

Cameron speaks

by Denise Roberge

"If you're an establishment paper owned by K.C. Irving, the government is reluctant to tangle with you, whereas if you're a rowdy student the courts will belt you with everything in the legal arsenal", said Silver Donald Cameron last Thursday. The noted journalist appeared at the Law Hour Series to discuss "Journalism and the Contempt Law."

What is the contempt law? It is a law going back to tenth century England which allows judicial or legislative bodies to punish persons who have committed acts of disrespect towards the courts or who have interfered in some way with the court process.

Cameron spoke about a case involving Tom Murphy, a columnist for the **Brunswickan**, the student newspaper at the University of New Brunswick.

Murphy was brought to court for an offense known as "scandalizing the court"—a particular case of contempt usually brought against a journalist who publishes criticism of a court or judge.

On December 2, 1968, in his regular column, "Spades Down", Murphy attacked the New Brunswick courts for their handling of a case involving a UNB professor, Norman Strax. The University administration was seeking an injunction against Strax, and Murphy had been asked to testify in the hearing. Cameron, who was a professor at UNB at the time, threatened along with other professors to resign over the treatment Strax was receiving at the hands of the University.

Appalled by what he had observed in court, Murphy contended that the courts in New Brunswick were "a mockery of justice" and fur-

ther that they were "simply the instruments of the corporate elite". He also went on to criticize the judge at the trial, Mr. Justice Barry.

Because of what he had written, Murphy was found guilty of scandalizing the court and received a ten day jail sentence. The editor of the **Brunswickan**, John Olliver, was also charged with contempt—he received a fifty dollar fine.

Although the sentences may appear lenient, Cameron said that the Murphy case was nevertheless an important test case for civil liberties. According to Cameron, the contempt law is a device used subjectively by the courts to silence what may be valid criticisms of the judicial system. In doing so, the courts are effectively limiting the freedom of the press, he said.

By refusing to allow any criticism, the contempt power assumes that no courts, no judges are ever capable of error or corruptness. "Such a collection of saints has not been seen, surely since the Last Supper," said Cameron.

Disenchanted with university life after the Strax incident, Cameron left UNB to become a journalist. Realizing that New Brunswick was a "much more futile place than we thought it was", Cameron and others decided that some kind of continuing protest was needed. The protest eventually took the form of **Mysterious East**, an independent magazine for Atlantic Canada.

Throughout his talk, Cameron emphasized that he felt that the contempt power has been used indiscriminately by judges who were indignant at having received personal criticism. Judge Barry, he contended, wanted to punish Tom Murphy, a long-haired, bearded student activist, as an example to other students during that period of student unrest in the late sixties.

Cameron compared the Murphy case to one involving a journalist from the Saint John Telegraph-Journal, one of the newspapers owned by K.C. Irving. The courts decided not to prosecute in that case.

Boycott deadline

MONTREAL (CUP)—The administration of the Université de Montreal has set yet another deadline for students who have refused to pay tuition fees for the fall semester. Ten per cent of the university's 30,000 students continue to boycott fees, the administration says.

The students agreed in October to boycott all fees until after Christmas, when most students were to have received government financial aid cheques. The university had been pressing students to take out individual bank loans to pay for tuition, despite what student leaders termed "a hard summer of unemployment for youth."

According to Denis Vallieres, a spokesperson for the central student organization on campus, the only students who have not paid now are those who cannot afford to. The administration has said it will not reregister students returning for the winter semester until the fees are paid and will withhold spring marks until fees are paid for both semesters.

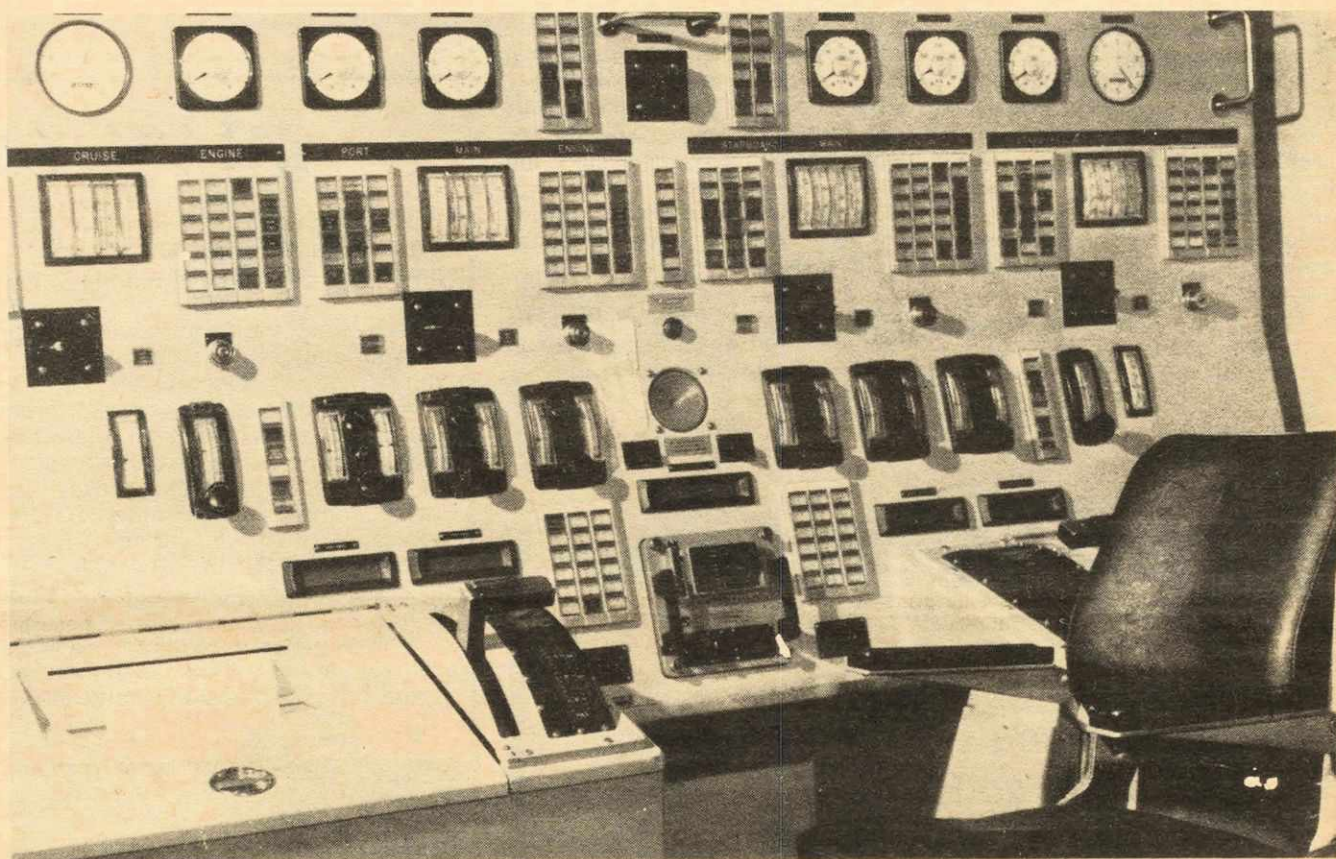
Body Politic continues

TORONTO (CUP)—Gay rights newspaper Body Politic will continue publishing despite a police raid last month which seized subscription and advertising lists, manuscripts, financial records and other documents.

The next issue of the newspaper will be on the newsstands in the first week of February, a spokesperson for the paper said Jan. 19. The issue will be smaller than usual and contain no feature articles but only news "about what has gone on in Toronto in the past month, which has been one of the most newsworthy months for us," he said.

Spokespersons for the newspaper maintain that the Dec. 30 police raid, which gathered 12 cartons of documents ostensibly as evidence for obscenity charges stemming from an article in the December-January issue, was really intended to close the paper.

Body Politic lawyer Clayton Ruby was to appear in Ontario Supreme Court Jan. 17 in a bid to overturn the warrant which authorized the raid and recover the material seized, but his appearance has been postponed until Jan. 27.



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