

By JOHN TONKINSON  
Staff Writer

Although the battle against sexual discrimination continues, many sexual biases are deeply ingrained in marriage and divorce, legal experts say.

Laws dealing with marital affairs based on gender were the topic of the second part of a three-day seminar on "Women and the Law," held Wednesday night. The seminar, conducted by the Carolina Union, used videotapes and lectures to explain some legal problems facing women.

The speakers at the meeting were Jane Mathews, director of UNC's women's studies program, and Carol Badgett, attorney at law with the UNC Student Legal Service.

The marital rights of women have changed a lot since the days before the Constitution, Mathews said. Women used to lose all civil rights when they married, she said, adding that they could not sue or make binding contracts on their own.

For example, husbands in North Carolina could whip wives until the 1880s, Mathews said. And until 1964, the husband's agreement was needed if the wife wished to sell any property.

"There has definitely been significant progress made," she said, referring to wives' legal rights.

Under common law — which is based on custom and precedent — the husband is responsible for supporting the family and choosing the domicile, while the wife has a duty to maintain the household, Badgett said Thursday.

"Some statutory law (codified law) is inconsistent with common law, however," Badgett said.

For example, the U.S. Supreme Court ruled in 1979 that divorced wives may be responsible for making alimony payments, thus recognizing that either spouse may be dependent on the other. This is a case where the wife may support the family, she said.

North Carolina law also states that both husband and wife share equally the responsibility of child support.

To get alimony in North Carolina, a spouse has to prove that he or she is dependent on the other spouse and that the fault lies with that other spouse, Badgett said. The grounds for alimony vary from state to state.

One way of eliminating sex biases in marriage is through marriage contracts, she said.

Marriage contracts are legal agreements drawn up between the spouses to be used in case of a breakdown between the spouses. Although there has been no true testing of the strength of marriage contracts, those dealing with property divisions should be enforceable by a spouse, Badgett said.

"Marriage contract are gaining in social acceptance," she added.

In 1981, the North Carolina Legislature passed the equal distribution property act, which states that either party may apply to a court to divide marital property acquired during marriage in the course of a divorce. This division depends on such factors as which spouse receives child support, whether both spouses work and so on, Badgett said.

Cohabitation is a criminal offense under North Carolina statutes. Therefore, contracts drawn up between two people "living together" are not recognized as enforceable, she said.

But North Carolina legislation does, however, recognize that some people do live together unmarried, Badgett said. The domestic violence law, for example, mentions couples living together in addition to married couples.

The "Women and the Law" seminar also focused on the increasing divorce rate. Reasons for marriage are changing, although marriage laws remain more or less the same, Mathews said.

Marriage used to play a much more practical role, existing largely for the birth and care of children, she said. In the last century, however, the government has taken away many of the former responsibilities of families. Health care and education, for example, are now provided by the government.

Today, a main reason for marriage is love, Mathews said. There are a growing number of married couples who have decided not to have children, thus eliminating many old conceptions of marriage, she said.

Couples that used to stay together out of need are now able to leave each other if they are no longer in love, because need is gone, Mathews said, thus increasing the divorce rate.

Although the United States has the highest divorce rate in the world, it also has the highest proportion of married people, Mathews said. The rate of remarriage is also very high, suggesting that an increased divorce rate does not signify a growing disenchantment with marriage, she said.

Although the Equal Rights Amendment did not pass, as the speakers in the videotape thought it would, changes have been made in the public perception of marriage.

# New laws could erode sex bias in divorce cases

By Campus Elections Board

## New vote-counting system considered

By LISA PULLEN  
Staff Writer

Election night on campus may go a lot smoother this February if the Election Board's hopes for a new computerized balloting system are realized.

Attempts to computerize the vote-counting process were initiated last year when the Elections Board accepted an offer from a firm to provide a computerized return system at no charge on a trial basis. The Elections Board was contemplating computerizing campus elections, and the firm was hopeful that their system would be purchased by Student Government.

But problems with counting last year's returns have led this year's Election Board to consider an alternative type of system.

"I hope to be able to get in some type of computer system," said Stan Evans, Elections Board chairperson.

The Elections Board is considering using a "computer elections system" (CES) in this year's elections, Evans said. On Wednesday, the Elections Board met with a sales representative to discuss the feasibility of using such a system in the

spring. "It looks like we'll propose the CES to the CGC," Evans said.

The system involves a sheet ballot divided into numbered squares. At the polling location, voters would be given a list of the all-campus candidates and the CGC candidates for their districts and their corresponding numbers.

Voters would punch the numbered boxes of their choice on the styrofoam-backed ballot with a stylus. A detachable section of the ballot would provide space for write-ins. The ballots would then be hand-fed into a vote counter.

Though the hand-fed counting machines would be slower than the automatic machines used on last year's elections, the system has several advantages, Evans said.

Last year, problems arose when people marked their choices on the ballot without filling in the corresponding boxes for the computer to read.

"We had people marking it in any number of ways," Evans said.

"A punch card would be better for us. A hole is either there or not there," he said.

Last year's system also did not have a

detachable section for write-in votes; so all the votes on ballots with write-ins had to be tabulated by hand.

Last year's system also would have been prohibitively expensive, Evans said. If machinery had not been provided free of charge, last year's tabulation would have cost more than \$10,000, with the cost of printing two sets of ballots — one with the all-campus candidates and the other with the CGC candidates — being \$1,300, Evans said.

The CES system under consideration would cost "\$5,000 tops," Evans said. The main expense would lie in purchasing two counters at \$2,000 each. The ballots could be used in successive elections, with only \$350 going to print ballot guides listing the candidates and their numbers, Evans said.

Funds for the computerized system must first be approved by the CGC.

"If we don't get the money from them before Christmas, we'll gear up for a paper ballot election in the spring," Evans said.

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Petitions for candidates for the campus elections in February will be available Monday, Nov. 15.

## RA's project delivers 'Christmas Break'

By FRANK BRUNI  
Assistant Arts Editor

Confronted with the dilemma of what to do for the educational project required of all Resident Assistants, Morrison's Pete Turner really took things into his own hands. The senior speech communication major penned his own play, a comedy in two acts entitled *Christmas Break*.

"I was thinking about the project this past summer, and I decided it would be a good idea to do a play with the dorm residents," Turner said. "I proceeded to look for the right play, but couldn't find what I was looking for. So I wrote my own play."

*Christmas Break*, which traces the developments and life decisions of five college students over the vacation period mentioned in the play's title, is the result of Turner's initiative.

"The play is set inside a dorm room," Turner said. "The first act takes place before Christmas vacation, and the second act takes place after. I drew upon many of my life experiences to write the play," he said.

Turner, who serves as the Resident Assistant on Morrison's ninth floor, is directing the play as well. He sees the play as an

opportunity to share his knowledge of acting and theatre with others and to provide Morrison residents with an educational experience. Turner's own theatre experience includes a role in last year's *Cabaret* production sponsored by the Carolina Union.

"I opened auditions for the play to all Morrison residents, but I was looking specifically for people who had had little acting experience," Turner said. "I wanted the actors to be able to learn from their involvement with the play. I think the people who've done the play have grown a lot," he said.

The play's characters are played by Morrison residents J.N. Fitzgerald, Gregg Johnson, Debbie Trevor, Gregory Scott Johnson and Kathy Drye. Trevor is a sophomore, Fitzgerald is a junior and the other three characters are freshmen.

Turner is directing the play with the assistance of Barbara Brett.

"We've been rehearsing for five weeks now, and the last time we ran through a performance, I was extremely pleased," Turner said. "I'm hoping people will come and see the show."

*Christmas Break* will be performed in the Morrison Recreation Room today through Saturday at 8 p.m. and on Sunday at 2 p.m. The admission price of \$1 will benefit the World Hunger movement.

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