

--EDITORIALS--

"Why don't you shoot
me too?"
"You don't care, do you?"
page 3

THE CAROLINA JOURNAL

"Were it left to me to chose between government without newspapers
or newspapers without government, I should not hesitate a single
moment to chose the latter."
—Thomas Jefferson—

—journal focus—

Listen in Good Health page 5

"I am shocked, appalled, and disgusted by
this attitude of a top administration
official..... Get used to beating
your head against a wall."
page 10

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Photo by Alan Guggenheim

In response to the Cambodian and Kent state crisis, the Charlotte Peace Coalition lead a march from the downtown postoffice to Freedom Park. Students from UNCC, Queens, Davidson, and many local parents participated in the heavily policed rally. One sweaty parent scratched his perspiring forehead and gazed at the mass of tired marchers pounding the concrete in route to Freedom Park and said, "I don't want my two sons to die in a lost cause." His two sons, standing at his side, were in grammar school.

Legislature Demands Immediate Withdrawal

The first session of the Student Legislature adjourned after senior representative David Thomas moved that legislature recommend to President Nixon that we send U. S. troops to the U.S.S.R. and Red China immediately. The motion was tabled. Thomas's motion was a reaction to the legislature's resolution asking that the President withdraw all U.S. forces from Southeast Asia immediately.

The resolution passed on a 7-6 vote after a lengthy debate. Susan Sutton offered an amendment to change the word "immediately" to "as soon as possible", but was defeated.

The second sentence in the resolution, which called for the suspension of business as usual in the University community was defeated by a 4-9 vote. The third part of the resolution was that copies of the resolution be sent to the president, vice-president and N.C. congressmen. This section passed unopposed.

During the hour-long debate, the role of legislature was questioned. Several legislators expressed the belief that it was not the role of a UNCC student legislature to voice their opinion on a world issue. Alan Hickok, SGA president, differed with them in this opinion saying that it was time for people to make their voices heard. Both Paul Ferguson and La Vera Farnsworth voted no on the "Cambodia resolution" after admitting to the assembly and spectators that they were not representing the views of their classes. Ferguson went on to say that he had "failed in his duty to get the opinions of his constituents."

Susan Sutton countering Ferguson's statement told legislators that if they were ever going to make student legislature "relevant to the students on this campus" that they had better take their chance.

Chairman Rick Norton then recognized Mark Hardison from the floor. Hardison admonished Miss Sutton by saying "I think they (the students) elected you to come up here and do things for the students, not to play politics." He finished his statement, before leaving the assembly, by saying that legislators should busy themselves with such things as getting gravel for the paths from the dorms and "doors on the johns in the men's dorm."

Further resolutions on Cambodia and related issues flew thick and fast as the meeting progressed. Most legislators knew that reaction to the Kent State murders would be a subject of discussion; several legislators had even approached Rick Norton about calling a meeting for May 6th to co-incide with the faculty meeting and the passage of their resolution. Norton, however, refused, saying that on Monday, he did not have enough time to prepare for a call meeting in 48 hours. Wednesday he decided to have a call meeting for Friday. He'd planned an informal meeting for Friday only to discuss parliamentary procedure.

Norton objected, at first, to calling a meeting for the purpose of passage of a Cambodia resolution. He felt that a second resolution on U.S. involvement in Southeast Asia by the legislature was definitely unnecessary, asking "Why do you need another one?"

When the legislature did pass the "Cambodia resolution", they also wanted to poll the students opinions on the current situation; therefore, when the students go to the polls to vote for the proposed University constitution, they will also vote on the resolution passed by the legislature and faculty, on a boycott of classes in support of unilateral withdrawal, and they will be asked to denounce the Kent State killings.

The thirteen legislators with (Rusty

Sitton and Gary Springer absent) adjourned their meeting until Monday May 11, motion to ask for a retraction of Governor Scott's support of Nixon's Cambodia policy following a statement by Ed Wayson, in which he said that he would vote against the resolution because he did not wish to violate Scott's Constitutional freedom of speech:

"Guilty" Desecrator Appeals

By Joe H. McCorkle
UNCC's "flag desecration" case came before Mecklenburg District Court May 5 and the defendant, Hank Parker, was found guilty of violating the "terms and conditions" of the law under which he was charged.

Parker, a high school student from Maiden, N.C., was arrested on the UNCC campus April 9 for violation of a 1917 North Carolina law entitled "Desecration of State and National flag."

The American flag, which was sewn on the back of Parker's jacket, had the peace symbol written on it along with the words, "Give peace a chance."

Judge P.B. Beachum, however, did not feel Parker had criminally intended to perform a contemptuous act concerning the American flag.

Beachum said he found "no criminal intent to desecrate, defile, or deface the flag of the United States."

"The defendant is to be commended for flying that banner during any peace

movement in which he might be engaged," the judge said.

Parker's attorney, George S. Daly of the American Civil Liberties Union, argued that the law was unconstitutional. He felt that since the law was under criminal statues, criminal intent would have to be shown.

Judge Beachum and Assistant Solicitor Thomas R. Blanton also expressed concern over the law's constitutionality. The judge had considered ruling a continued prayer for judgment which would have cleared Parker.

However, Daly wanted Parker to pay court costs so that the case could be taken to a higher court with the hope of having the law stricken.

The judge granted the defense's request and said, "The defendant should not feel the least bit guilty." Thus, Parker's guilt was a necessary technicality for appeal.

Daly filed a notice of appeal to Superior Court and indicated that he would also seek appeal from Federal courts.

The complete text of Judge Beachum's verdict is as follows:

"Well, what I have just written down is that in the court's opinion, actually, the defendant is to be commended for his belief that the American flag is the finest symbol outside of religious faith that you would find carried in any peace movement and he is to be commended for it. Too many people feel that way but this court must find whether or not this defendant has violated the terms and conditions of the statues under which he is charged and I find that he has.

Now the constitutional issue has been raised as to over-breadth and I think there is some doubt. It being set out in the criminal section of the statues of North Carolina it would mean to this court that it is intended to be a criminal statue and that as such the court must find intent. I find no such intent to desecrate, defile, or deface the flag of the United States. I find that it was done, that it was defaced, but I find no criminal intent to perform a contemptuous act concerning the flag of the United States.

I find, as I originally stated, that the defendant is to be commended for flying that banner during any peace movement in which he might be engaged."