

The Interim PLUS + + + + + + + + + + + + + + + +

Curriculum Supplement For Schools

The Interim Plus is a periodical dedicated to educational matters and specifically designed to assist teachers in integrating relevant life issues in their lesson planning.

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The Interim Plus is published Bi-Monthly by

The Interim Publishing Company

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Date: April/May 2014

Edition: Volume 13 No. 6

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We will still be in the glorious season of Easter until Pentecost. The good news of that Sunday has shocked and reverberated throughout the world ever since. It's not too late to wish all a Happy Easter! Yes, alleluia, He is risen!

In this final edition of *The Interim Plus* for this academic year we give space to legal studies, media arts and journalism. Each area offers scope for consideration of life issues. We are grateful to the interns of last summer who contributed to these lessons, Lexi Jezierski and Cameron Grant. As always, we ask that you share with those colleagues that may be interested in these particular topics.

I would give a final reminder regarding the National March for Life to be held in our nation's capital on Thursday, May 8. If your school is within driving distance then this represents a wonderful opportunity for students to grow by participating in a great public manifestation in support of life and family.



Part 1 Lesson on Law

Expected Learning Outcomes

Through the discussions and activities that may ensue as part of this lesson students are expected to:

1. explain the meaning and function of law in Canadian society and explain why all societies need laws.
2. understand the nature of law, how it is subject to change, and explain the factors that influence the making of laws, and the process involved in the changing of laws.

Relations between human beings are subject to rules of behaviour. Some activities are considered permissible and legal and some activities are prohibited and declared to be illegal. But what determines the legality and illegality of those actions? Is it truth? Is it power? Is it convenience? Is it brute force? Is it wealth and status?

Law is not the same nor understood the same way everywhere. There are disagreements as to its definition, its origins, the manner or process by which it is created, or how it is enforced. Of course, law has a great impact on societies, both the individual and the collectivity. All matters in society, from its politics to its economic arrangements, from its education to taxation, from parental and family rights to cultural expression, are shaped by the law in place.

Common sense tells us that every society has to have a set of rules to live by, otherwise it would be every man and woman for themselves. We like to think that ours is a civilized society, one where people are subject to the rule of law and abide by those laws. But are the laws just? Are the laws fair? Do the laws protect everyone or only part of the population? Who makes the laws? How are laws enacted? How is law enforced?

It is certainly true that legal affairs have profoundly affected societies. Laws may have been passed by institutions like Parliament, or by an oligarchy, or by a dictator, or by a military ruler. How a law is passed and how it is enforced can tell us a great deal about the nature of a society. The kind of law passed may tell us even more about what a society cherishes, values, and considers essential and inviolable.

There are many views about law. Some feel that there are too many laws, governing too much of life, and restricting people's freedoms and potential. Others see law as a means to protect their property, their freedom, their rights, or even their privacy.

Legal issues make for great discussions and debate. Some of these legal issues are controversial, very sensitive and are relevant to people's everyday lives. The topic of law being addressed in this lesson plan is the legal code of Canada on the subject of abortion. Many Canadians accept the status quo while many others are trying to change the situation and are demanding laws to govern the practice of abortion or to ban it altogether because of the harm it does to the unborn, to the mothers, and to all who are caught up in the terrible slaughter.

This lesson plan is intended to encourage students to use critical-thinking, inquiry, and communication skills to develop informed opinions on legal issues. It is also hoped that the student will apply this new knowledge in a variety of ways and settings, including case analysis, legal research projects, mock trials, and debates.

Definition of Law

We want to have a proper definition of law. Consider this one found below, taken from the online google search. We are using the first definition, rather than the one pertaining to science.

Law a definition

https://www.google.ca/search?q=definition+of+%22law%22&oq=definition+of+%22law%22&aqs=chrome..69i57j0l5.8701j0j7&sourceid=chrome&spv=210&es_sm=122&ie=UTF-8

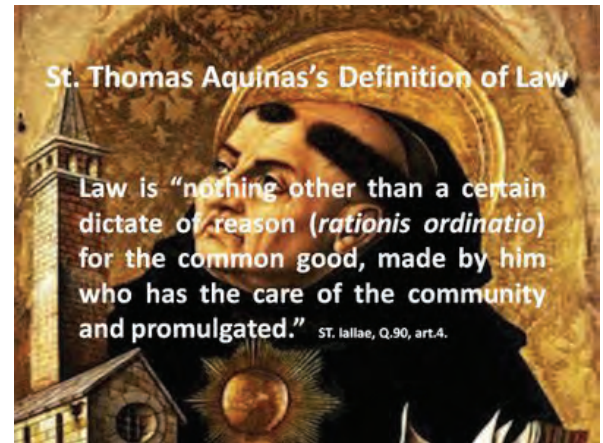
noun

1. the system of rules that a particular country or community recognizes as regulating the actions of its members and may enforce by the imposition of penalties.

“they were taken to court for **breaking the law**”

2. a statement of fact, deduced from observation, to the effect that a particular natural or scientific phenomenon always occurs if certain conditions are present.

“the second law of thermodynamics”



As a background preparation, review with the students the basic principles and ideas associated with Canadian law. If the students would profit from a fresh look at the concepts assign a reading of three articles:

1. Have students look up and provide several definitions of law. (<http://en.wikipedia.org/wiki/Law>)
2. Have students review the different types of laws that are to be found in Canada, e.g. criminal law, civil law, provincial law, municipal law, etc. (http://en.wikipedia.org/wiki/Law_of_Canada)
3. Have students review the process of law-making, that is how a situation in society may create a demand for a law or change in the existing law, and the steps that a bill goes through for it to become a law at the federal level in Canada. (<http://www.parl.gc.ca/About/Parliament/GuideToHoC/making-e.htm>)
4. What do they think about the definition provided above? Is it adequate?
5. Compare and contrast the definition of law from the google search with that of St. Thomas Aquinas.

Defying Common Sense: The Criminal Code and the Being-Born, Newly-Born and Unborn Child

(link: <http://bit.ly/17CPjtK>)

by Andre Schutten

In conversation with a friend, the topic of the legality of abortion came up. Although my friend has been a licensed practicing nurse for a few years, he was shocked to find out that in Canada an abortion can be legally procured throughout all three trimesters, up until the moment of birth.

In *R v Morgentaler*, [1988] 1 S.C.R. 30, the Supreme Court of Canada struck down a section of the *Criminal Code* that violated a woman's right to "life, liberty and security of the person" under the *Charter of Rights and Freedoms*. But, the court was clear that it was striking a specific section with a specific constitutional problem. The court was equally clear that Parliament has the jurisdiction to enact legislation in regard to the unborn.



Since *Morgentaler*, the Supreme Court has emphasized that the unborn has no “legal” rights - a recognition that Parliament has not passed legislation granting those rights.

In 1991, the Supreme Court heard an appeal of a case where two midwives were charged under ss. 203 and 204 (now ss. 220 and 221) of the *Criminal Code*, after a child they were attempting to deliver died while still in the birth canal. At trial, they were convicted of criminal negligence causing death of the child (s. 220) but were acquitted of criminal negligence causing bodily harm to the mother (s. 221). However, the Supreme Court determined that a child in the process of being born was not a “person” according to the definition in the *Criminal Code*. And they were correct. Section 223 of the *Code* states that “a **child becomes a human being** within the meaning of this Act when it has **completely proceeded, in a living state, from the body of its mother...**”

.....In 1996, Brenda Drummond, 28, was charged with attempted murder after she shot her nearly full term son with a pellet gun while he was still *in utero* (*R. v. Drummond*, [1996] O.J. No. 4597 (Ont.Ct.J.)). Jonathan was born 2 days later, was treated in intensive care and survived. Ms. Drummond was acquitted of attempting to murder baby Jonathan because, according to law, a baby is not a legal “person” worthy of legal protection until it is born and the crime of attempted murder on an unborn child is “an offence not known in law.” She couldn’t be found guilty of attempted murder, nor could she have been found guilty of murder had baby Jonathan died **before** he was born. But had baby Jonathan died **after** he was born, then s. 223(2) of the *Code* would have found Ms. Drummond guilty of homicide.

Confusing, yes? Let’s examine the relevant *Criminal Code* sections, bit by bit. Section 223(1) defines when a child becomes a human being. Current Canadian criminal law dictates that

a child becomes a human being within the meaning of this Act when it has completely proceeded, in a living state, from the body of its mother whether or not (a) it has breathed, (b) it has an independent circulation, or (c) the navel string is severed. (2) A person **commits homicide** when he causes injury to a **child before or during its birth** as a result of which the child dies **after** becoming a human being.

Aside from the fact that this legal definition is scientifically, logically, philosophically, morally, and medically incorrect and defies all common sense, it seems odd that someone can do something to a child *before it becomes a human being*. Isn’t a child a human being? Let’s consider a fact scenario:

Imagine a woman goes into labour, but her boyfriend doesn’t want to father the child. Just before the birthing process begins, he convinces his girlfriend to let him terminate the pregnancy. If the father wants to end the life of that fully viable baby without facing charges, then the child must die before it exits the birth canal. There are three potential results:

1. The boyfriend fails in his attempt to kill the baby, and the baby lives (probably with debilitating handicaps), but he faces no charges as he committed no crime against a human being (see the case discussed above);
2. The boyfriend succeeds in killing the child before it is fully out of the birth canal, and can’t be charged with murder because murder can only be committed against a human being, and our law says one is not human until the child completely exits the birthing canal. (more on this below);
3. The boyfriend fails in his attempt to kill the baby during the birth process, but the baby dies soon after birth. He is found guilty of homicide (and, according to s. 235 and 236, liable on conviction to life imprisonment).

If you’re even more flabbergasted now, you’re not the only one. I’m a little blown away too!

Let’s take a look at another section in the *Code*. Section 238.(1) states:

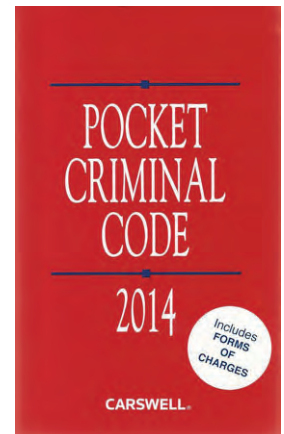
238.(1) - Every one who causes the death, in the act of birth, of any **child that has not become a human being**, in such a manner that, **if the child were a human being** he **would be guilty** of murder, is guilty of an indictable offence and liable to imprisonment for life.

In sum: “If you kill a child during its birth, it would be murder, but because we don’t define an unborn child as a human being, we can’t call it murder. So we are going to call this offence the ‘killing an unborn child in the act of birth’ offence and make it punishable up to imprisonment for life. But it’s not murder.”

The only saving grace of this section is that it does make it a crime to kill the child during the birth process. So, a partial birth abortion is a crime, right? Well, it depends. There’s another sub-section that follows:

238.(2) – This section does not apply to a person who, by means that, in good faith, he considers **necessary to preserve the life of the mother** of a child, **causes the death of that child**.

Under this exception, one could argue that where a partial-birth abortion is done to save the life of the mother, then that procedure is legal. But think about this one logically: with all of the medical advances over the last century, with the possibilities of Caesarean section deliveries, doesn’t it seem a little strange that a doctor would begin to deliver a baby, and then half-way through the delivery decides that the life of the mother was at risk and that the best way to preserve her life would be to immediately kill



the baby? Even with the baby dead, it still has to be delivered. That logic seems bizarre.

To summarize, having considered the above sections of the *Criminal Code*, the following is true about the current state of protection for the unborn, the being born, and the already born in Canada:

Abortion is permissible up until the moment the birthing process begins.

The killing of a child during the birthing procedure is, unless trying to save the life of the mother, a criminal act but is not termed murder or homicide.

It is impossible in Canadian law to be found guilty of attempted homicide where the attempt is made on an unborn child.

The moment an unborn child is completely outside of his or her mother, any attempt on its life constitutes homicide.

With this in mind, consider the case of Aysun Sesen, whose husband was charged in 2007 with the murder of his wife after repeatedly stabbing her in the abdomen for not having an abortion. She was seven months pregnant. Aysun was rushed to the hospital. Aysun Sesen's fetus still had a heartbeat on the way into the operating room. Doctors working on Sesen performed an emergency caesarean section, but the fetus was stillborn. The fetus apparently succumbed to a lack of blood. The baby's mother died soon after. Because the baby had died only moments before being delivered, Aysun's husband was charged only with one count of homicide. There will be no charge against him whatsoever in regard to the baby.

Compare Aysun's child with the child of Bernice Daniels. She also was stabbed in the abdomen, resulting in the premature birth of her child who lived for 19 minutes before dying from injuries suffered during the attack. Her attacker was eventually convicted of the child's manslaughter. As medical ethicist Margaret Somerville says, "It's pretty bizarre that as long as you make sure the baby is dead in utero there's absolutely no criminal charge, but if you deliver the baby alive [and it dies soon after] then it's murder."

With all of this being said, I have to wonder, why does political rhetoric ban discussion from Parliament on the topic of abortion? Why does the leader of the governing party continue to vow not to open the abortion debate? And why do the three opposition party leaders continue to accuse the governing party of attempting to do so as if such a debate were immoral?

It seems to me that to not discuss this ridiculous reality is itself immoral.



Margaret Somerville

Questions for analysis and discussion

1. Who is Andre Schutten? What organization is he connected with?
2. What is the current situation in Canada with respect to the legality of abortion?
3. How did the Morgentaler decision of 1988 affect the situation regarding abortion laws?
4. What was the significance of the court's ruling concerning the charged two midwives in 1991?
5. Why was Brenda Drummond acquitted of killing her son?
6. According to Schutten what is bizarre and incorrect about the definition of a human being in section 223 (1) of the Criminal Code of Canada?
7. Given the Drummond case and the Sesen case is the abortion situation in Canada in the realm of the absurd?
8. What should be done about the situation?
9. Will any law do or must the law be just and comprehensive, including all human life, born and pre-born?
10. What factors stand in the way of just laws being enacted in Canada concerning abortion?
11. Compare and contrast the approaches of the We Need a Law group versus that of Campaign Life Coalition and Alliance Canada.
12. What is meant by an incremental approach vis à vis abortion legislation?

The following articles and websites provide good information on the topic.

CCBR: <http://www.unmaskingchoice.ca/training/classroom/history>

CCBR: <http://www.unmaskingchoice.ca/training/classroom/legal>

We Need a Law: <http://weneedalaw.ca/index.php/resources/international-law>

Macleans: <http://bit.ly/1241F6j>

CLC National News, July 2012 <http://www.campaignlifecoalition.com/shared/media/monthlynewsletter/198/newsletter.pdf>

Part 2 Lesson on Media Arts

The following sample is an activity that can be adapted for Grade 11 and 12 Mixed Media Arts or Communications Technology courses. Students are required to watch the select commercials of Non-Profit Organizations and assess their effectiveness. Students then will engage in the creative process of making their own commercials for a pro-life organization or charity.

Connection to provincial curricula, using the Ontario curriculum as an example.

- Apply the creative process to create media art works, individually and/or collaboratively.
- Using traditional and emerging technologies, tools, and techniques, students will produce and present media art works for a variety of audiences and purposes.
- Demonstrate understanding of the critical analysis process by using it to monitor the creative process, and by examining, interpreting, assessing, and reflecting on media art works.

Instructions

Have the students watch selected commercials produced by/for Non-Profit Organizations (can be done as a class, or individually). Then students to answer the questions to guide them in their viewing. The questions can be used as discussion questions in class or assigned as individual work. Students should read the questions before watching the videos.

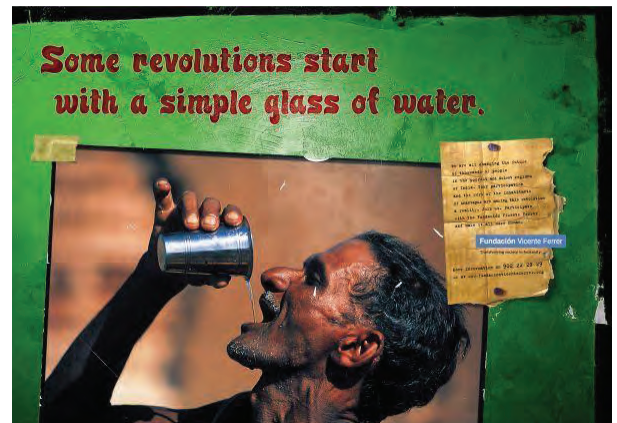
Videos

http://www.youtube.com/watch?v=xxxYM4tl_fc Canadian Cancer Society

<http://www.youtube.com/watch?v=XYUSnWosgk&list=PL6B908A6FD8E0C714&index=29> Make a Wish Foundation

<http://www.youtube.com/watch?v=IsFjL53Sj3g> Habitat for Humanity

<http://www.youtube.com/watch?v=Qo6QNU8kHxI> Heart and Stroke Foundation



Questions for discussion

1. Which video was the most captivating or interesting? Which was the least? Why?
2. Pay attention to the music in each video. Consider the beat/rhythm of the music and how it affects your mood while you watch the video. Does the music draw you into the message of the video or distract you from it?
3. Pay attention to the narration of the videos. Contrast the videos that have spoken narration and the videos with only texts. In which videos was the message clearer? In either of the videos how did the narration draw you into the video? Did the narration ever distract you? Did the narration effectively support the visual message being portrayed?
4. Consider the relative length of the videos. Were the longer videos more effective or lesser effective than the shorter videos? Are there any videos that could have gotten the point across in less time? Were there any videos that could have benefited from being slightly longer? Did any of the videos seem longer or shorter than they actually were? Why is that?
5. If the purpose of these videos is to raise awareness as well as motivate you to get involved and or donate, are these videos successful in doing so? Are there any videos that are not?



After the preceding activity and questions students should have a general understanding of some important factors to consider when making commercials for non-profit organizations. Have your students make a commercial for a pro-life organization, or charity. The video should raise awareness about the organization or a specific issue the organization deals with. The commercials must include the organization's local contact information as well as how to get involved with, or support, the organization. Students will need to do research on the organizations to fully understand the organization's mission. Videos should be 30 seconds to 1 minute in length.

Some organizations to consider are:

Aid to Women- <http://www.aidtowomen.ca/>

Birth Right International- <http://www.birthright.org/en/>

Campaign Life Coalition (Youth)- <http://www.campaignlifecoalition.com/>
 Canadian Center for Bio-ethical Reform- <http://www.unmaskingchoice.ca/>
 Right to Life- <http://www.righttolife.to/>

Part 3 Journalism and the News

The following column by Joe Campbell, a veteran journalist and writer, appeared in the April, 2014 edition of *The Interim* newspaper. It can serve as a wonderful piece for discussing the nature of media today or the use of gentle satire through the commentary of a professional writer on the state of journalism and what passes for “news”. It may fit in a media study program or an English course at the grade 10 or 11 level.

The ‘news’

I used to think that I recognized what news is. After all, I spent most of my working life in the news business. I don’t mean to say that I could define news. I wasn’t sure that I could. But like the jurist who wasn’t sure that he could define obscenity, I knew it when I saw it.

Now, however, I seem to be losing my eye for news. Increasingly, I fail to recognize it in the reports the media offer.

I always assumed, for example, that news is, you know, new. Apparently it doesn’t have to be. Recently, the media reported that if we drink moderately, or modestly, we tend to be healthier than if we drink excessively or abstain. I’ve lost track of the number of times they’ve told me that. I didn’t realize it was still news. I thought it was history, or advertising.

I also assumed that news focuses on the unexpected or the unusual. I never dreamt that it might focus on the obvious. So you can imagine my surprise when the media told me that a reporter who got shot covering an insurrection was glad to be alive.

If I had been assigned to the story, I would have missed it. I was so journalistically naïve I thought everyone who escaped death was glad to be alive. But I would have considered it newsworthy if the reporter was sad to be alive or, had his injuries proved fatal, glad to be dead.

It shows you how far out of touch I am with current journalistic theory and practice. I’d consider going back to journalism school to update my qualifications, but since I didn’t go in the first place I can’t very well return. I learned my trade slaving in a newsroom that no longer exists.

Maybe I could take a few refresher courses somewhere. If so, I’d ask the instructor whether only the good die violently. I’m curious, because media interviews about death by murder, accident, or armed combat increasingly reveal that the victims were paragons of virtue. You’d think that at least a few scoundrels would suffer similar fates, but apparently not.

If I were still chasing news, I’d omit the eulogies unless I could get a second opinion. The real story, in my judgment, is the consistent and uncontested virtue, which is extraordinary, not the violent deaths, which are quite common. But that just shows how far behind the times I am.

As you can see, it’s not only my eye for news that’s out of focus. My nose for news has lost the scent. I’d never be able sniff out the emotional angles of stories the way reporters do today. When something bad happens, they know instinctively the kind of questions to ask: How did you feel after the car crashed into your house? Can you describe your feelings when you found the snake in your mailbox? What does it feel like to be the father of a serial killer? Do you feel sorry for the teenager who stole your truck?



It's a good thing I no longer have to make a living in news. My editors trained me to uncover facts, not feelings. I especially wouldn't make it in TV news. In seeking interviews, TV reporters are strikingly adept at finding subjects who cry on camera when they're sad. A few cry on camera when they're happy. I wonder if the reporters carry some kind of tear gas.

When they can't find anyone else, TV reporters are content to interview each other. The ones who are interviewed don't just provide information. They also give opinions. I couldn't do that. My editors trained me to report the truth, not comment on it. They said it had something to do being objective. Whether sad or happy, at least the reporters who are interviewed don't cry.

But they laugh, which is understandable, because when reporters get together they like to joke around. That's the way it was when I was in TV news. The only difference is we didn't do it on camera. Our editors trained us to inform the viewers, not entertain them. It had something to do with being professional. I wonder if the telecasters carry some kind of laughing gas.

It's not just the media that have changed since I was in the news business. We who read, watch and listen to what they report have also changed. In my day, they tried to cover things we considered important. Nowadays, many of us don't consider anything important unless they cover it.

Questions for class discussion and analysis

1. What is it that Campbell laments in the first two paragraphs of his column?
2. How does he grab your attention?
3. How would *you* define the "news"? Is it a debatable definition?
4. What might account for the approach taken by modern reporters/journalists/commentators?
5. Why does Campbell suggest that reporters perhaps are carrying tear gas and laughing gas?
6. Campbell suggest that perhaps he is *far behind the times*, why?
7. How would you characterize the intent of Joe Campbell in writing this column?
8. How does Campbell use repetition to make a point?
9. How does Campbell contrast the old and new ways of collecting and reporting on the "news"?
10. Do you find the column humorous? Why or why not?
11. Select 5 examples of satire used in the column, and comment on their effectiveness.
12. What are the main criticism of modern news reporting in Campbell's view?
13. What factors have influenced the new approach?
14. What does Campbell mean when he says that: *We who read, watch and listen to what they report have also changed*?
15. Are ratings wars at the heart of the "news programs"?
16. Would *you* consider a career in journalism today? Why or why not?

