

Student challenges Admin's parking fines

By STEVE HOWARD

The UBC administration has no right to collect parking fines or towing charges, law student Ian Tod said Monday.

Tod, law 2, said the Universities Act allows the board of governors to regulate traffic on campus but not to levy fines. The act gives the board the power to move cars which are impeding traffic but not cars parked beside yellow curbs or in the wrong parking lot.

Tod is building a moot court case based on his interpretation of the act and is seeking the support of the Alma Mater Society. If the case succeeds the administration would have to return all fines and towing charges ever collected, he said.

Tod's Toyota was towed away Nov. 17 from beside a yellow curb. He said he paid a \$17 towing charge

the next day, after he calmed down.

He said he wanted to charge the administration with theft, but decided not to because if he lost the judge would likely have ordered him to pay the cost of the administration's lawyers.

"The Alma Mater Society is definitely interested in it," student board member Moe Sihota said. "If preliminary indications show a good chance we'll be able to stop

the administration from towing cars and fining people I'm sure the AMS will wholeheartedly support any type of legal action that's necessary," Sihota said.

And Sihota said he will bring the matter of the increase in the number of towaways on campus this year to the board property committee. Sihota said it has always been assumed that the board has the right to tow cars and levy fines.

UBC traffic and parking superintendent Dave Hannah has said 860 cars were towed away from Aug. 1, 1976 to Jan. 1, 1977, up from 142 the previous year. Cars are towed after the third parking violation and owners must pay a \$17 towing charge plus accumulated fines of \$5 each.

Tod said he could not find a recorded legal case about the board's right to tow cars or to fine

their owners. But Tod added not all cases are recorded.

Tod said he was advised by David Mossop of the Vancouver Community Legal Aid Association that the best challenge would be to the parking fines at UBC, rather than to the right to tow cars and charge for towing.

"It's clear that unless there's statutory authority (from the Universities Act) the university can't levy fines," Tod said. "The university is in no different position than any landowner."

The administration does not get the authority from the act to levy fines and there is no other authority, Tod said. For the administration to fine a car owner at UBC is the same as fining someone

THE UBYSSSEY

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228-2301

See page 2: FINE

AUCE mulls strike vote

UBC's 1,200 library and clerical workers will decide at a meeting April 14 whether to hold a strike vote, union vice-president Pat Gibson said Monday.

Members of the Association of University and College Employees, local 1, will meet in their 10 division groups this week to formulate opinions for the meeting, Gibson said.

And AUCE spokeswoman Fairleigh Funston said union strike action would have the greatest effect during exams.

The strike vote proposal comes in the wake of an administration offer of wage increases of \$42 and \$32 a month in a two-year contract, which AUCE spokesman Jeff Hoskins said would lower most members' wages by \$8 a month.

Hoskins said Thursday's offer is the first mention the administration has made of the possibility of a two-year, rather than a one-year contract. He said the administration wants a two-year contract because it thinks federal wage and price controls will be discontinued soon.

AUCE has been without a contract since Sept. 30. Contract talks are continuing with provincial mediator Jock Waterston after the union called for mediation in November.

The union wants a minimum increase of \$223 a month across the board to achieve parity with UBC's food service and physical plant workers. AUCE claims its members are discriminated against by the administration because more than 90 per cent of its members are female.

The administration's offer of a \$42 increase is less than the offer it made in October of a six per cent increase in total benefits, Hoskins said. The administration does not want to offer any increased benefits other than wages, he said.

A wage increase of \$42 a month is an increase of 5.8 per cent for the lowest paid AUCE members, who currently earn \$728 a month. The wage increase of \$32 a month in the second year of the contract offer

would increase the base rate by 4.16 per cent.

The highest paid union members would receive pay increases of 3.05 per cent in the first year and 2.26 per cent in the second year.

Hoskins said a \$42 wage increase across the board would actually decrease most wages by \$8 a month because members' wages were decreased \$50 a month by the Anti-Inflation Board.

In December the AIB rolled back the wage increase gained in last year's contract to 15 per cent from 19 per cent and ruled that AUCE members must pay back the excess four per cent.

Hoskins said the rollback accounts for \$32 a month in reduced wages and the average wage payback is \$18 a month over a maximum payback period of two years.

In December 1975, the UBC local of AUCE held a strike to protest administration tactics in last year's contract talks.

Funston said AUCE will inform the public about reasons for striking if the union does decide to walk out. She said the union will talk to students and leaflet them if strike action is taken.

"We definitely plan to forewarn people," she said.

Hoskins said the administration has withdrawn a proposal that one week be the maximum time in which to initiate a grievance. The union claimed such a time limit would eliminate the possibility of many grievances. It also claimed the administration is trying to destroy the grievance procedure.

But Hoskins said the administration is trying to impose other grievance time limits which would protract grievance procedures.



—matt king photo

LEGAL BEAGLES play Evel Knievel in law students association tricycle race Friday in front of law building. Alberta team seen here lost to law fraternity team after frat rats entered stay of proceedings on their trike.

'War the next step in South Africa'

By RALPH MAURER

War is the only solution left for the South African crisis, two South African speakers said Friday.

Kate Molale, an African National Congress worker, and Mpho Thoabala, a 16-year-old Soweto student arrested after last year's riots there, said 65 years of negotiation has failed and armed struggle is inevitable.

The failure of negotiations and atrocities such as the Soweto riots have not broken South African blacks' determination to gain equality, Thoabala said.

But the record has taught them that "we cannot fight the regime with sticks and stones," she said.

"We are determined to fight for our people. The only way is through our liberation movement. . . The only alternative (to negotiations) is for us black people to have an armed struggle."

Molale said Canada's relations with South Africa reinforces the current regime, and Canadians should help the liberation movement by boycotting South African goods.

She said Canadians should urge Ottawa to break relations with South Africa.

"The Canadian government continues to condemn apartheid in the United Nations and has said apartheid is a crime against humanity. The UN has called for an embargo against South Africa but Canada is one of the countries which has not done so," Molale said.

"We see Canadian banks operate in South Africa, we see them giving aid to South Africa. . . Canada continues to maintain the system of apartheid, continues to support this system.

"We can't be liberated through

boycotts but boycotts also have a role to play in our struggle."

She said a boycott would not hurt the blacks, as boycott opponents have suggested, because blacks receive little benefit from their work. The ruling white minority would be hurt most by boycotts because it profits from overseas exports.

"We can't understand when you say a boycott would hit blacks because blacks already are hit and it's blacks urging, asking for a boycott," Molale said.

Thoabala said she was arrested after the Soweto riots and held six weeks in jail incommunicado before being released on bail. She immediately fled the country.

During those six weeks she was continually tortured, she said. Her head was pushed inside toilet basins, she was hung from rafters, beaten on the genitals, confined to

highly heated rooms, given electric shocks, deprived of toilet facilities, forcefully kept awake and interrogated, had her hair pulled and was threatened with being thrown from a window and killed.

"My refusing to be an informer, my refusal to accept the charges before me and also refusing to be a state witness (against others charged with inciting the Soweto riots) resulted in the aforementioned tortures, and I wasn't the only one," Thoabala said.

Molale said the African National Congress, a South African black nationalist organization outlawed by the South African government in 1961, has been trying through negotiations to achieve majority rule since its establishment in 1912, but not even the UN has helped.

Molale and Thoabala are on a speaking tour and were sponsored by the Alma Mater Society.

End is near

This is the third last Ubysssey of the year.

Only Friday's issue and the April 1 edition remain in our 59th year of publishing.

The gala April 1 issue will be the usual superb Ubysssey goon issue, containing a parody of a publication known and loved by all.

Advertising deadline for Friday's issue is 1:30 p.m. Wednesday; deadline for letters and 'Tweens classes is noon Thursday.

Advertising deadline for the final issue is 1:30 p.m., March 30; 'Tweens and letters deadline is noon, March 31.

Fine return possible — Tod

From page 1
for parking in your driveway, he said.

Section 28 of the act says, "the management, administration and control of the affairs of the university are vested in the board." It says the board has power "to control vehicle and pedestrian traffic" on campus, and "to do and to perform all other matters and things which may be necessary and advisable for carrying out the purposes of the university."

But Tod said the act does not mention the power to tow cars or to levy fines. And he said other acts legislated before the Universities Act list provisions for impounding vehicles and recovering the expenses from the owner. They are the Vancouver Charter, the Motor Vehicle Act and the Municipal Act. Tod said the legislation would have included such provision if that was its intention.

He said the Motor Vehicle Act gives the administration the right to tow away cars and charge for towing expense if a non-resident's car has been parked for 72 hours.

"In most cases the cars aren't parked for 72 hours and therefore the Motor Vehicle Act doesn't give them any specific power," he added.

Tod said the administration may be legally able to tow the cars, but not to demand fines before releasing the cars to the owners.

He said the AMS can take a legal action to the supreme court to try to get an injunction against charging fines. He said this would force the administration to return all the fines it has ever charged.

Tod said another possibility is to hold a clinic of all those who have had their cars towed and launch 900 small claims actions. Tod said one case could be taken to a full

trial in the supreme court and its outcome would decide the rest of the small claims.

But he said a cheap way of testing the administration's power to charge owners would be to make a chambers application in supreme court under the Judicial Review Procedure Act. Tod said this is a review by court of whether the

administration has the authority to retain cars after the owner has demanded its return.

He said if the court rules against the administration, the next towaway victim can charge the administration with theft. Tod said the administration can now claim "color of right" to tow the cars, which means it believes it is right.

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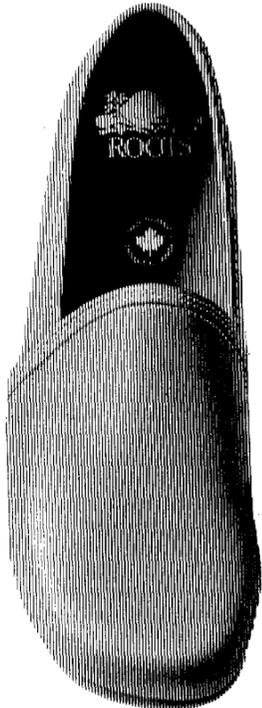
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CUP papers okay expansion

By CHRIS GAINOR

Members of Canadian University Press agreed Sunday to establish four full-time regional bureaus around Canada as part of the second stage of an expansion program of CUP's national news service.

More than 40 student newspapers voted at Ottawa's Carleton University to establish bureaus in Vancouver, Halifax, Montreal and in the prairies, and also to hire a business manager to manage CUP's financial affairs.

The meeting, called CUP 39.5, was convened because the 39th annual conference of CUP, held in Vancouver in December, ended in deadlock over the expansion issue. More than 100 delegates attended

CUP 39.5, including three from The Ubyssy.

Delegates approved a record budget of \$188,900, up 70 per cent from last year's, to finance expansion.

A regional bureau has already been established in Montreal and B.C. has had a part-time bureau since last fall. The bureaus, which operate through telex and telephone, move news much faster than the mail service currently in use and help insure better coverage of news.

An Ontario regional bureau was rejected because Ontario student papers do not want one at present, and a proposal for a Quebec special affairs reporter was defeated in a tie vote.

CUP's Quebec member papers requested the reporter, who was to be posted in Quebec City, to cover the Parti Quebecois government's fight for Quebec's independence from Canada.

Delegates also voted to instruct CUP's national affairs reporter, who is based in Ottawa, to report on development in Quebec. Applicants for the position must be bilingual.

The positions of national affairs reporter and educational affairs reporter, which were added to CUP's national office staff as part of the expansion, were reconfirmed as part of next year's staff. Ubyssy co-editor Sue Vohanka was elected to the educational affairs position at CUP 39.

The educational affairs reporter is also CUP vice-president.

Ontario and prairie papers, which feared the cost would be too high, opposed the proposed expansion program at CUP 39. Prairie papers changed their position at a western regional meeting in February because they will be able to set priorities for their new bureau.

A consulting committee composed of members from all of CUP's four regions was established to hire people for staff positions which become vacant mid-way through the year. The four-member committee is also responsible for drawing up a job description for business manager and with hiring a business manager.

This position was given top priority because many members believe a business manager will operate CUP's financial affairs more efficiently and will find ways to save money.

A great deal of time was given to discussion of the status of the Free Chevron, which has been published weekly since the University of Waterloo student federation shut down The Chevron, the university's student newspaper, last September.

Free Chevron staffers have demanded full reinstatement of two staffers who were fired before the closure, full benefits for staffers for the period since the closure and an investigation into the dispute.

The CUP executive called for an investigation into the bitter dispute, which has rocked the Waterloo campus. The Free Chevron opposed such an investigation.

Delegates rejected a resolution supporting The Free Chevron's reinstatement demand, but decided to send a three-member fact-finding team to write a feature on the dispute.

The decision came after The Ubyssy moved that another investigation commission be formed, a move which The Free Chevron staff also opposed.

Delegates also called for Youthstream, a national student newspaper advertising network, to put advertising in The Free Chevron as soon as possible. The paper has not received Youthstream advertising because of contractual obligations with the Waterloo student federation.



—matt king photo

OBLIVION APPROACHES for two women headed for collision on University Boulevard in front of Chemistry building. Pair were too busy watching puddles of miserable wet substance, to be aware of impending disaster.

Parking at UBC will cost more

UBC parking rates will increase this fall.

University spokesman Al Hunter said Monday the recommendation, made by the president's advisory committee on traffic and parking, will go into effect in September.

He said rates for preferred parking lots — those lots closest to the centre of campus — will increase to \$26.50 from \$20 for a year. Only graduate students, or those entering fourth year can apply for space in these lots, said Hunter.

Hunter said general student parking in B-lot will rise to \$8 from \$6.

Although preferred parking space is limited, passes for general student parking will be available throughout the year, he said.

Faculty and staff parking rates will increase to \$40 from \$30 next year, and faculty and staff motorcyclists will be paying \$10 instead of \$7.50.

Student motorcyclists will pay \$4 instead of \$3 for their parking permits.

Hunter said parking under the music building will increase to \$143 from \$133 next year.

And parking at the Acadia and Gage residences will cost \$10 a year instead of \$7.50.

Women pay traffic fines, end fight

Thirty UBC sorority members have given up their fight against parking fines incurred on Marine Drive in February.

Group spokeswoman Caroline Geeshon said Friday the women parked illegally on Marine because they feared sexual attacks if they parked any further from their meeting place in Pan-Hellenic House.

Many of the women are still afraid to walk through the dark, wooded area surrounding the building but have decided it is futile to refuse to pay the fines, Geeshon said.

"We really don't know where to go from here," she said. "The chances of being attacked there are quite good."

Geeshon said the university and University Endowment Lands administrations have refused to take action to solve the women's problem.

UEL manager Bob Murdoch said Friday the UEL will create a few parking spaces on Marine near Pan-Hellenic House, but the spaces are not only for the sorority women.

"We will not treat them as a special group," he said.

"They are beating the drum pretty good but they will not face any different problem than 10,000 other girls face at UBC."

Geeshon said about 160 sorority members come to campus each week in about 100 cars and most have to park in a faculty visitors lot or the Museum of Anthropology lot.

She said the group wants permission either to park on Marine or to park for free in the museum lot.

Fears about safety in the area first arose when a sorority member was attacked at knife-point in 1975.

BCSF continues to fight fee increases

The B.C. Students' Federation will lobby the provincial legislature to protest tuition fee increases, organizer Lake Sagaris said Monday.

Lobby organizers met Monday to discuss methods to fight against tuition fee increases before the education budget comes up for review at the end of the month.

The organizers, who represent most B.C. universities and colleges, are considering lobbying party caucuses and individual MLAs, and starting a letter and telegram campaign.

The BCSF executive is also seeking a meeting with Premier Bennett to discuss the tuition fee situation.

According to Sagaris the aim of the lobbying is to continue the campaign against the increases but in a concentrated, selective fashion.

"Realistically we're trying to continue our momentum during exams," she said.

Sagaris also said she is organizing a campaign to enlist support from other areas.

"We're planning to approach community groups," she said.

She added that she is currently compiling lists of target organizations, including union, parent-teacher associations, school boards and women's groups.

Paul Sandhu, Alma Mater Society external affairs officer, said Monday the AMS will meet with the Universities Council of B.C. to ask for an additional \$2.5 million for the university.

The money would be used to cover increased costs which would otherwise be covered by increased tuition fees.

According to Sandhu, the AMS will make a presentation Thursday dealing with students' current financial situation.

He urged students to come to the council meeting to impress the council members.

Sandhu said the AMS has lobbied the legislature and is currently joining forces with BCSF.

He said the AMS found the NDP MLAs sympathetic to the students' cause.

Sandhu said education minister Pat McGeer will probably propose more student aid, with the NDP proposing further moves in the students' interests.

'Floating keys' lead to rip-off

Equipment worth \$1,000 was stolen from campus radio station CTR some time between March 10 and March 12.

The equipment, an amplifier and a strobe light, were both used in the station's Saturday disco operations.

Disco manager Ralph Bedford said Monday the amplifier was insured and the station has spent \$770 to replace it. The strobe light, worth \$180 was not insured and there are no plans to replace it.

CITR production manager Doug Morris said the staff discovered the theft March 12 when they attempted to set up the Saturday disco in the Pit. The equipment was last seen at about midnight March 11.

The locks to the station's doors have since been changed because, according to Morris, "there are keys floating around."

When asked whether the equipment is marked for identification, CITR's chief engineer

Darrell Noates said it is not but there are serial numbers on file.

He also said the RCMP has told the station that if the equipment is found anywhere in North America it could be traced with the serial numbers.

Although staff members claimed that the theft had been reported to RCMP Corporal Dave Patterson of the university detachment, Patterson said that the RCMP has no record of the complaint.

Canada aids South African racist state

Canadians are generally a smug bunch. Lester Pearson made us think we are wonderful do-gooders, the global Boy Scouts. Maybe It Can Happen Here, but it sure ain't our fault.

The Canadian government, like any government, has always cultivated an image at home of being basically good and respected abroad, and consequently Canadians tend to think Canada has a pretty good international reputation.

In fact, Canada is one of the most consistently, outrageously right-wing governments in the world, the staunchest allies of such states as the U.S., Brazil, Chile (only since 1973), Rhodesia and — well, South Africa.

South Africa is beyond any doubt one of the most vicious, stupid, reactionary states on earth. How is it that the Canadian government on the one hand condemns South African policies in the United Nations, and on the other quietly maintains trade and diplomatic relations with South Africa?

Could it be that Canada is less concerned with the fate of South Africans than with the money to be made dealing with South Africa's racist government?

Clearly, Ottawa does reflect the attitude of the Canadian public when it deals with — and consequently reinforces — the racist, fascist white minority government of South Africa. But a general apathy and lack of interest has allowed the Liberals to get away with it.

But there is something Canadians can do to express their opposition to the Canadian and South African governments, and to express their support for South African blacks. A boycott of South African goods would achieve such a purpose.

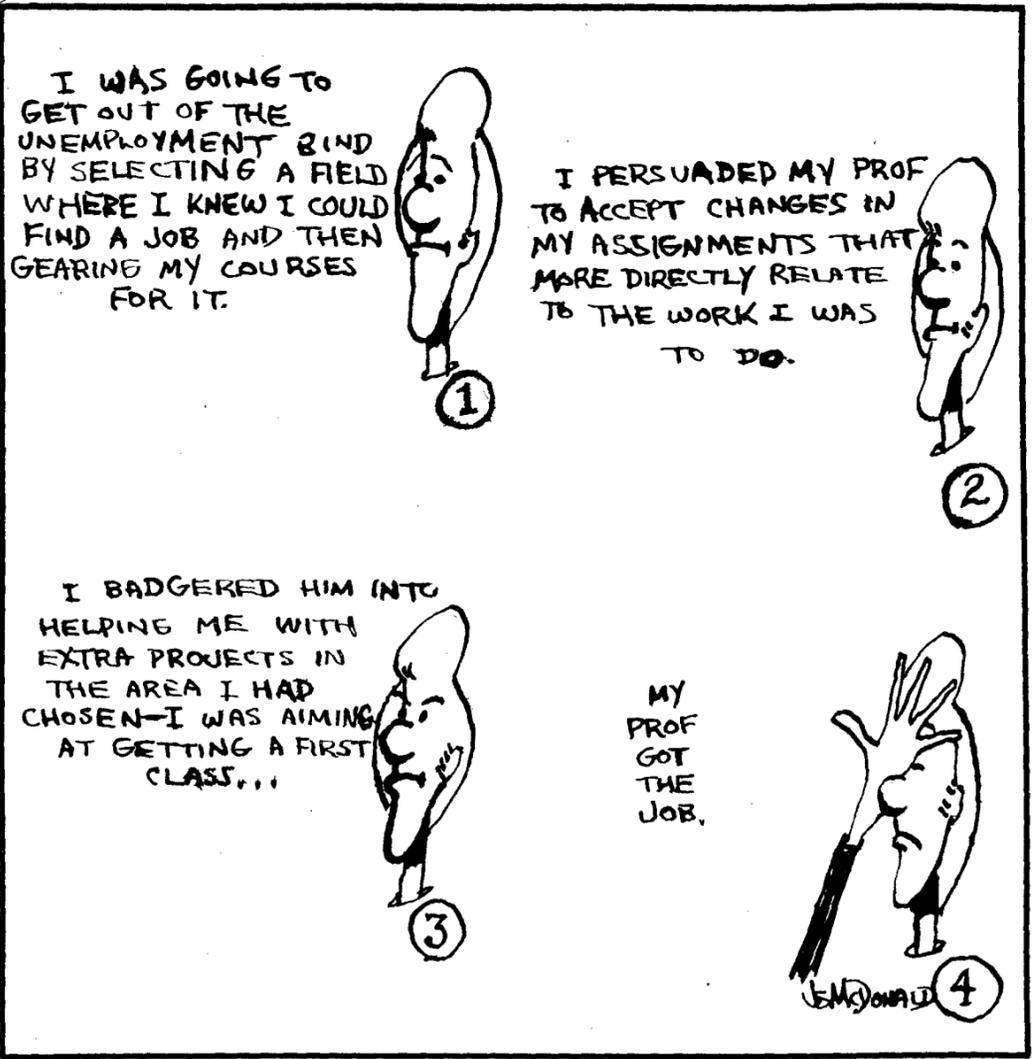
A boycott wouldn't affect any one person's buying habits very much in the long run. But the odd bottle of wine here, the diamond ring there, adds up. South Africa would eventually notice that their sales in Canada are dropping off, and South African businesses would be hurt.

Blacks wouldn't. The standard of living for white South Africans is very comfortable and has been steadily improving over the decades. The standard of living for blacks is low and has not been improving. Thus, the white minority's wealth — and strength — would dwindle.

The Canadian government, too, would notice that South African goods aren't selling so well. It would indicate to them that either they ain't making them like they used to in South Africa, or that Canadians are for one reason or another boycotting South African goods. One hopes they would conclude the latter, and break off relations with Johannesburg, just in case South Africa becomes an issue during the next election campaign.

And if the government doesn't act before the next election, it is up to the voters to make South Africa an issue. Find out where the parties and candidates stand on the issue; ask questions at all-candidates' meetings, on radio talk shows. And vote for parties and candidates opposed to any links with South Africa, against parties and candidates who try and rationalize and excuse Canada's support of the minority regime.

What you do does effect what happens to black South Africans. There are no sidelines in issues like this. You are either helping support the minority regime, or by your actions you are trying to topple it.



Letters

Scifi article writer generalizes

The world would undoubtedly be a better place without Ralph Maurer.

On many occasions throughout the year, articles have been

Gratified

Thank you, Linda Cameron, for your comments (We're interesting, Letters, Thursday).

In taking the time and showing the interest to come to the widely publicized general meeting of the science undergraduate society, you've started to open your eyes. The interest and enthusiasm shown by you and the 80 or so others who attended gratified the executive of your society.

Your executive wants to get the SUS back on its feet again. It wants to arrange talks, shows, films, a common ground for meeting, and much more! But it can't do this alone. It must have your collective interest.

Eight-five people will give us a start, but many more will be needed.

To you, Linda Cameron, we publically extend our most sincere apologies for having been so fowl as to offend you with our "turkey" advertisement. In fact, we will happily apologize to anyone who takes the time to seek us out and take an interest in what is happening.

As to the 3,000 or so who did not respond to our "turkey" or other ads, well...

Ernie Kenward
SUS public relations officer

The Ubyssy welcomes letters from all readers.

Letters should be signed and typed. Pen names will be used when the writer's real name is also included for our information in the letter and when valid reasons for anonymity are given.

Letters should be addressed to the paper care of campus mail or dropped off at The Ubyssy office, SUB 241K.

printed in The Ubyssy that are 90% bullshit, but this one really gets my ass.

If we are going to make sweeping generalizations why not say, "Philosophy is trash!" Why not take poetry and feed it to the birds! Such statements, almost entirely unsupported, are obviously the work of a narrowminded person (?)

So it goes with Maurer's article. As with any form of literature, there is the good with the bad. One could just as easily claim that all mysteries are shit by taking examples from True Detective. We

could say that romantic novels are all crap after reading several Harlequin Romances.

If Maurer took the time (and displayed that rare skill of letting his mind accept new ideas) he might realize that there is a very large number of novels and short stories of first rate calibre that have bearing upon today, not planet Zeta in the year 6690 New Age.

Of course this requires some mental capacity.

Tim Koss
Mike Everatt
science 1

Let's turn back the clock

We would like to commend your staff for its good taste in the March 15 paper. We are referring, of course, to that logo run on page 3, a logo clean in line, obviously crafted from hot metal, which could prove to be an excellent replacement for that current afterbirth which adorns the front page.

The logo on page 3 was proof of what we've said all along: If the members of the Ubyssy staff put their minds to it, they could, like the proverbial monkeys, come up

with something different from that computer-speak thing on page 1.

Good show, gang, and thanks for Tuesday's surprise. We can hardly wait for the new logo's appearance on page 1.

Vaughn Palmer
Mike Sasges
and, by proxy, we trust,
several dozen other old hacks,
but not Gary Coull

Fate sealed?

Dear white mother seals: This is a futuristic letter addressed to you.

We regret to inform you that all your baby seal pups have been clubbed and stabbed to death. Please understand, we had to keep the Newfoundland fishermen employed. It seems the furs were indispensable, despite the fact that a synthetic fur industry could have been set up.

The extinction of your children was the result of humans who thought you had no feelings (they ignored your mournful cries). Please don't get upset, as a minority you just didn't have a chance against Ottawa.

We also sent a sympathy letter to your water relatives, the great blue whale. He is extinct too.

C. N. Bethune
education 2

The big times

My heartiest congratulations to Mr. Gainer!

The mighty Ubyssy needs a man of dimension and intestinal fortitude such as he to guard the Gates of Truth.

And to outgoing reichsbureaucrat Herr Maurer and doe-eyed beauty Sue Vohanka, the best of luck in your future careers. The Amchitka News-Herald will be gaining a valuable pair of assets.

And if they need a cartoonist up there, do me a favor and lose my address.

Dave Wilkinson
cartoonist extraordinaire and
bon vivant
arts 4

THE UBYSSY

MARCH 22, 1977

Published Tuesdays, Thursdays and Fridays throughout the university year by the Alma Mater Society of the University of B.C. Editorial opinions are those of the staff and not of the AMS or the university administration. Member, Canadian University Press. The Ubyssy publishes Page Friday, a weekly commentary and review. The Ubyssy's editorial office is in room 241K of the Student Union Building. Editorial departments, 228-2301; Advertising, 228-3977.

Co-Editors: Sue Vohanka, Ralph Maurer

Drizzling at the prospect of a shut-down campus, and cheered by the impending ruling about free-for-all parking at UBC, the staff laid its plans carefully. Marcus Gee put his finely-crafted ten-speed in his favorite spot, chained to the burro's telex. Chris Gainer parked his Metropolitan Mush safely in the faculty club lot. Colleen Eros drove her Studle Lark into the Angus lobby, and Tom Barnes slid his car into Thunderbird rink number 1. He got free towing. Matt King pushed his Humber Supersnipe into Buchanan lounge where he found Ralph Maurer's buzzbomb nestling up to the coffee counter. I don't know where Kathy Ford was. Will Wheeler rolled his wheels over from page pfrliday, joined by Verne McDonald and Dave Hancock. Paul Wilson drop-kicked his trusty Frank Kuerbis' mongrel broke down, causing confusion on the road. Then they all remembered UBC was encircled by picket lines and wondered how to get to the library to start those papers.

Laxer talks about oil industry

By PAMELA COURTOT
Canadian University Press

Remember when a gallon of gas was 39 cents? Or 69 cents?

Jim Laxer, chairperson of Ontario's Atkinson College political science department and past leader of the waffle group of the NDP, published a study last year of Imperial Oil and the Canadian oil industry called *The Big Tough Expensive Job*.

In his study, Laxer examines the behind-

the-scenes dealings of the oil industry in this country to see just where all the money is going.

Pamela Courtot of *The Excalibur*, the student newspaper at York University, interviewed Laxer and asked him about the state of the oil industry and Canadian energy policies.

CUP: In 1973 the federal government reported that enough fossil fuel existed in Canada to meet Canadian needs and keep

exports at the then current rate. Now they tell us that we only have enough fuel for 15 or 20 years. Where did they get their figures and how did such an enormous overestimation occur?

Laxer: Well, the basic source of information for the oil industry in Canada in terms of the amount of production that the government estimates is possible comes from the petroleum industry in this country. When it comes down to making specific forecasts of how much oil and gas can be produced this year, next year, or over the next 10 or 15 years, the only organization that has the capacity to do that is the major petroleum companies that do the exploration. It was on the basis of their estimates in 1973 that the government came out with its optimistic forecast and its energy report in June, 1973.

What they predicted was that between that time and the end of the century this country could increase its production of petroleum from just under two million barrels of oil a day and that Canada would have a surplus of oil down to the middle of the next century.

The 1976 energy report also based on the estimates of the major petroleum companies in Canada showed a decline of 60 per cent in the estimated reserves that this country has and estimated that by the beginning of the 1980s we would be running into serious difficulties with oil supply, not only for the part of the country that imports oil now but also for the part of the country that uses Canadian oil. In other words, our 30-year surplus turned into something like a seven- or eight-year surplus in a space of two and a half years.

CUP: Which companies play the major role in the oil industry in Canada and in giving the government these figures?

Laxer: It's the major integrated foreign-owned petroleum companies, the biggest of which is Imperial Oil.

said is 61 per cent paid for by the Canadian taxpayer becomes the property of an American company.

Laxer: Yes. The government has put up something like 30 per cent of all the working capital into Syncrude and 30 per cent of the investment and in turn for that of course they make 30 per cent of the profits. But there is a hitch to that, and the hitch came from the first president of Syncrude who was a man named Spraggens.

Syncrude is a joint venture on behalf of three major foreign-owned petroleum companies and they are the majority shareholders, not the governments. As a result they are interested primarily in the arrangement under which Syncrude sells its oil to the participating companies. They don't care whether Syncrude makes a high profit or not. They want Syncrude to sell oil to them at such a rate that they will make a profit. This means that the governments are not likely to make much of a profit because there is not much incentive for the partners to show their profit through Syncrude itself but rather to declare those profits through City Service and Gulf Imperial which are the partners.

Misleading

CUP: The oil companies claim that they only make one cent on every gallon of gas that is sold at the retail level.

Laxer: That's right, but that one cent figure refers only to the refining and marketing of petroleum products; it has nothing to do with the sale of crude oil. If you read the fine print in those ads like the Maclean's magazine ads of Imperial Oil which say that they make less than their cent a gallon, they say in the ad itself that Imperial has other sources of profit through the sale of gas and oil. The interesting thing is that if you look at breakdowns of where the company makes its profit it's through the sale of crude oil and natural gas.

CUP: The companies also claim that increases are essential to speed up exploration for the benefit of Canadians. Over the last few years profits have greatly increased. What kind of extra expenditures have been made for exploration?

Laxer: If you look at the five integrated companies together the figure I have for 1972-1975 is that their profits were up 90 per cent over-all and that their exploration expenditures were up 45 per cent. Imperial's profits were up 65 per cent \$150 million to \$250 million a year and during that period they didn't increase their exploration expenditures at all. The exploration expenditure in the first year was \$74 million and the same in 1975 so there was no increase.

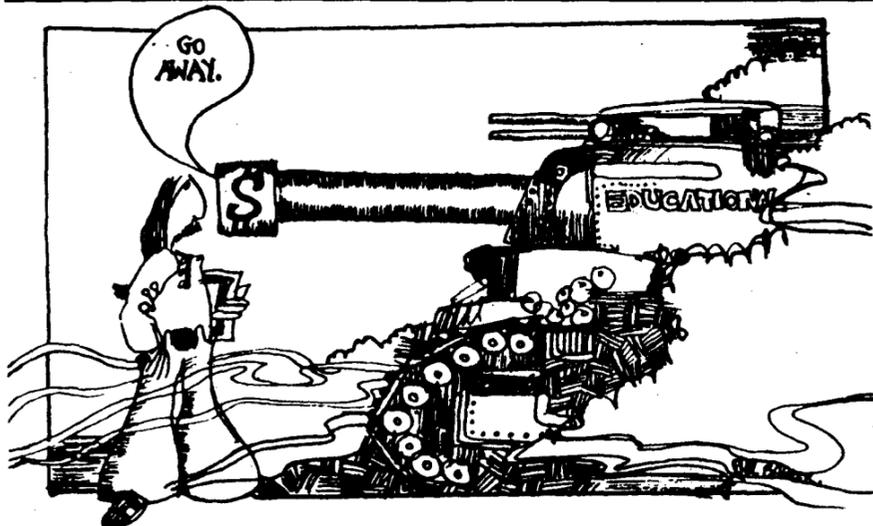
Petrocan is pr

CUP: How is Petrocan going to be able to compete or play a role in oil and gas development in this country, when the field is dominated by giant corporations?

Laxer: Petrocan under the legislation can operate in all areas of the petroleum industry. It has under the legislation the capacity to do research and development to do exploration, to do drilling and lifting and production and sale and marketing of petroleum products. What the company appears to be likely to do is to take part in rather difficult and marginal exploration activities which will be of benefit to the private sector. Petrocan has made it quite clear that it doesn't see its relationship to the rest of the industry as being anything but that of a kind of helping hand from the government.

CUP: Would you think it fair to say that the government set up Petrocan as a means of stifling criticism levelled against the multinationals?

Laxer: Yes. There is no doubt about that. Petrocan was set up because there is a very large amount of resentment against the petroleum industry in this country. There was a Gallup poll taken just over a year ago that showed the majority of Canadians are in favor of public ownership of the major foreign-owned oil and gas companies. I think Petrocan was set up to head off that sentiment and to demonstrate to the people that something was being done. Under the legislation Petrocan could be used as a mechanism for bringing a significant part of the industry under public ownership and I would like to see it used in that way. But I'm afraid that it's been set up as a kind of public relations operation to satisfy Canadians that something more is being done than actually is.



Rallies only first step in tuition/cutbacks fight

By LAKE SAGARIS

Well, we've had our on-campus rally and we've had our provincial rallies so that's it for the tuition/cutbacks activities for this year, right?

And the rallies didn't work (tuition went up anyway didn't it?) so there's no point in trying anymore, is there?

Besides, exams are coming up and we've all got last minute papers to finish and that's more important, right?

Wrong!

Some of those all important classes may be missing from next year's calendar due to cutbacks.

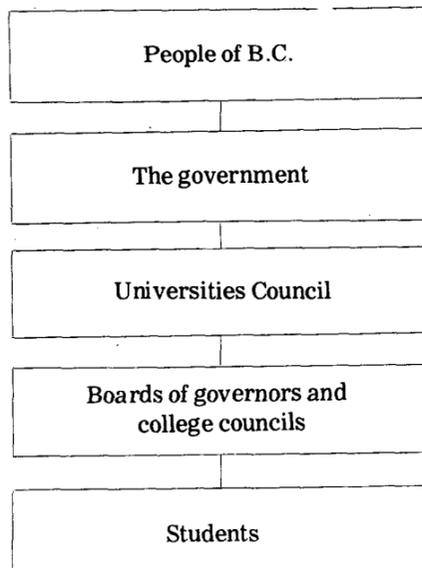
And some of you all-important students may be missing too, due to tuition increases and a job market that threatens to be worse than last year's 25 per cent unemployment rate.

These are the problems we face. What are some of the solutions? What was the point of the two rallies earlier this month anyway?

The reason is simple: to stop tuition increases, (and budget cutbacks) universities and colleges need increased operating funds to help them maintain current programs and services and improve and expand their faculties.

Where does the money come from? The provincial government.

The structure we're working on is shaped like this:



As you can see, if students don't act they're liable to get squished — which is where the tuition campaign comes in.

Sagaris, arts 4, is a former chairwoman of B.C. Students' Federation. She helped organize the March 1 and 10 rallies and November's National Student Day.

You see, we had a rally to start organizing, to focus public opinion on the dual problems of cutbacks and tuition increases and to create an awareness among students themselves of the complexity of the issues at hand.

We didn't expect the board of governors or the provincial government to hand over the money after the first battle.

We did expect to generate some awareness, particularly around the issues of accessibility to, and quality of, post-secondary education, and the secretive nature of education policy making in Canada.

Well, to a certain extent we were successful.

About 1,200 UBC students and 1,000 Lower Mainland students found out enough to become angry enough to march against tuition increases on March 1 and March 10.

But the fight doesn't end there. And this is where this article really begins.

When we were out leafletting and posting a lot of you told rally organizers (like me) that "a rally's no good. It won't do anything."

You're right. A rally alone won't accomplish beans all.

But a rally is only the first step and it's time we moved on.

The next step?

Well, exams are coming up and students aren't going to have as much time to put in to organizing. And mass mobilizations (if you can call them that) aren't the only way to change something anyway.

So we moved on: to a provincial lobbying campaign and a widespread campaign for soliciting community support.

Referring back to that lovely little diagram, you'll see that above the government I put the people of B.C.

That's your parents, friends, relatives, future co-workers, teachers, fellow students, the person behind you in the UIC line, etcetera.

Because if we do a good job — if we run a successful campaign against increases — they're the ones who are going to decide if tuition goes up.

Somebody has to organize among students and the community to build that kind of pressure and the kind of support we'll need to successfully oppose tuition fees in September.

It's not going to take much work between now and exams. It means attending a few meetings of the Alma Mater Society external affairs committee (the first one is noon Friday in SUB 230); making a few presentations to local schoolboards, etcetera; putting out a regular one-page bulletin so students know what's happening.

That's what a tuition/cutbacks campaign is. And that's one of the ways students can have an effect on education policies.

Canadian? Ha!

CUP: Imperial likes to say that they are a Canadian company. Is this so? Do you have some idea of exactly where profits do end up?

Laxer: Well, Imperial Oil is in fact 69 per cent owned by one shareholder and that shareholder is Exxon Corporation in New York. The company has very little capacity to make decisions in Canada. The president of the company, Jack Armstrong, who is a Canadian from Dauphin, Man., was testifying before the royal commission on corporate concentration last year and he said that Imperial Oil can only change its budget by \$5 million without getting in touch with head office in New York to approve the change. When you consider the fact that the revenues of the company are now in the order of \$4 billion one can see how thoroughly unimportant a \$5 million change in the budget would actually make.

Something like \$100 million goes out in dividends to the shareholders and of course since 69 per cent of those dividends go to the major shareholders it means something like \$60 or \$70 million a year ends up going directly to Exxon corporation in the form of profits sent out of the country.

30% of nothing

CUP: Now as far as the big major projects, the Syncrude project and the Mackenzie Valley pipeline proposal, are the companies going to make more profits on these large ventures?

Laxer: Yes. In the case of Syncrude they are going to make a huge profit because they are partners of the federal government, the Alberta government and the Ontario government and they have won some very important concessions. Syncrude is going to come on stream at the world price which means that the Syncrude product will go on the market at a price of something like \$13 to \$14 a barrel which is more than any other source of petroleum in Canada.

And in addition to that there are very real tax incentives for Imperial Oil to put its money into Syncrude. For every dollar that Imperial invests in Syncrude they get to write off \$1.33. Or to put it another way, if they invest \$3 they get to write off \$4 and because of the rate of corporate tax in this country it means that when they invest \$1 in Syncrude it only costs the company 39 cents. The other 61 cents is in effect a public investment.

CUP: So that, in fact that technology which is developed in Canada and as you

Tween classes

TODAY
WOMEN'S CENTRE
 Marlon Osburg from the Pacific Life Community discusses women and non-violence, noon, SUB 212.
MUSEUM OF ANTHROPOLOGY
 Film of an archaeological dig in Ontario, 1:30 p.m., museum orientation centre.
CANOE CLUB
 General meeting, noon, SUB 211.
NEWMAN CLUB
 General meeting, noon, SUB 205.
YOUNG SOCIALISTS
 Forum For A Democratic University, noon, SUB 212.

WEDNESDAY
PSFG KUNG FU CLUB
 Practice, 4:30 to 6:30 p.m., SUB party room.
CUSO CLUB
 Indian United Nations delegate speaks on aid to the Third World, noon, SUB auditorium.
VARSIY OUTDOORS CLUB
 General meeting, noon, Chem 250.
SIMS
 Introductory lecture on transcendental meditation, noon Bu, 313.
SLAVONIC STUDIES
 Seminar by economist Leonard

Schapiro, 4:30 p.m., Bu, penthouse.
SAILING CLUB
 General meetings and executive elections, noon, SUB 205.

THURSDAY
GAY PEOPLE OF UBC
 General meeting, noon, SUB 211.
WOMEN'S CENTRE
 Claire Culhane on prisoners' rights, noon, SUB 207.
CYCLE TASK GROUP
 Discuss bicycle paths, noon, SUB 215.
INTER VARSITY CHRISTIAN FELLOWSHIP
 James Martin on The Crucified Christ, noon, Chem 250.
CPSC SOCIETY
 Jim Kennedy speaks, noon, Old Civils, 201.
PLACE VANIER
 Film on Outward Bound, 8 p.m., Place Vanier ballroom.
CHRISTIAN SCIENCE ORGANIZATION
 Testimony meeting, noon, SUB 117.
SIMS
 Meeting, noon, Buto, 297.
CHINESE STUDENTS' ASSOCIATION
 Professor Walls on the Performance

on Popular Chinese Balladry, noon, Bu, 106.
PRE-VET
 Lecture on small animal medicine, noon, MacMillan 160.
UBC FRATERNITIES AND SORORITIES
 Songfest, 8 p.m., Orpheum theatre.
FILMSOC
 General meeting, noon, SUB 247.

FRIDAY
THE CENTRE COFFEEHOUSE
 Cathy and Bruce Webster perform popular folk, 8:30 p.m., Lutheran Campus Centre.
ECKANKAR
 Introductory lecture, noon, SUB 117.

SUNDAY
VANCOUVER CHILEAN ASSOCIATION
 Canadian premier of film Rebellion in Patagonia, 7:30 p.m., Fisherman's Hall, 138 East Cordova.
VST CHOIR
 Musical devotion, 3 p.m., Epiphany chapel, Vancouver School of Theology.

LSAT WEEKEND REVIEW SEMINARS

Be prepared for the April 16 LSAT
 • Seminars Limited to 20 Students
 • \$95 for 20 hours of Intensive Instruction
 • TUITION REFUNDED IF NOT SATISFIED
 Canada Testing Review Corporation: CALL 669-6323

NOTICE OF ANNUAL GENERAL MEETING

THEA KOERNER HOUSE Graduate Student Centre

Thursday, March 24, 1977 at 12:30 p.m.

in the Ballroom at the Centre

NOTICE

The Board of Directors will recommend to the membership constitutional changes which will alter the terms governing ordinary memberships. Details have been sent to all members and are posted in Thea Koerner House.

NOMINATIONS

NOMINATIONS are now being accepted for three positions on the Board of Directors of the Graduate Student Centre.

Nomination forms are available at the Centre office, until Tuesday, March 22, 1977, at 4 p.m.

THE CLASSIFIEDS

RATES: Campus - 3 lines, 1 day \$1.50; additional lines 35c.
 Commercial - 3 lines, 1 day \$2.50; additional lines 50c. Additional days \$2.25 and 45c.
 Classified ads are not accepted by telephone and are payable in advance. Deadline is 11:30 a.m. the day before publication.
 Publications Office, Room 241, S.U.B., UBC, Vancouver.

Hot flashes

Library rip-offs rampant

Certain unscrupulous individuals have been stealing wallets, calculators and other valuable items from library carrels and study tables.
 University librarian Stuart-Stubbs urges all students not to leave valuable items unattended in libraries. And if you have been victimized, he would like you to fill out a theft report form available at information counters.

Happy New Year!

Probably no one who's shivered through January 1st celebrations bundled up in parkas hasn't secretly wished that New Year would happen in the Spring.
 Well, it may come as a surprise, but there is a calendar followed by a growing number of people that celebrates its New Year at a much more reasonable time of the year: March 21st, the first day of Spring!
 The Bahá'í Calendar was designed in the last century to mark the beginning of a new spiritual age in the life of mankind. It has 19 months of 19 days - nine of its own holidays - and on this March 21st is 134 year's old.
 For everyone who's always wanted to celebrate New Year in their shirtsleeves, here's your chance!

March 21st
 The First Day of Spring
 ...a much more reasonable time for New Year!

CONTIKI, WE SHOW YOU EUROPE!

- Camping holidays for young adults, 18 thru 30 years - 3 to 12 weeks from as little as \$341.
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For your FREE colour brochure, bookings and other information take this advertisement to your local Travel Agent.



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'Europes Top Camping Tour Operator'

THE LEGENDARY CHUCK BERRY

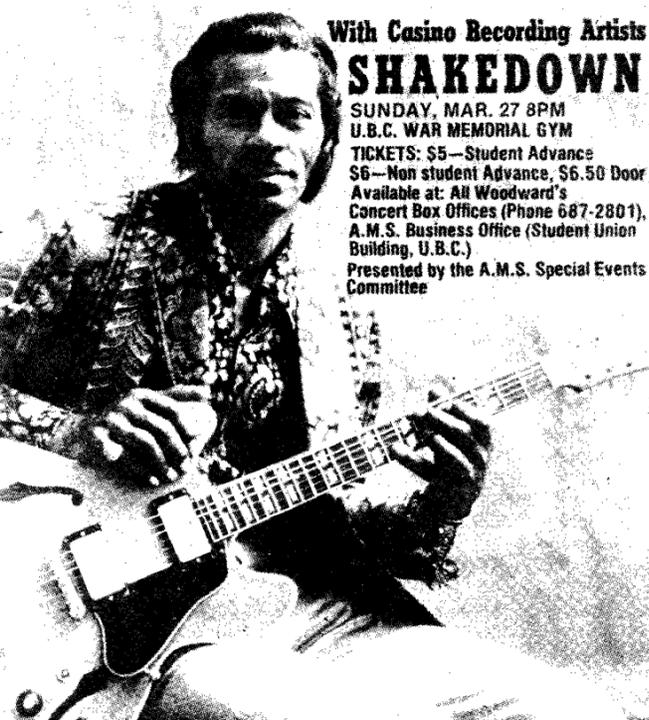
With Casino Recording Artists

SHAKEDOWN

SUNDAY, MAR. 27 8PM
 U.B.C. WAR MEMORIAL GYM

TICKETS: \$5 - Student Advance
 \$6 - Non student Advance, \$6.50 Door

Available at: All Woodward's
 Concert Box Offices (Phone 687-2801),
 A.M.S. Business Office (Student Union Building, U.B.C.)
 Presented by the A.M.S. Special Events Committee



5 - Coming Events

THE CENTRE COFFEEHOUSE closing night '76-'77, Friday at 8:30 p.m. with Cathy and Bruce Webster and their popular folk music. Relax with coffee and five kinds of teas for only 15c. Also, freshly baked pastries. Lutheran Campus Centre. \$1.00 cover. Bring a friend.

TRAVELLING OVERSEAS on a shoestring budget? Then attend a special travel evening sponsored by the Canadian Youth Hostels Association to be held at the Vancouver Youth Hostel, Foot of Discovery St., on Wednesday, March 23rd at 8:00 p.m. Advice will be given on most aspects of low budget travel and free check lists will be available to all potential travellers. No admission charge. Bring your friends and questions.

CHUCK BERRY
 With Casino Recording Artists
SHAKEDOWN
 Sunday, Mar. 27, 8 p.m. UBC War Memorial Gym. Tickets: \$5 - Student Advance. \$6 - Non student Advance. \$6.50 Door. A.M.S. Business Office, (S.U.B.) A.M.S. Special Events.

MUSICAL DEVOTION FOR PASSION SUNDAY
 The Vancouver School of Theology Choir presents
TOMAS L. de VICTORIA
 The Passion according to Saint John
 SUNDAY, MARCH 27-3:00 p.m.
 in The Chapel of the Epiphany,
 6030 CHANCELLOR BLVD., U.B.C.
 ADMISSION FREE

10 - For Sale - Commercial

THE GRIN BIN - Largest selection of prints and posters in B.C. 3200 W. Broadway (opposite Super Valu) Vancouver. 738-2311.

SOUTH AMERICAN Handicrafts. Unique items at unique prices. Private importer. 669-1777.

11 - For Sale - Private

BRAND NEW UNDERWOOD PICA English standard portable typewriter in black leather carrying case. Full 86 character keyboard. Black/red. Regularly \$107, will sacrifice for \$70 o.b.o. Phone 731-1807 after 12 noon.

1968 TRIUMPH GT6 overdrive, rebuilt engine, new clutch, radials. 224-6687.

30 - Jobs

PART-TIME employees required for Budget Cleaners, 3506 W. 41st Ave. Female preferred.

35 - Lost

SEIKO WATCH in Sedgewick Library washroom. March 17. Finder phone 224-9974 ask for Ian.

70 - Services

MOVING OVERSEAS? Air or Sea - efficiently, quickly and cheaply. Phone Concord Freight System Ltd. Bridget or Rolf. 324-2122.

WEDDINGS, THREE MINUTE passports. Adams Photography, 731-2101, 1450 West Broadway at Granville Street.

INCOME TAX returns prepared to your maximum advantage. \$10 up. 731-9752.

85 - Typing

TYPING ESSAYS, RESUMES, etc. Precise work on an electric typewriter. I will organize your resume for you. Phone Cathy, 731-0657.

PSYCHOLOGY NURSING PAPERS A Specialty for fast, accurate typing. Phone 731-1807 after 12:00 noon.

FAST, EFFICIENT TYPING, near 41st and Marine. 266-5053.

FAST AND ACCURATE typing. Please call Susan, 734-1724.

90 - Wanted

ROOM NEAR UBC needed for female student. For three weeks in April. Peter, Room 327, 224-9083.

99 - Miscellaneous

SKI WHISTLER
 Rent cabin day/week. 732-0174 eves.

Fencer wins B.C.'s

By PAUL WILSON

Frances Sloan swept the senior and junior ladies foil event leading the UBC fencer team to an excellent showing in the B.C. Fencing Championships, Saturday and Sunday at the University of Victoria.

The UBC squad, made up of students and fencing club associated members, placed better than any previous UBC team in the event.

In the senior ladies foil Sloan placed first followed by Marianne Mortensen of UBC. Martina Kilger of Chilliwack came third after a three-way barrage for first place.

Jane Milton of UBC placed fourth, Heather McDougall of Victoria was fifth and Barbara Hislop of UBC came in sixth place.

UBC also swept the junior foil event with Sloan taking first, Milton in second and Hislop placing third. The UBC junior team were all members of the squad that won in the Canada West University Athletic Association meet held at UBC, Feb. 26 and 27.

In the men's senior foil event Martin Hunter, a UBC associated member, placed second behind Todd Ducharme of the Victoria Blades. Patrick Tam of UBC came in sixth place and Chris Kreis finished in seventh. Ducharme also won the junior foil. Rob Margolis came in second. Les Dobray placed fourth and Howard Gee finished in seventh place. Margolis was a member of UBC's C.W.U.A.A. team.

UBC did well in the senior sabre event with Tam taking third place behind Simon Tam of Simon Fraser University and Alan Bailey of Victoria. Dobray finished in fourth place and associated member Alex Wilson came in seventh.

In the junior sabre Ducharme placed first and Dobray of UBC came in second.

There were no UBC participants in the senior epee event. Dobray placed fifth in the junior epee.

For her part in the C.W.U.A.A. meet and for winning last year's B.C. ladies foil crown Sloan was selected to a team of three Canadian junior women for the World Youth Fencing Championships to be held in Vienna, April 7-10.

The B.C. championships marked the end of one of the most successful fencing seasons ever. The UBC team, especially the women, have placed excellently in all their meets this year.

SPORTS



FENCING TOURNAMENT . . . UBC's Patrick Tam (right) takes on Tom Freeland

—frances sloan photo

Rugby game

The California State University at Long Beach Forty-Niners appear in Thunderbird Stadium Thursday to meet the Thunderbird rugby team in the 36th World Cup Game.

Although it is the Forty-Niners first appearance in the World Cup play, they served notice that they were a force to be reckoned with when they defeated the 'Birds 14-3 in an exhibition match last season in California.

The World Cup was donated in 1925 by the defunct Vancouver World newspaper. It is played for each year by UBC and the top university rugby side from California. UBC has won the trophy 17 times, including the last four years running.

This year's game will be played at 12:45 p.m. Thursday in Thunderbird Stadium. Buses will leave from in front of SUB for the stadium just before game time so students can watch the game during lunch.

**more sports
on page 8**

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Please use up your tokens
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Drum Cigarette Tobacco

For people who take the time to roll their own.

Drum Cigarette Tobacco is a blend of 17 different prime tobaccos from around the world. The result is a mild, slow burning smoke with a uniquely different taste. And the long strands make Drum Dutch Blend tobacco ideal for both hand and machine rolling. Ask for Drum Dutch Blend in the Blue pouch. Because when you take the time to roll your own, you deserve something different.

WHY NOT LEARN HOW TO SAIL THIS SUMMER?

JOIN THE UBC SAILING CLUB

And for only \$20.00 you will learn how to sail and be able to use our Enterprise and Laser sailboats all summer long. We also have beach barbecues and picnic sails to Lighthouse Park, and lots of other activities through the summer. Come to either of the two meetings left this term - Wed., March 23rd and Wed., March 30th - 12:30 SUB 205.

WOMEN & NONVIOLENCE

with MARION OSBURG - PACIFIC LIFE COMM.

Tuesday March 22
sub 212 12:30

UBC WOMEN'S CENTRE

bernard labrosse
hair studio inc.

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FOR APPOINTMENT
224-1922
224-9116

5784 University (Next to Bank of Commerce)

Rugby Victory

By TOM BARNES

The Thunderbird rugby team won its second title of the season Saturday with a 25-7 win over the Victoria Crimson Tide in the McKechnie Cup final at Thunderbird Stadium.

Led by props Frank and Dennis Carson, flanker Don Carson and centre Dave Whyte UBC dominated every facet of the game. The scrum continually got the ball for the backs who in turn played with a confidence and polish previously lacking.

Whyte opened the scoring for the 'Birds with a dash up the left side in the second minute of the game. Ten minutes later, Dennis Carson stole the ball on the Tide 35-yard line and passed it out to brother Frank who crashed through the Victoria line and fed second row Ro Hindson. He drew the last man then passed to Don Carson who had no trouble going in from the 10-yard line. Scrum half Preston Wiley converted to put UBC up by 10 points.

Although Victoria thrice carried the ball inside the UBC 10-yard line before the half ended they were turned away each time. Fly-half Cliff Yorath hit on a dropkick from the 25-yard line for Victoria's only points of the half.

The Tide continued to press at the commencement of the second half but were unable to score. Wiley hit with a penalty goal to put UBC up by 10 and that seemed to subdue the Tide.

Hans De Goede led Victoria's last gasp of the game as he set up a try for the Island side. However the running of Whyte and left wing Rob Jenkins kept the ball in the Victoria end of the field and ended any thought of a comeback.

Whyte put the game out of reach for Victoria by scoring on a give and go with Jenkins. Fly half Gary Hirayama finished the scoring for UBC as he was neatly set up by Wiley. Wiley converted both tries.

The win gave the 'Birds their 19th McKechnie Cup, their fourth since 1971. The trophy is symbolic of rugby union supremacy in the province. First awarded in 1895, it is Canada's oldest perennial trophy.

**more sports
on page 7**

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Big or Small Jobs

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ECKANKAR

Path of Total Awareness

"Spirituality cannot be taught, but caught — Therefore, man's first duty is to know himself. We can worship any God we wish, but our first duty according to all metaphysical and spiritual teachings is to find out who, and what, we are ourselves."

How does ECKANKAR compare with other paths?

Introductory Lecture
Friday, March 25—12:30
Sub 117

STUDENTS COURT

In The Student Court,
University of British Columbia

In the Matter of the Alma Mater Society, the Varsity Outdoor Club and the Ski Club.

JUDGMENT OF FRED HANSFORD: CHIEF JUSTICE OF THE STUDENT COURT.

1. Counsel for each of the parties herein concerned has made representations to the Court on the question of the court's jurisdiction to deal with the matters proposed in the motion passed by S.A.C. The motion reads as follows:

"That the question of the ownership and interests (legal, moral or otherwise) of the various groups (Ski Club, V.O.C., A.M.S.) involved in the Whistler Cabin be submitted to Students Court for an opinion. To be rendered no later than February 28th."

2. The determination of the extent of the courts jurisdiction to decide the above question turns on the interpretation to be placed upon Clause 25 of the Constitution and By-Laws of the Alma Mater Society passed on March 10, 1976. Counsel for the Ski Club proposed that the ambit of Clause 25 is restricted to matters arising out of breaches of the Constitution or like disciplinary matters. He points out that 25 (1) (a), which reads as follows:

"The Court shall, subject to the Universities Act and the Societies Act, exercise disciplinary powers over the Society's organizations and members."

constitutes the general grant of power to the Student Court, and that all following subsections apply only insofar as is necessary to allow the court to proceed with disciplinary hearings. Hence, Counsel argues, the designation of the Student Court in 25 (2) (i) as "sole interpreter of the meaning of the Constitution, Code and By-Laws of the Society" is to be read subject to 25 (1) (a). In effect then the Student Court would be the sole arbitrator of the Constitution only when hearing disciplinary matters. This matter, counsel argues, is not such a case.

3. I cannot accede to this submission. It appears that, despite some poor draftsmanship, the thrust of 25 (1) and 25 (2) is different. 25 (1) undoubtedly deals with disciplinary matters. However, on the wording of 25 (1) (b) it seems that this restriction of purpose does not carry over to limit the words of 25 (2). 25 (1) (b) states that 25 (1) (b) (i) and (ii) are "for greater certainty". No such words are found at the opening of 25 (2). Indeed, 25 (2) turns to the Constitution and governance of the Court. Such a purpose is divorced from the declaration of jurisdiction over disciplinary matters. For this reason I hold that 25 (2) (i) is an unencumbered grant of jurisdiction to the Court.

4. I am supported in this view by the past practise of the Court. Judges of the Student Court may take judicial notice that past Student Courts have exercised jurisdiction in non-disciplinary matters. This is relevant on two counts. Firstly, in the absence of any clear intent in the Constitution of the A.M.S. to alter the power of the Court the past practise of the Court is evidence as to what the framers of the Constitution had in mind in drafting Section 25. This evidence is helpful in trying to sort out the ambiguities inherent in Clause 25. Secondly, the past practise of the Court indicates that members and member-organizations of the A.M.S. formerly had rights to have matters decided in the Student Court in non-disciplinary cases. This Court should not be quick to hold that such rights no longer exist. To support such a contention far clearer language than is herein used would be required.

5. It seems clear also that the policy of this Court should favour the internal adjustment of disputes and the avoidance of costly litigation. This is not to say that the case should be heard in secret, rather it should be free and open to all students. It is also not to say that this policy ground is determinative, however in my view it would be unfortunate if the Court were to ignore the merits of these policy considerations. That this interpretation of S.25 accords with these policy grounds is supportive of its correctness.

6. But let us assume that counsel for the Ski Club is correct, and that 25 (2) (i) is to be read subject to 25 (1) (a). It is the case, nevertheless, that the Court would have jurisdiction. Clause 25 (1) (b) (ii) (d) states that:

"For greater certainty, the Court shall have jurisdiction (ii) over the Society's organizations

(d) for the violation of the Constitution, By-Law or Code of any subsidiary organization or branch society of the Society."

In the case before us there is a good chance that one of the parties may be in breach of its own By-Laws. I would hold that in view of this possibility the Court has jurisdiction to determine the matters referred to it herein insofar as such is necessary to establish the breach of or adherence to the By-Laws of the organizations involved in this case.

In my view this ground of jurisdiction is cumulative with that set out in 25 (2) (i). It is my understanding, however that Judge Dwor dissents on this point and would hold that our jurisdiction is founded solely on 25 (1) (b) (ii) (d) and not on 25 (2) (i).

7. Granting that the Court has jurisdiction a question arises as to the extent of our jurisdiction to decide what are essentially civil conflicts. The members and member-organizations of the A.M.S. bind themselves to abide by the By-laws thereof. The By-laws give to the Student Court only the power to interpret these By-laws as they

effect members. However, the Constitution does not operate, and was not intended to operate, in a vacuum. The Court finds it impossible to interpret the effect of the By-laws on the activities of AMS members without deciding those collateral matters of fact and law which are inextricably mixed up with the applicability and the ambit of any particular By-law. The Court must and will decide such matters.

However, there is a point beyond which the Court has no jurisdiction. For example, if the Court were to hold that there would be no breach of the By-laws of any organization if the Ski Club or the V.O.C. were to be the beneficial owners of the cabin in question, and both clubs claimed such ownership, then a decision of the Student Court on this matter would no longer be based on the By-laws but rather on the evidence and on questions of law. We have no power to make a binding decision on such a matter. However, I would note here that should such a situation arise all counsel have requested that the Court render an opinion on such an issue, and this we will do to the best of our ability.

8. The importance of these questions should not be lost in their technicalities: the central issue at this hearing was whether and when an AMS member or member organization can, in the absence of any conduct warranting disciplinary action, complain to the Student Court of a state of affairs which it finds objectionable. Students and their clubs should not be lightly denied the right under the By-laws to impartial arbitration of their grievances by a body of their peers.

Fred Hansford

Fred Hansford

Judges Shaefer, Boscariol, Waddington and Nairne concur with the Chief Justice.

Judge Dwor dissents in part.

JUDGMENT OF MARK DWOR, STUDENT COURT JUDGE:

In the first hearing, dealing with jurisdiction, we were faced with three parties, not one of whom wished the Student Court to have binding jurisdiction. In effect, they all wished the final resolution by this Court to be nothing more than a starting point for future negotiations. Clearly the reasons for these parties coming to this Court is their total incapacity to agree upon a mutually satisfactory conclusion. Now that the parties have made their incapacity to bargain and their desire not to relinquish their capacity to bargain public, the importance of the Court stating that it had binding jurisdiction should be self evident. Whether or not the Court can enforce its judgements, and whether or not the parties will react as though they were bound by our decision is irrelevant. It must be clear to all those using our Court that all parties will be bound by its decisions. Otherwise the mechanism of the court as an agency of orderly conflict resolution will fall into disuse and ultimately the members of the student body will be poorer for this disuse.

As to whether the Court has jurisdiction over the substantive issue that appears to be coming before us (the exact relationship between the AMS and clubs and consequently how this relationship affects ownership of real property, chattels and funds) I hold that under By-law 25 (1) (b) (ii) (d) of the AMS Constitution, the Court does have jurisdiction. That Section, in effect, reads as follows:

For greater certainty, the Court shall have jurisdiction over the Society's organizations for the violation of the Constitution By-law or Code of any Subsidiary Organization or Branch Society of the Society.

Clearly in this instance the Court have to determine both the meaning of all Constitutional By-laws involved and also whether or not a violation has occurred. Implicit in the opposing parties viewpoint is a view that the other party has violated some constitutional rights and prerogatives.

Similarly, the disposition of property will follow from the Court's decision as to the constitutional capacity to hold or lay claim in some way to the said property.

My dissent is based on my agreement with Mr. Simcock's argument, that the Court is in general, not the sole interpreter of the Constitution, and that it is limited to hearing cases that fall under By-law (25) (1). I appreciate that this view derogates from previous rights, but the only evidence we had before us to counter Mr. Simcock's arguments were a copy of regulations to the previous AMS Constitution which implied a much wider jurisdiction. If the AMS wishes this Court to have a wider jurisdiction, it should amend (S25)(1) to enable the Court to hear a larger variety of cases than it is now empowered to do.

Mark Dwor

Mark Dwor