

the Gateway

EDITORIAL

Self-defense

In Canada, in pursuit of order and good government, we tend to celebrate our fascist ideals and sneer at our civil libertarians. Thus we are dismayed but not surprised at the lack of outrage to November 18th's police seizure of virtually the entire press run of the *Gateway*.

Late last August, the long-awaited MacDonald Commission on the RCMP produced its final report. It said, among other things, that there was no immunity from the rule of law for Mounties who routinely broke the law by entering private premises without the benefit of search warrants, searching for and sometimes removing documents and other items they felt were necessary for their investigations.

The Report said there could be no compromise "in our insistence on obedience to the law" by policemen and "...the rule of law is inseparable from attempts to attain the objectives of freedom and security. Without the rule of law, we do not believe that freedom and security can be obtained."

The Commission found that unwarranted entries had been institutionalized and accepted by senior Mountie officials. In declaring such entries and other common police actions to be unlawful, the Commission added that Mounties would be wrong to assume that because there was no criminal intent involved the actions were lawful.

Federal government response to MacDonald's report clashed with the Commission's findings. Former Supreme Court Judge Wishart Spence advised the government that surreptitious entries were an important part of police work and were legal because no law existed specifically prohibiting them and because there was no intent to commit a criminal offense on the part of the officer carrying them out. Spence said except for the possibility of a civil suit for trespassing if the operation were found out, "...no RCMP officer properly conducting a surreptitious entry could be convicted of the offense of theft."

The government used the legal advice it most wanted to hear; it accepted Spence's 51 page opinion and rejected, on this point, the advice contained in the 1800 page Royal Commission into RCMP wrong-doings.

Ottawa, the RCMP, and others who accept that the authorities needn't follow their own rules, point to rising crime rates, to "the increasingly sophisticated threats to our (national) security", and to police departments understaffed and underequipped, law enforcers in a crisis situation the public apparently cannot appreciate, where offenders must be caught, ironically, to save the witless public from itself.

All of this, however, belies the widely-held belief in individual privacy and freedom, the belief that to ensure maximum liberty we may have to sacrifice the occasional conviction, that to be free in a criminal state is preferable to being imprisoned in an orderly, controlled, authoritarian state.

Freedom, so rare in the world, seems unattractive to most Canadians. We have instead a tradition of civil *illiberty* best captured in the FLQ non-crisis and War Measures Act abuses in 1970; in general, it is a pathetic deference to and fear of authority. If anything illustrates our national identity, it may as well be the picture of a capricious mutt, savoring in a mix of fear and adoration after the latest model of order and good government.

The solution is not civil disobedience, but greater attention to civil obedience. It is not to lap at the bootheels of the law enforcers, but to keep constant, persistent vigilance against abuses of law by law enforcers. For in hiring police to protect ourselves from crime, we have forgotten to protect ourselves from the police.

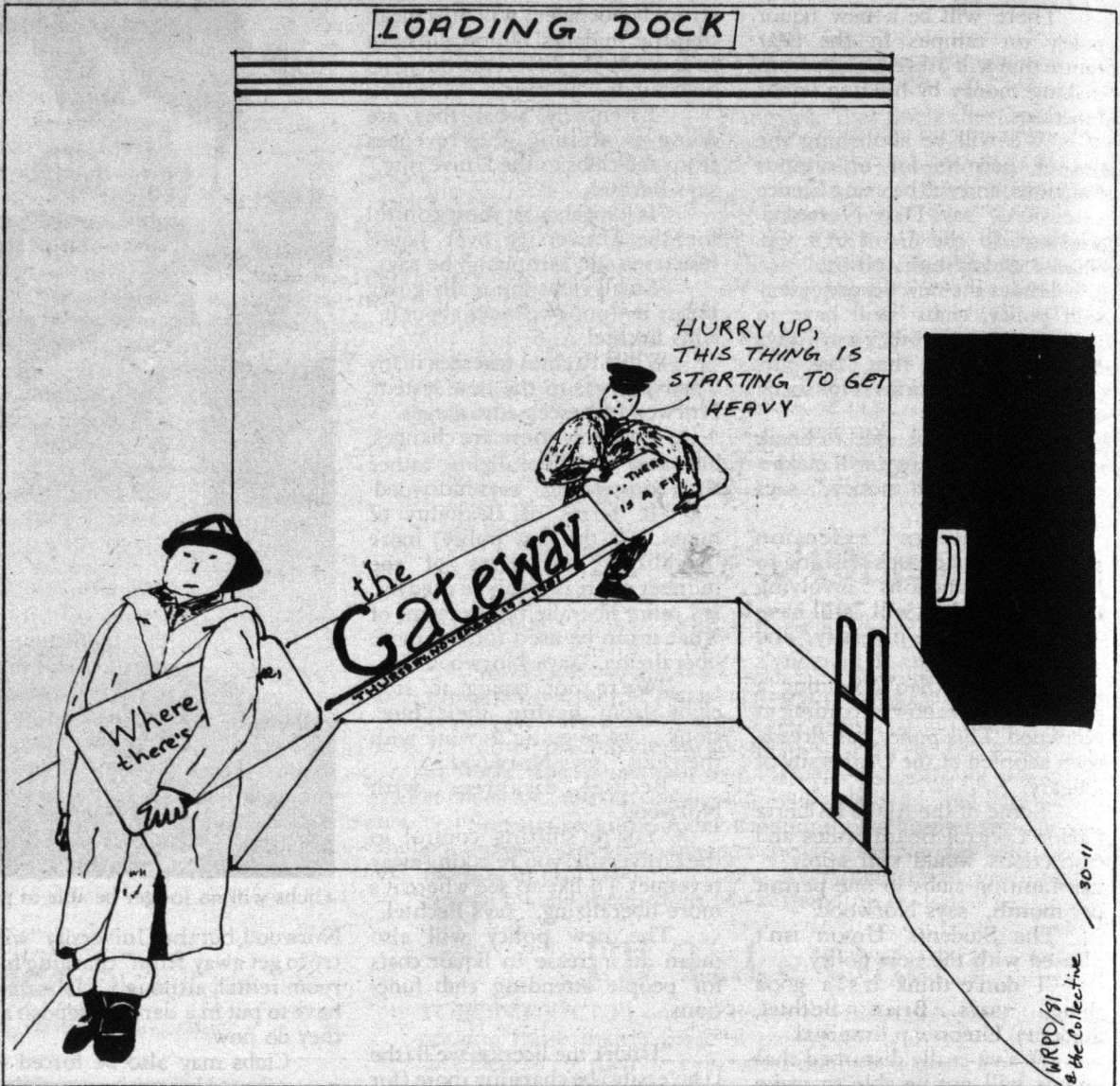
Peter Michalyszyn

- a note.

...excerpts from a *Gateway* party-soap-opera, "Never Again," featuring some of this year's staff:

"Sigh. Groan. Fret, stew, fuss. Sigh, whimper. Moan? Gnash! Choke, sob, cavil. Groan; grumble-bitch. Seethe. Seethe, mutter. Seethe, fume, boil. RANT! RAVE! Snivel, threaten. Hiss! Quiver, bemoan. Sigh."

P.M.



LETTERS TO THE EDITOR

Athletic reps should decide fate

The recent controversy concerning the University Athletic Board's intention to alter the yearly incremental increase of athletic fees allowed by its constitution has been approached from two distinct perspectives.

The initial concerns reflected philosophical considerations involving the justification of Intercollegiate Athletics. This topic can be debated at great length and has already received much publicity.

However, the current concern being voiced by members of the Students' Union is that all students at this University should have direct input into such a decision. The point in question is whether the UAB should go to referendum on this issue.

The University Athletic Board is comprised of a total of ten student representatives (five of whom are elected in Students' Union elections) and 8 faculty representatives, so students hold the majority of strength on the Board.

The objective of student election is to ensure a democratic process so that students can choose individuals who will make decisions on their behalf. Those elected are then charged with the responsibility of becoming intimately aware of the information regarding decisions facing them. By suddenly demanding a referendum on a significant issue it is implied that the elected representatives are no longer sufficiently competent to handle the authority previously vested in them. Further, it is implied that the student body at large, though not

intimately aware of all the pertinent issues, somehow has the knowledge to make a responsible decision.

It should be noted that the Presidents and Vice-Presidents of both Men's and Women's Athletics (a total of four student representatives elected from the student body at large) who are currently in office, were elected by acclamation. This may well indicate that no other student on campus felt that they held the insight and knowledge regarding the athletic programs that we the incumbents do and therefore felt that we would be the best student representatives. The alternative (which unfortunately I must admit is more probable) is that no other student on campus knew or cared enough to run against us. Regardless, the point stands that we are the individuals who are directly involved with all the issues relating to this decision and have the responsibility to legitimately represent the

students. If not, then our democratic elections are a complete farce and we may as well employ a "puppet" to perform the menial tasks related to these positions and hold referendums on every decision. That, I feel, would not be particularly appropriate.

Dickson Wood
Chairman of the UAB
President of Men's Athletics

Honkadori

Dear Editor:

Twas a month before Christmas and all through the class all the students were frantic and hoped that they'd pass! When out in the hall, there arose such a clatter We sprang from our chairs to see what was the matter Out in the hall were the Bar None square dancers Carousing and clowning and hollering rude banters. So we went back to Clothing 309.

Turned out the lights to see slides of ghastly design Boredom set in and we fell asleep to dream of carding our wool and counting our sheep. Time came to pass and it was soon 1:49.

Everyone cheered and we left feeling just fine.

Composed by CI.TX 309 student submitted by Christine Bibby Home Ec.
V. Maureen Wert Home Ec.

LETTERS

Letters to the Editor should be a maximum of 250 words on any subject. Letters must be signed and include faculty, year and phone number. No anonymous letters will be published. All letters should be typed, although we will reluctantly accept them if they are very neatly written. We reserve the right to edit for libel and length. Letters do not necessarily reflect the views of the *Gateway*.

Staff this issue. And like a lotta people helped us on this one eh? You know, like, a whole buncha writers did stuff, eh, like Mike Walker, eh, and John Roggeveen, Mike Ekelund, Allison Annesley, Suzanne Bizon, Peter West, Bob Kilgannon, Les Parsons, Kent Blinston, and P. Prince, eh? And, like we had some hosers help us out, eh, who are like into drawing things, eh? Like Peter Durovic, Murray Whitby, and Michael Skeet, ya know, eh? And like there's a lotta people who like run around and like took like pictures, eh? Like of a lotta stuff, eh? Like Matt Moralis, Vic Marchiel, Bill Inglee, Martin Beales, and Ken Tsai, eh? And like Jordan Peterson typeset a lotta shit, eh? And like Dave Gox and Diana Taschuk did a lotta layout stuff, eh? And like that's our topic for today, so take off, eh, you Great White North hoseheads, eh?

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