

## The Daily Tar Heel

In its sixty-ninth year of editorial freedom, unhampered by restrictions from either the administration or the student body.

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### 'Pete Mullis'

There's going to be quite a bit said about the life and death of Clyde "Pete" Mullis, and much of it will come, no doubt from his old students.

Papers throughout the state will carry the news of his death to the attention of those who knew him, and many of those who read it will be, no doubt, his old students.

Pete was a man who seemed never to know a stranger. You met him and he was yours; your teacher, your handball partner, your fan, your friend. He was a controversial figure, an active man, one who has done much for the University, and he will be missed.

He had traveled extensively, spreading wherever he went his strong belief in the value of physical education. He seemed not occupied with theory, or too concerned with research, but rather he was a man who believed in activity.

He believed in participation. Prior to his last illness, he spent hours actively participating; teaching, demonstrating, and playing. He was a skilled athlete, who continued to enjoy rigorous exercise long after

most give up the attempt.

His name, his greeting, his humor will be remembered by many; by those who just happened down this way and somehow got to know him, by those he worked with throughout the state in continual effort to spread the doctrine of physical fitness, by those he served, and those he taught.

He was an ardent fan of Tar Heel athletic teams. He attended sporting events almost religiously. He'd made it to about every football game in some twenty-odd years; often working, sometimes watching, he was always there.

You might have seen him down close to the track, on Fetzer Field, maybe at the finish of a cross-country meet. He was there quite often, wearing that comfortable brown coat, a stylish green hat, and with his hands in his pockets. He had a soft wide smile, a smile that was broken often to blurt out that same familiar, "Howdy, howdy."

He was a fine man, and he will be missed. By his friends, no doubt, and surely, by his students. (CW)

### 'Big' Issues

Carolina's political parties always have been interested in safe campus issues, to the detriment of broader problems dealing with the quality of education, and the student's role in the total community involvement.

Insignificant, petty problems — ranging from the physical state of television sets to setting up central quiz files — have continually plagued the intellectual resources of both the University Party and the Student Party.

But Monday night the SP chairman may have hit rock bottom. He expressed the party's concern over the high price of football date tickets (a concern which we wholeheartedly agree with — the price of date tickets should be nominal, if not free). But his plan of action to mobilize popular support behind this earthshaking problem was astounding. He proposed an SP resolution, a Student Legislature resolution, a dorm newspaper campaign, meetings with anybody and everybody, and finally (he was apparently serious when he suggested this . . .), a campuswide referendum.

Imagine what would happen if all this effort were expended on a worthwhile issue — the campus code, infringements of academic freedom, campus speaker policy, open honor council trials, UNC Negro enrollment, University growth, etc., etc. But these problems must wait — wait until we solve the mammoth issues centering around 10-cent candy machines. (JC)

### A Case?

The Honor Council has been shaking in its collective boots over the impending results of a court test of its jurisdiction. But lest they forget it, there are some questions a lot closer to home that merit their consideration.

Consider the case of the fight following Saturday's football game. All evidence shows that the participants who were most deeply involved and who came out the worst were in such a state at the time that they didn't know what they were doing and can't remember now.

A lot of people would like to know how the Honor Council defines an ungentlemanly act. Is a student excused from his ungentlemanly acts merely because he was drunk at the time? We don't think the Council can stop drinking at football games, but it should make it clear that all

students will be held accountable for their actions whether drunk or not.

If the council doesn't know it, there is more at stake today than whether it can legally try a student. It must decide if it is actually willing to.

—Harry Lloyd

### Chairman

It is truly marvelous how the University Party manipulates its chairmanship around to suit the immediate situation.

Last spring Phil Smith decided to resign as party chairman and named Don Curtis to take his place. Of course this wasn't even remotely legal, but nobody seemed to mind, least of all the University Party members.

Throughout the summer Curtis acted as UP chairman, but this fall he decided not to return to school.

So, as coolly as you can imagine, Smith announces that he will "remain" as chairman, since he never legally resigned in the first place — although everyone acted as if it was legal last spring.

. . . How would YOU like to be "UP Chairman For A Day"? (JC)

Jim Clotfelter  
Chuck Wrye  
Editors  
Dave Morgan  
Business Mgr.

### 'Isn't He The Fellow That's Always Complaining To The Club Committees?'



BILL DOWELL

### Di-Phi Should Not Collapse

This Wednesday at 8 p.m. the Di-Phi will be having an executive meeting to decide its future.

The future of Di-Phi hasn't always been too cheerful. It ran down hill from the nation's oldest college debating society to an organization filled with medium safe debaters. Most of the time in the past couple of years it hasn't been filled. The old Dialectic Senate was finally merged with the Philanthropic Literary Society several years ago after an all night meeting in which Curtis Gans pleaded as one of the two last remaining members of the Senate for a merger of the two bodies until they would have again enough members to separate.

Last year the two bodies, combined, met several times with less than six members. A lot of the time it didn't meet at all. There was a lot of talk then about disbanding it and about its value to the University. A lot of the students felt that it was a mastodon attempting to survive in an atmosphere that no longer wanted it.

In a way this opinion is not too far off. Debating societies like the Di-Phi have collapsed all over the country.

Yet there were a few remaining students who thought that together with the DTH, the Di-Phi holds one of the few hopes of ever unifying and giving direction to the sprawling, disintegrating UNC campus.

If the Di-Phi folds up, and it won't

if half of us have to get up there and talk to ourselves, the country might as well fold up.

It operates on the same basis as the House of Representatives, with pretty much the same rules following "Robert's Rules of Order."

When they are out of date the U.S. will be out of date.

The Di-Phi is important because it offers the last place on the UNC campus where people can get together and actually exchange ideas.

It is the last unified body on the campus capable of talking about anything other than violations of dormitory quiet hours. Moreover it is about the only body left on campus that cares to talk about anything other than dormitories and quiet hours and football games and sex. If the Di-Phi goes all that will be left will be a bunch of square eyed troglodytes discussing the most comfortable way to die from atrophy.

There may be a few groups left who might utter some opposition to segregation, declining civil rights or a crumbling University, but they will be disorganized groups and nothing more. The old fire and integrity of a body that launched presidents and governors will be gone. It's the last step towards dismantling an educational body and turning it into a cattle herding pen.

The kind of people the Di-Phi wants and needs now to keep it going have got to have enough guts to be able to stand for something. That's getting to be a hard thing to find in a country that used not to be afraid of anything.

The price of inactivity and atrophy in a University is cowardice and stupidity. It leads to an increase in the number of times you hear a student say, "I'd rather be Red than dead."

The Di-Phi represents UNC's last ditch attempt to convince the rest of the world that it is something more than a country club for Southern gentlemen. On the University it is the one group that could conceivably make North Carolina a University capable of leading the State and the South towards some goal, if not glory, at least integrity.

There is going to be an executive meeting of the Di-Phi this Wednesday after that anybody's guess is good as to what will happen. One thing is certain: it won't die. As to which people are going to make it live, that's a different question with a different answer.

### REFLECTIONS

Campus politics got off to a typical start this week as the University party again changed chairmen by juggling their by-laws and the Student Party held a public meeting and discussed practically nothing. Perhaps something was being saved for a more exclusive gathering of party "brains."

## Academic Freedom Is Not Dead Here

DEAN HENRY BRANDIS  
In The Chapel Hill Weekly

Academic freedom is not dying of neglect. The University faculty is not afraid to speak, nor are its opportunities to speak curtailed. There are "nervous nellies" among the faculty who hesitate to state controversial opinions openly—but these faculty members are afraid of the wrong thing.

This is the state of academic freedom at the University here as it appears to Law School Dean Henry Brandis.

Dean Brandis examples: some members of the faculty joining the picket lines in recent months urging local theaters to integrate; another member of the faculty speaking freely in favor of segregation; an "almost daily" expression of opinion by faculty members in classrooms and in scholarly writing on highly controversial issues.

The climate of public opinion has been more tolerant in recent years," said Dean Brandis. "—though how long this will remain true I do not know. What was regarded by very large segments of the public twenty-five years ago as highly reprehensible conduct by faculty members is now regarded as proper expression of opinion."

Of the faculty members who express themselves on "highly controversial" issues, he commented, "While a few extremists of differing viewpoints might like to see them fired, there has been no major agitation for such action. There is little danger that they would be fired if there were such action."

Dean Brandis broke down the concept of academic freedom into three components.

"One relates to the University faculty member as a citizen. There are some public issues which fall in the area of his teaching, and on these he may well have special competence. Here the faculty member has some duty to speak. There are other issues — for any one faculty member, the great majority of issues — on which he has no special competence. As to these, he is an ordinary lay citizen with the same privileges and duties as any other citizen. He is free to speak out or not as he chooses, but any citizen who yaps at length on every public issue will soon lose his audience and his effectiveness."

"A second aspect of academic freedom is its relation to the faculty member as a teacher and scholar. Here, of course, he can and should express any sincerely-held viewpoint which is consistent with scholarly and personal integrity. He should make it clear to his students when he is expressing personal opinion as distinguished from accepted fact. He should point out conflicting opinions held by other scholars, and he should have a decent respect for the right of his students to form their own best judgments. The faculty members I now best conform to these standards, but are not at all reluctant to express their views publicly or privately."

Dean Brandis said that in his own teaching he frequently criticized court decisions, saying that if he had been the judge he would have "tried to reach a different conclusion."

"But on an average of once a semester," he said, "I tell each of my classes that the court's decision is authoritative, not mine."

"I ask you," he said, "whether you have encountered any faculty members who are really afraid to speak out because of fear of any punitive action by their fellow faculty members, by the administration, or even by the Trustees? If there is any such fear, it would be more likely of Trustees action. No faculty member of my acquaintance has expressed to me any fear of the administration or the Trustees."

The third aspect of academic freedom is its relation to the faculty member as a participant in University government. Opportunities for University government and policy," are general and departmental faculty meetings, faculty committees, the Faculty Council, and "direct access" to the top administrators and the Trustees.

"Any faculty member who disagrees with a University decision," said Dean Brandis, "but who has made no effort to make his voice heard through internal channels while the decision was being made, should, in my opinion, think a long time before challenging it for the first time in public. If he has taken advantage of his opportunities to influence the decision, but finds himself in a minority—as inevitably happens to all of us at times—what is his duty?"

"To my way of thinking, he should carry on a public fight only when firmly convinced that failure to reverse the policy will do the University irreparable injury."

"If every dissent on every issue goes to the press, then most certainly there will be irreparable injury to the University. The administration's job, tremendously difficult at best, will become impossible. The end product will be that the ostensibly responsible faculty and administrative agencies will be supplanted in day-to-day administration by the Trustees and the newspaper editors."

Dean Brandis concluded that despite the fact that "ultimate legal power" over University policies is in the hands of the Trustees, and that the administration of the University is public business, it does not follow that the University's administrative agencies should "be deprived of their responsibilities and a sort of anarchy created in University affairs . . . through incessant bickering in the newspapers."

One qualification of academic freedom is that it "does not go to the point of guaranteeing to protect the faculty member against public criticism. But any faculty member who refrains from speaking merely because of fear of public criticism cannot be emboldened by the Visiting Committee. The number of such faculty members must be rather small."

This small number, said Dean Brandis, are the "nervous nellies," who hesitate to speak for fear of becoming embroiled in controversy.

"If a small minority of faculty members is afraid—and no faculty member has told me he is afraid—I see no cause for fear originating in Chapel Hill," he said. "Certainly the faculty members I know best are not afraid to speak."

—Otella Connor

### Letters To Editors

To the Editors:

I had lunch the other day with an elderly woman who had lived for years in Hong Kong, and the Philippines, but was born in Virginia, lived in New England, and California. She should, by any standard, have been global minded, but you would never have known she had ever been out of Virginia. She was opposed to integrating the schools, lunch counters, movies, churches, trains or buses. She said her family had always pensioned their servants and that was all the Negroes wanted or should get.

I said "But Negroes are no longer satisfied with a paternalistic status. They are citizens and they want the rights and privileges of citizens in a Republic." She got more and more rabid. I finished my lunch and bade her goodbye. As I left she flung at me "Nigger lover!"

One enters into a dialogue in order to discover the truth, but these extremists on both sides are interested only in winning an argument.

Socrates, who was called the wisest man, said he didn't know anything, he was a searcher after the truth. He never told people what to think. He employed dialogue to make those who followed around after him, asking questions, think for themselves. You can be sure he wouldn't have had any followers if he had lost his temper.

Harry Golden said the other afternoon that he was discriminated

against because he was a Jew, that there were many places he couldn't go, but it was a private not a legal discrimination, which made it of no importance to him as long as he enjoyed his legal rights. It is a discrimination we Southerners have got to accept sooner or later, and the sooner the better it will be for all concerned. Everyone has a right to his private life, which includes marriage. The law ends where a man's private preferences begin, and that is as it should be.

—Otella Connor

To the Editors:

It is understandable how sufficient records are not kept by the Honor Councils since very few students have the note-taking or shorthand ability to keep up with the rate at which testimony is given. However there is a problem: It is necessary for the Honor Councils to look for a solution.

The records that would be obtained by recording the testimony on inexpensive tapes at low speeds should be a useful supplement to the records that are currently being kept. These recordings would be well worth the small expense which they would involve.

This system is presently working very effectively in the honor councils of several other schools. It would make possible the easy obtaining of complete records on all trials.

—B. Abernethy