

VP claims Dal strapped by self-interest groups

by Bob Morrison

"If nothing productive can be done there is no point of continuing," said Dr. G.A. Klassen, Vice President Academic of Dalhousie University.

Klassen has resigned from his position out of frustration in not being able to effectively carry out his duties due, he said, to the prevailing feelings of "self-interest" throughout the institution.

In a *University News* article, University president Andrew MacKay expressed regret over Klassen's resignation. "I am grateful for all that Dr. Klassen has done to help me and my colleagues since assuming his responsibilities," said MacKay.

The resignation will become effective May 1, exactly two years after Klassen was appointed to the position. He said when he took the position he had a definite notion of what he wanted to accomplish.

Klassen said a challenge to bring the Dalhousie community closer together and also wanted to do something about the deficit which was already set at four million dollars.

Being from the Medical

Department, Klassen thought he could present to the Administration the need for scientific research. He added, however, that because of his different background he was treated like a "strange duck."

When Klassen went about trying to make adjustments he said he found the self-interest within the faculty to be too difficult an obstacle to overcome. "There is great personal ambition and it is very destructive," he said.

He added he can understand people's position and that it is a very human response when some professors realize they may not be around in the future. He thinks such feelings must be overcome so all people can work together for the good of the University.

Klassen said many people have expressed disappointment at his leaving and are also concerned science will lose its representation in the Administration.

When asked about future plans, Klassen said he is fortunate to have a very broad background, so he can basically "do whatever he wants." He said he is looking forward to returning to work in his lab in the Tupper Building.

Comparing constitutions

by Geoff Martin

"The American constitutional experience with freedom of expression may be of some benefit to future Canadian constitutional interpretations," Professor Robert Sedler told a conference on "Freedom of Information and Communication," recently held at Dalhousie.

In a seminar entitled "Freedom of Speech under the American Constitution and the Canadian Charter of Rights and Freedoms," the law professor (Detroit) spoke on how freedom of speech has been protected in both countries in the past and speculated on its future.

"There are some important structural differences between Canada and the United States," Sedler said, "since in Canada, the power to make laws on any subject lies with either the federal or provincial governments."

In contrast to the situation in the United States, Sedler explained that in Canada, a law interfering with freedom of expression is "potentially subject to challenge as being *ultra vires* (beyond the power of) the province that makes it."

"In the United States," he said, "the states have been sovereign since the time of independence, and do not depend on the federal constitution for their powers. Since the Federal powers have been broadly construed, there is significant overlap in decision-making."

"Also, in the United States, there is a dual court system, in which the state courts are the final court of appeal for state laws unless there is a constitutional appeal," Sedler said.

In Canada, on the other hand, the Supreme Court of Canada is the highest court of appeal for both

legal and constitutional challenges. As an example Sedler cited *Samur versus Quebec* (1953), Supreme Court Ruling 299, in which "the judgement of the Supreme Court of Canada was that a city by-law did not prohibit the distributing of Jehovah's Witnesses' literature on the public streets, a decision which avoided an appeal on constitutional grounds."

As a result of this ruling, Professor Sedler says we can expect fewer constitutional appeals than in the United States because many of the laws will be struck down as *ultra vires* before they reach Supreme Court appeal on the grounds of section 2.

In the United States Constitution, the First Amendment of the *Bill of Rights* serves to protect freedom of expression. In Canada, Section 2 of the new *Charter of Rights and Freedoms* does this. The main difference between the two is the Canadian version has not yet been interpreted by the Supreme Court of Canada.

In the United States, enactment of a criminal law is a state affair, and it is at this level that laws are passed limiting freedom of expression. In Canada, criminal laws are all federal, so in drafting the law it is less likely a criminal law will limit expression. Sedler says "for this reason, constitutional claims involving freedom of expression are likely to be much more numerous in the United States than in Canada."

Professor Sedler, a long-time member of the American Civil Liberties Union (ACLU), participated in the day-long conference sponsored by the Dalhousie Faculty of Law and the Canadian Human Rights Foundation.



Bob MacDonald Chev-Olds and THE KEG present


Dalhousie Tiger Basketball

DAL vs St.FX. — Metro Centre


1:00 pm Saturday, Feb. 19

Adults \$3.00 Other Students \$2.00 DAL Students \$1.00

Come out to the games and you could be a winner of a Dinner for Two at THE KEG

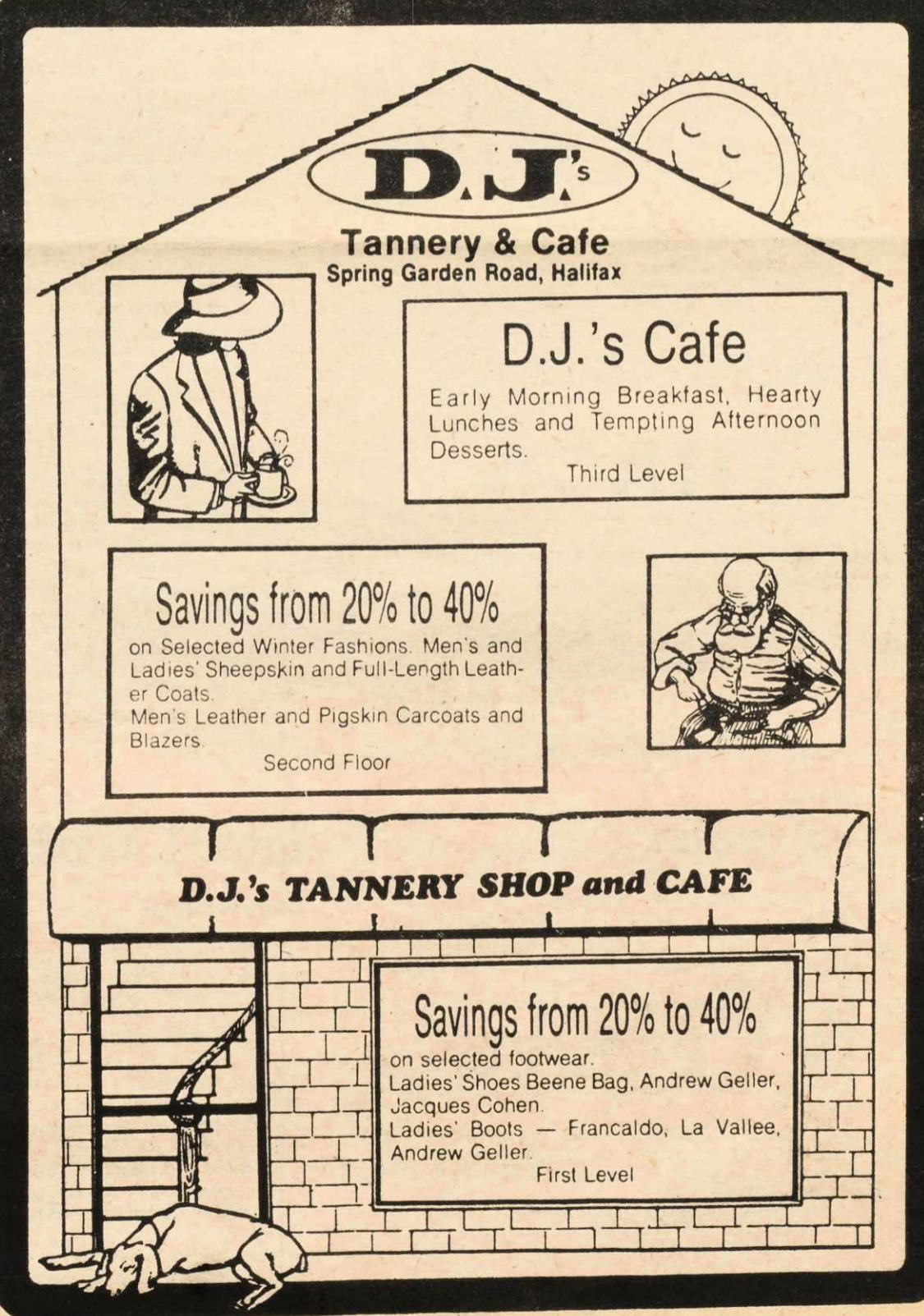


DOOR PRIZES TOO



Bob McDonald invites you to contact our University Reps:

Mark Dickie - 423-5600 George Fraser 429-5772



D.J.'s

Tannery & Cafe

Spring Garden Road, Halifax

D.J.'s Cafe

Early Morning Breakfast, Hearty Lunches and Tempting Afternoon Desserts.

Third Level

Savings from 20% to 40%

on Selected Winter Fashions. Men's and Ladies' Sheepskin and Full-Length Leather Coats. Men's Leather and Pigskin Carcoats and Blazers.

Second Floor

Savings from 20% to 40%

on selected footwear. Ladies' Shoes Beene Bag, Andrew Geller, Jacques Cohen. Ladies' Boots — Francaldo, La Vallee, Andrew Geller.

First Level

D.J.'s TANNERY SHOP and CAFE