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**CANADIAN BROADCAST STANDARDS COUNCIL  
WESTERN REGIONAL COUNCIL**

CHQR-AM re Forbes and Friends

(CBSC Decision 92/93-0187)

Decided August 08, 1994

D. Dietrich (Chair), S. Hall (Vice-Chair), C. Armit, D. Braun, D. Ward

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**THE FACTS**

On the morning of July 7, 1993, the CHQR-AM announcer commented on an article in Vanity Fair magazine, which featured photographs of folksinger k.d. lang and model Cindy Crawford together. The announcer then aired a spot featuring an endorsement of "The Vegetable Institute", supposedly by k.d. lang. The item was narrated by a male voice, which advised children to eat their vegetables and stay away from red meat. The voice said that eating vegetables would "put hair on [their] chests too".

A listener wrote to the station to complain about this segment. She felt that the spot was "obviously referring to lang's sexual orientation and the stereotype that all lesbians are masculine". The listener argued that "such homophobia is loathsome and the promotion of such stereotypes unacceptable". She concluded by saying that "it is one thing to make light of her political stance on eating meat, but quite another to mock her sexual orientation".

The CBSC received a copy of the complainant's letter, and asked the station to respond to her concerns.

In his response, the Program Director stated that, as a public figure, Ms. lang was open to parody, as are politicians. He argued that the Vanity Fair article was a self-parody in which Ms. lang had actively participated, In the Program Director's view, this indicated something of Ms. lang's "overall style, presence and demeanor". The spot in question, he felt, was aired in this same spirit of fun. He also pointed out that "at no time was there any mention of sexual preference". On behalf of the station, he apologized for any offense taken by the complainant.

The complainant returned her signed waiver form, asking that her complaint be considered by the Western Regional Council.

## **THE DECISION**

The complaint was considered under clause 2 of the Canadian Association of Broadcasters' *Code of Ethics*, which reads:

Recognizing that every person has a right to full and equal recognition and to enjoy certain fundamental rights and freedoms, broadcasters s endeavour to ensure, to the best of their ability, that their programming contains no abusive or discriminatory material or comment which is based on matters of race, national or ethnic origin, colour, religion, age sex, marital status or physical or mental handicap.

Although Clause 2 does not contain a specific reference to "sexual orientation", the Regional Council considered that the term "sex" could reasonably be understood as being broad enough to include "sexual orientation".

The majority of the Regional Council members were of the view that the spot was directed primarily at k.d. lang's vegetarianism rather than her sexual orientation. In any event, to the extent that the spot might reasonably be understood as a spoof of her sexual orientation, the Regional Council did not consider that it could be interpreted as discriminatory in terms of Clause 2 of the Code of Ethics. The segment had, after all, been prompted by a Vanity Fair article in which Ms. lang had chosen to present herself in masculine clothing beside one of the most adulated of female models. This, Regional Council members felt, was an unequivocal indication of Ms. lang's ability to joke about her own sexuality. In the context of the Vanity Fair article, Ms. lang's own public declarations regarding her sexual orientation and the timing of the spot, the Regional Council considered that the spot was intended to be humorous in a way which did not constitute a breach of Clause 2 of the Code.

*This decision is a public document upon its release by the Canadian Broadcast Standards Council and may be reported, announced, or read by the station against which the complaint had originally been made; however, in the case a favourable decision, the station is under no obligation to announce the result.*