

What's big and sandy and glows in the dark? ...

the Gateway

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... Iran after Ronald Reagan's elected.

Former NDP leader speaks MP knocks leaders

by Mike Walker

Canadians can't trust Prime Minister Trudeau and the provincial premiers to come up with a new constitution, according to former national New Democratic Party (NDP) leader David Lewis.

Lewis, speaking at the U of A Monday, said each of the 11 leaders are "necessarily influenced by the political environment at home."

"Even if the eleven men were the brightest in the world," Lewis said, "it is a little frightening that 11 men sit there and decide the future of our country."

"Undoubtedly, they make an

earnest effort to think in terms (of the future of the country), but they can't."

Lewis said he would prefer a constituent assembly to write the new constitution, but this is impossible because the federal and provincial governments would not hand over their powers to this assembly.

"You'd have to convince the provinces to hand that power over," he said. "Like hell they're going to give it to you."

But Lewis didn't just knock the premiers. Pierre Trudeau is "perhaps the most condemnable of all," he said. "He wanted to get his way."

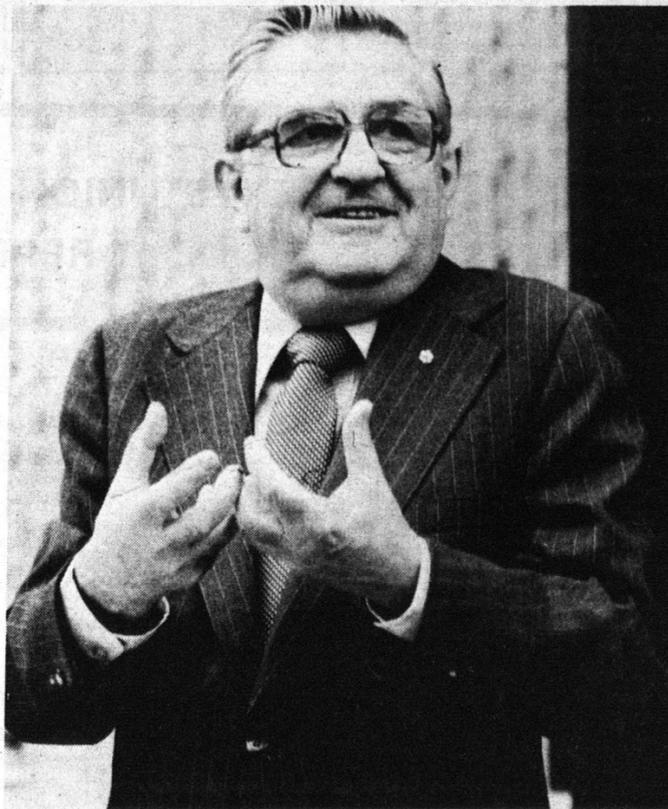
Lewis said he is displeased that the federal government patriated the constitution unilaterally, but added that after 53 years of attempts to get agreement among 11 governments on patriation, it might be thought justified.

"It (unilateral action) obviously is divisive. It obviously creates trouble," he said. "But perhaps it was unavoidable."

Once the federal government took unilateral action, though, Lewis said rather than continue to concentrate on that action, the parties and provinces that oppose the action should have accepted it and worked for their goals in the context of the federal government's position.

"Once it came, I have more respect for (federal NDP leader Ed) Broadbent and (Saskatchewan premier Allan) Blakeney trying to improve it than for the Conservatives and the Conservative premiers who just say, 'We're opposed,'" said Lewis.

"There was no service to the country in saying, 'I am opposed. This will destroy the country,'" he added. He predicted those taking this line will look foolish when the next election comes and the country is still intact.



David Lewis speaking on campus Monday.

Lewis is not convinced the constitution is as important to the country as is generally assumed. "You argue like hell" when the constitution is being drafted,

he said. "But you live with it for five or ten years, then think it was always like that."

"Good actors with bad institutions can make them work."

Student withholds fees, goes to court

MONTREAL (CUP)Universite e Montreal student Guy Heroux may spend the next two semesters in court.

Heroux faces a maximum of 20 years in prison for collecting \$70,000 payment in cheques from residence students to protest a fee hike. The students gave Heroux a mandate to withhold the cheques.

In addition, the prosecuting attorney in Heroux's preliminary hearing is pressing for a charge of theft of \$600 in cash and in services property.

According to testimony given by the Director of Residences, Gilles Morrisset, \$600 was taken from an unlocked cash box in his office during a one month occupation of the residence administration offices by 40 students last spring.

As well, during the 26 day protest against increases in residence fees, Morrisset charged, \$380 worth of photocopies were made on the offices' xerox machine.

Sources say Morrisset was contacted by U de M student representatives shortly after the

occupation ended April 2, to establish a mechanism to return the missing money. According to the same sources, Morrisset never responded to the offer.

The defense said there was no basis to accuse Heroux of the theft because there were several hundred persons who had access to the room containing the cash box during the occupation.

Crown prosecutor Raymond Proulx argued that as a spokesperson for the group occupying the offices, Heroux was "prima facie responsible for everything that happened on the premises."

"It was Heroux who carried out the mandate of the general assembly (of residence students) to occupy the offices. Had he not done so he would not (be accused) here," said Proulx at the October 24 hearing.

"I fail to understand that in 1980 (a university administration) waits 26 or 27 days to dislodge a group of students from its offices when that occupation is disrupting the renting policy. We live in a disturbed society," he said.

Homegrown laws out

by Peter Michalshyn

The University could be acting unconstitutionally if it tries to enforce certain parts of the Code of Student Behavior, according to U of A professor Tim Christian.

The subsections concerning assault, vandalism, and theft duplicate federal criminal law jurisdiction, Christian said at yesterday's General Faculties Council (GFC) executive meeting.

"The University has no authority to enforce those sections of the criminal code," he said.

As a provincial-statute created corporation, the U of A can do nothing the province itself cannot do, including enforcing criminal laws, Christian said.

But under the Student Code, "You're essentially charging a person with a criminal offense," he said.

He also questioned whether the traditional rights of defendant and complainant in criminal proceeding were protected by the University's Disciplinary Panel, the body that hears student cases. "It borders on irresponsibility

to leave this in the hands of a review committee," he said.

"I understand the present procedures are to protect students from the harshness of criminal laws," Christian said.

"But under the guise of trying to protect students, in effect the U of A has created a double standard," he said, complainants have no redress.

Christian suggested the University remove or redraft sections of the Student Code that conflict with the criminal laws.

"I'm not saying the University shouldn't have rules of conduct, but the present rules go too far," he said.

Professor J.C. Russell, a GFC executive member, said he was a "little perturbed that in the past the University has not used normal legal procedures" when dealing with lawbreakers.

But U of A vice president academic George Baldwin also questioned Christian's reasoning as to why the code existed as it does.

He said "reactionaries" at the U of A in the early 1970's wanted criminal law written into the code because it was so hard to enforce.

Tim Christian was Student Council president in 1970/71.

University President Myer Horowitz expressed surprise at Baldwin's remark.

"Reactionaries at the U of A?" he asked incredulously.

Amount of theft unknown

Disk bandits hit SU Records

The SU Records store in HUB Mall was robbed over the weekend when thieves made off with a stereo and an undeter-

mined number of records.

Record store staff noticed the robbery Monday morning.

Record store manager

Florence Roberts said Monday she is not sure how many records were stolen. The store's staff started a complete inventory count Monday

night.

Roberts suspects the thieves broke into the store through the outside mall windows from the roof of the overpass between HUB and Humanities.

The screens were cut and the windows, which don't have locks were forced open.

Roberts suspects the robbers escaped through the back stairwell which opens from the inside. A piece of cord from the stereo was found on the stairs there.

The store has an alarm system, but it is only connected to the front door. Roberts is kicking herself for neglecting to install an alarm on the back door, she said.

The stereo is worth about \$1,000, Roberts said.

The robbery occurred between the time the janitor left Saturday night and opening Monday morning.

Campus security was called Monday but turned the case over to City Police.

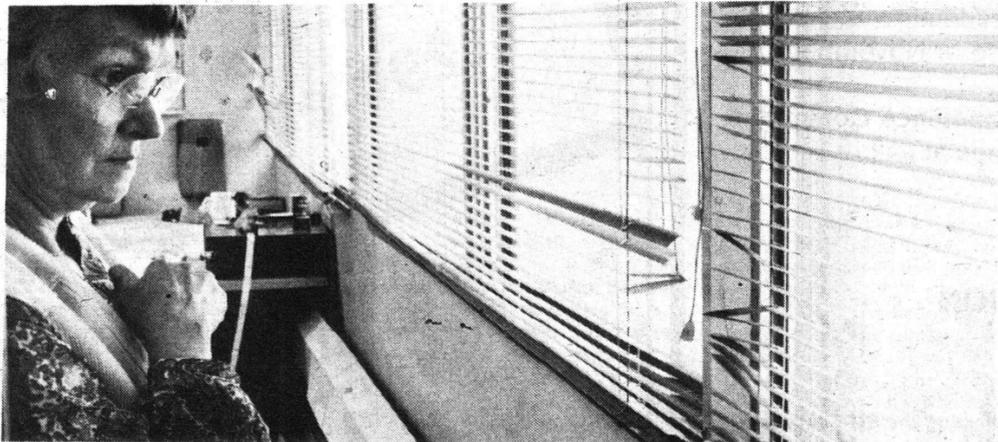


photo Bill Ingles

Oh my goodness!

Imagine those dirty sneaks breaking into our record store!



Hey Bozo! Turn to page five.