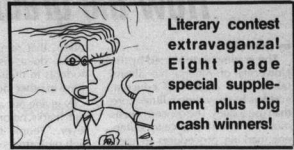


The Gateway



Randy hopes his bubble won't burst before his fun is over — a little joy goes a long way. Photo Bruce Gardave

Court case delayed

by Ken Bosman

The court battle between the Students' Union and the U of A over the \$30 per student library and computer fee imposed by the University went to court Wednesday, only to be delayed until May 31st.

The University was granted the delay to examine and challenge the relevance of an affidavit submitted by incoming SU President Paul LaGrange.

"I feel kind of ticked off" said outgoing SU President Tim Boston, who will leave office April 30th. "Maybe the whole idea is to postpone this thing indefinitely until some future executive says to hell with it, it's not worth the money anymore."

The SU has based its court challenge against the Library and Computer fee upon provincial government policy. Last year advanced education limited Alberta universities to a 10 percent tuition hike. The U of A imposed the mandatory library and computer fee in addition to the full 10 percent increase. The Students' Union contends that this renders the fee illegal.

Peter Meekison, U of A VP

Academic, denies Boston's contention that the University is delaying the process. "We only received the last SU affidavit on Thursday," said Meekison. "I don't think we're the ones stringing things out."

LaGrange says the delay is "simply the way the legal system works," but also feels the University was out of line challenging his affidavit saying that "the affidavit is simply facts about how universities in Ontario have traditionally decided what is tuition and what isn't."

Advanced Education minister David Russell says that his office has no policy on the court case. "So far, we've stood back and haven't intervened. The Universities are autonomous," said Russell.

A ruling by Advanced Education that the Library and Computer fee is tax deductible is part of the SU's court case however.

Russell also says that his ministry would limit the Universities if non-tuition fees radically expand. "If the Boards of Governors abuse their powers we will step in the same way we did with tuition."

Meekison would not comment on the specifics of the case saying "the matter is before the courts."

Meech Lake "authoritarian"

by Stephen Phillips

The Meech Lake accord is the product of one of the most authoritarian constitution-making processes ever undertaken — one that would be expected of a dictatorship," said Halyna Freeland, NDP candidate for the federal riding of Edmonton Strathcona.

Speaking at a meeting of campus New Democrats in SUB March 31, Freeland, a practising lawyer, criticized both the substance of the accord and the procedure by which

it was reached.

Because of the fundamental importance of a country's constitution, amendments should not be made without broad public input, said Freeland. Yet the Meech Lake accord was drafted, she said, "by eleven white middle class men behind closed doors. Consequently, the accord shows a lack of sensitivity to the needs of minority groups." She added that even the federal and provincial opposition parties were excluded from the process.

In terms of the substantive content of the accord, Freeland observed that many of its provisions appear to have been hastily "tacked on" without due regard to their possible consequences. She warned that the imprecision of a number of provisions may produce unexpected results. "The courts will be very picky in their interpretation of the accord," she said. As an example, she noted that the courts have held that the Charter of Rights does not protect collective bargaining because it is not an expressly protected right.

Freeland was also critical of the procedure proposed under the accord for the appointment of judges to the Supreme Court of Canada. Under the accord, the federal government may only appoint judges who have been nominated by the provinces. Freeland suggested that this could produce a deadlock if the federal government finds all of the provincial nominees to be unacceptable.

A more serious objection, she said, "is that the accord does nothing to democratize the process of appointing Supreme Court judges. Yet the need for a more representative judiciary is more important today than ever before because of the greater substantive powers that judges now possess under the Charter."

Freeland also expressed concern that the accord may override important Charter rights. "The accord states that it is subject to the abor-

iginal and multicultural rights provisions of the Charter. This suggests that other rights, such as equality rights for women, may be abridged by the accord because they are not expressly said to take precedence," she said.

A further concern addressed by Freeland is that the quality of future federal-provincial shared-cost programmes may be jeopardized by the accord. Under the accord, provinces are entitled to opt out of such programmes and to receive full federal funding if they establish comparable programmes that are "compatible with national objectives." Freeland noted that this could contribute to "the increasing disparity of programmes and services across Canada."

In closing, Freeland said that ratification of the Meech Lake accord is no longer as certain as it once appeared. Under the Constitution Act of 1982, the accord must be approved by Parliament and all ten of the provincial legislatures. So far, the House of Commons has given its approval, but the Senate is still holding hearings and may move to amend the accord.

"If that happens, the accord would return to the Commons," Freeland said.

Meanwhile, only three provincial legislatures have approved the accord; of the remaining seven, Manitoba and New Brunswick are already expressing reservations.

"This presents a unique opportunity for political intervention to change the accord," Freeland said. She suggested that individuals and groups write to Senators and MPs to make their views known.

During the question period that followed her address, Freeland expressed her personal view that the

Federal NDP caucus made a mistake in supporting the accord. "The NDP should reconsider its position on Meech Lake," she said.

CONTENTS GRADES

The grading system at the U of A comes under fire again P2

CBC Conservative MP asks, did the CBC have a right to even apply for an all-news network P3

CONDOMS Start worrying if you've ever used a condom from a dispenser in Red Deer College P3

THEATRE *The Road to Mecca* is a play ultimately rewarding far those with patience P9

FEATURE Robotics research on campus strapped for funding PP 10-11

MUSIC Talking Heads new album *Naked*: side one is classic, side two is merely very good P13



HUB to become newer and more profitable File Photo

HUB evictions near

by Jeff Cowley

HUB Mall management has made no move to address petitions urging them to reconsider the "eviction" of four HUB stores, said Anne Belik, operations manager of the mall.

Shopkeepers will have to approach HUB administration with the petitions before management considers dealing with the situation, said Belik.

Storefronts of Living Earth Foods and Varsity Drugs are literally wallpapered with written protests; as of Tuesday, at least 7500 signatures had been collected, according to store owners.

"We are very surprised with the way things are going," said Bill Hall from Living Earth.

A nine year HUB mall tenant, Hall has been told to pack up his store and vacate the premises by April 30. Owners of Varsity Drugs,

HUB Burgers and the Clothing and Stock Exchange have been served with similar notices.

Started by a philosophy student a week ago, the stack of petitions taped to his storefront are "a way of students showing their dismay," said Hall. "This an indication from students and staff that they are concerned about the future of the mall."

However, as of Tuesday, no one from HUB administration had been down to investigate the situation, said shop owners.

"All the merchants are being kept in the dark wondering what they (management) are doing," said

SHOVED P3

There is no one older than a young conservative

Pierre Trudeau