Successful Law Week at UNB

by Marc Mercier

Supreme Court of Canada Justice Peter Cory was at UNB this week to kick off Law Week at Ludlow Hall. Speaking to students and faculty at the law school Mr. Justice Cory delivered a speech on freedom of expression, a topic that is relevant to New Brunswick, the home of the ongoing Malcolm Ross saga.

After tracing the United States' legislative and judicial treatment of freedom of expression, Cory then turned his attention to Canada and its treatment of it.

The distinguished Justice of Canada's highest court said there are situations where freedom of expression must be restricted. He used hate literature as an example of the type

Model

four awards.

by Lynne Wanyeki

The UNB Delegation to the

1990 North American Model

United National conference in

Toronto returned home with

of situation where such a freedom may be limited.

NEWS

'One doesn't have to look that far back to see the Third Reich and the effect that its propaganda had on millions and millions of lives," Cory said.

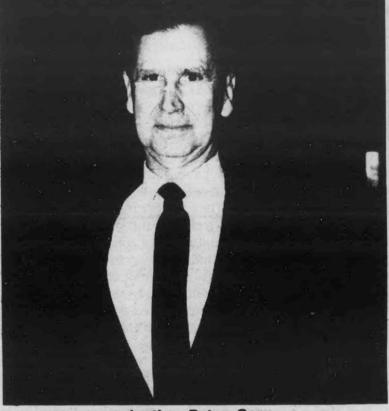
For the courts, hate literature is a "balancing act," Cory said. "Balancing freedom of expression against the harm that may be caused against people, minority groups and the country itself, this is a difficult process."

The former Ontario Court of Appeal justice said the Supreme Court has viewed the Canadian Charter of Rights and Freedoms "as a living entity". He cautioned the audience that the rights and freedoms contained within the Charter "shouldn't be seen as frozen" at the time of the 1982 document's enactment.

Cory also said the courts, since the 1986 Supreme Court decision in The Oueen v. David Edwin Oakes, " will give it (the Charter) the widest possible interpretation and base

In another Law Week event, the 28th Annual Harrison Memorial Shield Moot was held Tuesday evening at Ludlow Hall. The Moot case involved a question of the legality of seizing a blood sample from ar unconscious accident victim to determine his blood-alcohol level.

The defendant's counsel, Wayne Carson and Howard Myatt, both third year law students, were able to persuade the court that the seizure of the victims blood without his consent contravened Section 8 of the Charter. Section 8 is the provision in the Charter



DEADLINE - Wednesdays, 12 pm

Justice Peter Cory

that secures individuals against and Justice Minister James unreasonable search or seizure.

Mr. Justice William L. Hoyt of the New Brunswick court of appeal delivered the majority judgment of the court and added that to allow such a flagrant violation of the Charter would bring the justice system into disrepute.

Juliette Slemming and James Gill, representing the crown were not able to convince the court that the use of blood outside the body was not an invasion of a person's privacy.

Carson and Myatt join a list of Harrison Shield victors that includes Premier Frank McKenna. a 1973 co-winner

in 1974. possible interpretation and base any limits on the rights and freedoms contained within it on section 1 of the Charter."

Lockyer, who was a co-winner

Section 1 of the Charter guarantees the rights and freedoms and states that they can only be restricted "to such reasonable limits ... as can be demonstrably justified in a free and democratic society."

Cory finished his 45 minute talk by quickly looking at the issue of commercial freedom of speech. Here too the Justice said the courts will have to play "a delicate balancing act."

The delegation, comprised of members of the Political Science Students Association and the Debating Society, won top awards for: Best Delegation (Israel); Best Judge in the International Court of Justice of the General Assembly and the two special committees i.e. the International Court of Justice and the Security Council.

Conference

UNB wins four awards at

Here, the Committees debated the issues placed before them and formed alliances with groups of member states to formulate working papers. These working papers were then brought to the floor for further discussion and debate.

Finally, the working papers were proposed as resolutions, which were amended (as was seen fit by those states affected by the resolution) and voted upon in the respective committees. If the resolution passed, on the fourth and final day of the conference, they were brought before the Plenary Session of the General Assembly, where they were voted on yet again by all the member states of the United Nations. The member state expected to act in a way so as to conform to the changes set out to represent "their" country's foreign policy accurately, as far as possible, and so Israel's job was basically to stall for time, and stop any resolution from being passed which would adversely affect itself.

With all the Arab states pushing for the formation of a Palestinian state, and almost all the other states condemning Israel's actions in the occupied territories of the West Bank and the Gaza Strip, this was a difficult job to do. As Joe Savoie (Security Council) said in an award's acceptance speech at the end of the conference: "Being belligerent for four days in a row is a very tiring thing to do." Faced with accusations and hostility on all sides, the UNB Delegation was delighted with the end results of the conference. All participants came out of the conference with an increased understanding of what motivates a state's behaviour on the international scene, taking into account the state's history and backing by "superpower" states, as well as all the behind-the-scenes "wheeling and dealing" or "negotiation" with other states. Playing Israeli militants and moderates was an enjoyable albeit stressful experience for all the UNB delegation. On a final note Joe Savoie commented: "The delegates from UNB all personally recognize the plight of the Palestinian people".

Student Union attends conference in Texas

(James Gill); Best Delegate in the Security Council (Robert Trifts); as well as an Honorable Mention in the Special Political Committee (David Harquil).

The North American Model United Nations (NAMUN) had over fifty competing delegations from both the United States and Canada. There was also one team from Greece.

The UNB delegation was comprised of: ICJ - James Gill: Security Council - Robert Trifts and Joseph Savoie; Political Security - Tami Richard and Lynne Wanyeki; Special Political - Tim Jenkins and David Harquail; Social Humanitarian and Cultural -Tammy Yates; Economic and Financial - Brigitte Guimont; Disarmament - Derek Dunnett. NAMUN is designed to give its participants a better understanding of the ways in which the real United National work. For the first three days, the conference members were sitting in the various committees

in these resolutions. UNB was representing Israel, which meant that the UNB delegation was the focus of (Hostile) attention in two countries: the Security Council which was discussing the issue "The Middle East"; and the Political Security Committee which was discussing the issue "Palestinian Refugees".

As a result the delegates in these two committees had to work together fairly closely. The delegations were expected

by Pierre St. Amand

The March break has not been idle for the executive of the UNB Student Union.

Wayne Carson, president of the Student Union, and Gary Clarke, vice-president, attended the Conference on Student Government in Texas at the University of A and M, which was held on February 21 to 28.

The conference consisted of seven workshop days for the executive. Over 85 American universities and seven Canadian Schools were present, as well as other universities from all over the world.

There were three major aspects to the conference. Firstly, were workshops on philosophy of student allocation process, political activism in student government, diverse cultural involvement, creation and implementation of systems, and AIDS related topics.

Secondly, various discussion topics on

administration in student government relations, media, organizational motivation.

Thirdly "swapshops", where schools exchange material and information the UNB table was so popular that Carson and Clarke were overwhelmed by the demands and scarcely had time to collect paraphernalia from other universities.

Clarke, revealed that the experience allows them to compare our university with other comparable universities.

It also gives them insight on how to manage the Student Union more effectively. They also found that the Student Union should plan over a longer range and believe that they will suggest the implementation to the council.

The cost of this trip is estimated at a grand total of \$1,680 which included flight and accommodations for the two of them. Carson believes that "on a whole the conference was very beneficial."