

## Criminal Code Chastity advocates may break the law

The following story appeared in the Toronto Varsity last week. We reprint it in the hope that some brave soul at Dalhousie will take the lead of the University College Literary and Athletic Society and organize a similar forum.

Mind you, the students who sell contraceptives to hopeful males here at Dal have perhaps hit upon a more practical solution to the problem.

All clergymen who advocate chastity may be guilty of advising birth control under the Criminal Code, a practising criminal lawyer said at the first birth control lecture at Toronto's University College Wednesday night.

Stewart Fisher was speaking in a panel discussion on "Birth Control and the Law" to about 160 students, many of whom came in couples.

He was illustrating to the Code's vagueness on birth control when he suggested it may be very difficult to decide what constitutes dissemination of information that may lead to the prevention of conception. He suggested that advocating the rhythm method of control or even chastity is certainly aimed at a type of birth control.

Mr. Stewart and the other members of the panel, Mrs. George Cadbury, director of Planned Parenthood Association, and Prof. Graham Parker of Osgoode Hall Law School, all agreed on the premise that "the law is an ass" in this respect.

But Mr. Fisher said that he had taken an oath as a solicitor to "uphold the law of Canada" and therefore he could not advise the UC Lit or anyone else to break that law.

If anyone "laid an information" about the distribution of birth control information, he said, the police would have to prosecute.

But there is a definite tendency today against the law entering people's bedrooms. He noted that 36 states of the United States still have laws against fornication. The Criminal Code has no such provision.

Mrs. Cadbury advocated that birth control should be stricken completely from the Criminal Code. "Birth Control is a private and medical matter," she said.

Her organization now helps people who request birth control information by referring them to a "sympathetic doctor."

Their advice is available to single girls. But she indicated that if the girl is under 21, they ask for parental consent for the medical examination before prescribing contraceptives.

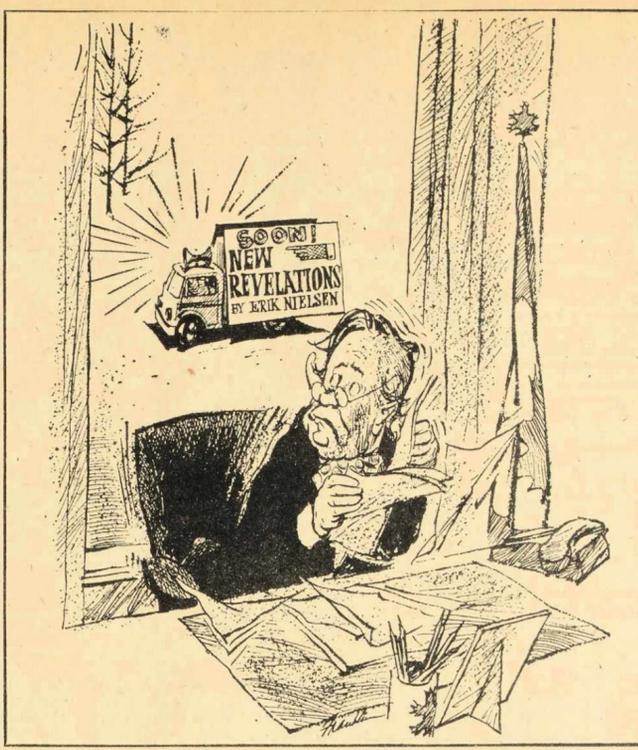
A jolly, gray-haired grandmother, Mrs. Cadbury said she had just read a Victorian marriage manual, whose only advice to the bride was that "the lady does not move" during intercourse.

Continuing in a light vein, Mrs. Cadbury recited this limerick to the audience:

There was a young girl from St. Paul  
 Who went to a birth control ball  
 She bought all the devices for fabulous prices  
 But nobody asked her at all.  
 The members of the panel agreed that birth control devices are available to anyone who "knows his way around."  
 "In many drugstores you can serve yourself," Prof. Graham said.

Mrs. Cadbury said one Toronto druggist was fined \$100 for selling condoms and \$100 for advertising them. In this case, she said, "an information had been laid to the police by" the chairman of the Knights of Columbus Reading Club.

Mrs. Cadbury said she was anxious to go to court. "Being a white Anglo-Saxon with an English accent and a grandmother of eight children, it would be hard to say that I am corrupting the morals of our youth."



## LETTERS TO THE EDITOR

Dear Sir:

If the situation attacked in last week's editorial (They Meet in Secret) actually existed as you describe it, I would heartily endorse your criticism.

Unfortunately, the Gazette has been misinformed and its accusations based on these 'non-facts' are invalid.

The Dalhousie Council meeting was not closed to the press because I or the King's negotiating committee requested it. I was in Toronto at the time and didn't know the meeting was taking place. The other negotiators have assured me that no such request was made by the King's committee.

The editorial made a more serious charge when it referred to "the school of thought among the student politicians at Kings that under all circumstances the students themselves are not to be trusted with any information and decision making about important questions."

This seems strange -- and unjustified -- charge to make against a Council which has done so much to involve the bulk of its students in King's activities and decision making:

- 1) It was the first King's Council to open its meetings to the public and publish its minutes (last year the Council of which you Mr. Morley were an executive member held all of its meetings IN CAMERA).
- 2) It initiated a new press organ (The Ancient Commoner) specifically for the purpose of informing King's students and providing regular critical appraisals of the Council's actions.
- 3) It has called upon student assembly meetings even when not constitutionally necessary (e.g. for National Student Day) and will call at least three more this term.
- 4) It has approved the recommendations of the Constitution Revision Committee which would expand Council membership and bring it under stricter popular control.

The third point made in the editorial concerned the suspicious sounding "scheme for amalgamation" allegedly endorsed by the King's Council. This statement indicates a fundamental misunderstanding of the way in which the Dal-King's negotiations have been conducted thus far.

Dalhousie initially indicated that it was dissatisfied with the present arrangement and requested a meeting with some members of the King's Council. After much discussion, it was agreed that the 1.75 arrangement was to continue for this year. As there was nothing new to report to the King's Student Assembly, no meeting was called.

Later, Dalhousie set up a new negotiating committee with strict terms of reference to bargain for a new agreement. The King's Student Council discussed the matter thoroughly and set up a committee to determine exactly what Dalhousie wanted. After talking with Dr. Smith and the Dal-King's Student Friction Committee, the negotiators met with Messrs. Young, Hillis and MacDonald and explored possible alternatives to the three original proposals. The King's committee stated its reservations about any form of amalgamation (which I personally expressed recently in an article published by the Gazette) but was willing to consider it as one possible alternative if certain guarantees were granted.

Last Thursday night, I answered questions about the negotiations at a public meeting and the Council discussed the committee's findings at length.

A Student Assembly has been called for Feb. 14 to discuss what should be done. The committee will report what alternative types of liaison seem to be acceptable to Dalhousie. The Council has not committed it-

self, or King's College, to any of these alternatives. It has simply carried out the preliminary exploratory investigations to provide a basis of fruitful and intelligent debate by the Student Assembly, which remains sovereign.

I thank the Gazette for its commendable concern with violation of democratic procedure but reiterate that such criticism cannot be validly applied to the King's Student Council.

Yours sincerely  
 John W. Cleveland  
 President U.K.C. Student Union.

Ed. note  
 The Gazette accepts Mr. Cleveland's explanation of what occurred in the committee negotiations, though we feel we should comment on some items in the letter.

We remind Mr. Cleveland that the King's Council held themselves an "in camera" session to discuss the Dal-King's agreement. In addition we would like to recall for Mr. Cleveland the fact that unlike the present situation the old constitution provided that discipline be handled by the Student Council making it inappropriate to open the meetings. The Residence Council this year does not have open meetings, and in fact it was the Council last year which initiated the Constitution that makes open meetings possible.

We are glad to see that a Student Assembly meeting has been called for Feb. 14 particularly since it was called so promptly after the editorial appeared.

## A DYING PARLIAMENT

Model Parliament used to be a big deal at Dalhousie. The parties were well organized the campaign was exciting, and the leading lights on campus took part in the sessions.

This year, out of a student population of approximately 3500, only 677 took the time to vote. The campaigns of all parties were insipid, and the issues raised were for the most part, dead ten years ago.

In other parts of the country Model Parliaments are dying out. Rather than play at politics student activists would rather do something real through student government.

Perhaps it was the flagging interest in model parliaments which led to the abortive efforts to organize the campaign. Officially the Sodales debating society is in charge of the Parliament. The Sodales executive appointed Harry Thompson, a Tory and Dave Reardon, a Liberal, to look after the affair.

(Presumably the New Democrats were a bit unhappy about this arbitrary arrangement.) Thompson flew off to Ottawa on election day, and Reardon made himself scarce until the polls closed at 4:30 p.m. Two parties, the New Democrats and the Conservatives agreed that the polls should be kept open until 7:00 p.m. in the residences, however, Reardon decided that it was too much trouble and vetoed the proposal. Reardon, of course, is a Liberal. Mind you, the vote during the day was just so overwhelming that there was no need to have the polls remain open to give more people a chance to cast a ballot.

The Gazette is unhappy with the present Model Parliament setup, and unless it is changed we suggest that the whole program be scrapped next year. Community projects are a lot more useful -- also, better organized.

## ABOLISH CAPITAL PUNISHMENT

The following speech was delivered by Rev. J.M. Kelly, president of St. Michael's College, University of Toronto. The Gazette believes that the speech stands as an eloquent appeal for the abolition of capital punishment.

We heartily endorse Fr. Kelly's statements. The voice of Protestant ministers and Jewish rabbis has been heard. If the Roman Catholic voice has been heard, it has generally been the voice of Catholic laymen. I feel obliged to be here because I think it necessary to add at least one Roman Catholic priest's voice to the crusade . . .

The first point I should like to make is that I see no theological or moral basis for retention and I see both theological and moral reasons for abolition . . . Now it seems to me that punishment is by definition retributive; it pays back irrespective of the intention of the authority which imposes it. The big question is whether some substitute for capital punishment pays back enough. At this point another necessary consideration intervenes: a human punishment must always be directed to the good of society. A punishment which would prejudice rather than promote the good of society is plainly not a just punishment irrespective of the guilt of the offender or the authority of the punisher. The point I am trying to make here is that it is seriously questionable whether retribution alone ever provides a sufficient motive for punishing.

When it is asserted that naked retribution is society's way of expressing moral indignation at the crimes perpetrated there seems to be the assumption that it is the only way this can be done and that punishments aimed at reform or deterrence cannot do it. I suggest that this assumption is gratuitous. The indignation of society is poorly expressed by vindication, particularly by the vindictive destruction of human life.

The death penalty is obviously not suited to purposes of reform . . . It is rather curious that this is the only instance in modern law where we still try to maintain a perfect

matching of the crime and the punishment for it . . . Death of the offender is not the only way of expressing indignation . . . It does not reform; it does not deter; it is purely vindictive and, as such, does society no good at all.

It really amounts to a problem in the education of society and that is why it has been so necessary for an organization such as ours to bring this matter regularly to the attention of our fellow citizens be they legislators or electors. The reason for the endurance of arguments for retention must be precisely because the information which proves that capital punishment is no deterrent has not been disseminated sufficiently among the public.

There is nothing in the evidence to show that we are protecting (police officers) by the retention of capital punishment . . . their lives are not one whit better guaranteed by having capital punishment in our law than if it were out of it.

Capital punishment and all that necessarily surrounds it is rather a degrading and brutalizing thing. We perform it in private and consider it a shameful thing. It affects those who have to take part in it. No one wants to be the executioner, who in this country is the hangman. We try to keep this individual's identity hidden. It also affects the whole community. The publicity arouses morbid sensationalism and lowers the general moral tone of society.

I think we have reached the point in human development where we realize that violence does not really solve problems. It is usually met with further violence.

Society will always be imperfect; punishment we will always need; such seems to be the sad social fact.

To abolish capital punishment is to lose nothing. We do not endanger society. It may be that we will do some practical good because we will enlist our energies to solve such problems in new ways. I cannot see why it does not merit a try . . .

The only thing that can come of abolition is good.

## THE PEOPLE DECIDE

In previous years the Gazette has always maintained a strict neutrality between the candidates for President and Vice-President.

At the beginning of this year we made it clear that we did not feel bound by this tradition, and that we would follow the practice of the professional papers and endorse candidates if we felt this to be worthwhile.

Of the two teams running for office one has an obvious lead in terms of experience. One team is the odds-on favourite to win and there is no doubt that they could do a com-

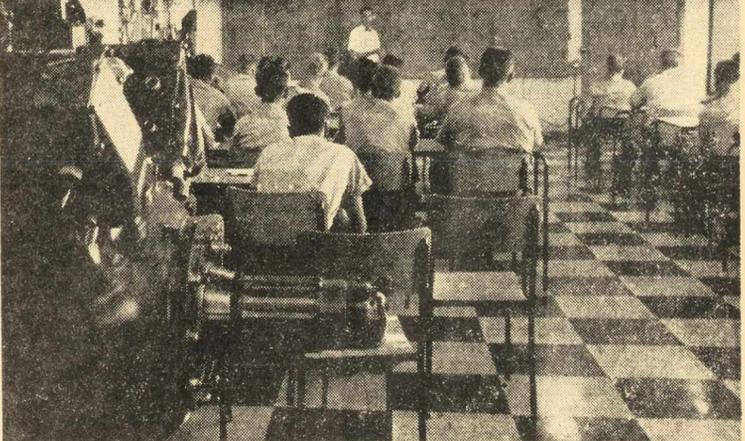
petent, even a good job if elected. On the other hand the other team is aggressive and there is always some advantage to shaking up the established order every few years.

Though we reserve the right to endorse candidates, and indeed assert that right this year, we shall not do so.

We hope that it will be a good election, and we welcome a real contest this year. We trust that the students will maturely consider the merits of both teams and will cast a reasonably intelligent ballot.

The people shall decide.

## UNIVERSITIES TODAY Patching up crazy quilts



puter programmer. Our universities produce a multitude of tongues and virtually no dialogue.

Is it worth such vast sums of money to get this kind of fragmented education?

One solution is to develop the general arts college. These colleges would have a core three-year program leading to a Bachelor's degree with, perhaps, three options; the humanities, the pure sciences and the social sciences.

These colleges should be small -- 2,000 to 3,000 students -- and they should be numerous. It has been well established in Canada that an institution of higher learning brings both cultural and economic advantages to the area where it is located.

Under the present system of large, multi-faculty universities, many areas are deprived of these advantages. They justifiably resent this deprivation and there will be increasing demands for a more equitable, geographic distribution of facilities for higher education, particularly in densely populated Ontario. If wider dissemination of smaller arts and science colleges can improve the total university experience then it is a program worth exploring.

For example, these colleges could provide total training for the large group of potential university freshmen capable of benefiting from nothing more than a good general B.A. degree. They could also provide a much needed selection mechanism (the final high school year is proving to be too inefficient) for those of superior ability who should then proceed either to more specialized study in professional schools or to graduate work in the humanities, the pure sciences or the social sciences.

### ADEQUATE TRAINING

In this connection, a close look should be taken at the validity of honors degrees. Just as a graduate from the small college could proceed from a good general degree in science into medicine, so the good graduate in the humanities should proceed immediately into a two-year graduate program leading to an M.A. Those who want only specialist standing as teachers, would proceed to a two-year education course which would be an amalgam of further study in their field, plus adequate training in teaching techniques. This path would, of course, change the character of B. Ed. programs.

### FLEXIBLE SYSTEM

Such a system also could be more flexible in terms of administration and finance. While all colleges and universities should receive equal per capita federal and provincial assistance, the small colleges are within the range of partial, non-governmental support in the form of community, church, or private sponsorship. More non-governmental money might become available if opportunities were provided so that support became clearly recognizable instead of being lost in the huge pot of mammoth fund-raising campaigns.

Mr. Scott, a public relations consultant who lives in London, Ont., has served as a university teacher and as assistant to the president of the University of Waterloo.

### DESALINATION PLANTS OPERATING

Technical papers presented at the Washington Symposium on Water Desalination proved that great progress has been made in this field during the past few years, though desalinated water produced by any of the processes developed to date is still comparatively expensive. Despite this, desalination plants already in operation in some locations represent the least costly source of fresh water.

A conference on the conservation of nature and natural resources in tropical South Asia will be held in Bangkok, Thailand, from 29 November to 4 December. It is sponsored by the National Research Council of Thailand, the IUCN (International Union for Conservation of Nature), FAO and Unesco.