

# I n - D e p t h

## Rights Conference set for next week...

By Gordon Loane

University of New Brunswick mathematics professor Martin Yaqzan writes an opinion article on Date Rape published in the Brunswickan. It sparks a huge controversy on campus forcing Yaqzan's employer to suspend him. The suspension is subsequently lifted but Yaqzan eventually opts for early retirement.

A University of New Brunswick Economics Professor, Charles Waddell, is found guilty of indecent assault. The university decides to allow the professor to return to the classroom for Intercession 1994. Subsequent revelations cause the university to rethink its decision. Waddell decides to resign his position at the university.

"Every student deserves an opportunity to study in a supportive, positive learning environment right?", asks Tom Traves, Vice President Academic at UNB. On the other hand, "all professors must have the opportunity to express their academic views and conduct their professional activities freely right?", asks Traves again.

Individual versus collective rights. The inclusive university versus academic freedom for professors and librarians. Freedom of expression versus 'political correctness'.

In short, what happens when 'Rights Collide'?

The national debate that has been sparked as a result of the Yaqzan affair and other issues of the 1990's will be debated, discussed, but not necessarily resolved when an important rights conference takes place on the UNB campus next week.

Conference organizer Dr. Peter Kepros, a vice-president of the association which represents professors and librarians on the UNB Fredericton campus, says it will be the most open forum for discussion he has seen in his nearly thirty years here.

For that reason, the conference is open to faculty, students and staff of the university and the general public.

"To spark an open discussion we attempted to attract speakers and panelists with widely divergent points of view about the topics at hand," said Kepros. "Of course, we had to work within a budget and the availability of certain speakers", he said.

Alan Borovoy, general counsel of the Canadian Civil Liberties Association since 1968, will give the keynote address on Wednesday, September 28th at 7p.m. in the MacLaggan Hall Auditorium.

The following day, beginning at 8:30a.m. at the Wu Conference Centre, three presentations will be featured. University of Toronto historian Michael Bliss will speak on Rights and the Flowering of Individualism. Rights activist and British Columbia MP Svend Robinson will talk about 'Living, Loving and Dying in the Nineties.' Memorial University English Professor Bernice Schrank will discuss the Importance of Academic Freedom in the University.

The days' proceedings will be moderated by UNB law professor Tom Kuttner, who it should be noted has often clashed with Martin Yaqzan particularly over Yaqzan's support of Moncton School teacher Malcolm Ross.

Conference organizer Peter Kepros defends the decision to name Kuttner moderator of the second days' proceedings. "He was chosen for his academic, legal and activist background particularly with regard to human rights", Kepros said. "In addition, the conference organizers were searching for an excellent facilitator who would actively stimulate discussion among the participants. I think we've chosen well," said Kepros. A panel of these three speakers along with Mr. Borovoy and four UNB representatives will follow the morning's opening talks. Patricia Hughes, holder of the Mary Louise Lynch Chair in Women and the Law; Jack Iwanicki, a professor of philosophy; Ann Iverson, and undergraduate in philosophy and Cynthia Haynes-MacDonald, a graduate student in education will participate on behalf of the university. The panel will comment on the preceding talks and take questions from the audience.

The afternoon session will be dominated by nineteen discussion workshops on such topics as rights, freedoms and privileges, political correctness and university student and campus rights to name just three.

The conference will conclude with a plenary session and summary of the groups' discussions.

The keynote conference speaker Alan Borovoy is well known for his forthright expression of views and public activism. The author of several books on civil liberties issues, he has appeared before preliminary committees and public inquiries dealing with various rights and freedoms including wire tapping and confidentiality of health information. He is a well known commentator and frequent guest on various public affairs programs.

Borovoy is no stranger to the UNB Fredericton campus. As a lawyer he defended Brunswickan Managing Editor Tom Murphy on a contempt of court charge in the 1960's. Murphy, writing about a decision surrounding the famous Strax Affair, was ultimately found guilty and sentenced to ten days in jail



Memorial University Prof. Bernice Schrank, will discuss "Rights and the Flowering of Individualism"

for impugning the fairness of the courts. Borovoy argued in favour of free speech in support of Murphy's position. The New Brunswick Court of Appeal eventually upheld the verdict. Borovoy handled the appeal case as well.

"The issue before the conference next week is one of conflict between free speech and the quest for equality," Borovoy said in an interview with the Brunswickan this week from his Toronto office.

"When rights collide, choices must be made and these choices are not easy," Borovoy continued "often the tragic choice to be made is not between right and wrong, but between right and right." "In my address I intend to point out the basic mistakes and recurring fallacies that occur as difficult choices are arrived at," Borovoy said.

Asked what those mistakes and fallacies are, Borovoy was giving nothing away. "I prefer to wait until the conference to address these," he said.

Borovoy did say he intends to use examples of issues that have occurred

and are occurring at universities across the country. "The Yaqzan case may be one of the ones I will mention, but I haven't decided for certain yet," Borovoy concluded.

Svend Robinson, NDP member of Parliament for Burnaby-Kingsway has been described by columnist Alan Fotheringham as one of the most conscientious and effective MP's in Ottawa. The only openly gay MP, Robinson is an outspoken advocate of human rights in Canada and internationally.

Earlier this year Robinson took the Board of Internal Economy, a powerful House of Commons committee, to the Canadian Human Rights Commission to get employment benefits extended to same sex couples.

In July of this year Robinson was sentenced to 14 days in jail for criminal contempt in connection with a logging protest at Vancouver Island's Clayoquot Sound. Robinson has said he accepts full responsibility for an act of civil disobedience. He told the court in British Columbia where he was sentenced, that he

was concerned about the B.C. government's disregard for the rights of the native people of Clayoquot Sound in the formulation of land use policies. Robinson also criticized logging that destroys fish habitat and eco-systems. Robinson also instructed the House of Commons to deduct his salary while spending 14 days in jail. His lawyer told the Globe and Mail that the B.C. MP felt an obligation that the Canadian taxpayer should not bear the cost of his incarceration.

But it has been Robinson's direct involvement in the Sue Rodriguez case that has generated the most publicity. The terminally ill B.C. woman lost her legal battle in the Supreme Court of Canada last fall. The court voted five to four to uphold the law prohibiting doctor-assisted suicide.

Rodriguez died earlier this year in what many believe was a doctor assisted suicide.

The issue of euthanasia is an emotional and divisive one. Robinson supports

(Continued on next page)



MP Svend Robinson, is slated to speak about "Living, Loving, Dying in the Nineties."

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