to the broader range of Supreme Court rulings that were delivered on May 25<sup>th</sup> regarding spousal benefits for divorced, gay, and common-law partners, with the title "Divorced mothers, gay couples lose in court; Top judges rule Ottawa does not discriminate against parents who pay tax on child support." The article began with the following passage:



Divorced mothers and gay couples failed, in two cases decided yesterday, to persuade the country's top judges that the federal government discriminates against them [...] The rulings on the rights of gay or common-law couples send mixed signals. On rights of gay people, in particular, the court seems to be saying—by the narrowest of margins—that their time is coming (Fine & Philip, 1995, p.A1).

Here, the article made efforts to unpack the “many sets of conflicting reasons for their rulings” that the journalist noted would take the judges “weeks of study—and perhaps years of interpretation by the courts—to determine what the overall impact will be” (p.A1). The article's first source was Michelle Falardeau-Ramsay, deputy commissioner for the Canadian Human Rights Commission, who told reporters “It seems to me you have quite a confused Supreme Court right now,” and the article emphasizes that the court was “especially torn” on issues of gay rights in the case of *Egan V. Canada*. The writers made a considerable effort to offer a perspective of not only the immediate outcome of the Supreme Court decision, but also its impact on the progress of equality rights. The article quoted Egan who, in reaction to his lost battle for access to pension benefits, said,

I'm not only disappointed, I'm incredulous. [...] how they can say that a denial of that benefit to Jack and me was a minor infringement of the Charter of Rights, that it was essential that that discriminatory legislation be maintained, and that the discrimination that results from it is justified in a free and democratic society, it's just beyond my comprehension how they could say such a thing (p.A1).

Drawing attention to the resulting impact and progress stemming from the decision, the article stated that the 5-4 ruling in the Egan-Nesbit case “places pressure on the

government to move faster on gay rights” or else face an onslaught of lawsuits (p.A1). It concluded that Justice Minister Allan Rock had yet to deliver on his promise to amend the Canadian Human Rights Act to make discrimination against homosexuals illegal, concluding with a quote from Rock saying that his “commitment to those changes remains” (p.A1). Throughout their coverage, journalists drew attention to these promised changes to come.

Another article appearing in *The Globe and Mail* a few days later, on May 30, detailed another case involving rights issues for benefits for a same-sex partnership (Gibb-Clark, 1995, p.B6). The case involved Jin Hong, a former CBC audio engineer who was refused benefits for herself and her partner in the early 1990s, and later left the corporation. The article referenced lawyer Daniel Kaufman who claimed that the CBC was right to deny the benefits because her partner was not the opposite sex, before quoting Human Rights Commission lawyers who argued that the “central issue” is not the definition of spouse, but sexual orientation. The journalist detailed arguments about the definition of “spouse” that took place between Kaufman, Ontario cabinet minister Keith Norton, and fellow commissioner Grant Sinclair (p.B6). Alongside the discussions surrounding the “traditional family,” the coverage surrounding the cases of Hong, Egan and Miron each brought traction to media discussions surrounding the definition of “spouses” and “relationships.”

A May 31 article by Tu Thanh Ha appearing in *The Globe and Mail* discussed the ensuing “revival” of conversations surrounding equal rights for non-traditional relationships in the wake of the Supreme Court decision regarding Egan and Nesbit (Ha, 1995, p.A4). The article addressed Justice Minister Allan Rock's belief that “federal

benefits should be extended to non-traditional relationships—siblings for example—rather than limiting the debate to spouses, heterosexual or homosexual” and the journalist wrote that Rock believed the “legal definition of couple should be broadened,” and quoted Rock as explaining that,

I continue to believe that the subject is best approached in terms of relationship and not sexuality... It's my preference, ideally... There is no plan to introduce legislation. The first step would be to examine the question. What are the costs? What are the implications, and then go from there (p.A4).

The article stated that Rock's idea had been praised in the past as “a way to remove the sensitive, emotional aspect of sexuality,” while others have expressed concern that his beliefs ran the risk of skirting the sexual orientation debate. The article concluded with a quote from gay activist Graham Haig, calling Rock's argument a “red herring,” countering that “it's obscuring the issue that gays and lesbians are facing” (p.A4). Here, too, were efforts to look beyond legal rulings and question their impact on those affected by the ruling, and to take issue with long-standing definitions of “spouses” in Canada. In this regard, just as the coverage surrounding the military ban had pointed ahead to the legal protection of sexual orientation, the coverage of the Supreme Court rulings made efforts to point readers onward to discussions of same-sex relationships.

Within these examples of coverage, there were noticeably greater efforts to call into question the meaning of the Supreme Court rulings for those affected by them. Moreover, across coverage there was evidence—particularly from the *Toronto Star*—of challenging the reverence in which the Supreme Court was typically held. Journalists and newspapers that sought out sources for perspectives challenging the ruling's

“heterosexual approach,” those that identified the juxtaposition between Egan's loss and the 'win' for equality rights that occurred on the same day, and those that questioned the trajectory of discussions surrounding “spouses,” “relationships,” and the “traditional family” each displayed evidence of a greater effort to 'unpack' these developments and their impact, and to bring mainstream news readers’ attention to a growing body of unfair legal decisions surrounding queer rights.

Again, editorials and columns took these efforts a step farther; the agency afforded to these spaces in newspapers offered opportunities for more personal and argumentative positions on these issues that spoke critically about these issues, and more actively targeted the cast of sources that appeared across news coverage. The editorial that introduces this chapter appeared in the *Toronto Star* on April 10, 1995, and echoed the sentiments of Human Rights Commissioner Yalden, who stated that by denying rights to homosexuals that are considered common, universal rights, “we cease to have any good reason not to deny them to any other group of citizens” (*Toronto Star*, 1995, p.A14). The editorial contends,

Indeed, excluding a particular group, especially one which is often victimized, from a system of supposedly universal protections undermines the very soul of the system. By delaying reform, Ottawa acquiesces to those who would discriminate against gays and lesbians, while permitting the debate to become one of competing sexual orientations rather than equality. Delay also gives critics a stronger platform from which to pronounce against homosexuality. That is precisely what human rights legislation is supposed to stop (p.A14).

The editorial—appearing more than a month before the Supreme Court decisions—provides an example that is indicative of the mainstream news attention to these issues that followed, and considerably contrasts coverage that had appeared years earlier, in the face of court decisions surrounding queer rights. The editorial suggested that the newspaper was invested in circulating their stance on the matters prior to the court's release of its findings. Moreover, the language illustrated a bolder conviction in its challenge of court decisions that firmly predicated their stance on matters of justice for “victimized” queer communities.

Comparing the quote above to an editorial from the *Sun* that appeared in the months following the lift of the military ban—surrounding Campbell's proposal to amend the Human Rights Act—offers a telling contrast. In 1992, the *Sun* editorial explained:

When it comes to pursuing difficult issues, you can't fault Justice Minister Kim Campbell for not trying. But when it comes to accommodating her considerable gay constituency, you can't seem to stop her from failing. Ms. Campbell's legislative record is proof of her diligence. And even if she has not always succeeded, she has tackled issues such as abortion and gun control and then dared her critics to disagree. The only thing she seemed to be avoiding was her promise to amend the Canadian Human Right Act to prohibit discrimination against homosexuals. This was understandable; there are enough homophobic dinosaurs in the Progressive Conservative backbench to threaten her ability to push such legislation through (*The Vancouver Sun*, 1992, p.A20)

While the *Toronto Star* had arguably long-been a frontrunner in mainstream news' address of queer rights issues, the contrast exhibited here in the stance taken against delay

reforms is notable. The *Sun* editorial—while supportive of changes to the Canadian Human Rights Act—attempts to justify delays as the “understandable” result of mixed political positions on the issue, while the *Star* editorial declares to its readers that the court’s decision is needed urgently in order to cut a misguided “debate” off at the head. And while the *Vancouver Sun* editorial was considerably shorter in length, its language presents the *Sun* as an impartial observer reacting to 'newsmakers' without a stake in the discussion. The *Star's* writer, on the other hand, took an active—and perhaps, an *activist*—role in the discussion by targeting the unjust lack of legal protection from discrimination for queer Canadians, and highlighting the impact on those affected. Given the drawn-out and see-sawing momentum towards acknowledging the Charter's protection of sexual orientation— the *Star's* editorial pre-empted the court rulings, and offered its readers inroads for thinking critically about their significance.

Following the Supreme Court rulings, an editorial in *The Globe and Mail* on May 26th, entitled “Two decisions on equality,” began, “What is discrimination? Yesterday the Supreme Court handed down three important judgements touching on that vexed question. Two of them deserve particular attention today” (*The Globe and Mail*, 1995, p.A14). The article details the results of the previous day's Supreme Court judgements that dealt with discrimination, including *Egan v. Canada*, and that of Susan Thibaudeau, a divorced social worker from Trois-Rivieres, Quebec, who argued she was discriminated against for having to pay taxes on child-support payments paid by her former husband. While Thibaudeau lost her case, Egan's case, the author claims, was “not as clear-cut.” The editorial calls the Supreme Court's decision into question, pinpointing Mr. Justice La Forest's explanation of the ruling as because marriage is “by nature heterosexual” and

“fundamental to the stability and well-being of the family” (p.A14). The editorial responds,

Really? As the court acknowledges, Mr. Egan and Mr. Nesbit have been living together since 1948 ‘in a relationship marked by commitment and interdependence similar to that which one expects to find in marriage.’ If they were unmarried heterosexuals who had been living together for one year, much less 47, there would be no question of their right to collect spousal pension... The sole reason they are being denied it, then, is the fact that they are gay (p.A14).

Specifically, here, the writer uses its editorial space to challenge the language and positions regarding difference appearing across coverage. Notably, discussions surrounding gay and lesbian rights were discussed within the editorial alongside other issues regarding relationship rights, offering readers an interesting point of contrast.

Another *Globe and Mail* column, published the same day, entitled “Gays are one vote away from swaying the Supreme Court vote,” by Jeffrey Simpson, quoted only legal authorities, including Justice La Forest, Mr. Justice Charles Gonthier, Madam Justice Beverly McLachlin, and Justice Sopinka. The column explained that “judges lay particular stress upon the traditional family structure,” and that they “take a broader view of the contemporary family, a view that requires legislatures to treat different family structures in roughly similar fashion. This means that gay and common-law couples should qualify for benefits available to heterosexual ones” (1995, p.A14). The columnist connected the dots between decisions surrounding Egan and Miron with previous cases dealing with “traditional family structures,” and gay rights issues that had split the votes

of Supreme Court judges. Further down, the column quoted Madam Justice McLachlin, who, in the case of the of *Miron v. Trudel*, wrote,

Discrimination on the basis of marital status touches the essential dignity and worth of the individual in the same way as other recognized grounds of discrimination violative of fundamental human rights norms... It touches the individual's freedom to live life with the mate of one's choice in the fashion of one's choice. This is a matter of defining importance to individuals (p.A14).

Like the aforementioned article, Simpson's opinion column discusses these court cases side-by-side and within the same piece. While this isn't unusual—the cases were delivered on the same day—having Egan's fight tied to the rights cases of other Canadians arguably helped to emphasize Egan not as an isolated individual seeking special rights—as seen in coverage surrounding Michelle Douglas—but as one Canadian amongst many facing similar struggles.

A *National Post* editorial by Michael Coren that followed the Supreme Court decision presented a more conservative reaction to the media's discussion of these events through a comparison to coverage surrounding Ontario's Bill 167. Coren criticizes the limited scope and sourcing practices of news articles surrounding the bill, explaining,

Lawyers, politicians, church leaders and ordinary Canadians who applauded the ruling were virtually ignored as the rollcall of interviews with anguished homosexuals began to be aired and printed. We were told of the sheer cruelty of the majority, those wretched people who simply refuse to understand that things have to change, whether they like it or not (Coren, 1995, p.FIINP 115).



Rather than praising or condemning the individual arguments in coverage, this thesis focuses, instead, on broader aspects of discourse surrounding these issues. In this regard, the value of controversial columns like Coren's—whether you agree with it or not—lies in its service as one more foil within the noise surrounding these issues. More importantly, Coren's column offers an example of insight into the role of the media within the discussion - that is, of the media reflecting upon itself. Coren's column called the “antics” of the Canadian media “ill-informed and jaundiced,” “worse than shameful” and “hateful of the Canadian people” in its coverage of the bill (p.FIINP 115). While, in isolation, this—or any—editorial might present a pointed or limited perspective on these issues, it is nevertheless an example of news content that offers inroads for thinking critically about their complexity, and the range of stakeholders involved.

Though exhibiting patterns similar to the coverage of the military ban in 1992, the coverage of the Supreme Court decisions in May 1995 offered, in some ways, a step beyond the overreliance on political authorities, and more significantly, greater, and more active attempts to address and resituate understandings of sexual orientation, the “traditional family,” and relationships. When, a year later, a bill was passed to recognize these Supreme Court rulings by adding “sexual orientation” to the Human Rights Act, however, Canadian news media faced another significant turning point that would again place politicians at the centre of discussions surrounding gay and lesbian rights.

## **5.2 “Sexual orientation” is added to the Human Rights Act, May 1996**

On May 9th, 1996, Bill C-33—which would concretely identify “sexual orientation” as a prohibited grounds for discrimination under the Canadian Human Rights Act—was passed by the federal government. During the week before the vote, the

Saskatoon *Star-Phoenix* published an article entitled “Liberal MPs at odds over gay rights bill,” and, like much of the coverage of the amendment, favoured political sentiments surrounding the proposed bill. The article began by quoting MP Bernie Collins (Souris-Moose Mountain), expressing his opposition to the bill on the basis that the change would be the “thin edge of the wedge” leading to further changes for the rights of gays and lesbians in Canada. Collins explained, “While I have a certain degree of concern that these people be treated fairly and not be harassed [...] This legislation is just going to open up all kinds of legislation we didn't expect to have” (Eisler, 1996, p.A3). Collins explained his fears that the legislation would lead to demands for the right to same-sex marriages, adoption, and spousal benefits, and that he would “absolutely” vote against the proposed legislation. The article then turned to Liberal MPs Georgette Sheridan (Saskatoon-Humboldt) and Morris Bodnar (Saskatoon-Dundurn) for opposing perspectives. Sheridan responded, saying “Is it appropriate to discriminate against people on the basis of their sexual orientation? My feeling is it is not and all C-33 does is add that to the list of prohibited grounds for discrimination” (p.A3). Notably, Sheridan elaborated that the legislation had been “often improperly characterized as the gay rights bill” designed specifically to protect just one group from discrimination, arguing “sexual orientation is itself a neutral term. It could mean homosexual or heterosexual. That point is often lost; it is like the word gender, which is neither male or female” (p.A3). Here, the patterns from coverage of the lift of the military ban seem to reappear: a reliance on political sources that offered points and counterpoints on the bill's validity and significance. While, again, these political voices, as the legislators responsible for voting to enact these changes, are understandably sought for their perspectives, they remained

not simply the political spokespersons for opinions on these issues, but often the *only* opinions, leaving the voice of the general public unrepresented.

On the day of the amendment's passage, David Vienneau, reporting for the *Toronto Star*—who, like several journalists, was involved in the coverage both of the lift of the military ban in 1992, and the Supreme Court decisions in 1995—published an article entitled “Gay rights law to pass today.” The article explained the progress that had led to the bill, and detailed the roles of Justice Minister Rock, Jean Chretien, and the suspension of two Reform party MPs (Bob Ringma and David Chatters) for comments made about discriminatory practices against homosexual employees (Vienneau, 1995a, p.3). On the following day, a *Calgary Herald* article, entitled “Reform missed its chance with gay rights, Stephen Harper says,” highlighted the sentiments of then-Conservative MP (Calgary West) Stephen Harper, who said “on this particular debate, we've let down many Canadians who I think are opposed to this legislation on very legitimate grounds,” including, the journalist described, “granting special protection to a certain group [...] same-sex entitlements, same-sex marriages and redefinition of the traditional family [and possible] court decisions that would impinge on the right for religious institutions to teach on the morality of homosexuality” (Alberts, 1996, p.A19). While the voices and tenor of articles varied depending on size and region, the emphasis on political voices across coverage reinforced a politically-driven context of these issues, while failing to address them in terms of their social contexts, or to include the perspectives and experiences of gay individuals, or the general public.

On the other hand, on the day the bill passed, Justice Minister Allan Rock, who introduced Bill C-33 to the House of Commons, wrote an article entitled “Sexual-

orientation bill is about equality, dignity,” seeking to clarify that “the bill is about 'equal rights' and not 'special rights’” (Rock, 1996, p.B3). Rock explains,

This amendment is about preventing discrimination. It is about fairness and equality for all Canadians [...] It does not confer benefits on same-sex couples or homosexual individuals. The amendment does not undermine, diminish or change the definition of family in Canadian life (p.B3).

Rock’s article provides an example of a legal authority who notably positioned these issues as matters of justice. As well, Rock identified these issues as *Canadian* ones, underscoring the amendment as one affecting “all Canadians.” Rock's comments stating that the amendment would not “undermine, diminish or change” the country's definition of “family” stood out in the article as an example of an emerging pattern of resistance to pushback surrounding definitions of the “traditional family” that, a year prior, was repeated by politicians across coverage.

The coverage of Bill C-33 offered, however, a starker contrast between news and editorial coverage than detailed during the previous events. One editorial appearing in the *Calgary Herald* on May 24th bore the headline “Enough already: It's time for politicians to drop the gay rights debate. Voters quit talking about it long ago,” noting that it was “high time the [Reform] party's critics let the gay-rights issue die” (*Calgary Herald*, 1996, p.A24). The brief editorial detailed the Liberal Party's “pillory” of Conservative MP Bob Ringma for controversial comments he made in regards to black and gay employment rights, saying that Rigma “committed the kind of stupid blunder members are prone to make in unguarded moments,” and that the Liberals “had best quit while they're ahead” (p.A24). Notably, the *Herald's* editorial had emerged from a foremost

news source located in the heartland of Canadian social conservatism; here, in a province where conservative political stances endured, the newspaper of record had called to silence combative political debate at large. Articles like these—editorials and columns that highlighted the dissonance between political sources, existing legislation, and public sentiments regarding these issues—arguably helped to challenge the influence of political perspectives and reposition these issues as matters of justice. Increasingly, such efforts were recurring across coverage.

One editorial appearing in *The Globe and Mail* on May 11th—two days after the amendment was passed—was entitled “The Liberals and gay rights” and detailed the history of the political debate surrounding queer rights, explaining,

[The amendment] ended a debate which laid bare not only the ugliness and extremism of the Reform Party, but also, almost as sad, the hypocrisy and expediency of the Liberal Party. Of the intolerance of the Reformers we are well aware. But that should not excuse the government, which has mishandled the issue from the beginning (*The Globe and Mail*, 1996, p.D6).

The writer describes Allan Rock's efforts to introduce the bill in 1994 and 1995, and emphasizes Chrétien's “clumsiness” in supporting the bill, saying that Chrétien “could never say what a prime minister should have said, early and often, in this debate: that rights are rights are rights” (p.D6). The editorial also addresses the “dissent” that has emerged from Chretien's caucus, singling out Liberal MP Roseanne Skoke, who described “homosexualists” [sic] as “immoral” and “unnatural,” and a “special interest group” demanding “special rights” (p.D6). The column called the amendment “a historic moment for individual rights, an inglorious one for politicians,” and served as another

example of efforts to bring more personal, critical attention to the ongoing political debate, and highlighted for readers the influential role of political parties within progress for these issues.

An *Ottawa Citizen* op-ed written by a communications and psychology student at the University of Ottawa entitled “Media intimidates to stifle gay-rights debate” criticized the media. It said, “in their zeal to end discrimination against homosexuals, many in the media have used a fallacious, although powerful, form of reasoning to persuade Canadians of the need for gay rights” (Johnston, 1996, p.C5). The author argued that the media have used the “the threat of force” though purporting that “any Canadian who is against gay rights is homophobic, bigoted, intolerant, and, in short, espouses values that are destructive to our society” and accused the media of conflating “lifestyle” with “culture,” saying that it is unreasonable to “create a whole new cultural group with the special rights and privileges that any ethnic group would receive” (p.C5). The article further contended,

What has been most insidious about the debate over gay rights has been the fact that many Canadians have been afraid to speak their minds and stand up for what they believe. A clear and open debate over the numerous critical issues surrounding Bill C-33 has not been allowed to take place. The media have clearly been a main contributor to this lack of open and honest discussion (p.C5).

The article ran counter to much of the news media's discussion of the bill, and suggested that, across mainstream news media, conservative views were becoming marginalized. While a great deal of editorial coverage had rallied behind the amendment, Johnston's article notable differed by turning the spotlight onto news media and its treatment of

these issues. While, today, some may find the views expressed in Johnston’s article controversial, it is an example of coverage that offers inroads for thinking more critically about these issues, and pushing readers to consider the many players—including courts, politicians, and journalists—and their considerable influence within discussions surrounding these issues.

### **5.3 Discussion: a snapshot of discourses in transition**

As mentioned at the beginning of this chapter, Balkan, in 1997, called for the media to deal responsibly with coverage related to human rights issue, as one of several recommendations the author makes for the mainstream media in navigating these challenges (1997). The author states that, by the mid-nineties, there were indeed some causes for optimism in journalism's approach of diversity, explaining that “journalists themselves are making diversity an issue,” and providing as example the Canadian Association of Journalists panels dealing with gender, ethnicity and sexual orientation:

There is also evidence that where editors and journalists are interested in diversity, it is being reflected in media coverage. Several newspapers, including the Vancouver Sun and the Montreal Gazette have assigned reporters to “multicultural” or “diversity” beats. The Toronto Star, which has assigned an editor to monitor and encourage diversity coverage, provides extensive coverage of minority activities and issues (p.127).

Journalists’ efforts to draw attention to the challenges and experiences faced by marginalized or minority groups during pivotal moments such as those discussed in these chapters can offer news readers valuable perspectives on the diversity of this country's citizens.

Here, in the coverage surrounding the amendment to the Human Rights Act, there is evidence of discursive shifts emanating from the coverage of the lift of the military ban. Increasingly, journalists began taking firmer stances on these issues as matters of justice for Canadians. While James Egan and his partner were included often, journalists' made efforts to discuss these issues on broader terms and as issues that affected broader communities. His case often appeared alongside others in news stories, and beyond Egan and political and legal authorities, other sources were given greater voice across coverage. The coverage of these events offers a second, illustrative case study of these themes of justice, difference, and Canadian identity within coverage that continued to develop in coverage of the events to come. As this thesis explores discussions surrounding same-sex marriage laws in the chapter that follows, these themes offer valuable lenses for critique that, ten years later, indicated considerable shifts.



## Chapter 6: The legalization of same-sex marriage

In discussing the media's treatment of minority groups, Augie Fleras (2001) describes a process of “social construction” enacted by the mainstream media (around issues such as cultural, racial, ethnic and gender identities) through four discursive themes that serve as windows that provide audiences “insight into social patterns and cultural values of society” (p.202). His four themes include, (a) minorities as invisible; (b) minorities as stereotype; (c) minorities as problem people; and, finally, (d) minorities as adornment. While Fleras’ discussion of these themes highlights race and gender, there is evidence that news attention to queer identity is also expressed through these themes; two themes in particular—minorities as “invisible” and as “adornment”—are illustrative of this. The increase in queer visibility in mainstream news has been presented through stages of stereotyping and characterizations of gay people as “problem people” to, perhaps most predominantly in more recent news, as “adornments” within news coverage. This ‘adorning’ aspect is achieved by casting minorities in roles that are meant “only to amuse or embellish. Minorities are associated with the exotic and sensual” (p.207). Evidence of this theme is present in the coverage of such events as the wedding of MP Scott Brison to his partner.

As will be discussed in the conclusion, these themes continues to appear today, in the widespread attention to queer politicians and other individuals in the public eye, and, at times, in coverage of pride celebrations). While coverage surrounding Brison's wedding was—in part—the catalyst for this research and its investigation of *how* journalists discuss sexual identities during periods of legal and social development, the

widely-publicized wedding was just one of many news events worth examining within journalists' address of the legal changes surrounding same-sex marriage.

Assessing these changes involves an interplay of several forces—in particular, political, social, and legal ones—that influenced the progress towards the legalization of same-sex marriage. These changes were also manifested at both provincial and federal levels because, in accordance with the *Constitution Act, 1867*, the “capacity to marry falls under federal jurisdiction, while the solemnization of marriage is a provincial responsibility” (Hurley, 2010). In other words, legal decisions regarding *who* can marry *whom* are made at a national level, while rules regarding the processes of officiating marriages fall under provincial law.

Following discussions surrounding the 1996 amendment to include “sexual orientation” in the Human Rights Act, changes to legal rights for same-sex couples gained momentum when, in 1998, British Columbia became the first province to legislate equality in couples' benefits—including child-support, custody, access, and pension benefits—for the same-sex partners of public-sector employees. The Canadian Parliament followed suit in the year that followed, adopting federal legislation to provide for same-sex benefits, and introducing gender-neutral “survivor” entitlement for unmarried spouses, same-sex and otherwise (Hurley, 2010). A significant legal benchmark came in 2003, when the Ontario Court of Appeal—in *Halpern v. Canada*—passed a decision finding that the existing common law definition of marriage was a violation of section 15 of the Canadian Charter for its exclusion of same-sex couples. Similar shifts for the benefits and legal rights of same-sex couples in Canada continued in the years that followed, including, notably, Saskatchewan's ruling in 2001 to expand the definition of

“spouse” to include same-sex partners, whereas elsewhere in Canada, the definition of “spouse” remained restricted to heterosexual couples. In 2003, after the aforementioned appeals in British Columbia and Ontario had effectively reaffirmed the protection of same-sex marriage as within the scope of their respective “common-law” definitions—and in accordance with section 15 of the Charter—then Prime Minister Jean Chrétien announced he would not appeal the two decisions, and that the country would take a “phased approach” to legalizing same-sex marriage (Hurley, 2010). The following year brought about changes enabling same-sex marriage in several provinces and territories, and by the end of 2004, every province but Alberta, New Brunswick and Prince Edward Island had legalized same-sex marriage (Knecht, 2011).

Then, on February 1, 2005, Bill C-38—the “Civil Marriage Act”—was first introduced in the House of Commons to legalize same-sex marriage across the country. The bill was passed by the Senate on July 19th, 2005. Specifically, as it was first read to the House of Commons on February 1, 2005, the “Civil Marriage Act” was intended to codify a gender-neutral definition of marriage and “spouse” across the country, and would replace the existing common-law understanding of civil marriage as a heterosexual institution, stating it instead as the “lawful union of two persons to the exclusion of all others” (Hurley, 2010). The bill also designated that religious officials could refuse to perform marriage in the event that it conflicted with their religious beliefs, while providing that “no benefit will be denied or sanction imposed under federal law solely owing to the exercise of freedom of conscience and religion guaranteed by the Charter in respect of same-sex marriage” (Hurley, 2010). The new legislation positioned Canada as the fourth country to legislate same-sex marriage behind the Netherlands, Belgium, and

Spain. Within the next five years, South Africa, Norway, and Sweden approved legislation to the same ends.

The announcement of the bill's introduction in February brought on a frenzy of debate among the mainstream news media surrounding the definition of “marriage” in Canada during the months that followed. Two moments surrounding Bill C-38—the introduction of the bill in February 2005, and the final passing of the bill in July of the same year—will be the focus of analysis.

### **6.1 News coverage surrounding Bill C-38**

In the weeks leading up to the introduction of the bill, newspapers took to the task of setting up what would be an extensive media debate on the legalization of same-sex marriage in the months to follow. The media served as one of a number of forums for discussions and opinions surrounding these issues. Bala explains,

In the spring of 2005, there was intense lobbying of members of Parliament over same-sex marriage, with demonstrations, advertising and letter writing campaigns [...] more liberal faith groups and civil liberties organizations supported changing the definition of marriage to allow same-sex partners to marry. There were Parliamentary Committee hearings and extensive media debates over same-sex marriage (Bala, 2005).

More specifically, media discussions commonly centred on the word “marriage” itself, on opinions surrounding the word's legal redefinition to include same-sex couples, and on the political tug-of-war surrounding the proposed legislation.

In many ways, since the amendment to the Canadian Human Rights Act in 1996, the dynamic seemed to have changed. From the political sphere, politicians were very

much involved, and firm on decisions surrounding same-sex marriage. Rather than taking aim at court decisions to come, journalists focused on the processes by which those rights would be entrenched, and by detailing and critiquing emerging political sentiments. An article appearing in *The Vancouver Sun* on January 25, entitled “‘Public wants a say on gay marriage,’ Harper says,” detailed the positions of party leaders following a three-day caucus meeting in B.C., as well as reactions to a series of newspaper ads released by the Conservative government campaigning against gay marriage (O’Neil, 2005a, p.A8). In response to the ads, the article stated,

A coalition of visible minority and human rights groups has alleged that Harper’s ads are divisive, pander to prejudice, promote racist stereotypes that ethnic groups are intolerant, and pits minorities against each other. But Harper tried to turn the tables, suggesting that the anti-racism groups are ignoring different points of view in minority communities as they join the Liberals in an attempt to paint the Conservatives as extremist (p.A8).

The passage above appeared near the beginning of the article, and later quoted Conservative Leader Stephen Harper, his former Conservative leadership rival Belinda Stronach, and Nova Scotia MP Peter MacKay. Harper was quoted saying,

I believe the public will want to have some say about this in the election. [...] Tolerance is where we’re at. We’re the one party that is tolerating differences of opinion on this issue, and we’re the one party that is asking groups like this to accept that in a wide range of Canadian communities, regional and cultural, there is in fact more than the official Liberal party line on this issue (p.A8).

At the outset of the debate, were efforts from politicians to address the public's role in the ongoing discussions surrounding the bill that signalled a departure from previous discussions surrounding legal changes for gay rights. Political statements were highly partisan, with Harper tying values of “tolerance” to party policy. In anticipation of the oncoming discussions, this and several articles seemed poised to prepare readers by detailing political perspectives on the decisions to come. This article and others highlighted political sentiments to acknowledge the value of public opinion on the matter. This was echoed throughout early coverage of the proposed legislation, and may have helped set the stage for a greater diversity of voices (outside political and legal circles) that was included in its coverage.

On the day the bill was introduced, an article by John Ward appearing in New Brunswick's *Telegraph-Journal* said that the introduction in the House of Commons would be “kicking off [...] what promises to be a loud and rancorous debate” (Ward 2005). The article was, similarly, a primer for political positions, explaining that the bill was “certain to cause political splits in the Commons, although Ottawa's smart money says it will pass” (Ward, 2005). The article continued,

While Prime Minister Paul Martin has told his cabinet ministers to support the bill, the backbench has been left free to choose yea or nay. NDP Leader Jack Layton ordered his members to support the legislation, saying a human rights issue is no place for a free vote [...] The Bloc is generally solid in its support for the bill. The Conservatives have supporters on both sides of the issue, although their leader Stephen Harper has urged amendments to the bill (Ward, 2005).

The brief article did not directly quote any sources, serving simply to update readers on the events leading to the introduction of the bill, to provide a broad understanding of the political debate surrounding it, and to observe that both advocates and critics of the legislation were “lining up” to respond to the bill's debut. While considerable focus throughout coverage was given to Stephen Harper and Paul Martin, Ward’s article—and others—made efforts to identify the role of other groups of influence in the discussion.

Still, evidence of the political controversy as the heart of these issues remained. Often news coverage, rather than simply detailing opposing perspectives, appeared to consider the entirety of the political discussion more critically. An *Ottawa Citizen* article from February 14th detailed the findings of a *CanWest News Service/Vancouver Sun* survey of 20 respondents—all riding presidents in Montreal, Greater Toronto, Vancouver and other cities where the party has struggled to win seats—answering questions about Stephen Harper's “aggressive” campaign against gay marriage. The survey found that three-quarters of the respondents believed that Harper was making a “tactical mistake” by focusing on the “hot-button gay-marriage” issue. The article quoted one respondent, Leslie Soobrian (president of Toronto's York West riding) who said “Because I am a member of an ethnic community I find the method ... offensive [...] (O'Neil, 2005b, p.A3). The article and survey notably demonstrated efforts to cast a broader net for perspectives on issues surrounding same-sex marriage—including quotes from two additional respondents—although these perspectives were, again, limited to those holding positions of political power, illustrating again, ongoing patterns of overvaluing the perspectives of politicians on these issues

As with previous cases—and with great prominence in coverage surrounding same-sex marriage—polls were used as indicators of public thought on issues surrounding same-sex marriage. A month before the bill was introduced, Montreal’s *The Gazette* published an article, entitled “Gay marriage still divides us: new poll,” addressing a widely-published two-part survey suggesting that voters were “neither unhappy with [the then-current] minority government, nor [...] dug in against federal plans to legalize gay marriage” (Greenaway, 2005, p.A9). The brief article pointed ahead to the intentions to introduce legislation that would legalize same-sex marriage in the following month, signalling same-sex marriage as a “hotbutton issue” that remained “divisive.” Polling 2,021 Canadians ages 18 and older, the poll found that a majority—54 percent— believed that the government should change the definition to include same-sex couples, with 43 percent opposing the idea (p.A9).

An article that appeared on the second page of the *Edmonton Journal* in the days following the court ruling was devoid of political or legal authorities, and focused centrally on a couple who attempted a legal marriage in February, 1974. Entitled “First gay marriage still going strong: Manitoba couple celebrate 31st anniversary,” the article recounted the experiences of partners Chris Vogel and Richard North, and offered their perspective on marriage, relationships, and the progress of equal rights that the couple had experienced since their marriage. The article was a historical overview, exploring the legal benchmarks that have propelled this progress, for which North was quoted as saying that it “seems remarkably quick that it's gotten as far as it has, in comparison to the struggles of other minorities” (Cockburn, 2005, p.A2). The article shed light on homosexual couples by attempting to shed light on the commitment and longevity of gay



partnerships. In regards to the relationship between religion and marriage, North explained,

We live in a liberal democracy in which there is supposed to be separation of church and state [...] Nobody is suggesting that religious organizations do anything other than what they have always done in terms of marriage within their institutions. They have no right to impose their religious values on the rest of Canadians (p.A2).

Articles like Cockburn's provided one example of what was a growing diversity in the approaches to coverage related to the legalization of same-sex marriage. In the cases examined previously, while reporters had sought out alternative focuses for coverage during times of legal shifts for queer rights, the diversity across articles had, by 2005, grown considerably, and incorporated voices from outside political and legal realms, like North who—unlike Egan and Douglas—was not a central player in the ongoing debates. These articles bolstered the depth of the news media's attention to these issues at large.

A news article from *The Globe and Mail* that immediately followed the introduction of the bill bore the headline “Some won't marry gay couples,” and discussed another thread in the discussion surrounding the legalization of same-sex marriage - the role and rights of those responsible for officiating marriage licenses. The article explained that resignations had resulted from provinces where marriage commissioners were forced to sanction same-sex unions. The writers quoted Claude Elliot, Mayor of Gander, Newfoundland, who said, “My rights have been violated. [...] A democracy that gives those people the right to be married should also give me the right to say no to marrying them. But that right has been taken away from me” (Den Tandt & Richer, 2005,

p.A7). The article also explained that while in some provinces, marriages have been solemnized without protest, particular provinces have seen several resignations of marriage commissioners. The article quoted commissioners from Saskatchewan who argued that these were “civil, not religious marriages” and that “to have civil marriage commissioners import their religious beliefs into the civil marriage [...] is to force people to meet religious requirements when, if they'd wanted to do that, they could have gone to a church” (p.A7). While the sourcing of the story focuses on those directly involved in the legal procedures surrounding same-sex marriage, there is, again, evidence of a more expansive effort to capture the opinions of Canadians on these issues.

In the months that followed the legalization of same-sex marriage, there appeared a diversity of news coverage related to same-sex marriage and homosexuality. The tenor of coverage was less heated here than in the coverage in previous months. Coverage surrounding the bill's passage through the Senate often addressed the legislation directly, while in some cases, attempting to tie the new legislation to broader news stories and contexts. Announcements surrounding Rosie O'Donnell's cruise that brought American same-sex couples to Halifax to marry, and others warning wedded same-sex couples about traveling in countries where same-sex marriages were not legal, as well as articles detailing the wedding of Keith Purdy and Rick Kennedy—the first same-sex marriage in Alberta under the new legislation—were covered in papers across the country. Alongside these were feature articles that contributed to nuanced discussions surrounding homosexuality and ongoing battles for equality, with headlines such as “Understanding the biology of homosexuality”—addressing nature vs. nurture debates surrounding homosexuality—and “Curriculum discriminates,” an article addressing one B.C.'s

couples efforts to establish school curricula that more fully and positively incorporates same-sex families (Kopala, 2005, p.B1; Mulgrew, 2005, p.B7).

Other articles addressed the bill's passage directly, including one that observed that the bill was signed "without fanfare," and without a ceremony to mark the signing (Weber, 2005) Another article noted that the bill had "proven to be one of the most contentious and divisive issues ever put to parliament," that it was similarly divisive when put to the Senate, and that recent polling had shown that "most Canadians" did not want the pending legislation changed (Galloway & Moore, 2005, p.A8). The poll stated that 55 per cent of those surveyed believed that the legislation should stand, and 39 per cent supported the repeal promised by the Conservative party to undo the legislation, if elected.

In the week before the Senate voted on the proposed legislation, an article in the *Toronto Star*, entitled "Senate can't stop same-sex marriage, committee told [...]," assured readers that the bill's passage through the Senate would be secure (Panetta, 2005). The article centred on Justice Minister Irwin Cotler, who explained that even if the Senate refused to pass the bill, there would be "no legal avenues to turn back the tide" short of the Constitution's "notwithstanding clause." Even then, Cotler explained, provincial rulings would stand, adding,

Same-sex marriage would still be the law of the land [...] Where a law has been found to be unconstitutional, the only options open to Parliament are to either remedy the unconstitutionality—which is what we are doing with Bill C-38—or to overrule that court decision by invoking the notwithstanding clause (p.A13).

The article explained that Bill C-38's second reading “sailed through” the upper chamber with a 43-12 vote in the previous week, and that the bill “will become law—possibly within days—once it is adopted in the Senate and receives royal assent” (p.A13). The article serves as an example of the trajectory of much of the coverage that emerged in anticipation of the Senate vote, signalling that the mainstream news reporters had grown less interested in the drawn-out political debate, and had accepted a victory for the bill.

The trajectory of such coverage is noteworthy. Here, and frequently in coverage surrounding same-sex marriage, was a tenor across news coverage that changes to come were indisputable, irreversible matters of justice. Commonly, Canadian news reporters seemed poised to take on same-sex marriage as a 'done-deal', and presented those who did not support the bill as out-of-step with the reality of an inevitable and necessary change. The trajectory suggested a maturation on part of Canadian journalists who were focused less on arguing behind either liberal or conservative perspectives on these issues, and instead focused their articles on contributing to more progressive coverage surrounding queer rights and sexual identity.

On the day before the bill passed, a front-page article appearing in *The Globe and Mail* entitled “Same-sex marriage bill must stand, majority say,” similarly spoke to the security of the bill. The article addressed the poll findings mentioned above—55 per cent saying that the government should let same-sex legislation stand, while 39 per cent supported the promised repeal pledged by the Conservative government—and the article said the poll “bolstered” Prime Minister Paul Martin's previous remarks that Canadians “do not want to revisit the issue” (Laghi, 2005, p.A1). The article quoted Tim Woolstencroft, managing partner of the polling firm the Strategic Counsel, who said that

“the Liberals have been successful in defining same-sex as an issue of rights, not as a moral issue [...] and that prevails. Rights will also win over other issues” (p.A1). The article added that the matter “continues to be controversial as it winds its way through the Senate,” a sentiment that provides interesting contrast across coverage, wherein while the debate was identified both as ongoing and “controversial” within political circles, in the eyes of the mainstream news media (particularly in editorials in columns), it was considered a “done deal” (Laghi, 2005; Yaffe, 2005).

The contrast here suggested that despite the political rhetoric emerging from coverage, that news reporters recognized—and were vocalizing—that the passage of the bill was secure and inevitable. In the paragraphs that follow, the article quoted Phil Hogan, president of the Catholic Civil Rights League, who claimed that he and his group planned to make same-sex marriage an election issue, saying that “we have indicated throughout this debate that MPs who support this change will be exposed to publicity of that support and they will be held accountable” (Laghi, 2005, p.A1). The presence and voices of Catholic communities—and discussions surrounding religion and civil marriage rights in Canada—was common across coverage, particularly in editorial and opinion content, indicating religion as a vocal influence in the discussions surrounding same-sex marriage. Now, journalists, rather than presenting ‘opposing views’ in coverage that were on either end of the political spectrum, were increasingly presenting ‘opposing views’ that were along different lines of opposition.

On the day following the passing of the bill in the senate, an article appearing in *The Ottawa Citizen* quoted Laurie Arron, a director for LGBT advocacy group *Egale Canada*, and member of Canadians For Equal Marriage, saying, “I’m proud to be a

Canadian today. [...] I'm proud of a country where values like equality and respect are so central" (Naumetz, 2005, p.A3). The article—which was written by Tim Naumetz and appeared in newspapers across the country—then turned to reactions from politicians, beginning with Conservative Gerry St. Germain, who expressed concerns that the new law would “dilute the strength of heterosexual marriage,” then the Independent Party's Marcell Prud'homme, who called the bill “a step toward equality for gays and lesbians [that] would help lead to the elimination of discrimination against homosexuals,” as well as Liberal Senator Serge Joyal who argued the bill “aims to right the wrongs gays and lesbians have suffered in years past” (p.A3). The article provides an example of a growing tendency—as seen across coverage of the Brison-St. Pierre wedding, and discussed in more detail below—of discussing the “values” and “equality” associated with Bill C-38 as emblematic of Canadian identity.

Several articles immediately following the passing of the bill detailed the experiences of (the aforementioned) Purdy and Kennedy, the first same-sex partners to marry under the new legislation. As described in the *National Post*, the couple were self-described “poster boys” who had twice been denied a marriage license and were told that Alberta would “never recognize gay marriages” (*National Post*, 2005b, p.A8). Purdy was quoted saying that the day of their marriage was “a great day for us.[...] We've spent years fighting for this” (p.A8) Like the Brison-St.Pierre wedding, the coverage added a pair of public faces to news surrounding the changes, a trend in coverage that has arguably become increasingly common in Canada and abroad for “firsts” for members of the queer community. While Purdy's and Kennedy's previous attempts to obtain a marriage license had also received some media attention, the couple's marriage in 2005

received only moderate attention in Canadian newspapers. Interestingly, it received markedly less coverage than that surrounding MP Scott Brison's wedding in August, 2007, wherein politicians' sentiments were presented upfront as glowingly supportive of the changes— and of their significance to equal rights and Canadian values—while community members opinions were relegated to lower placement in articles, often appearing unenthusiastic about the politically-driven media attention the wedding had received.

## **6.2 Editorial coverage surrounding Bill C-38**

Editorial coverage of the bill's introduction and eventual passage was often more distanced from the political debates and political rhetoric surrounding Bill C-38 than the coverage surrounding the lift of the military ban, Supreme Court decisions surrounding the Charter, and the amendment to the Human Rights Act. Within editorial and opinion content, politicians' efforts were described as “fearmongering,” as “caterwauling” and “dishonest” (*National Post*, 2005a; Montgomery, 2005). While not all writers directly supported the bill, they often took aim at the validity and logic of the debates surrounding the proposed legislation. Rather than target the—seemingly resolved—issue of the same-sex marriage legislation's eventual passage through Senate, editorial coverage instead drew attention to the arguments launched by various groups surrounding these issues.

Preceding the introduction of the bill to the House of Commons, an editorial appearing in the *National Post* on January 24, entitled “Gay Marriage mumbo-jumbo” explicitly targeted a pattern in the language from Stephen Harper and PM Paul Martin, arguing that their rhetoric surrounding the issue of gay marriage was “high flown” and “directed a non-existent threat” to scare backbench Liberal MPs by saying that a

parliamentary vote could “plunge the country into a federal election (*National Post*, 2005a). The editorial explains,

This is part of an unfortunate pattern: During last year's election campaign, and then again in the weeks following the Supreme Court of Canada's recent decision on gay marriage, Mr. Martin and his Cabinet have deliberately created the false impression that a parliamentary vote against gay marriage would “take away” the rights of Canadians. The Prime Minister in particular has sought to portray himself as the guardian of the Charter of Rights and Freedoms, as if Mr. Harper had campaigned to rip the document in two (p.A11).

The editorial explained that both sides of the political debate surrounding same-sex marriage have chosen “fearmongering and overheated rhetoric” in the face of uncertainties about their position, and calls their behaviour a “disservice” to the Canadian electorate (p.A11). The writer was not alone as one that specifically targeted issues with political discourse, and took a step back to assess the debate at large.

On January 30th, the day before the announcement, an op-ed appearing in the *Toronto Star*, entitled, “Political games on gay marriage; Tony Keller defended Harper's right to amend legislation,” took a different approach to critiquing the ongoing debates. The article claimed that the media had “widely pilloried” Stephen Harper for playing political games, while sparing the Supreme Court of Canada (Keller, 2005). Keller defended Harper's position on the bill and his plans to amend it, saying that “he at least has a good excuse. He's in politics,” and instead took aim at the Supreme Court, explaining,



We wouldn't be here if the nine in ermine had simply done their jobs. Last year, the government asked the Supreme Court to tell it what to do about gay marriage. It referred four questions to the court; question 4 was the key. It essentially asked whether the Charter of Rights meant Ottawa had to recognize same-sex marriage. Seven territorial and provincial courts had already ordered Ottawa to do so; now the highest court in the land would get its chance to render a final verdict. The Supreme Court's answer? "The court exercises its discretion not to answer this question."

How enlightening (p.A17).

Keller's op-ed claimed that the courts did "not appear to have liked Ottawa fobbing a political problem onto it," despite the impetus for these deliberations having come from Canada's lower court systems (p.A17). From a different perspective, here, too, there is evidence of content that is sharply critical of the words and actions of institutional players at the centre of these decisions, and the procedures through which they are decided.

A column published on the day of the introduction of the bill entitled, "There's no debate in the same-sex marriage debate" was similarly dismissive of ongoing debates surrounding the proposed legislation, and posed another perspective:

We're not getting anywhere with the same-sex marriage "debate." You can hear the frustration on the phone-in shows, read it in the letters to the editor. Bigot, people are calling each other. Homophobe. Even people struggling to be reasonable are exasperated. "Earth to Catholics," one letter-writer to the Citizen began, before explaining, with teeth-clenched patience, why gay marriage couldn't possibly have any impact on traditional marriage (Reevelly, 2005, p.A12).

The column argued that the debate is based on a “faulty premise,” insofar as it has been driven by court cases involving the Charter, and contended that,

[...] we're grappling with whether the existing law on civil marriage, with its opposite-sex-couples-only language, infringes on homosexual rights. You don't have to be a bigot to believe that it doesn't - and that taking the question to court was wrong in the first place (p.A12).

Reeveley's column offered a more in-depth challenge to these issues by attempting to communicate the complexity of changing the definition of marriage. Echoing the argument of NDP leader Jack Layton, Reevely critiqued Prime Minister Paul Martin's plans for a free vote in Parliament, and discussions surrounding a national vote on a matter seen by many as an issue of human rights. Reevely's article took a firm stance on how Martin ought to manage these changes:

If the Prime Minister believes what he's saying, he should make the gay-marriage vote a confidence matter, a human right he'd sacrifice his prime ministership to defend. It should also be intolerable that his justice minister, Irwin Cotler, thinks some provinces' civil-marriage commissioners should be able to refuse to marry gay couples. One doesn't make accommodations for public servants who don't respect human rights (p.A12).

Touching on a number of the challenges within the debate, the column adds highlighted particular aspects of the proposed changes in regard of the language and existing definitions, and pinpointed the legal, political and religious levers involved. More pointedly, the language of the passage above reinforces a common discursive trend across

coverage surrounding same-sex marriage: clarifying these issues as matters of “human rights.”

While the trend of targeting the debate at large rather than critiquing either side of it was common, a considerable amount of articles still seemed positioned firmly in support of changes to legalize same-sex marriage, though their approaches varied. The introduction to a column appearing in *The Gazette*, entitled, “Why all the fuss over gay marriage,” began as follows:

I like to think all this caterwauling over same-sex marriage is just an attempt on the part of heterosexuals to spare gays and lesbians the pain of having to choose from the myriad of china patterns, or deciding who gets to be a bridesmaid. But the argument I'm hearing most often is “they can get married if they want, they just can't call it marriage.” It's like saying someone can be a human being, but just can't call himself one (Montgomery, 2005, p.D8).

The column by Sue Montgomery, a reporter who more often covered 'hard news' stories, contested Harper's and other political leaders' stance on the definition of “marriage,” and called claims that churches would be “forced” to perform marriages a “dishonest attempt at stirring up opposition” (p.D8). Montgomery continued,

I fail to see how expanding the definition of marriage to describe a loving, committed relationship between two men or two women can possibly have an impact on the same set-up between a man and a woman. It takes absolutely nothing away from so-called straight marriages, other than perhaps there will be more demand for your favourite Wedgewood china pattern, so your order might be back-ordered (p.D8).

Throughout coverage in the months that followed was, again, evidence of efforts to challenge and deconstruct the existing legal definition of “marriage,” and the meaning of the proposed changes to the definition posed by the bill. Demonstrated in the examples above, editorials and columns targeted the 'sticking-point' on legislating same-sex marriage, content that outright opposed the changes was uncommon. While Montgomery’s column arguably appeals to humour with its references to wedding decor and arrangements to advance her point, it, perhaps at the same time, runs the risk of presenting queer sexuality as an “adornment” in news coverage. While aspects of discourse surrounding sexual orientation and queer rights, in a number of ways, showed evidence of reflecting progress during the coverage surrounding same-sex marriage, here and elsewhere, an ongoing tension remains between acknowledgement of sexual difference and problematic characterizations of otherness.

Five months later, when the bill passed, editorials often engaged in addressing issues of “what now?” and unpacking the decisions and debate spanning the preceding months. One editorial addressing enduring issues entitled “Right to object must be protected” appeared in the *Calgary Herald* on July 24th. When the article was published, Alberta still defined marriage as a union “between a man and woman,” and the writer claimed that Alberta's protection of 220 existing marriage commissioners who didn't “share the Federal Justice Minister's enthusiasm” for same-sex marriage was “praiseworthy,” and that the “urgency to recruit civil marriage commissioners willing to perform same-sex unions misses the point.” The editorial asserts that, following the legislation, the “rule of law has a number of implications for what comes next,” and argued for the protection of marriage commissioners:

After thousands of years of exclusively heterosexual marriage endorsed by the world's major religions, there should be no moral obligation upon even a government employee to perform a same-sex marriage against his religious beliefs. [...] Ideally, the provincial government should get out of the marriage business altogether, and confine itself to registering civil unions, whether for straight or gay couples - a simple clerical function, in which a contract is registered (*Calgary Herald*, 2005, p.A10).

The example further indicated a shift in focus away from the political controversy surrounding same-sex legislation and towards grander debates surrounding the commissioning of same-sex marriage, the government's role in religious affairs, and perspectives on religious and Canadian identity, all of which were common themes across coverage in the weeks surrounding the Senate's passage of the bill.

Another column to tackle issues of the relationship between religion and the new legislation appeared in the *Toronto Star* on July 28th, entitled “Why can't we talk about faith” (Cato, 2005). In the wake of decisions on same-sex marriage, the column, written by a former member of the *Star's* editorial board, Keron Cato, discusses Canadians' discomforts in addressing matters of religion:

We go on and on about freedom of religion and free speech, but when it comes right down to it, we are guilty of stifling that very freedom. We are afraid of religious dialogue, and even more afraid of certain people of faith, especially when they hold strong views contrary to our own values (p.A20).

The column argues that Canada is “becoming a nation that has come to equate agreement with tolerance and acceptance,” and that “to disagree, especially vocally, is to be

intolerant and hateful. The column also argues that religion and faith are “easy targets” for those seeking blame for “society's ills,” and, in regards to the lengthy debate surrounding the same-sex marriage bill, Cato explains,

The struggle over the redefinition of marriage has left many in the faith community slightly disillusioned with the democratic process and even moreso with the idea of religious freedom. Many in the faith community say that when contentious issues are put to the test, religion always loses (p.A20).

Cato's column touches on two discursive threads common in the coverage surrounding the debate on same-sex marriage that lingered after the bill's passage through the Senate: the relationship between religion and marriage legislation, and the connection between these questions and Canada's national identity. The latter thread is one which, since the amendment to the Canadian Human Rights Act in 1996, has become a recurring theme in coverage surrounding rights issues for queer communities. As described in the introduction to this thesis, this tendency was particularly true of coverage surrounding the Brison-St. Pierre wedding, two years after Bill C-38 passed. Moreover, the article was one of several that indicated that perspectives on these issues had progressed to an extent that views that were once considered mainstream were being marginalized, and that those views that had once been marginalized were becoming commonplace.

An editorial in *The Globe and Mail* written in support of the new legislation identified the legislation as “Canada's enlightened stand” on same-sex marriage, and using language that pinned down the changes as a hallmark of Canada's national identity. While praising the changes as worthy of great applause, the editorial presents a heteronormative framing of these issues. The editorial states,

Many will choose to stay in the underworld and never marry. That is their right. But by opening the door to its central institution, society is signalling that there is a secure place for them in the wider world. That is good for homosexual society which can grow beyond its stage of adolescent rebellion (*The Globe and Mail*, 2005, p.A14).

While the editorial sought to praise the bill as a success for gay rights, the editorial's characterizations of gay and lesbian couples who choose not to marry as belonging to an “underworld”— that is, a “world” that is both different from heterosexuals, and also 'beneath' it—and the “homosexual society” at large as being within a “stage of adolescent rebellion”—which can be easily argued as an unfair characterization of the actions of queer activists—conjure troubling, and over-generalizing images of these communities. While the significance of these qualities should not be overstated, such statements run the risk of reinforcing a hetero- vs. homosexual binary that arguably further marginalize and isolates these communities. The writer continues: “welcoming them into the compact of marriage is the surest signal a society can send that it no longer considers them beyond the pale. They are family now” (p.A14). The editorial is a valuable example of both the considerable progress that was now being reflecting in mainstream news reporter, as well as the underlying connotative meanings that can emerge from discussions surrounding difference; even within a column that appears supportive of the changes, there exist examples of language that can marginalize queer communities and emphasize *otherness*.

While no a longer central theme in coverage, discussions surrounding the polarized political debate—and its aftermath as a potential “wedge” issue that could help the Conservative party gain power—continued. As the examples above illustrate,

editorials surrounding the bill notably shifted focus away from simply echoing political debate and into efforts to unpack their meaning and impact. Overwhelmingly, newspapers and columnists seemed supportive of seeing same-sex marriage legislation become a 'done deal'. More than in the events explored previously, they were dismissive of the political posturing surrounding its legalization, and were instead poised to address larger questions about the realities and challenges surrounding same-sex marriage. In comparison to the coverage of the Human Rights Act amendment and the lift of the military ban, before it, reporters had shown considerable—though, incremental—'growth' in the face of addressing queer rights issues.

In particular, editorial and opinion content offered deeper, more engaged and personal perspectives on the issues at hand. During these moments of change for queer individuals and communities, coverage appeared broader in scope, and offered readers a broader understanding of shape of this progress, the forces involved in the discussion, and the experiences of homosexuals in regards to marriage, religion, and Canadian identity. Considering, briefly, an alternative perspective that appeared only rarely in coverage surrounding these changes, Knegt (2011) offers that while its political champions held up the legalization of same-sex marriage as a significant and landmark victory for equal rights for same-sex couples, there remains a different reading of these changes:

There is no denying the monumental dramatics of this narrative, or that this kind of formal recognition is productive in a certain sense [...] despite the ideology of lesbian and gay liberationists, even they could understand why same-sex marriage had its importance. "Either you're equal or you're not," one said in an interview,



“and when you are that means something.” But there remains the justified liberationist notion that same-sex marriage should not be viewed as some sort of legal end game in the fight for queer rights. Even beyond the argument that marriage is an oppressive and state-sanctioned institution that should have never been a goal in the first place, there is the simpler question of whom exactly marriage serves (p.46).

The answer, Knegt argues, is that marriage serves only those who are “in a position to take advantage” of expanded legislation, and that moreover, that this expansion reinforces the idea of heterosexual marriage as a “norm’ to which people should aspire” (p.46). Further, Knegt says, this leaves many other important issues “out in the cold.”

A Canadian government-issued report from 2010 explained perspectives on the legislation, saying,

Opponents of these reforms continue to argue that the extension of same-sex rights in general, and same-sex marriage in particular, undermine the traditional family and family values. At the same time, some gay and lesbian couples (like some homosexual couples) do not want either the legal obligations or the benefits that flow from spousal status or marriage (Hurley, 2010, p.18).

Citing a 2002 report of the former Law Commission of Canada, and “other indicators,” the 2010 report concluded that the question of entitlements based on the marital or conjugal nature of partnership “remains open” (Hurley, 2010). The report is further evidence that journalists ought to remain vigilant in their approach of these issues, and of the slow-moving wheels of progress at work. Given the challenges of reporting on these issues as

they remain as areas of debate and transition, the conclusion that follows offers perspectives on navigating reporting on these issues on the road ahead.

## Chapter 7: Conclusion - From Silence to Voice

The three case studies highlighted in this thesis are key moments signaling legal change, spanning a period of considerable progress for queer rights. Over time, the changes in language, tenor, and sourcing patterns demonstrated above suggested that Canadian news media had shifted in coverage into an influential voice in favour of change. In the coverage surrounding lifting the military ban, the political fight surrounding these issues took the focus, with editorial content presenting with one political position or the other, and presented Michelle Douglas, her lawyer Clayton Ruby and Sven Robinson as lone crusaders fighting on behalf of an otherwise unacknowledged community; in newspaper coverage, voices from the gay community or the general public were largely unheard. When James Egan's case for spousal benefits came before the Supreme Court, prompting the protection of "sexual orientation" under section 15 of the Canadian Charter, coverage became linked to broader issues surrounding human rights, and Egan's case was presented alongside other issues of rights and discrimination. Political sentiments surrounding those issues remained polarized, but editorial content reflected a greater effort to support political and legal change in favour of gay people. Finally, the debate over, as same-sex marriage began in full force queer communities became increasingly visible in coverage, and same-sex marriage was presented as a "rights" issue rather than a "moral" one.

In the coverage of these events, there is evidence of discursive shifts in the mainstream news' examined, merged with journalists paying greater attention to queer rights and linking their support of minority rights to Canadian identity, human rights, and justice. These shifts from silent to vocal for the gay community within the news media

came in four phases. Firstly, since the coverage of the lift of the military ban in 1992, an increasing effort to acknowledge the presence of the gay community and remove the focus from isolated cases towards an emphasis on the broader impact as significant human rights issues. A second, related phase is seen in coverage of the Brison-St. Pierre wedding, for example, that emphasized the progress of queer rights as tied to notions of being Canadian. Thirdly, while political perspectives were often privileged throughout the coverage, it notably shifted from a simple rehashing of political and legal rhetoric to a more inclusive perspective about the issues, showing a greater effort to unpack the diverse positions of the (legal, political, and religious) perspectives involved. Finally, and perhaps less markedly, journalists made efforts to recognize difference, challenging existing definitions of “families,” “spouses,” and “relationships,” and illustrating and comparing the experiences of queer and straight communities in their reporting

Of the Canadian newspapers examined, the *Toronto Star* often published stories that contained the most diverse voices, where reporters moved away from relying on single sources, and began to question their sources more deeply. Particularly within editorial content was an effort, over time, to shift public opinion away from mere political rhetoric surrounding these injustices affecting queer communities, to re-situating the news’ discussions as justice and fairness claims.

### **7.1 Discourse and the register of justice**

To recall, briefly, the importance of studying, critiquing, and discussing matters of news discourse surrounding minority or historically marginalized communities, Norman Fairclough's *Dialectics of Discourse* (2001) serves as reminder of news discourse’s considerable impact on the understanding of differences and identities.

Fairclough explains that “discourses include representations of how things are and have been, as well as imaginaries - representations of how things might or could be [...] Discourses as imaginaries may also come to be inculcated as new ways of being, new identities” (p.3).

Considering the shifts in sourcing practices seen across coverage, journalists' overreliance on political perspectives remains bound up, in part, with the role of politicians as legislators in these issues. Fleras (2001) explains that, as representatives of their voting public, these sources are important levers of change whose voices are valuable to such discussions:

Reporters are heavily dependent for their livelihood on official sources in the government, bureaucracies, police forces, and corporate sectors. Collectively these sources are difficult to access and prone to secrecy. Yet they are highly sought after because they lend credibility to stories and sometimes offer the promise of a “scoop” (p.214)

In the face of issues such as those discussed above, these sources are a necessary and important aspect of coverage. There remains, on the other hand, the potential for authorities such as politicians to exploit opportunities to draw attention to these issues for ulterior motives. As these sources will remain powerful and influential voices within coverage, the voices of those outside of these realms—the general public, and those that can speak to the experiences of gay Canadians—are equally important.

There was some evidence of shifts away from a “binary” discourse that posed one opposing side against another. However, these binary positions frequently appeared and signal a common journalistic trick that appears to offer object views on a

controversial topic. Yet, as justice became a growing theme, journalists in their reporting clearly gave the greater weight to sources who supported an end to the unfair treatment of gay people and their partners, drawing attention to sexual diversity and challenging the existing definitions for “marriage” and “spouse.” Columns like Sue Montgomery's, for example, posed thoughtful challenges to rigid defences of the definition of marriage by offering a clear perspective on why definitions of marriage deserve re-thinking (2005, p.8). The language used throughout these cases to identify sexual orientation and relationships is limited largely to the words “homosexual” (otherwise identified as “gay,” “lesbian,” or “same-sex”) and “heterosexual” or “straight” (which, within the context of families, was often referred to as “traditional”). As articulated above, Barnhurst's definition of “queer” or “LGBTIQ2S”—as those who identify as “lesbian, gay, bisexual, transgendered, transsexed, queer, questioning and two-spirited” (2007, p.116)—offers a valuable lexical and conceptual starting point for dismantling the enduring, polarized, 'black-and-white' discourse that has permeated Canadian journalism's attention to sexual orientation.

Still, given the polarity (with regards to opinions about sexual identity) imposed by laws that applied unevenly rights to hetero- and homosexual people, coverage often resorted to the binaries of *wedom* and *theydom*, while in some aspects, the “*wes*” and the “*theys*” had begun to switch places. As the research has demonstrated, this switch is highlighted across the coverage of these events, as part of the often messy and non-linear momentum for issues of news representation during a time of significant social and legal changes for queer communities.

Emphasizing “justice” in the coverage became, perhaps, the strongest evidence of the transference of the “*wes*” and “*theys*”, as the central argument strategy through which this coverage was increasingly positioned. As McLean (2012) explains, competing argument strategies or registers must take on “distinct positions” that are “creditably different from those on offer from the competition” (p.163). As the research suggests, the competing voices against queer rights began to lose significant ground by 2005, with argument strategies that predicated coverage around “justice,” and “human rights,” as widespread in coverage, and with others argument strategies, such as “nationalism” and “diversity,” making headway.

To clarify, the findings presented here are intended to represent a study of mainstream newspaper coverage surrounding these three pivotal moments in queer rights progress. There are, surely, other bodies of coverage that have not been addressed here, and that offer value opportunity for further study. In particular, while the Canadian Broadcasting Corporation offers another prominent Canadian voice for mainstream coverage of these issues, this thesis omits the public-broadcaster in the interest of satisfying a focused study on mainstream daily Canadian newspapers. This research is also limited by the omission of French-language Canadian newspapers. In this regard, the research will be interpreted *only* as reflective of the discourse within the above-mentioned landscape for journalism.

## **7.2 Considering coverage today**

Following the decade of legal benchmarks for gay rights, Canadian newspapers—in the near-decade that has followed—have continued to draw attention to sexual orientation as it relates to matters of justice and human rights. This has occurred alongside

historic precedents and social events that celebrate and raise awareness about sexual diversity. At the same time, attention to differences along lines of sexual orientation have also emerged from coverage addressing ongoing struggles and tragedies experienced by queer individuals and communities. The increased queer visibility in more recent coverage often calls attention to queer difference with the intention of fostering acceptance and educating about sexual diversity. Ellen Faulkner (2011), discussing violence against LGBTQ individuals in Canada explains, “despite legal protections and acknowledgement of LGBTQ personhood, LGBTQs continue to experience victimization, aggression, hostility, negativity, and violence,” the most extreme form of which is in the murders and suicides of (young) queer individuals (p.248). Journalists, in the pursuit of visibility and justice for queer communities, can offer a healthier discourse by addressing sexual orientation when relevant and leaving it aside when irrelevant, by avoiding language and characterizations of queer individuals that runs risk of further marginalizing or *othering* them, and by reporting on events such as historic 'firsts' for queer individuals and issues surrounding the “closet” with tact and an awareness of the impact of their craft (See Barnhurst, 2007).

The issue of coming out, especially for public figures, is still a debated topic in the news media. A *Globe and Mail* editorial published on Oct 27, 2011, began with the headline, “No, Rick Mercer, not all gay politicians need to step forward” (*The Globe and Mail*, 2011). The writer responded to the television personality's remarks that “if you're gay in public life, you can't be invisible anymore,” and that the country's gay “cops, soldiers, athletes, cabinet ministers...” must serve as role models for young gay



Canadians. Mercer's comments were a reaction to the suicide of Ottawa teen Jaime Hubley, a 14-year old bullied for being gay. *The Globe and Mail* editorial rebutted,

With the best of intentions, Mr. Mercer would impose a burden on gay people that is on no one else in our society. And anyone who did not bear up under that burden would be, by implication, a moral failure - a coward. That is a very big burden, indeed (*The Globe and Mail*, 2011).

Echoing the arguments of Barnhurst and the inherent 'paradox' in the media's attention to queer visibility, this editorial is an example of the media's reassessing of, and, perhaps, self-reflection on, issues related to queer visibility that challenge existing news discourse.

More recently, the headline of a column by Judith Timson, published in the *Toronto Star* on November 14, 2012, asked, "Is it time to dump the term openly gay?" Timson took a firm stance against the emphasis on sexual orientation as a public identifier. Appearing during a 2012 campaign for leadership of the Ontario Liberal Party that included two "openly gay" contenders, Timson challenged the tendency to draw attention to sexual orientation of politicians and public figures:

In the past week or so, several openly straight men and one straight woman have announced they are seeking the Ontario Liberal leadership. What? You didn't know they were heterosexuals? I mention this because I'm thinking it's time to ditch the phrase "openly gay," and in fact stop referring to sexual orientation altogether when we're talking about politicians and public figures. Why is it relevant? What do we get out of knowing whether a candidate is gay or straight? (Timson, 2012)

The column quoted veteran cabinet minister and current Premier of Ontario, Kathleen Wynne, and acknowledged that Wynne had "tactfully" responded to the media, saying,

“being a lesbian is just one of the things that defines me. The people in this province have moved past it. They want to talk about the issues” (2012). Timson added,

Most gay public figures are well aware of the pressure on them from within the LGBT community to be “out” role models who can offer comfort and reassurance to young people worried about coming out or even just appearing to be gay[...] Knowing a public figure is gay can add to their lustre — it takes courage to be out in a predominantly straight world. Yet the millennial generation [...] is quickly moving beyond noting or caring about gender, sexual orientation or ethnicity, differences that their parents can’t resist mentioning in casual conversation (2012).

Timson's article provides another valuable example of a columnist's reflection on news coverage that re-evaluates coverage in the interest of their readers' perspectives on attitudes surrounding sexual diversity. Such efforts offer an invaluable entry point for considering how journalists must navigate the road ahead.

More recently, in January 2013, as Ontario's race to elect a new premier began, a *Toronto Star* column by Martin Regg Cohn (2013) addressed coverage surrounding “openly gay” Ontario Premier candidate Kathleen Wynne, asking,

Is Ontario ready for Premier Kathleen Wynne? In 2013? [...] Wynne is a savvy, gutsy, progressive, reflective politician. Stacked up against her rivals, she would arguably make the best premier. The best listener, best problem-solver, best (Harvard-trained) mediator and a proven doer, Wynne is a 59-year-old grandmother who gets it. She also gets people onside. Oh, and she's a lesbian. From Toronto. A non-issue, says the politically correct crowd. A non-starter, says the politically

canny crowd. Who's right? Not so easy when you're a Liberal delegate empowered to keep the party in power (p.A6).

The column tackled, head-on, the dissonance between political rhetoric and the voting public, and reflected journalists' efforts to dismiss political discord and debate as 'beyond the pale' of their own thinking on matters of sexual diversity. The article explains,

For many Liberals, the primary motive is winnability: Who can win the next election for their local candidate and keep their team at the top of the heap? For the rest of us, it's a different question: Who would make the best premier of our province? (p.A6).

Efforts to draw attention to orientation must also consider the possible consequences of such coverage, such as the invasion of privacy on the part of the individual(s) at the centre of coverage, and the messy, compartmentalizing nature—or, as Barnhurst asserts, the “paradox”—inherent in “organizing our stories around the closet” (2007, p.19). While this thesis does not examine reportage surrounding Wynne at length, the column implies a shift beyond the focus of coverage that surrounded Brison and other ‘public’ queer individuals in the past. This is a shift worth holding up as evidence of a more recent turning point for journalism's address of homosexuality. Today's news discourse surrounding sexual identities offers considerable opportunity for further analysis.

While this recent pattern within Canadian news discourse surrounding queer difference is merely one, limited example of the challenges journalists face in the navigation of their attention to sexual diversity, it serves as an illustrative example of the tension inherent in the pursuit of fairer discourse and greater justice for queer communities in the news. Further, it offers a valuable counterbalance for journalists to

consider in the production of news content that actively seeks greater justice and fairer representation of these communities and their members.

### **7.3 Queer difference, Canadian identity, and the road ahead**

Looking forward to further research surrounding queer identity, the news' address of difference and minority identities remains a challenging area of study. While research on the representation and discourse surrounding minority communities continues to draw considerable scholarly attention, this research is often most effective when raising new questions, challenging norms, and embracing the messy nature—and often, indefinite conclusions—of such work. In their research surrounding role models in the media for queer communities, Ellen Riggle and Sharon Rostosky (2011) quote a 36-year-old lesbian from Colorado who embraces the opportunity to “actively construct” her visibility for the education of others. Her response offers a valuable starting point:

I am aware of social justice and civil rights issues in everyday life. I'm aware of my status as an 'invisible' minority. I work for civil rights issues. I tend to look at myself and my life as an opportunity to educate others about not assuming too much and living my life as an example of what stereotypes I am not (p.117).

In regard of journalists' discussion of these “invisible” minorities, Barnhurst's (2007), Fleras's (2011), and Larry Gross's (2001, 2007) each offer recent research that provides valuable starting points concerning the ongoing challenges that are specific to sexual identity, and to the experiences of queer individuals today. Barnhurst explains,

[Queer individuals] with few or no connections to others like themselves rely heavily on the media to find out about what eventually will become their chosen communities. As a result, an understanding of queer identity, community or

political life, especially at the beginning of a millennium rich in new technology, depends to some degree on understanding queer visibility in the media. That same visibility, however, seems incoherent on first inspection, revealing a welter of incompatible expectations and outcomes (p.1).

Reflecting on contemporary academic literature regarding these issues also offers insight on the subtler challenges journalists face on the road ahead, given the progress that's been made, in the interest of setting the best possible trajectory for discourse surrounding minority groups. Fleras (2011) explains:

Minorities in the broadest sense of the term do not necessarily suffer from biased news coverage - that is, coverage that is deliberately misleading, consciously slanted, or wilfully malevolent. To the contrary, they must endure coverage that is systematically biasing, namely, coverage that purports to treat everyone the same, regardless of the discriminatory consequences that flow from applying equal standards to unequal circumstances [...] Minorities and diversities are under pressure to reclaim control of media representation. In seeking to escape those mediacentric prisms/prisons that deny or distort, minorities can and do resist and react, despite a competitive disadvantage in framing issues and setting agendas (p.261-2)

Finally, Larry Gross, in his article "Gideon, who will be twenty-five in the year 2012" (2007), explores questions regarding the experiences of young people growing up today with respect to their exposure to—and understanding of—a greater diversity of sexual identities, discussing both the considerable progress that's been made, and the deeper, more insidious aspects of marginalization that endure today:

Ways of thinking about queerness based on the experiences of pervasive invisibility need reconsidering to comprehend the experiences of today's and tomorrow's kids.

They are growing up in a culture that acknowledges queerness by attempting to integrate it into the commercialized array of cultural products, niche-marketed demographic slices, and political voting blocks (2007, p. 265-6).

Gross's, Barnhurst's and Fleras's work offers valuable insight for how journalism might face the challenges of addressing sexual orientation in the news, and set a trajectory for discourse that arm its readers with a fuller picture of the realities of queer communities and individuals.

As explained in the literature on Canadian identity mentioned above, many Canadians remain fuzzy about the shape and definition of the country's national identity. Perhaps, the country's the greatest common traits include characteristics of diversity, openness, and, above all, a consensus that the definition of Canadian identity remains difficult to pin down (Cohen, 2007; Studin, 2006). Whereas these arguments surrounding Canadian identity suggest that the country has taken some comfort in accepting its amorphous and identity, Canadians—and more specifically, the producers and consumers of news in Canada—may similarly better find common ground on “Canadian identity” by moving beyond well-defined boundaries for sexual orientation, and as with Canadian national identity, embrace the challenging and unfinished business of discussing sexual orientation.

This lack of clarity surrounding Canadian identity allows journalists (and Canadians) to re-imagine a Canada that—as with racial, religious, and other lines of difference—embraces sexual difference as a vital aspect of the country's inclusive and

expansive national identity. As this research suggests, journalists should remain mindful of the impact their language choices have that may impose rigid definitions of sexual orientation. This language should be inclusive, allowing Canadians to reflect on these ideas in their own way. Returning to Barnhurst (2007) journalists should continue to embrace new methods of approaching queer difference that will best benefit their readers' understanding of difference, and embrace the messy business of communicating the complex, amorphous, and socially constructed representations that can be bound up with discourse surrounding sexual diversity.

Certainly, journalists have made efforts to serve as allies on matters of justice for queer Canadians. Increasingly, they have offered readers points of view that are challenging, while striving to better represent a minority group that for so long had no voice in mainstream media. Fleras noted,

The challenge is formidable. Initiatives for improving the quality and quantity of minority coverage will remain mired in a monocultural rut unless citizens challenge the foundational principles (news values) of the media's constitutional order (news paradigm). Proposed solutions must focus on changing those rules (foundational principles) that inform the conventions of newsworthiness instead of simply tweaking the conventions that refer to such rules. [...] Transforming the prevailing news paradigm begins with the problematizing of dominant news norms - themselves often invisibly yet powerfully normative, seemingly natural yet socially constructed, and ostensibly neutral yet ideologically infused (2011, p.263).

The past decade has seen increased attention to certain areas of queer experiences, including the condemnation of bullying of LGBT youth, the support of public persons are

out, and the considerable attention given to pride celebrations across the country. Further, an increasing number of “openly gay” public figures have emerged in recent years—including Brison, Wynne, and George Smitherman. Recently in coverage surrounding the assault of Scott Jones, a N.S. native permanently paralyzed after being attacked because of his homosexuality, and with Toronto Mayor Rob Ford's protests against raising the pride flag at Toronto's city hall during the 2014 Winter Olympics in Sochi, Russia, Canadian news producers are quick to respond—often negatively—to a lack of support for queer communities (CBC News, 2013; Church, Gee, & Mahoney, 2014).

Still, other challenges endure. Other recent research discusses ongoing, narrow media characterizations of queer couples and individuals that fail to fully represent the breadth of queer communities. Enduring examples of heteronormativity within news discourse continue to highlight differences in ways that, while serving to draw attention to and 'include' these communities, can further *other* queer individuals through limited, reductive characterizations. While this thesis often targets media discourse surrounding queer communities at large, the experiences of some members of queer communities—such as those who identify as transgendered or transsexed—remain considerably less visible in Canadian news.

The shifts uncovered in this analysis of coverage serve as a valuable indicator of the important role of professional communicators in “forging link(s)” between individuals and groups, and in presenting ideas surrounding identity to their readers. Further, the research indicates the value of further examining the sourcing practices, language choices, and argument strategies that appear in coverage. The patterns seen here, in journalists' efforts to challenge enduring stereotypes, political rhetoric, and



discriminatory definitions and laws, are evidence of journalists' capacity to shape discourse within mainstream newspaper coverage. These shifts support a call to further examine the discourse surrounding queer and other minority groups, and to further explore the themes and argument strategies that propel them.

In many ways, reporting on important events for queer communities has fostered greater awareness and discussion of queer identities in the news. As this research has noted, hope exists that in the future, sexual orientation will not, itself, need to be a headline anymore. Today, news coverage has shifted beyond matters of human rights towards coverage that addresses the experiences and enduring social realities for these communities today, and towards issues that are tied to subtler and more insidious forms of marginalization. Careful attention to the current state and development of discourse remains vitally important. If Canadian journalists are to keep up their role as a check-and-balance on political rhetoric, a watchdog for matters of justice for rights issues in Canada, and to remain forward-thinking about the trajectory of discourse surrounding marginalized communities, they will best do so armed with a mindful, critical awareness of the challenges and contradictions inherent in this task. As mentioned, the messy, impermanent, and socially-constructed nature of identity and difference will continue to pose challenges to professional communicators addressing difference in the news. In that regard, and following the ideas surrounding Canadian identity explored above, perhaps journalists might best navigate the road ahead by continuing to fully embrace the highly-personal nature of identity and difference, to seek to maintain a discourse that holds up sexual diversity as one of the many threads of difference that span the country, and to

support a trajectory for discourse that supports and provides a voice for all Canadians as they seek to define identities on their own terms.

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