

Vote To Amend

The campus will vote tomorrow on a proposed amendment to the judicial section of the Student Constitution, but few will know what they are doing. The amendment is of major significance to us, but it has gone unnoticed. The reason is that the amendment has met almost unanimous approval. Far from being a campaign issue, both presidential candidates and both political parties have recognized that the passage of the amendment will bring about a major improvement in the judiciary of student government.

The amendment, which was once approved in last quarter's invalidated special election, more clearly defines the jurisdictions, functions and procedures of the campus courts—an accomplishment long overdue. Under the proposed reform, the Student Council continues to exercise original jurisdiction in all cases involving the constitutionality of legislative or executive action. Secondary jurisdiction will also continue to be exercised over "all cases decided by the Men's Council, Women's Council, Law School Court, Medical School Court, Dental School Court, if established, Interdormitory Council Court, Interfraternity Council Court and Dance Committee." However, no longer will there be two trials of the same case by two different councils as is the instance under our present mis-named "appeal" system.

Thus, a true appeal procedure will be established. Under it a student who has been tried before one of the campus councils may have his hearing reviewed by the Student Council if he believes that the lower council failed to observe all or any of his constitutional rights. If, upon review, the Student Council finds that constitutional provisions have not been followed, the case would be remanded to the original council for a re-trial to be conducted according to the provisions of the Student Constitution.

At this point an element new to the student judiciary is added by the proposed amendment. If the re-trial by the lower council is conducted again in violation of constitutional guarantees, the Student Council may once more remand the case, or it may dismiss the charges against the accused. In other words, there is assurance beyond any reasonable doubt that the rights guaranteed to the student in our Constitution will remain supreme and uncompromised. A hearing other than one conducted according to the Student Constitution will not be permitted in our student government.

It is essential when giving responsibility to an individual or group that a commensurate degree of authority be assigned. If the authority is missing, then the responsibility cannot be met and fulfilled. The latter is the case in our campus councils.

It cannot be expected that the lower councils will consistently put forth the effort and judgment required to reach a just decision when trying the "second trial" by the Student Council their decision receives only passing consideration. No one is to blame for this situation. It is due to the vagueness of our constitution and the resulting "creeping away" from the original intent of the constitution and from a workable system.

The current grounds for appeal to the Student Council are the best examples of our evolution into a multiple trial system which has plagued the student courts for years. In considering an appeal on the ground that, "the evidence heard by the lower court was insufficient to convict," an incorrigible situation arises. The Student Council cannot call back into being per se the oftentimes many hours of testimony by several witnesses. These witnesses must be questioned again as must the accused because the entire body of testimony that was presented to the lower council must be re-heard—the second trial is in progress. The final decision by the Student Council does not become, "could the lower court have convicted the accused on the basis of this evidence?" because there is no standard upon which to base this decision.

There is no minimum amount of evidence than can be set in time or word length as necessary for conviction. The Student Council must first determine guilt or innocence for itself and apply that decision, saying in effect, that since we cannot find the accused guilty there was not enough evidence for the lower council to reach that decision; or, we find the accused guilty, therefore the lower council could have done so. It is essential that student government speak clearly and definitely in these judicial matters—the Honor and Campus Codes are serious considerations. The present judicial voice is often muddled.

It cannot be claimed that the Student Council is the voice of justice while the lower council is not—or seldom is. Student Council members are not selected because of superior qualifications over lower council members, in fact they are for the most part less experienced than lower council members because they handle fewer cases. They have nothing more to work with than an honest and sincere effort and the use of good judgement. These are the identical tools of the members of the lower councils.

The proposed amendment would add a graduate student to the membership of the Student Council. Student government has recognized that such problems and situations exist in the several graduate schools, but we have failed to carry this recognition to the Student Council. This is a serious mistake when we consider the fact that the Student Council may review cases tried by the graduate school courts.

The absence of a graduate member has deprived the Student Council of representation from the most mature segment of the student body. Without a graduate student the Council is not constituted to appreciate the special situations that exist at the graduate level, and is rendered less com-

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by Bill C. Brown Tar On My Heels

Nothing ventured, nothing gained.

Ever heard that? Ever stopped to figure out what it means? Many a sermon has been preached and many a person has heard them and many a person has died leaving a world in which he knew not victory nor defeat. He lived in what Theodore Roosevelt called the "gray twilight that knows not victory nor defeat."

And so Bill C.—Boy Columnist goes to press fighting the endless battle against those who lack courage; the dwellers of the gray twilight.

It is nice to dare mighty things and to win great triumphs; I like Ike. But everyone cannot know great triumphs; there must be the failures in life. There must be the failures in college. According to those instructors who grade on the curve, there must be a certain percentage achieving great triumphs and a certain percentage exemplifying failure.

But, nothing ventured, nothing gained. In every election there must be a winner; there must be a loser. But both have dared—both have had the courage to try. Either Ham Horton or Ken Barton will be our next President of the Student Body. The other will be a forgotten candidate inside of two months. But both had to dare. Both had to have the courage—some call it "gall"—to enter the presidential race.

And don't discredit their courage. It takes plenty of it to submit your name to the mud that will be slung on it in a political race for the Presidency.

At least the loser in the battle has had the experience of a campaign though. He has had the experience of defeat. That is far better than the person who neither enjoys nor suffers. Existing is a sad state indeed.

There are a number of organizations on campus which are crying out for people. But it takes "guts" to walk into that first meeting. A prettier word is "courage".

But more than that keeps students away from the extra-curriculars. It is the fear of a bitter defeat. No one wants defeat. That keeps a large number from entering a political race. I don't want to lose the position I seek; neither does Ham Horton nor Ken Barton. But for every winner there must be a loser. A loss is better than just having existed.

But you don't have to run for a political office to taste defeat. Students experience defeat every day in not being appointed Social Chairman of the YMCA or in not having been included on the Ministers' dinner invitation list. Defeat in a real way, but life in a real way too.

—Far better it is to dare mighty things, to win glorious triumphs, even though checkered by failure, than to take rank with those poor spirits who neither enjoy much nor suffer much, because they live in the gray twilight that knows not victory nor defeat.

—Theodore Roosevelt.

Riff by Joe Raff

An inspection of what has been done within the governmental agencies on the Carolina campus reveals its share of propaganda and boasting by proud party-liners. Not all this boasting is without consequence however, and the propaganda extended to the Carolina student body is not always political in nature, but is sometimes recognition for jobs well done. Not all propaganda is untrue as some have grown to think, but much of it may have great import in deciding the outcome of the Spring elections.

Along these lines the Student Party is taking a well deserved pat on its own back and, at the same time, endeavoring to inform the student body of its accomplishments throughout the last administration of SP President Henry Bowers.

A backward glance shows instances where the Student Party has not fared too well in student opinion. One such case is that concerning the Judicial Reform. This is a matter of controversy that will only be settled when the tabulations are in after the elections. The aspects of this action took form in the organization of a judicial study group resulting in a revision of the appeal system and the establishment of a separate court for the dental school. A point conceded as valid by many SP critics was the added emphasis on Carolina's honor system during the orientation sessions. What favorable results this has brought are not outwardly visible, but the SP has made an effort to support this valuable concept.

More heated debates were on the Legislature floor when the SP suggested a reduction in the size of the legislature, thereby cutting out a lot of "dead wood," forming smaller and more unified committees and increasing the efficiency of the organization as a whole. This resulted in a successful proposal for re-districting the voting areas making the distribution more equal and improving representation. Student Party executive reform was illustrated by the establishment of an executive-secretary office and a more accessible location for the student government office.

The Student Party, taking notice of more needs than governmental, took action to answer the need for more dormitory

conveniences. The answer sounded to the tune of additional social rooms in dorms and a vast increase in social activities between dorms.

The orientation program needed a shot in the arm; so the SP made improvements in the pre-school program and instituted the more favorable class-room intimacy to replace confusing and un-instructive freshman assemblies.

A particular brand of smile crosses a SP man's face when NSA is brought into a conversation, for the Student Party takes great pride in its support of this national organization. In the regional as well as in the local areas SP has done much for furthering the cause of NSA.

Another pet of SP was the complete revision of the structure of the Consolidated University Student Council which led to an increase in cooperation among the three student bodies as well as better communications with the Consolidated University Administration.

A faculty-student curriculum committee was formed which recommended to the administration that higher restriction be placed on enrollment and a system involving examinations be instituted. The group also looked into the possibilities of affiliating the University of North Carolina with a foreign university along the educational vernacular.

The Student Party expressed itself loud and strong for student's rights and academic freedom. It continued advocacy of equal rights for all students. This sounds about as committal as opposing sin, but the nation is still shocked by examples where there is antipathy to extending equal rights to students and granting academic freedom.

The Student Party also takes bows for playing a major role in the abolition of the Co-ed Senate, and, while on the subject of coeds, accepts recognition for having established better seating arrangements for those students dating non-Carolina students.

The past year of Student Party activity has proved itself unusually prolific for the student body as a whole. With this in mind it is only natural to foresee another such profitable year ahead if the Student Party is put in office.

Horton Says Mud Thrown

(Continued From Page 1)
President Bowers has not represented student opinion."

"I am confident," Horton said, "that Carolina students will not be misled by the techniques of the opposition into forgetting these facts. These things (the issues) no one can deny. What cannot be denied they have tried to cloud."

"When a group fails three years

in succession, does it make sense to let the same group try the fourth time," Horton asked.

He invited all students to inspect the UP platform and "to give us an opportunity to carry it out."

"We are certain we can do a better job," Horton said. "We could hardly do a worse one. Give us a try."

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