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Morgentaler

Persecution or Prosecution?

By PAUL KELLOGG
The third consecutive jury acquittal of Dr. Henry Morgentaler has re-opened the debate on both the civil rights issues surrounding his trials, and the refusal by the federal government to remove abortion from the criminal code.

Organizations contacted on campus gave positive reactions to the verdict. "I think it's great" said Sue Kaiser, Administrative Co-ordinator of Harbinger. "It indicates what the Canadian public really feels about abortion".

Alice Klein, associated with the York-Women's Centre and CARAL (Canadian Association for the Repeal of the Abortion Laws), characterized the government's case against Morgentaler as "...persecution rather than prosecution. This one man, incurring legal bills of almost \$300,000, half of which is still owing, has been singled out and harrassed by the government and its archaic abortion laws, a government, that has acquired the dubious distinction of being the first one in peace-time to allow a jury verdict to be over-turned by an appeals court".

Morgentaler was acquitted by a

jury in 1974 on the same charge. The verdict was over-turned by the Quebec Court of Appeals which substituted a guilty verdict. That conviction was upheld by the Supreme Court of Canada, leading to Morgentaler serving 10 months of an 18-month prison term.

The law that is at the centre of the controversy is Section 251 of the Criminal Code, consisting of amendments passed by the House of Commons in 1969 "liberalizing" abortion laws. It permits abortions when carried out in an approved or accredited hospital, after the majority of a therapeutic abortion committee certifies that "continuation of the pregnancy would or would be likely to endanger the life or health" of a pregnant woman.

However as of 1974, five years after the bill was passed, only 259 of 1359 hospitals able to have Therapeutic Abortion Committees, had them. There is no established appeal procedure against a hospital which does not have a committee, or against rejection of an application for abortion.

Talking with Excalibur, Eleanor Wright Pelrine, author of "Morgentaler: the Doctor Who

Couldn't Turn Away" and leading spokeswoman for the repeal movement, was unsure to what extent the government would be able to continue pressing charges.

"From a strictly economic view, they will have second thoughts - having already spent between one-half and 1 million dollars on the case of this one man."

"As the most visible figure in the repeal campaign" said Pelrine, "Dr. Morgentaler's purpose was to focus public attention on the real situation of abortion in Canada. People seem to think of the question of medically safe and readily available abortion only when personally confronted with the issue. Dr. Morgentaler deliberately set out to practice civil disobedience, forcing the issue to public attention.

**Bell joins
management**

By FRANK LENTO

George Bell, former assistant Deputy Minister of Treasury and Economics for the province of Ontario, was recently appointed to the newly created post of Executive Vice-President of York. Bell had been working with York president H. Ian MacDonald when the latter was Ontario's Deputy Minister for Treasury and Economics.

Bell's position was created "to give MacDonald more time to deal with other priorities". Most of his work will probably centre around management and organization of personnel and resources pertaining to the University.

Asked whether he thought York had many problems to be resolved, Bell answered, "There are no problems, rather they are challenges that must be met in a certain way, and resolved within a certain criteria."

According to Bell, one of York's most immediate challenges is to meet the needs of the surrounding community.

"York has grown in a very short period of time. There have been financial restrictions, and many projects have had to be deferred. In all, the university must now look at its resources, and try to determine in which way it should move, and in what way it should relate the community as a whole."

Bell was born in Toronto in May 1920. He joined the Armed Forces in 1940, and rose through the ranks until he reached Brigadier General. At this point, Bell decided to continue in post graduate education, and in 1972 he received his political science doctorate from McGill University in Montreal. In March 1973, Bell entered the civil service, where he remained until his appointment to York.

Bell hopes to eventually teach at York. In the meantime, his duty will be to help find new ways in which the university can function better.

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