#### perspective

Monday, October 13, 1975

## Impact of the ruling

Student Supreme Court today is highly important for the entire campus, not just for Mike O'Neal and Bill Bates, the plaintiff and the defendant respectively.

First, the decision should put an end to much of the in-house fighting that has virtually paralyzed Student Government for weeks.

Second, the decision, which should entail a lengthy opinion from the court, will go a long way towards patching up the obvious flaws and ambiguities in the Student Government Constitution that have allowed the situation in Suite C to reach the absurd point of the lockout of a dismissed official.

Much of the argument at the trial has revolved around whether or not the Student Government treasurer is a part of the executive branch of Student Government.

The decision on this question will make a great impact on the function of the treasurer. If the treasurer is considered a part of the executive branch in the strictest terms, the president will be ultimately responsible for all actions of the treasurer, and the treasurer equally responsible to the president.

On the other hand, the court could interpret the intent of the law

The decision expected from the to be that the treasurer is a semiautonomous official, responsible only to CGC.

> Third, and most likely, the court could find a middle ground between these two extremes.

> Whatever the decision of the court, it is imperative that all students and organizations involved move with utmost speed to follow that ruling and stabilize student government.

Any disagreement with the court ruling must be pushed to the background of the day-to-day operation of Student Government, whose main function is to serve the students, not hold political manuevers for semesters at a time.

When the court interprets the Constitution, that interpretation becomes the official reading of the Constitution which can only be modified by a Constitutional amendment.

So for the moment, Student Government leaders must concentrate on the implementation of the ruling and the efficient function of Student Government as a service-oriented institution.

Constitutional amendment can be a resort only when the Constitution as presently interpreted is proven to be ineffective in serving the students. - GDP

#### Todd Stebbins Representatives must inform

Lisa Bradley seems to be stepping into the dark with her opinions concerning Dan Besse's recall election. Yes, misrepresentation is the issue, so let's stick to that issue. Ms. Bradley said in her column on Oct. 8 that "the determination of a majority opinion among students on any given issue facing CGC remains an unrealistically attainable goal." If all people involved in Student Government (Dan Besse included) honestly believe this, then Student Government truly is a Mickey Mouse organization, or as C. Reid Maness phrased it, "a farce." (DTH, letters to the editor, Wednesday, October 8.)

I agree with Ms. Bradley that many students do "lack reliable information on a subject to assert an educated opinion." It seems to me that the job of a representative then would be to inform those ignorant students and to stir up some concern for these subjects. Further, Ms. Bradley asked if it is "possible for one person ever to represent Morehead Confederation?" Yes, Ms. Bradley, at least I hope so. Representation is the whole basis for our government; moreover, representation of District VIII would be more easily attainable if the said representative did not have the present conflict of attitudes and interests between representation of the Morehead Confederation and his job as Speaker of the CGC. Mr. Besse has expressed that his main responsibility is as Speaker of the CGC. I feel that as the Morehead Confederation's representative to the CGC, Mr. Besse's main interests should be as the Confederation's Representative rather than as Speaker of the CGC. When his interests as Speaker outweigh his interests as the Morehead

Confederation's Representative, then those who elected him in good faith, hoping to be represented, are cheated (as was the case in the CGA funding issue)

Ms. Bradley goes one more step into the dark with her line: "One cannot expect an elected representative to execute to the best of his or her abilities the duties of the office and simultaneously to devote a considerable portion of his or her time gauging the elusive 'majority opinion' on issues not directly affecting the voters."

First, let me say that the specific issue usually referred to in this recall business is the issue of CGA funding. In this specific issue, which merely represents Dan Besse's lack of misrepresentation, the voters were Carolina; therefore, I believe that if a representative is to act in good conscience, he should get out and meet the people, talk to them and get them involved.

I agree with Ms. Bradley that "knowledge of the pro and con arguments of an issue figures predominantly into the final decision of any elected official." She goes further by saying that one should be wary of a representative who fails to act in " 'good conscience' in the face of political pressures about which students may have no knowledge or appreciation." The point, however, remains to same - a representative owes it to those voters who elected him to be their "representative," to inform, enlighten and enhance their knowledge of the issues. Communication is necessary for representation. In conclusion, Ms. Bradley has plunged into a dark abyss, or black hole if you prefer, with her closing argument that Dan Besse should not be recalled because of his "entire voting record." Is the saying that Mr. Besse is guilty of misrepresentation on some specific issues, but his entire voting record shows that he should be above reproof? It seems so. I can't help feeling, though, that Richard Nixon's "entire voting record" was considered by very few of us after Watergate (remember the trip to Red China, landing men on the moon, getting us out of Viet Nam). But, no sweat, Ms. Bradley and Mr. Besse, I'm one of the worthless majority who go through Carolina misinformed and unenlightened. I probably won't vote on October 15 anyway. Who cares?

### letters From the alley to the street

To the editor,

Seeing that there has been little response to your "Who's in the alley, who's on the street?" editorial (DTH, Oct. 2, which by the way does not belong on the feature page), I feel someone must speak up on the point being made.

I am surprised that here in the socalled "liberal mecca of the South" you Chapel Hillians have allowed such an event as pushing the flower ladies out of the lively, sunny streets and into the damp, dark alleyways.

Why do we always put minorities at the back of the bus?

Do flowers bloom in the shade?

In view of the coming Bicentennial (I'll bet you are tired of hearing that!), let us remember the ideals and beliefs that this country was founded on, such as: free enterprise, good quality products - handmade for the most part by colonial artisans and tradespersons, and the spirit of self-sufficiency (not to mention freedom of expression!).

Mass industrialism was not at the forefront of business at that time.

Paul Revere, for instance, produced quality, handmade copper and silverware.

Hand presses were used to provide stimulating propoganda (i.e. "Common Sense" by Paine).

Women like Betsy Ross were producing flags which represented our struggle. They were not using Singer sewing machines in sweatshops run by large companies out to make a buck.

America, aside from nurturing a spice, tea, and sweet habit, did not depend solely on outside sources for the

## Heavy-handed Holtz

Maryland beat N.C. State this weekend 37-22.

Unfortunately, that is not the fact that most people will remember about the State-Maryland clash.

What will be remembered, because of the national coverage it received, is that an NCSU mathematics professor was arrested for allegedly spying on the Wolfpack.

Last week, Dr. Robert T. Ramsay was jogging on the State track around the field where the Wolfpack was practicing for its encounter with conference champion Maryland. Ramsay refused to leave when State coach Lou Holtz had a security guard ask him to clear the track.

He was promptly arrested and carried away.

Ramsay claimed he had the right to jog because the football team was not using the track. Holtz obviously disagreed.

Ramsay was later officially pardoned by acting NCSU chancellor Jackson Rigney.

As to the effect of the whole affair, we can agree only with Dr. Samuel Tove, chairman of the NCSU faculty senate.

"Holtz made a fool of himself," said Tove. "Ramsay came off looking intemperate. And the University was damaged. It had done no one any good."

Indeed, as of this moment, the affair had done no one any good. But Tove's words concerning the use of University facilities point to a possible positive offshoot of the affair.

"I am opposed to closing off any major area on campus," Tove said. "If Holtz wants to hold a secret practice, he can do it in Carter Stadium."

Athletic departments of major universities have often been criticized for their insensitivity to the other segments of the university community. This affair has rekindled such criticism and has further tainted the name of college football.

Let us hope that this dead joke of a news story will remind university administrators everywhere that the major college football machine can be all too heavy-handed in its attempts to win the big ones.

#### Charles Poole

directly affected. The voters didn't want their money spent to fund the Gay Association. These feelings were expressed at a hearing that Dan Besse held for the Morehead Confederation. The students told Mr. Besse to vote against CGA funding, yet he ignored these wishes and voted for funding the CGA. The decision, therefore, directly affects the voters.

Second, and getting back to the last quote cited, I believe (in my misinformed and an apathetic way) that the representative's whole purpose is to do what Ms. Bradley said he could not possibly be expected to do. i.e., execute his duties and gauge the majority opinion. It is my opinion that Dan Besse's purpose as Morehead Confederation Representative is to inform and then represent, all in one.

Ideally, voters should familiarize themselves with political responsibility and not be apathetic, etc., as pointed out by Ms. Bradley, Historically, however (and we should learn by our mistakes), it has been proven that voters will be apathetic at

Todd Stebbins is a senior English major from Gastonia, N.C.

hand-produced good market. Many of the colonial goods were produced up front for all to see. This stimulated a greater appreciation for our consumer goods (not to forget the

> through continual use). The unemployed person did not go on welfare. Many had crafts and trades on the street which also helped the economy. These people as yet had not been pushed away by the big businessmen who follow this present Golden Rule: He who has the gold, makes the rules.

many years that these goods have lasted

Today in order to go into business (legally) one usually must have an established credit source and a good deal of capital and, last but not least, the right business for certification.

Where do the common and unemployed people get this capital? Especially when inflation is high and wages are low.

What if we don't want to be employers?

"Idealists (working) go to the back of the bus!"

So let us have articles on the businessman's clout with the law enforcement agencies and Board of Aldermen (persons) in reference to the flower ladies (flower arrangers) and street artists.

So what if the businessmen put ads in your paper. Represent all the people through balanced journalism. Let the businessmen represent themselves through advertisements and service.

Let us press for established nonconflictive street artist areas with selling permits and taxation to help alleviate the dirty street situation.

Forget the Catch-22 mechanism that says, "You must have a permit to sell on the street and I'm sorry sir/ma'am but we do not issue sellers permits."

Let us be fair to everyone and allow a balanced free enterprise system to pervade in our good town, Chapel Hill.

**Treebeard Bruce Paine** 

#### **Required Reading**

To the editor:

Ben Cornelius' recent column ("The land of cotton - forgotten") should be required reading for every Southerner, but especially for all those Northerners who would try to impose Northern standards of "progress" on the South.

Having been born in the deep South, but having lived most of my life in the North, it is with some degree of objectivity that I can express my opinions; and I am certain that anyone who has lived in both areas for any length of time will verify them. There is something unique and wonderful about the South, something that goes beyond the South's warmth in contrast to the literal and emotional coldness of the North. There is a sense of closeness, of fraternity, of belonging in a way that is incomprehensible to pseudo-superior Yankees. Sure, the South has some problems which the North does not; but if you look at the whole picture, I think you will see that the South is a damn sight better off than the North. One more thing to you Southerners, lest you fall victim to the same snobbery that afflicts our Northern neighbors: A person's place of birth or upbringing is no sure indicator of his affections; people have often called me a "damn Yankee" without thinking. And to you Northerners who are fortunate enough to find yourselves here: You still have a chance - remember, home is where the heart is.

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The debate over smoking, which began on this campus last year in the

School of Public Health and which has taken on University-wide dimensions with the proposal in this Wednesday's General Elections of a classroom ban, has centered upon the rights of nonsmokers in closed spaces. A small but unavoidable number of people experience allergic reactions to tobacco smoke. For many others, comfort and convenience are impaired, especially in areas where concentration and attention are required — such as the classroom. The pivotal consideration to many, however, is the effect of sidestream and expelled smoke upon the health of the average nonsmoker. This hypothesis is of popular concern because, if proved true, it would allow for compelling argument based solely on externalities (i.e. "What you do harms me, so you should not do it.").

We should begin, then, by recognizing that indisputable evidence of major health damage to the nonsmoker has not yet been documented. Such evidence as we have available is strongly suggestive, however, and the scientific literature continues to expand rapidly in this context. Especially lacking are data concerning the all as the sanitary movement in this country) that have been made upon much less information than has so far been amassed for this problem. John Snow's symbolic removal of the handle from the Broad Street pump in London had taken place decades before the etiologic agent for cholera was identified.

# Smoking ban is rational move

The evidence of damage is, unfortunately, much clearer in the case 115,000 Americans, or about twice as many as died in all of the Vietnam War. When the causes of death for which smoking is a contributory risk factor are considered (these include ischemic heart disease, a wide variety of cancers, and cerebrovascular disease), the practice is implicated in approximately half of the total yearly death toll.

If males age 35 to 60, for example, who smoke had the same mortality rates as nonsmokers, about one-third of all deaths among this group would be averted.

While the decision to take up or to continue the practice of smoking may be ultimately an individual one, it does not take place in a neutral social environment. The structure of American society fosters and promotes the smoking of cigarettes. Cigarette advertising, even after the television ban (which saw a concurrent abandonment of anti-smoking ads), is pervasive and effective; the tobacco industry's advertising budget is still around \$300 million. The bent cigarette, the Marlboro-man centerfolds and the perennial back cover of TV Guide (Carlton, right?) typify our daily involuntary exposure to cigarette consciousness. Dramatic productions portray smoking as commonplace behavior, which it is, and as a necessary accoutrement to romance and adventure, which it is not. In many social settings, such as following the evening meal or accompanying drinking, smoking is not only accepted, it is considered de rigeur. It is under most circumstances legal (though increasingly less so) and it requires no departure from conformity with social norms. Finally, and of great importance, cigarettes are ubiquitously available.

nonsmokers' rights? I submit that it can legitimately be viewed as a formal and consensual statement restricting, in a quite limited way, the times and places wherein smoking is to be considered acceptable public behavior. Considered in this manner the issue becomes depolarized, for private rights and public responsibilities are two very different considerations. The question is no longer one of the rights of one group over another; rather, it is both groups recognizing the ubiquity of a hazardous substance in their environment and attempting to control human exposure to that agent. This view is buttressed by my observation that no one who does not smoke wishes he did, and that few who smoke are truthfully glad that they do.

It must be remembered that the operative words here are control, in the hope of minimizing preventable death and disability. They should not be confused with prohibition, which seeks to eliminate the problem. That distinction was the real lesson of the 18th Amendment, not that nothing at all can be done.

But is the classroom ban not just another instance of "creeping" infringement on personal freedom? he answer to this question is fundamental and complex, but it must begin with the realization that public behavior is already well-regulated, both by law and by social custom. Many of these rules, such as the public prohibition of nudity or mutilation of small animals, are imposed on purely moral grounds. From the vantage of rationality, what could be more morally objectionable than to observe, in a public place, people incrementally coating their lungs with a substance known to cause massive death and disability? Let us choose our restrictions on public behavior carefully and from rational grounds; an ideal place to start is with the most devastating single cause of death in American society - the smoking of cigarettes.

of the smoker himself. Smoking is the primary cause of lung cancer, bronchitis and emphysema; it is a major cause of cancer of the larynx and peptic ulcer. These diseases, in 1973 alone, killed over

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What, then, can a classroom smoking ban be, if not merely a defense of

Charles Poole, chairperson of the Student Council of the Department of Health Administration, is from Oaklyn, N.J.

John S. Harrison 207 Grimes