



Controversy...

Law students from across Canada attended a Centennial Conference at the Dalhousie Law school last week and engaged in rigorous discussion over the future of the Canadian constitution. Delegates from English and French Canada came, fought, and left, without agreeing; but with a desire to constructively solve Canada's present constitutional and political crisis. Above, Conference vice-president Gerald Godsoe addresses delegates.

Law conference delegates rebuke provincial government

A protest by a group of Quebec delegates fired the opening banquet of the centennial law conference held last week at Dalhousie.

In the Wednesday night dinner, sponsored by the Province of Nova Scotia, the French Canadian Students were angered by the playing and singing of "God Save The Queen" before and after the dinner and the toasting of the Queen, with no injection of "O Canada" anywhere in the proceedings. The delegates from the University of Montreal were reportedly ready to leave the conference before the serious work had even got underway, but were persuaded to satisfy themselves by lodging a formal protest, which was also signed by English speaking delegates.

After every effort had been made by the Dal students and Faculty who organized the conference to see that nothing of this sort occurred, even to the extent of cautioning the student body to refrain from engaging in arguments on the separatist topic with the Quebec delegates, it seemed as if the Provincial Government was guilty of a serious lack of diplomacy. But a closer look at the matter showed it to be more of a misunderstanding than an error, and attributable to both sides. The Lieutenant-Governor of the Province was attending the banquet and the format followed was standard at all official dinners of the Nova Scotia Government. Many of those who were told this still claimed it was not correct for a sovereign country like Canada to support a foreign queen, and similarly objected to the omission of the singing of "O Canada." But Dean MacKay, whom some students claimed was instrumental in settling the dispute, said that the local press and radio mis-represented the whole feeling of the conference in blowing up the proportions of the disagreement.

When the matter had been at least temporarily settled, it turned out to be, in the opinion of many, a boon to the conference. They felt that it made many of the English speaking delegates sympathetic with the problems put forth by the French.

Speaking to the delegates the next morning, Dal President Hicks claimed that repatriation and change or complete rewriting of the British North America Act is over-emphasized as a solution to the problems in the country. The difficulty has not been in changing the document, but in agreeing how we want to change it.

"The constitution only provides the framework. It cannot make people agree. It is a myth that if we could get a new constitution all the difficulties would be solved."

In a roundtable discussion which followed, judicial methods in the development of the constitution were discussed. Dean Lederman of Queen's University Law School stated that the courts have been too literal in their interpretation of the BNA Act, and not aware enough of the sociological implications. The Privy Council of England, which until the 1950's was the final court of appeal for Canadian cases, did pay attention to the problems but lacked the necessary background knowledge.

He rejected the theory that the Supreme Court of Canada, which is now our highest appeal court, is under undue influence because its members are chosen by the Government. But he did feel that some change was necessary to satisfy the demands of Quebec. Suggested were incorporation of the Supreme Court Act into the constitution, establishment of a special nominating committee for its judges, and an increase in the number of judges. He added that constitutional issues should be open to all courts.

Professor Yves Ouellette of the University of Montreal disagreed that the Supreme Court was not politically influenced. The requirement that all member judges live near Ottawa, the method of appointing them, and the attempts by provincial Attorney-Generals to influence them have made it impossible for them to transcend personal biases, he said. It is natural for the federal government to try to make the court an instrument of centralization and the provinces suffer because of it.

Dean MacKay compared the Canadian Supreme Court to its U.S. counterpart, and showed how the apparently more limited jurisdiction of the American court has nevertheless allowed it to have a wider influence than ours. He admitted that "any court deciding on constitutional issues is necessarily a political institution in a broad sense."

A similar discussion took place on Friday morning which dealt with evolution by other than judicial methods. Sociology Professor Mallory of McGill showed how the constitution had developed over the last hundred years along with the changes in the popular concept of the role of government. The

framers of the BNA Act, he said, could not possibly have anticipated the type of things that would be expected of government today and so the result was much better left flexible. "A document of this sort should be short and vague, he said, and not try to cover every contingency. Its purpose is to set up broad outlines which may be applied to detailed questions as they arise.

"The biggest obstacle in the country was the lack of a sense of common history," he said. "There are things which are beyond politics and which can't be settled by bargaining. The test of adjustment is getting agreement among the provincial and federal governments," he said.

Prof. Jules Briere of Laval stated that the main question was the survival of the constitution, and put forward four main postulates for the success: 1. French Canada wants a chance at self identity inside the framework of the constitution. 2. There is a link between economic and politics which makes it a mistake not to decentralize to a certain extent. 3. We must not be animated only by administrative efficiency, although it cannot be completely neglected. 4. The issue of federalism rests in the idea of participation rather than decentralization. We must separate from models of federal states we know in

the rest of the Anglo-Saxon world. Professor McWhinney of McGill stated that the most essential issue was not the constitution but economic and social questions. Abstract ideas are easily changed but the real importance lies in questions which affect the social-economic base.

He broke the issues into three categories: 1. Issues of symbols, which are not as important as they might be in our present society, which is not symbol oriented. 2. Neutral issues, such as Senate reform, which do not harm but are not of top priority. 3. Economic proposals, which should be faced squarely rather than skirted.

Reaction among the participants was virtually all favorable. It was particularly noted that the French English speaking delegates developed a much better understanding of the problems involved in our governmental system and the attempt to make it acceptable to all areas. None of the problems were definitely answered, but this was not expected.

As Professor Ouellette of U of M said "It was a group of educated people meeting to make an inventory of their disputes." The hospitality and organization of the Dalhousie Law School was praised, and the value of the conference was seen as well worthwhile.

Rumor or ritual?

Million dollar deficit to mean fee increase?

Dalhousie University is one million dollars in the red, and fees may go up to cover the debt. So said a CHNS news report, but it was partially denied by a University spokesman.

The October 25 report claimed that: The squeeze will be on. Dalhousie University Students may be paying increased tuition next year if the provincial government doesn't boost its grants to the institution.

According to CHNS news sources, Dalhousie's almost a million dollars in the red as a result of operating losses in the past few years. If the province fails to provide the necessary funds, the student's tuition may rise as much as 25 per cent. Dal's operating budget last year was approximately \$12 million; this year the figure could hit \$14 million. University administration is reportedly considering staff layoffs in addition to the tuition increase if the university grants commission refuses to increase the province's contribution. At present grants by the governments of Atlantic provinces

to the universities is about the lowest in the nation, with the result that tuition at Dal rates among the highest in the country.

Within two hours the University had issued a rebuttal. CHNS replaced its original story with the following:

A Dalhousie University spokesman says there is no truth to the suggestion that fees at the institution will be increased. The statement from the university was released following the exclusive CHNS news report that Dal is almost a million dollars in the red as a result of operating losses in the past few years and that tuition may have to be increased if the province does not increase its grant. The spokesman said the university had a good hearing from the grants committee and the results would be known by mid-December. He didn't offer any comment on the chances of receiving the additional funds, which observers say is the key to holding the line on tuition fees. The spokesman didn't offer any comment on the reported million dollar oper-

Want say on Courses

English Students Call For Voice

English students want to participate more meaningfully in the decisions affecting their own education. In a brief to the department graduate and honors English students asked that the proposed liberalization of the present honors course include consultation with the students.

Under the present system honors students have only two options in a four year programme. Faculty members are considering changes.

It is the students who are going to be affected by the decisions made. The brief said that "no new programme can succeed without student involvement."

The brief suggested two major changes in the present system. Firstly it called for an elimination of the present distinction between honors and non-honors courses. Under the present curriculum a student is forced to cover every major period in English literature from the Medieval age to the nineteenth century. Twentieth century literature is not included in the honors programme. Students feel that the brief stated that "Canadian literature fills as large a gap as Chaucerian poetry."

Secondly the students suggested that the English department's function is "to develop critical faculties rather than to give facts. Consequently it is irrelevant to critical development whether a student takes a modern or medieval course."

The brief also provided safety checks. Before an honors degree was awarded a comprehensive exam covering all phases of literature would be set. This would enable students who felt it necessary to do so to pursue a traditional programme. Others would be free to pursue their own interests.

Implementation of these proposals would, the students felt, have several beneficial effects. It would make the student responsible for his own education. The University is supposedly preparing a student for life; by allowing freedom of choice the administration could live up to its pretences.

Censure Defeated

Page four of the last issue of the Gazette was placed under a vote of censure at last week's meeting of the Student Council. This action was moved by Jim Parr (seconded by Faith McEwen) following a vigorous, temper-trying discussion between Council and the editor, Kim Cameron. The motion was defeated.

After hearing of much dissatisfaction among the students concerning the content of the stories published by the campus paper, Council had invited the editor to describe his policy before an open meeting.

During this meeting, Frank Malcolm, informed the group that petitions were circulating expressing disapproval of the present format. Jennifer Johnson criticized what she called an excess amount of material concerning Vietnam. Others expressed their concern over a lack of adequate campus coverage, and a lack of items pertinent to the student body's interests.

Teaching techniques could also be improved. The present frozen captive audience could be replaced by interesting professors and interested students. Faculty members would no longer have to cope with uninterested students.

GAZETTE staffers interviewed several students and asked them their opinions on the course structure of the University.

The first question was "Do you think students should have greater freedom in choosing their courses?" and the second, "Do you believe students should be held responsible for their own education in close co-operation with the faculty?"

Brian Phillips, (Arts I) replied to the first question "Most definitely. The trouble is that 99% of the students who are attending Dalhousie are here to get a BA, not an education. The University has the right to lay down the prerequisites for graduate school, but the undergraduate prerequisite system is ludicrous."

Candace Malcolm, a thesis-year English student, agreed. To the second question she answered, "Yes, with the stipulation that the students take a comprehensive examination at the end of the degree program for which he is registered."

Gary Worth (Arts III) answered "Yes," to both questions, as did Sandy Murray, (Comm. III); Dave Gardner (Comm. III); Wade Garrison, (Engineering II); and Dave Wilson, (Arts III).

Wilson added that he didn't believe in absolute freedom, but he felt that students should have greater freedom in planning their university educations.

Peter Cahoon, (Science III), commented, "You can't change the course system without changing the whole system." This was not an exhortation to set up barricades in the streets so much as a capitulation to the status quo, as Cahoon expressed satisfaction with the course program as it now stands.

Nick Pittas (Arts I) remarked that there should be some kind of limitation on courses to be taken by freshmen but "after their first year the students should be almost completely free in taking the courses they want to, if they work in conjunction with the department they are majoring in." He added that he believed "students should have the ultimate responsibility in determining the course of their own education."

More than half of the graduate and honors English students signed the brief that was presented to the faculty.

Others refused to drop their little pebbles of protest into Dal's sea of conformity. Some graduate students felt that their juniors would be unable to make wise decisions: "Boy I sure know that I wouldn't sign up for that Old English stuff unless I had to." Others were intimidated by the prospect of choice: "There are all kinds of courses that I wouldn't have taken but once I got into it they were kind of a groove."

Another group feared reprisals: "Well I mean you are we to say; I mean we don't have our Phd's or anything and, well, they don't seem to be too far off the track. Besides what would happen if I signed the brief and it turned out that the one of my professors didn't back it and I didn't get good references."

Most students advocated faculty consultation with the students: "the present system is pointless, said one graduate student; what we need is training in the type of questions that should be asked. Probably the reason that there is a marked decrease in the number of honors students is due to the fact that they don't have any choices. These students should be consulted; the department should try and find out what they want. Without consulting them the faculty is operating in a vacuum; such a policy isn't even narrow-minded; it's positively stupid."

Manager Sacked

By JOHN BRUCE

Mrs. Farcey, former manageress of the Dal Canteen, was fired Monday (30 October). She was given no reasons for her dismissal. When questioned by the Gazette, Mr. Todd, District Manager of Versafoods, said "I didn't feel we had enough supervision. Some things have been happening in there that shouldn't have been happening." He refused to elaborate. When asked why she felt Mrs. Farcey had been fired, Mrs. Lucy, the new manageress, said "as far as I know, she wasn't fired."

Mrs. Farcey, when asked why she had been fired, said she was not told, but that probably it was because she failed to keep food costs down to the 43% of total costs Todd wanted. At one point, however, she had food costs down to 38%.

Inside... here's what to look for:

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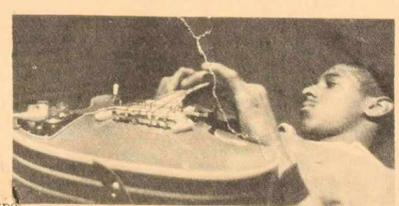
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Two American supporters at the October 21 Vietnam march listen politely as Mayor O'Brien addresses the participants, 425 persons paraded from City Hall to Victoria Park. For complete story see page 5.



The eager faces above weren't rapped down the post-Larry Kent's uncensored else make sure those make its debut take them down. After all, it is in defence of those who advertise to keep the notices clean, so people will read them. I suggest



"Guitarist 'works it on out' at Delta Gamma's Thychedelic 'Freak-out', held last Friday night, what's more, expensive full color prints of light show may be available from photographer Steven Archibald, is on page 7 for fewer details.