

POINT/COUNTERPOINT

TOO YOUNG TO DIE?

The U.S. Supreme Court should ban capital punishment for those who commit crimes as minors.

The words "with liberty and justice for all" complete our pledge of allegiance. Everyday millions of children all over the country stand up and entrust their lives to a country that promises to protect all people.

In 1989, the Supreme Court ruled that individuals who commit a crime under the age of 18 may be sentenced to the death penalty. Juries were placed with the responsibility of deciding the fate of those individuals who lack the mental and emotional capacity to understand the overall consequences of an act such as murder.

As the most heinous crime in the nation, murder grabs the lives of innocent victims across the country daily.

Taking the life of another human being is disgusting, but executing minors who do not have the ability to rationalize their actions is just as repulsive an action.

The Supreme Court declared in May 2003 that mentally handicapped individuals could no longer be given the death penalty on the basis that they were unable to understand fully the lasting effects of murder.

Ultimately, the court protected their lack of understanding and inability to comprehend fully the lasting effects of such a crime.

Recently, the Supreme Court has realized finally that perhaps child-offenders need to be taken into consideration under these terms as well.

Amnesty International states that the United States is one of the last countries not to protect the rights of individuals committing a crime under the age of 18.

It is ironic that a country promising liberty and justice for all has been violating the civil liberties of minors for hundreds of years.

Sentencing a child-offender to be executed is simply not justice.

Given the current bias of the court system, there is no way that a jury should determine the fate of individuals who do not understand the severity of their actions.

In all honesty, conviction based on race, class and caste has become a major part of our judicial system.

It is unfair to subject our youth to the social constructs set in place by a society that continues to exhibit racist and elitist views.

Along with the social implications associated with the death penalty, the possibility of innocence continues to linger in the air.

The execution of criminals whose crimes were committed when they were minors completely disregards the constitutional ban on cruel and unusual punishment. People who do not have at their disposal rational thought and coherence should not be subjected to a system that is inconsistent and unreliable.

While the occurrence of sentencing minors to death is rare, the duty of the U.S. government lies in protecting every single life within the walls of this country.

One life taken is one too many.

The Supreme Court already has agreed that individuals who lack rational thought must be protected by the constitution.

Child-offenders must be included in this category.

Minors undergo a completely different judicial system than adults for a reason.

If the court system can recognize that child-offenders do not need to undergo the same process as adults, then there must be an alternative to sentencing a minor who commits murder.

Our children believe that the leaders of this country will protect them at any time under any circumstance.

While death and murder are sensitive subjects, we should never turn our backs on the youth that make this country glow.

The United States made a promise to its youth. Now is the time to keep it.

Heinous crimes warrant the death penalty, regardless of the youth of the accused criminal.

The United States Supreme Court announced Jan. 25 that it would hear the case of a man who was sentenced to death for crimes committed while he was 17 years old.

The case will explore the possibility that sentencing a person to death for crimes committed as a minor falls under the Constitution's prohibition on "cruel and unusual punishment."

With the virtues of the death penalty and the judicial system in general aside, the courts should not overturn existing law.

In most states with the death penalty, 16 and 17 year-olds can be tried as adults for particularly heinous crimes.

However, the state must wait until the convict is at least 18 to execute him, which is not usually a problem with all of the years of lengthy appeals that are available and, in fact, are required by law in capital cases.

Arguing that 16-year-olds are not capable of understanding full well the extent of their crimes is ridiculous.

Apparently, 16-year-olds are wise and intelligent enough to drive a car and decide if they want to drop out of school.

They can, in fact, understand the difference between right and wrong.

Some would say that an arbitrary age, such as 16 years of age, should not be used to judge one's eligibility for capital punishment.

But Stanford v. Kentucky, the 1989 case in which this issue was last addressed, stated that individual maturity tests were required to deliver a judgement of death.

Unlike drivers license laws, in which individuals are treated differently if they are under a certain age, each defendant must be judged separately.

Thus a person might be unable to vote but still be capable of it, and would remain subject to the full penalties of the laws of citizenship.

Not being able to drink or vote is just a side effect of laws that do not require individual maturity tests.

Think back to when you were 16.

Sure, you might not have made the best decisions all of the time, and you certainly are better equipped to go through the tough spots in life now.

The fact remains, however, that you knew it is wrong to murder someone in cold blood.

Keep in mind that only 22 inmates have been executed for crimes committed when they were minors since the reinstatement of capital sentencing.

This is a punishment reserved for the worst of the worst, killers who are monsters and cannot be allowed to continue to live.

Very few juries in the past have sentenced minors to death.

Even Lee Boyd Malvo, one of the infamous D.C.-area snipers was not sentenced to death in his first round of trials. It takes something particularly gruesome for 12 average Americans to condemn one of their fellow citizens to death.

Moreover, any sentencer is required by precedent set down by the Supreme Court to consider and have access to any and all information that would possibly provide a basis for a punishment less severe than death in Penry v. Lynaugh.

The courts also have ruled in Ford v. Wainwright that the term "cruel and unusual punishment" must be weighed against what would be considered cruel and unusual to the authors of the Bill of Rights. Only an overwhelming societal consensus can overrule said considerations of the founding fathers' intentions. It was established in Coker v. Georgia that that consensus is most likely to come from legislation and only the federal government and 15 states prohibit sentencing 16 and 17 year-olds to death.

There are a slew of precedents that support the application of the death penalty for 16 and 17 year-old murderers.

To take a step back in our laws would fly in the face of logic and the American sense of justice.

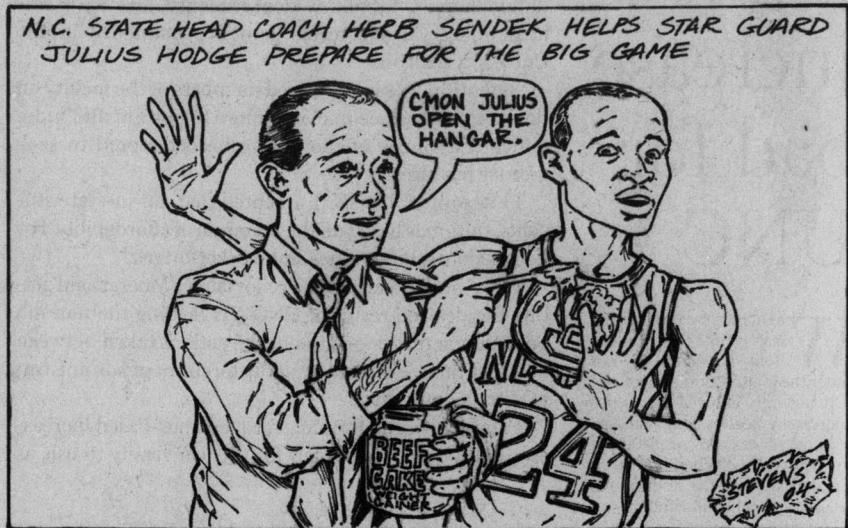
ON THE DAY'S NEWS

"An election is coming. Universal peace is declared, and the foxes have a sincere interest in prolonging the lives of the poultry."

GEORGE ELIOT, WRITER

EDITORIAL CARTOON

By Andrew Stevens, crazyaj@email.unc.edu



CANDIDATE PLATFORMS

Sense of community key for GPSF

Graduate and professional students often lack a sense of community at the University level.

To build this sense of belonging to a community, the Graduate and Professional Student Federation will work with the graduate school to bolster the current orientation offerings and improve alumni connections.

Furthermore, two major issues for the GPSF population are the University's recognition of the GPSF and communication from the side of the organization. Plans to ameliorate these issues include:

- A Meet-and-Greet Session between the SBP Executive Committee, Cabinet and the GPSF "counterparts."
- Outreach by the GPSF to the Deans and student governments of the professional schools
- Town relations — of particular importance to the GPSF population since most live off campus.

Tuition

Though the UNC Board of Trustees has made their ruling, the tuition conversation is far from over. The GPSF must continue to advocate strongly for graduate and professional students.

Teaching assistants

- Workload discrepancies
- Honor Code Training
- Parking and Transportation

Services and resources

- Career Development Conference — With the Career Development Office and the Graduate School, we will organize a conference designed to give

graduate and professional students the experience needed to succeed and network at "real-life" professional conferences.

■ Carolina Athletic Association Ticket Policies — The GPSF will ensure that ticket policies more fairly include graduate and professional students.

Judicial improvements

- Collaboration between separate systems
- Stable funding for operational expenses

International students

- Investigate the current system for assessing the readiness of international teaching assistants.
- Promotion of international student social interaction with other international students as well as other members of the University.



Jen Bushman



Colin Scott

RHA hopeful to seek resident input

I will have the Residence Hall Association work with Student Government, Student Congress, and campus departments and organizations to tackle important issues.

We will address the issues by listening to what residents have to say so that we are working on the "right things."

Doing this will make RHA stronger and give students a larger voice in what happens at UNC.

- Have RHA represented on the student government Safety and Security Committee to promote a safer on-campus community as well as having University Police meet regularly with the committee.
- Promote safety in residence halls through more community policing efforts with the Department of Public Safety.
- Provide a substitute for

closed computer labs through exploring the use of printing stations and cyber lounges.

■ Play an active role in the selection process for the new Vice Chancellor for Student Affairs.

- Expand committees to allow students to have more input.
- Accommodate residents off-set by the pending policy proposal on smoking in the residence halls.
- Inform residents of the impacts of construction through e-mails with maps and timetables.
- Form a committee to create programs that promote diversity and on-going dialogue.
- Capitalize on what we've

already learned to continue water conservation and apply it to electricity and promoting recycling.

■ Continue RHA's commitment to the community through volunteering and donations.

■ Increase enhancements in residence halls by streamlining current budget procedure.

■ Continue to have a representative from RHA on the Student Advisory Committee to the Chancellor.

■ Make RHA visible and accessible to residents through residence hall forums and better utilization of the Web site.

■ Increase RHA membership through drives at the beginning of each semester.

■ Reduce turnover at the local level of RHA and make the organization stronger through better administration and training.

EDITOR'S NOTE: The above editorials are the opinions of solely The Daily Tar Heel Editorial Board, and were reached after open debate. The board consists of seven board members, the editorial page associate editor, the editorial page editor and the DTH editor. The 2003-04 DTH editor decided not to vote on the board and not to write board editorials. The DTH Editorial Board reserves the right to publish a Point/Counterpoint to express both sides of an issue in instances in which the board either cannot come to a majority decision or the decision is too close to form a definitive editorial stance.

READERS' FORUM

UNC administrators should admit mistakes, cancel class

TO THE EDITOR:

Why is the administration so stubborn when it comes to inclement weather?

Despite the fact that thick ice remains on both roads around Chapel Hill and walkways around campus, students are forced to trudge through the ice and slush because classes resumed at 11 a.m. Tuesday instead of being completely cancelled. Whoever makes the decisions to close and re-open campus obviously has a history of poor judgment.

Last year UNC remained open during a heavy ice storm that caused many students to be stranded because the buses could no longer run their routes. UNC even stayed open this fall when a hurricane blew through the area, knocking over trees, causing power outages, and shutting down Franklin Street.

As I walked to campus Tuesday morning, a gigantic piece of ice slid off the roof of Hanes Hall and crashed loudly onto the sidewalk. This was after 11 a.m., and classes were in session. What if someone was hit by that ice? Many students and faculty commute to UNC as well, and with the road conditions as they are, that is just plain unsafe. The UNC campus and this area in general are not properly equipped to deal with icy conditions, because it is unusual in North Carolina. I

expect more from my University leaders than this foolishness. They need to follow the examples of other schools like N.C. State and Duke, both of which were completely closed Tuesday.

However, I'm afraid it will have to take a serious car accident involving someone commuting to campus, or a person becoming injured on campus and holding the University liable before administrators review their policies.

Why? Because they're too concerned with appearing superior to their peer schools (they call it "academic excellence") to consider the safety of their employees, their faculty and their students.

Matt Arnold
Senior
Business

Chancellor Moeser correct to reject salary bonus

TO THE EDITOR:

As The Daily Tar Heel has documented, the University, its community and the people of North Carolina face difficult financial challenges these days.

Many of us question the decisions of UNC-system President Molly Broad in giving substantial bonuses — amounting to more than the yearly pay of some of our employees — to campus chancellors in times like these.

It is surely important to recruit

and retain the best personnel, recognize merit and address inequities. Yet this allocation of scarce funds to top administrators reflects a shocking misjudgment on priorities when library subscriptions and classes are being cut to keep the University afloat.

We should be proud of the decision of Chancellor James Moeser here at UNC-Chapel Hill to forego such a bonus as a matter of principle when faculty and staff have received no such largesse. His decision last fall is even more timely now, when large tuition increases are being imposed on students. I hope that others will join me in commending him, particularly during a week when the work of his Task Force on a Better Workplace is coming to fruition.

Thanks for your commitment, Mr. Chancellor.

Judith Wegner
Chairwoman
Faculty Council

Independent Weekly column rife with inaccuracies

TO THE EDITOR:

No doubt some of you have seen the article, "Digging in their Heels," in the Independent that hit the stands on Jan. 22.

At least one of you was quoted as an anonymous source for this column, and as students in Jonathan Howes' section last semester, we feel

it our duty to set the record straight.

Indy Weekly's column was sloppy. The first half was simply a rehashing of other journalists' work. But the part of the column dealing with Carolina's American Studies 94 course showed a complete failing of journalistic principle. Not only was the article a gross misrepresentation of "The Role of the University in American Life," it was written on a tip from one student who refused to go on record, describing confidential conversation, obviously recalled after-the-fact, ripped out of context, and not corroborated by any other person in the room.

To the two of us, the only thing that the Independent reports in a column like this is its own anti-University bias.

Rachel Willis, the lead professor for the course, taught the class mindful of the quote from former University President Franklin Porter Graham's tombstone, telling us, "He trusted the students, and they gave him their best."

Our professors in AMST 94 trusted us, but at least one person violated that trust. The purpose of the course was the acquisition of knowledge, not the political indoctrination or manipulation of student leaders.

All the class discussions in both lecture sessions and recitations were student-initiated and dominated, promoting informed discourse and the analysis of a slew of issues relating to Carolina.

Jonathan Howes is an excellent asset to the University community, and he continues to act as an invaluable resource to his students.

Surely, the Independent can do a better job reporting on an issue as big as Carolina North. And surely, the Independent can find a better source for its columns than a student motivated by some sort of agenda. And if the point of this article was to reveal how the University was manipulating its student leaders, then clearly, the Independent can do better than be manipulated by those who would wish us ill.

Matthew Compton
Junior
History

Ashley Castevens
Junior
Public Policy

The length rule was waived.

TO SUBMIT A LETTER: The Daily Tar Heel welcomes reader comments. 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 them to editdesk@unc.edu.

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