

The Daily Tar Heel

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No Felonies in Honor Court

"It shall be the responsibility of every student ... to obey and support the enforcement of the Honor Code, which prohibits lying, cheating or stealing."

Every student on this campus had to read this during freshman year, but hardly anybody knows what UNC's code of student conduct really says or means.

What does it say about rape? Clearly, this is a punishable crime.

But think about it. Who really wants Honor Court trying rape cases?

The idea that, for reasons of privacy, legitimate rapists might escape with nothing but simple expulsion is more than ludicrous. It is insane.

Current efforts at reform by the advisory committee appointed to update the code of student conduct ignore one glaring detail: Honor Court is NOT the place for felony investigation and prosecution.

North Carolina didn't build its courthouses for nothing. And the state certainly didn't build this University with the idea that criminals could get away with violent acts without punishment simply because they also happened to be students.

The University's student-run Honor Court system should not try any felony cases.

It is better for the University to wait until criminal investigations and trials are complete and then decide, based on felony conviction, whether to expel a student.

A student now can be convicted for as little as "verbal or physical conduct of a sexual nature which ... creates an intimidating, hostile or demeaning environment."

Sounds pretty serious? Fraternity members at Los Angeles' Occidental College recently were tried under a similar statute for "pulling down

their pants and mooning onlookers while performing a dance outside their house."

UNC's code of student conduct is riddled with similar ambiguities and opportunities to ensnare the admittedly foolish — but probably innocent — victim.

No way it could happen to you? Consider that those constitutionally protected liberties such as due process and right to counsel are conveniently abridged "for the protection and advancement of the University community's particular institutional interests."

The code as it now reads explicitly states where the University's interests lie, and it doesn't seem to be with the students.

Ability to confer with counsel during trial? Forget it. You get some two-bit hack from the Student Attorney General's Office who might or might not be biased against your claim or against you.

Accountability? The hearings are routinely closed for reasons of privacy. The Honor Court sounds more like a military junta than a supposed bastion of individual freedom.

What about appeal? False convictions happen, but you can always get a fair hearing in a higher court. You might even get as far as Chancellor Paul Hardin. Gee, what a relief.

In fact, when all is said and done, a student can be convicted with no place to go but home "and a notation concerning a penalty of record entered on the permanent record." Good luck finding a job.

A state university stripping its student body of constitutionally guaranteed liberties for the sake of expediency is as ridiculous as the Honor Court trying felony cases.

Neither practice should continue.

Using Civil Patrol Effectively

Violent crime is the problem. What's the solution?

Some local residents hoped Chapel Hill's new civilian patrol unit was at least a partial solution.

But in light of last weekend's attack on four New York band members on West Franklin Street, it is evident that Chapel Hill needs to implement the solution differently.

In theory, the civilian patrol unit is a good idea.

But there are some changes that would make the program more effective and useful.

The basic problem is that there are not enough police officers patrolling Chapel Hill's streets. When the police are on the street, many of their calls are for routine, nonviolent, often victimless crimes.

The officers report to the crime scenes, investigate and then face time-consuming paperwork. A better use of the civilian patrol unit would be to use them to respond to many of the less serious crimes.

The civilian patrol unit would be trained to complete routine paperwork. For example, when someone reports a stolen bicycle, a patrol officer would report to the scene, write the report and hand it in to the police department.

Police officers then could read over the reports and, when necessary, follow up on investigations.

Doing so would greatly reduce the amount of time police officers spend doing routine tasks and paperwork. The officers would be able to spend more time patrolling the streets and providing greater police presence.

Patrol officers could handle noise complaints, reports of vandalism and burglary reports. They could call towing companies when an illegally parked car needs to be towed.

There are costs inherent in implementing this change. For example, the police department would have to provide training for the civilian patrol unit.

But having safer streets is worth the additional costs.

Although the Village Companies' donation to start the unit is generous and important to start the program, private companies should not have to underwrite a public program that benefits all residents.

This is a cost the town should provide for in its annual budget.

Town backing also eliminates the likelihood of allegations that the patrol officers would engage in preferential patrolling of areas where donors' businesses are located.

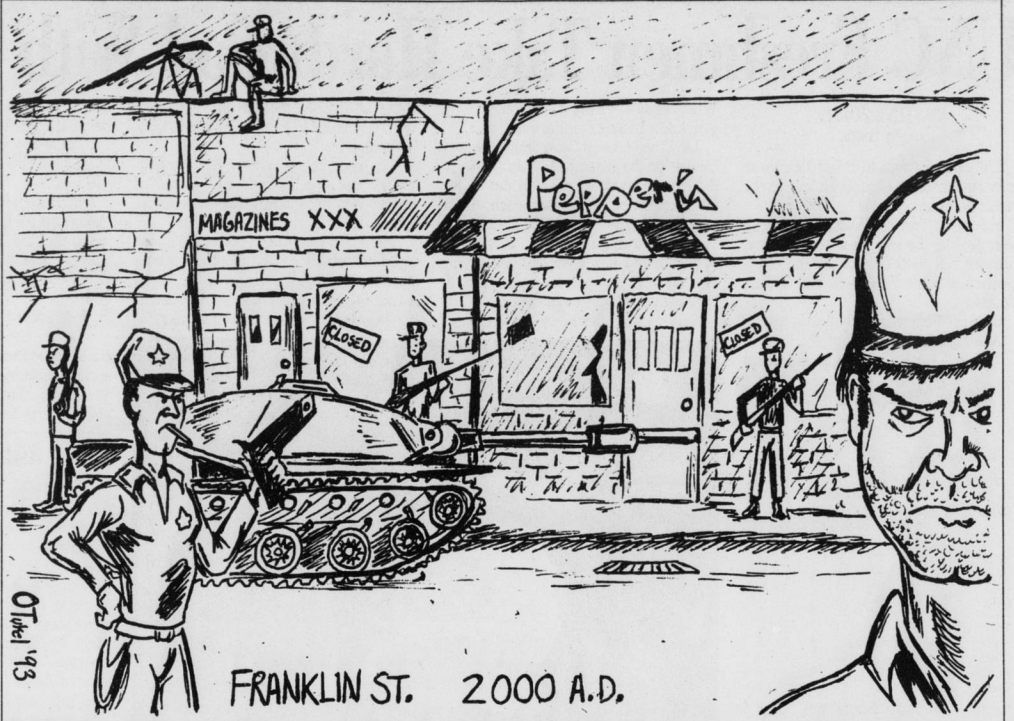
The civilian patrol unit has been in effect for less than a week, and it still is a good idea.

But in its present form, the program does not address the basic problem of not having enough police presence to deter and respond to violent crime.

The most important contribution the civilian patrol unit could make to Chapel Hill would be to free up the police officers so they can do "real police work."

Editor's Note

The Daily Tar Heel is looking for three or four new columnists for spring semester. Interested students may pick up applications in the DTH office, Student Union Suite 104. Completed applications are due at the DTH office by 5 p.m. Nov. 29. The Daily Tar Heel wants to include some fresh, new voices that will touch on a variety of topics. Pick up an application today and become a part of The Daily Tar Heel.



UNC Must Provide Light of Liberty in Darkness

Home alone. After midnight. Watching a little late-night television. Secure in the comfort on a comfy couch.

Then the lights go out. Stark fright in an instant before the realization of what has happened. A deep breath and a sigh chase away the wisps of startlement as the power comes back on.

There have been several of these 5-second power outages at my apartment this semester. I haven't gotten used to it — the last one was just as startling as the first. Electricity isn't thought of until it is gone for a moment. Magic. That's what it is. And it gives pause when the magic stops working.

It boggles the mind that little atoms are coming apart at Shearon-Harris power plant and making juice for my apartment — running the fridge, powering the lights, lighting up the TV screen. Same thing at the apartment next door and houses out in the country miles from anything. Magic. So say I.

All houses are plugged into the magic power source. Just like all people are plugged into some power source that juices up our humanity. The fundamental force that gives life. The force that religions and mythologies have tried to explain. The shining light of consciousness. We are all plugged in.

It is easy to forget until the connection is broken, the lights go out and we are momentarily plunged into darkness.

Many parents and North Carolina taxpayers are having nightmares about what goes on in a few campus dorms after the lights go out. Judging from the screaming protests visited upon Chancellor Hardin's ears, the nightmares are rather vivid.

Those plagued by the nightmares think the University should zealously maintain its archaic position of *in loco parentis*. It is the Chancellor's job to make sure everyone sleeps alone, and it is the University's job to teach morality.

Whose morality? Theirs? Jimmy Swaggart's? Jim Bakker's? The Pope's? Ghandi's? John Galt's? To expect UNC — which knows each student by a nine-digit number and barely manages to advise students on what course to take in the General College — to advise students on morality and sexual mores is ludicrous.

It is just as good to ask water to run uphill. And completely unnecessary if the parents have done the job of raising kids before sending them out into the world.

If students didn't buy into Mom and Dad's morality before leaving home, the University's agreement with Mom and Dad won't change minds — or behavior. A mere ban on overnight visitation cannot stymie youthful libidos.

If parents didn't get around to explaining their position on premarital sex, well, then, the University isn't to blame for whatever happens. If students did buy into their parents' morality, the University doesn't need to constrain them.

But the light-sleeping morality police who don't trust their children would have UNC forsake the motto of *lux libertas, light of liberty, for lux tenebra* — light in darkness. A probing flashlight in the night seeking out footsie and other moral indiscretions.

Light of liberty is better. Bastion of freedom of thought and self-expression. Haven for self-discovery. UNC is far from cloistered trappings of a mother's nest for grown reason. Parents take note: the chicks have grown into birds and have flown the coop. They will fly far and high — unless you insist that the University clip their wings.

In many ways, the lights have been out at UNC for a long time. Too long. The struggle over the construction of a free-standing black cultural center is settled, at long last. The movement for a BCC already was well-established when I came to UNC in 1987. In the course of this struggle, events often have turned ugly. Uglier than I thought possible when I first arrived in the idyllic land of college.

Tempers have flared, passions have run high, the teeth-gnashing of ideologues and the tears of followers have turned compassion into indifference and victories into defeats. Insults, accusations and recriminations have flown with all the fierceness of musketballs at Gettysburg. Racism has become a weapon rather than a common nemesis. Darkness without light.

We stand now on the brink of Reconstruction of the University. Providence grant that it go better than the Reconstruction of the Union. I refer to the American Civil War, not because revisionist historians have cloaked it as a struggle

chiefly over slavery, but because it was a struggle that pitted brother against brother.

Abraham Lincoln's Union was victorious in the war between the states. But he did not view victory as an opportunity for gain, reproach and oppression.

He saw victory as a mandate to heal a nation's wounds and fashion such a peace that armed victories would become unnecessary and that envy, anger and war should never again lay waste the garden of American prosperity.

But Lincoln's visionary light was snuffed out. Reconstruction was turned over to people without vision. The University community must not allow envy, anger and enmity sneak up on us and assassinate the gentler angels of our nature.

I confess that I have not always supported the BCC movement. And I never have supported it zealously. Many of the arguments against the construction of a BCC were very persuasive. I never was completely convinced that a BCC wouldn't become a bastion of separatism. I never have bought into the politics of need or generational reparation.

But these arguments are moot now. The center will be built. Standing at the edge of a new era for relations among the races, the University community has two options. The past can command the field. Insults and hurts and recriminations can be nurtured by long memories and hard hearts. The darkness of the years of struggle will echo through this new day and sour the mission of healing and progress.

Or future promise may claim the day. Opponents and proponents can work together to fashion a BCC that will improve UNC and usher in an era of improved race relations.

It will not be the building, but the spirit in which it is built, that will determine the course of race relations on this campus and, ultimately, throughout the nation.

Lincoln defined the spirit that must now swell our bosoms: "With malice toward none, with charity for all, with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in, to bind up (our) wounds, to do all which may achieve and cherish a just and lasting peace among ourselves."

With this spirit will the University be a light in darkness that shall lead the nation with its brightness — and a light of liberty in whose glorious beams we shall all stand free at last.

Alan Martin is a third-year law student and 1991 graduate of UNC from Morganton who thinks freshmen are more grown up than some parents.



ALAN MARTIN
WITH MALICE
TOWARD NONE

Professor's Outrage, Anger Misdirected to Another

TO THE EDITOR:

I read with some amusement Professor Robert S. Adler's letter ("Davis' Charges Against Lensing Outrageous, Unfair," Oct. 28), chastising me for inflicting "pain unfairly ... upon one of the finest members at UNC," a man of "decency, sensitivity and integrity." Truly, Professor Adler's outrage is misdirected.

On June 7, 1993, this honorable man, Professor George Lensing, wrote a letter to Professor Laurence Avery, chairman of the English department, in which he categorically denied that the original tenure report had been altered.

Professor Lensing wrote: "The charge is not only inaccurate but disturbing. I attach the manuscript of the draft that I read to the tenured faculty as Chair of the Committee on Feb. 17. You will note a few minor changes written by me in ink; there are suggestions made by members of the committee before the February meeting convened. Each of these changes, however, was read orally as part of the report. Not a single alteration was added after the meeting of February 17" (emphasis Lensing's).

Unfortunately for him, the attached draft was not identical to the one that became a part of my official tenure file.

Moreover, Professor Lensing found it "disturbing" that a member of the English faculty had committed "a grave lapse in professional responsibility" when this individual informed me of this sleight of hand.

The three-person panel of the Board of Trustees was concerned about the racial overtones of two passages in the original report. In this 67-line trustee decision, almost one-third (21 lines) was devoted to this issue.

Interestingly, the next 11 lines commented on the insulting rhetoric of a letter written by Professor Laurence Avery to Dean Stephen Birdsall on April 30, which "appeared, in part, to ridicule certain assertions made by Dr. Davis as being ill-founded and even naive and demeaned the importance of letters received by Dr. Davis from a university press interested in publishing her book. The members of the hearing



READERS' FORUM

The Daily Tar Heel welcomes reader comments and criticism. Letters to the editor should be no longer than 400 words and must be typed, double-spaced, dated and signed by no more than two people. Students should include their year, major and phone number. Faculty and staff should include their title, department and phone number. The DTH reserves the right to edit letters for space, clarity and vulgarity.

panel found the assertions of Dr. Davis to be reasonable ..."

Ironically, Professor Avery is the former secretary of the faculty whereas Professor Lensing holds the position now. Did one master of deception pass his mantle to one even greater than he?

Mary Kemp Davis
ASSISTANT PROFESSOR
ENGLISH

Well-Meaning People Ignorant About History of Cowboys

TO THE EDITOR:

This is written after having read Billy Faires' Nov. 12 column ("Banning, Whining Accomplish Nothing"). While I was glad to see the DTH present a well-argued column not beyond the writer's knowledge of the subject (an increasing rarity), I found something in the piece mind-boggling.

Mr. Faires states that Southern High School in Durham has asked students not to wear cowboy hats to school to avoid offending Native Americans and blacks.

Am I mistaken, or haven't museums opened and films been made within the past half-decade to inform us that cowboys weren't as predominantly white as 1950s Hollywood led us to be-

lieve?

Cowboys were in fact often former slaves or the descendants thereof who moved west for economic opportunities. Native Americans of some of the more decimated people also joined the profession. The latter fact should be obvious to fans of the "Young Guns" movies, which contained a major character of Native-American descent. Even the Clint Eastwood movies have Mexicans in them (yes, Mexicans are Native Americans even though they don't fit the Dakota stereotype).

The main problem with considering cowboys a white supremacist ideal is that they were members of an agricultural profession and not the chief agents of the American holocaust. You must look to the U.S. Army and its cavalry units for responsibility for the "cowboys and Indians" battles of the 19th century and early 20th centuries.

Finally, the problem here is in ignorance on the part of well-meaning people. They don't know what a cowboy is, yet they ban his symbols. This is similar to less well-meaning situations. Since I moved to North Carolina from Michigan, I often have been referred to as a Yankee, despite the fact that a mountain range, two of the Great Lakes, an accent and a cultural tradition separate the Midwest from the "North."

Southerners are considered "hicks" by many outside urbanites despite the great writers, scientists, leaders, etc. from the region and the thoroughly modern cities that exist here (and the "hicks" that exist elsewhere).

The lesson learned from this should be that easy categorization of people tends to be wrong. The fact that Southern adolescents want to honor figures of Western cultural and historical significance should make us happy for the national cohesiveness it fosters.

It is easy to say "it's just some hats," but think what might result if we start allowing low-budget Hollywood movies to direct our feelings toward certain groups of people. I don't even need to give what-ifs on that matter. I think we all just need to spend a little more time in the history section of the library.

Jonathan Rickard
SENIOR
ENGLISH

