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The Daily Tar Heel

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BOARD EDITORIALS

Motown Robbery

An unfair policy that could require Morrison residents to pay for damage caused by vandals could be legally unenforceable.

According to Morrison Area Director Lynn Ellison, some South Campus students might have to pick up the tab for recent acts of vandalism in the residence hall.

But they shouldn't grab their wallets just yet.

Ellison is either bluffing or preparing to enforce a clause of the housing contract that is almost certainly legally unenforceable.

If the inherent unfairness of the policy is not enough to convince Ellison and University housing officials not to pass costs on to students, then the policy's questionable legality should.

Upon signing their housing contracts, students agree to abide by a list of community guidelines, one of which states: "In public areas of residence halls, including but not limited to lounges, hallways, kitchens, elevators and bathrooms, the replacement or repair costs for damages are assessed to an individual when responsibility can be determined. However, when individual responsibility for damages cannot be determined, the residents of a floor, suite, wing or entire hall are collectively responsible for repair costs."

Legal experts have informed the DTH that, although no such University policy has ever been litigated, the section of this contract making all student residents collectively responsible for unsolved acts of vandalism would almost definitely be struck down if

challenged in the courts.

Chapter 42, Article 5, Section 42-43 of the North Carolina General Statutes states that the tenant shall not be responsible for "acts of third parties not invitees of the tenant."

Certainly, the unidentified thugs treating Morrison like a launching pad for appliances and furniture could be categorized as "third parties not invitees of the tenant."

In a similar, though not identical, situation in which a suit was brought against N.C. State University's married student housing, the court ruled that the university could not hold the entire complex liable for damage done by unknown persons.

Consequently, there is little reason to believe the courts would not reach a similar conclusion if a Morrison resident challenged UNC's policy. That has to give Morrison residents some reassurance.

The bottom line is that in their threatening to spread the cost of damages among all Morrison residents, Ellison and the University are standing on shaky legal ground.

Either they are well aware of this and are merely using the policy as a scare tactic to coerce witnesses to come forward, or they are preparing to go after uninformed residents with a policy that is possibly illegal.

If Ellison and housing officials do decide to go through with their plans, then Morrison residents should have their day in court.

Bad Timing

Student Congress should not have approved a special election for the end of the semester. It should be held in the fall.

The new Student Congress is showing enthusiasm and initiative - but they picked the wrong time to do it.

All this week, Congress representatives have been in the Pit handing out information about next week's upcoming special election.

While Student Congress has been scrambling to generate interest, others involved seem to be less than enthusiastic.

Recently Sandi Chapman, speaker pro tempore of the 82nd Student Congress, has expressed her overwhelming frustration with the Elections Board for not better advertising Tuesday's election.

But now is not a good time for an election, and no amount of publicity will fix that. A more feasible course of action would be to postpone it until next semester.

To hold an election during the last week of the semester is ridiculous, as evidenced by the fact that although one-third of the Student Congress seats are available, there are only two official candidates. Students at this point are definitely more interested in exams, papers, graduation, job plans, moving out and going home.

If that's not reason enough to postpone the election, consider the fact that some students

still are not sure of where they are going to live next semester. Add to that fact that there are incoming freshmen who might want to serve in Congress and deserve the chance to run.

But, perhaps most importantly, not only are students unlikely to run in the election due to the timing, but it is not reasonable to expect that they would take their time to vote at this busy time of year.

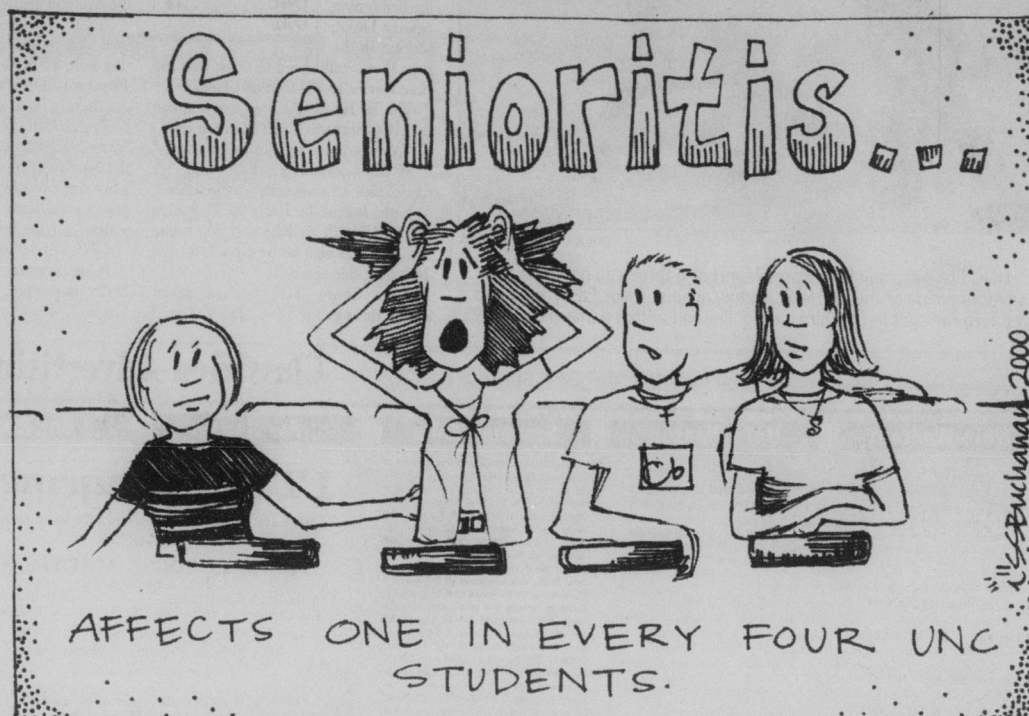
Taking into account all of these factors, it would not be a stretch to say that Tuesday's election is going to be a flop.

It doesn't matter how hard Congress works to publicize it, or how much Sandi gets upset about it.

But if they hold off and schedule an election for a few weeks into the fall semester, students' living arrangements will be finalized, freshmen will have the chance to get involved and more people will vote.

And no one's time will be wasted.

Student government officials obviously weren't thinking about the students when they planned this election. It is inconsiderate of them to schedule something so important at such an inopportune time.



Mooser Needs No N.C. Connections

The new chancellor is Jim Mooser? I remember sticking my hand in cold spaghetti in his basement. I don't know if I really believed it was brains, but it was certainly a new experience to a young boy.

I remember skinless grapes and cotton-ball cobwebs. The organ belted out macabre tunes. To this day, I'm not sure if that was him playing.

In this amateur haunted house, the scariest part was when his son Chris and his friends grabbed my friends and me and screamed in our faces.

It wasn't so much the element of surprise that scared us, just the knowledge that the group of older kids could beat the crap out of us.

I don't remember how much I paid to enter the Mooser haunted house on Campfire Drive because money matters little to a boy just learning the ways of capitalism.

It was his daughter, Carter, a year older than me, who stood on the porch like a carnival barker and lured in the neighborhood kids. We would have paid with 20-dollar bills; who knows, maybe we did.

I lived on Campfire Court, a cul-de-sac in the rolling hills of the "Old West" section of Lawrence, Kan. It was a quiet cul-de-sac that sat on top of a hill, overlooking much of the town. Campfire Court intersected with Campfire Drive, which was also relatively quiet.

It was pure Norman Rockwell. All the neighborhood kids would gather in the court after school and play kick-the-can and ghosts-in-the-graveyard until their respective mothers yelled to them that they were late for dinner. (Some louder than others.)

Campfire Court might as well have been a sitcom on the Fox Family network.

The Moosers lived in a house set way back off Campfire Drive, amidst the trees. They were on a hill, too, so I never paid attention to their house because I was always speeding down the hill on my bike or struggling to get up it.



BRIAN FREDERICK
ON TAP

The only times I ever saw our new chancellor was when he was mowing his lawn. But back in those days, the only time you ever noticed another kid's parents was if you were eating dinner at their house or if you got caught whizzing in their backyard.

My mom says he used to help with the neighborhood activities we'd have. He helped with the Easter egg hunt. He helped with the Fourth of July parade where we'd all decorate our bikes with red, white and blue streamers and flags. We went along with this crap because we were all hopped up on Coca-Cola, and Fourth of July meant fireworks.

My only other memory of Chris Mooser involves fireworks. (Actually, all of my memories seem to involve fireworks.)

Anyway, Chris and his friends started the festivities with a Saturn missile battery. (You know, the ones that launch 50 screeching missiles in all different directions.)

He stuck one of these into the mailbox of the kid nobody liked. The mailbox was too sturdy, though, so it was spared. (Who would have thought it would take a 2-liter bottle and some Drano?)

Chris and his friends had four grocery bags of fireworks. Fortunately, they didn't have the patience of the FBI agent who used to sit in the cul-de-sac and light one Black Cat after another.

Rather, they just made one big pile, threw some lighter fluid on it, and chaos ensued. Fifteen minutes later, amidst the carnage, a tiny little tank emerged, shot its sole shot and

died.

As for Carter Mooser, I saw her a lot more in high school and college.

We'd run into each other at a party or the bar and we'd catch up and that was about it. She was always down-to-earth and friendly. She's now working on her doctorate at the University of Arizona.

Chris works as a reporter for The Arizona Republic, which has folks at The Daily Tar Heel and the School of Journalism and Mass Communication rubbing their palms, anticipating special treatment.

There you have it. All last week, The DTH was critical of the lack of ties between Mooser and the University. Well, now I can vouch for him. He's a good guy, as we say back home.

There's no need to get into his politics. As I've asked before, do we really want to see the campus sausage being made?

I forget, what do we really care about? Tuition? Well, affordable and accessible is the University of Kansas, where he worked for 20 years. Anyone who graduates from a Kansas high school is guaranteed admission. And it's dirt cheap.

On the other hand, my friends are on the 10-year bachelor's plan.

I'll just take my father's word. He thinks Mooser will make a great chancellor.

And Mooser will like Chapel Hill. It's a lot like Lawrence, but with more trees and better weather. It's certainly better than that giant parking lot they call Lincoln, Neb.

Who knows, before long, Mooser might be playing organ in your church. Listen carefully though. In the middle of the long, solemn hymns, he's been known to slip in the alma mater.

Good thing UNC and KU use the same tune.

Brian Frederick is a graduate student in the School of Journalism and Mass Communication from Lawrence, Kan. Reach him at brifred@yahoo.com.

BAROMETER



Playing Keep-Away

Nike retracted a donation after the University of Oregon decided to join the WRC, a labor monitoring group. If Nike has nothing to hide in its overseas factories, why is Oregon's decision so problematic?



Dropping By

A mere six months after the opening of his restaurant, 23, His Airness finally made a brief appearance. Life without sponsorship deals must be pretty boring.



Poor Choice

What was Student Body President Brad Matthews thinking when he nominated his girlfriend to be chairwoman? Politicians certainly make strange bedfellows.



Hangin' In

It might feel like February outside, but seniors don't need spring in the air to know that there are only five days of class left (including today).

TAR HEEL QUOTABLES

"I want to ask him if he wishes he could walk around ... without getting harassed. I just hope we can bring our cameras."

JUNIOR JENNIFER HURTGEN

Discussing what she planned to ask Michael Jordan when he came to town Thursday. Wonder if she planned to do this while shoving the camera in his face.

"I certainly would be willing to work with students."

PHYSICS PROFESSOR LAWRENCE ROWAN

Showing his support for the C-Start program. How generous of you to offer your time to students, Professor Rowan.

"We'll be the best public university in America ... in any measurable way that you can measure a university's reputation."

CHANCELLOR-ELECT JAMES MOESER

Are there immeasurable ways to measure reputation?

"I don't think this University would be driven to a particular decision because of a large license."

AUXILIARY SERVICES DIRECTOR RUT TUFTS

Explaining why Nike Corp. won't be able to pressure the University to bow out of the WRC. UNC: always putting integrity before corporate money.

READERS' FORUM

Women Must Not Be Afraid to Take Lead In STD Prevention

least to say "not without a condom, bubba" without blushing.

Professor Charlie van der Horst
Medicine

TO THE EDITOR:

Amanda Harlow made a very good point about calling me a sexist pig in her letter (well, not the pig part).

Yes, it is true that as health educators and HIV caregivers, we need to educate both boys and girls, and men and women about the risks of HIV and other sexually transmitted diseases. We also need to empower both sexes to delay initiation of intercourse until they are older and more mature. We must focus on both heterosexuals and homosexuals.

Nevertheless, it is important to point out some facts. The peak incidence in terms of age for all STDs including HIV is lower for women than men - i.e., older men and boys have sex with younger women and girls and infect them with STDs. Only one in four women in college who are sexually active have ever been to a gynecologist.

Given these facts (and as the parent of two girls), I do have a tendency to try to get women to say "no" or at

Van der Horst is the director of UNC's AIDS Clinical Research Unit.

Punishing Underage Drinking Should Not Be Police Priority

TO THE EDITOR:

I felt compelled to write this letter expressing the sheer madness of a scenario to which my friend was recently subjected.

Tuesday night she had her fake ID card taken at a grocery store and a ticket followed. She was merely accompanying her 22-year-old boyfriend buying wine and was carded as well. While in one of the four squad cars drawn to the scene, she heard a call over the radio. A mile away on Rosemary Street, a man had held a knife to a girl's throat, threatening to slit her throat and demanding her purse.

Meanwhile, to my friend's disbelief, not one of the four police cars felt

the need to go assist. Are the real crimes such as this not the ones that should be given full attention?

It is absurd that underage drinking has been attacked with the zeal that police and Alcohol Law Enforcement officers in this area have recently shown. While this new kick is certainly understandable in some realms - obviously laws are meant to be followed - there comes a point where enough is enough!

Enforcing the law is one thing, but turning heads on dangerous criminals to crack down on relatively minor "delinquents" such as my friend is simply ridiculous!

Furthermore, the idiocy of the situation becomes clearer when one considers that these "delinquents" are often Dean's List students simply having a few beers with friends after putting in hours at the library or celebrating a finished exam. For the police and the University to think that stopping this "college fun" is such a pressing matter is nothing but ridiculous.

Let's get a little perspective!

Meredith Brill
Sophomore
Business



The Daily Tar Heel welcomes reader comments and criticism. Letters to the editor should be no longer than 300 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. Publication is not guaranteed. Bring letters to the DTH office at Suite 104, Carolina Union, mail them to P.O. Box 3257, Chapel Hill, NC 27515 or e-mail forum to: editdesk@unc.edu.