

Cynic-at-large

By NANCY KEMPTON
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Remember the little choo-choo train that chugged out the words "I think I can, I think I can?" This character from children's fiction will never see its counterpart in reality within the Fredericton public transportation system. Instead, the buses and taxis are choking out the obvious line "I know I can't, I know I can't." I, for one, wish they could for no other reason than the preservation of my sanity (what little of it remains).

The city bus company may have to develop a special new route that transports its regular customers to a final stop at the insane asylum. For a regular customer will not only find his coin supply dwindling, but his nerves as well.

At least by the time the drop-off was made at the mental institution, the irate passenger would have developed close friendships with those who will accompany him to an eventual recovery. By the time the bus finally arrives, those waiting together feel like lifelong buddies. Love affairs are initiated and often followed through to their entirety. I have witnessed *War and Peace* lent out and returned, fully read by the borrower during the same wait. Cigarette butts pile up at the feet of smokers threatening to overshadow the snowbanks. And little trenches are burrowed deeper into the sidewalk as people jump madly up and down to keep from developing a terminal case of frostbite. I often speculate that if God had made Fredericton buses first, he could have created the rest of the world and taken an extended vacation while waiting for his premiere creation to arrive.

I propose that we are coerced into waiting for so long for the bus that when it finally arrives we will be so overjoyed to see it we will not notice the farcical nature of the trip. Compare this to starving people who will eat anything they can and find the taste delectable. However, any delusions of this nature are soon overcome.

I believe buses are insatiably drawn to puddles as they inevitably open their doors directly in front of the nearest slush pool. You watch the water seep into your new leather boots or 10 year old adidas, both priceless, as you wait for people to disembark through the front door over which is located the sign "Exit at rear."

In all your frustration you invariably drop your change on the floor before it reaches that glass contraption youngsters love to deceive with various amounts of pennies. Thrown into your seat by gravitational forces as the bus lurches on its way, you may then gaze out the windows at the passing scenery scraping along the bus walls, and watch the road disappear for brief interludes as the bus takes various shortcuts over the curbs.

Having reached your destination at last, you collapse in exhaustion from the gruelling journey past and vow to make better use of Fredericton's efficient, speedy courteous taxi service. Missing persons report: student left bus at 12 noon, last seen phoning taxi for return tip at 1 p.m. At 10 p.m. taxi company reaffirms that car is on its way. At 11 p.m. unable to locate student but believed to be contemplating murder of despatcher. Despatcher obviously contemplating his naval. If found, send student immediately to hospital, special ward for public transport victims.

Berger addresses law students

A new Canadian constitution must guarantee protection for minorities and dissenters British Columbia Supreme Court Justice Thomas R. Berger told UNB law students at the fifth annual Viscount Bennett lecture held Tuesday night. "A new constitution must provide not only for federal institutions which reflect the duality of Canada and which distribute revenue and resources equitably between the federal government and the provinces, but also for guarantees to protect minorities and dissenters," Mr. Justice Berger said.

Berger cited several instances in our history - the Manitoba school crisis of the 1890's when French Canadians "were denied the right to separate schools", the internment of Japanese-Canadians during the Second World War, the internment of thousands of Quebecers in the 1970s as examples of the struggles of minorities and dissenters in Canada. "They throw into belief the true extent of our capacity for tolerance, our belief in diversity," Berger said.

"I believe that our belief in diversity and the right of dissent should be enshrined in a charter of rights and freedoms. There must be guarantees for human rights and fundamental freedoms. The fundamental freedoms of the individual must be guaranteed."

Berger said native rights too need to be protected in a

new Canadian constitution. There should be no federal power to take away these rights he said. "The constitution should acknowledge that the Indians, the Inuit and the Metis are entitled to a distinct and contemporary place in the life of Canada. These rights must be placed beyond the reach of the federal and provincial governments," Berger continued. "Finally, there must be no provision for the invoking of the War Measures Act to take away such rights; the federal power should not go that far."

Mr. Justice Berger said language rights should also be entrenched in a new charter of rights. Minorities should not have to depend on the goodwill of the provinces he said. "Neither should these minorities be obliged to call for the federal government to intervene." In Canada, Berger said, "there should be a right to an education in English or in French, in any province or territory."

Berger reviewed the struggle of the native peoples of Canada to have their land claims settled. In the early 1970s he said the government of Canada "explicitly refused to recognize aboriginal titles." Prime Minister Trudeau had said in 1969 that "our answer to aboriginal claims is no. We can't recognize aboriginal rights because no society can be built on historical might have been." Today because

native peoples have won court battles and pressed their claim to self determination, they have a right to be served by the institutions which serve all Canadians, Berger said.

A new Canadian charter of rights must limit the power of the federal government Berger said. "The power to round up minorities and dissenters on the ground that they espouse different political or religious beliefs, or that their race or their language is different from that of the majority, without evidence of breaches of the Criminal Code must be denied to those who govern us. Sedition and subversion are one thing; diversity and dissent quite another; and a charter of rights should make the difference plain," Berger said.

Berger suggested there might be a problem in entrenching the rights of minorities because it will diminish the power of parliament and the provinces and enhance the powers of the courts. "If we are going to entrench the rights of minorities and dissenters, if there are to be limits on the powers of both parliament and the provinces, the judges will have the last word as to where those limits are to be found," Berger said. However, he concluded that minority rights should be entrenched because "these rights ought not to be subject to the will of the majority."

Chretien announces program

OTTAWA - Justice Minister Jean Chretien has announced that his Department will offer the Civil Law/Common Law Exchange Program to students of Canadian law schools, for the ninth consecutive year.

Under the program for the summer of 1981, thirty civil law students will attend an introductory session in common law from May 25 to July 10 at Dalhousie University. A similar number of common law students will study civil law in an introductory programme to be hosted at the same time by

the University of Sherbrooke. At the end of the introductory sessions, all participants will attend a joint session in Comparative Law which will be held from July 13 to 31 at Dalhousie University.

This program established in the summer of 1973, affords Canadian law students an opportunity to acquire an understanding of the other Canadian legal system and to improve their skill in the other official languages. In addition, the social and cultural activities related to the program

provide students with opportunities to meet members of the Bar and representatives of other local community groups.

To qualify for the Exchange Program a student must be enrolled in an undergraduate program in a Canadian law school and have good skills in reading and understanding the other official language, as well as a good academic record.

Candidates for the Exchange Program should submit applications to the deans of their law schools before Feb. 2, 1981.

Ratcliff: the battle continues

By LYNN REICKER

Kevin Ratcliff's battle is not over yet. Ratcliff who was evicted from residence last September is still pursuing a means of reciprocal action. He has met with his lawyer a number of times recently to discuss the costs of court action against the university administration. If they go ahead, the resulting court hearing would likely be in March.

Ratcliff discussed the possibility of moving back into residence next fall. He said he would like to apply to see what

response he would receive. He realized however, that he would not likely be "welcomed back" by the administration.

Sewell to lecture

John Sewell, professor of political science at York university and formerly mayor of Toronto, will lecture on minorities in Canada

Thursday, Feb. 5 at St. Thomas University. The lecture will take place at noon in Edmund Casey Auditorium.