

# The Daily Tar Heel

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Tom Gooding, Editor

## Residence Colleges Deserve A Chance

The administration has an obligation to the students of this University to provide liveable conditions for dormitory residents.

If the administration provided dorm rooms to the students on an optional basis, and there was a reasonable degree of choice for all students there would be little room to criticize the administration.

However, last spring the administration imposed even more stringent stipulations concerning a student's right to choose his residence.

Currently, all freshman and first year transfer students are forced to live in university approved housing. Sophomores were scheduled to be campused next year but may be pardoned due to the housing shortage.

The University exists, at least according to the chancellor, for the educational advancement of the students.

The educational reasons given by the University for the limitations? None.

In fact the University could not even formulate a sociological or political reason for the limitations.

The sole justification provided for the move by the administration was one of economics. Assistant to the Chancellor Claiborne Jones termed the decision "unavoidable" due to financial problems at the time it was made.

When an individual comes to an educational institution to obtain a college degree he would expect certain academic guidelines.

However, an educational institution has no right to impose social regulation based on financial considerations as prerequisites for an academic degree.

Thus, we feel that the University should be forced to make the dorms livable in order to provide a voluntary incentive for student occupancy.

Unfortunately, the University has been moving in the exact opposite manner. Room rental rates have increased and social regulations such as limitations on the right to entertain guests in one's room have remained.

Two events occurred last week which showed the administration is not willing to give the smallest amount of consideration to the well-being of the Residence Colleges.

Morrison residents had worked out a "Sex Revolution Month." Then all publicity which had been posted for the event was destroyed by a University employee. We don't

## Limits Students' Power

# Judicial Reform: A Reaction

The following column was written by a student with considerable experience in the judicial and political framework of this campus. He prefers to remain anonymous for personal reasons.

The Judicial Reform Committee was born of a crisis, and was expected to serve to resolve that crisis. The crisis centered around the question of the legitimacy of the claim of the University to concurrent jurisdiction with the state over certain offenses. Some eighteen months later, the crisis committee has submitted a report which goes, somewhat erroneously, we believe, under the name of the Judicial Reform Committee Report. To anyone who has had more than the most passing acquaintance with the student judiciary at Carolina, there can be no question that the result of this Report if it were made binding would be reaction and not reform.

Despite the fact that it may not be popularly believed, there has existed on this campus since the time I have been here a broad and influential role for students in the formulation of judicial policy. This broad role has largely resulted from the powers of the Student Legislature over the jurisdiction and penalties of the student courts, and thus, the Legislature's ability to use surprise attack to attempt to negate or emasculate some administration policies.

Another weapon of the advocates of students' rights has been the student courts, which have often handed down absurdly lenient penalties for major violations of Draconian Administration policies, thus reducing those policies to farces.

The Instrument of Judicial Governance effectively annihilates the levers of power over Judicial policy students have traditionally exercised by defining in broad scope the appropriate institutional goals and concerns of the University, thus binding all those who approve the Instrument to that definition of the University's purpose, and by placing the prerogatives of amendment in the hands of the Committee on Student Conduct.

The Instrument is predicated on the assumption that there can and will come to Carolina a spirit of

community governance through the cooperation of its constituent components. Community government was the great experiment in many universities in the late fifties and early sixties. Yet at university after university attempts at community government have been abandoned in favor of a much narrower definition of the legitimate concerns of the university than those proposed by the Instrument and in favor of maximal student control over student life.

Perhaps a major reason for the decline of the concept of community government has been the realization that most of the campus revolution is concerned, not with the war in Vietnam or Dow recruiters, but with narrow parochial concerns such as visitation, drug policies, and a microphone in Sproule Plaza.

For example, about five years ago one of the burning issues at Northwestern University (Evanston Campus) was parietal hours (visitation). After a continuous student government-administration hassle, several visitation policies, several demonstrations, and a few "dorm-ins" the crisis was resolved. The result—any student may visit any other student any time he damn well pleases. Each student was permitted to promulgate his own visitation policy. That's a far cry from the hallowed concept of community government.

Yet through the Instrument Carolina will have the following policy: Disciplinary probation...may result from...violations in University-approved housing of regulations promulgated by the appropriate authority. (emphasis added)

That's another far cry from community government. Translated, it means that the administration reserves the right to promulgate its own visitation policy and to burn the student with the gall to violate it.

In short, community government will not work because each of the components of the University community has its own special interests to safeguard. Therefore, the administration is going to leave itself plenty of loopholes.

A second major step backwards in terms of the control of students over their own lives is the creation of the Supervisory panel.

In the first place, it seems obvious that a panel with the power to "certify" and "continually educate" members of sitting courts has broad powers to interfere with the autonomy of the courts. The power of this panel to compromise the autonomy of the courts is finally stated under that last of its powers: To advise when changes in the student judicial system seem indicated.

In the second place, the Supervisory Panel is to be half administration members. Of these three, the Dean of the Law School and the Associate Dean of Student Affairs both have terms within the administration, of longer than one year, and will be continually reappointed to terms on the panel.

Under these conditions an autocratic power-monger like the Associate Dean of Student Affairs should have little trouble ruling the judiciary with an iron hand.

Furthermore, let's look at the role of the Associate Dean of Student Affairs in the "student judiciary." The Associate Dean, in addition to being a permanent member of the all-powerful Supervisory Panel, is a member of the Student-Administration Board, Chairman of the Graduate School Court, the University Hearings Board, and the Summer School Judicial System. In short, when he's not running the show from the Supervisory Panel, this responsible university official is going to meet himself coming back from court sessions. Might this not say something about the impact of bureaucracy upon the individual?

And finally, let us not forget that one of the framers of the Instrument was the Associate Dean of Student Affairs.

Perhaps it is not inaccurate to say that the Judicial Reform Committee did accomplish a resolution of the double jeopardy crisis. Not only is the doctrine of double jeopardy reinstated, but the man who vetoed that amendment to the student Constitution which precluded student court jurisdiction in double jeopardy cases is given his own little judicial system to play with.

Please remember who controls your life as you mark your ballot in favor of the enactment of the Instrument when it is brought to referendum.

## Carl Freedman Self-Determination Only Way To Go

For sheer absurdity, it's hard to beat the controversy over the visitation policy. I doubt whether even before in the history of UNC so much time, energy, and ink have been expended over an issue of so little consequence.

Nonetheless, it is the Administration—not those of us who favor a policy of self-determination for each dorm—that is responsible for the ridiculous situation.

One of the advantages of being the establishment is that the opposition, if it wishes to be effective must often play in the ball park of the establishment's choice. I think that nearly everyone—maybe, by this time, even the Administration itself—wishes that the Administration had not decided to stake so much on such a trivial battle; but the fact is that they have, and, trivial or not, the battle must be fought.

There are, as I see it, two principal reasons why a policy of self-determination such as that passed by the Student Legislature is the only reasonable thing to do.

The first reason is a negative one: the Administration, quite simply, has no business in trying to run the personal lives of the students. This seems so self-evident a fact that being forced to debate it is ludicrous; but the theory of in loco parentis dies hard, I guess, as do the fears

of many North Carolina parents who already view U.N.C. as an orgy of sex and revolution.

Furthermore, there is another, more positive reason for self-determination. The main function of a university is supposed to be to prepare students for useful, productive lives. Certainly nothing is more necessary for such a life than a sense of responsibility. And what better way to begin instilling such a sense of responsibility than for the Administration to give us, the students, authority over matters which are no concern to anyone but us?

How else can the University claim to be providing a mature, open environment?

How can we be expected to be responsible, capable adults on the day we graduate, if the day before we were not considered responsible enough even to decide the hours during which we would entertain guests?

The Administration should decide: is a university an educational institution, or is it one more form of the increasingly present Big Brother?

I really don't want to pursue the theoretical arguments of the controversy any further. The point is this: one student (a resident of fourth floor James, which by an interesting coincidence happens to be one of only three residence units to endorse 7-24 visitation under self-determination) has already been convicted under the Administration's antiquated and illogical policy.

The punishment dished out to him—definite probation—may not sound too intimidating, but it is nothing to be laughed at; it could quite possibly have a serious effect on his ability to get a job or to get into a graduate (especially law) school.

It's too late to help him, but it is not too late to try to see that no one else gets shafted in this manner. That big visitation meeting with some of the Trustees is coming up soon, and it is essential that we make our opinions clearly heard; most of the Trustees, after all, do not live in Chapel Hill and really have no way of knowing what we think—unless we tell them.

Recognizing this need for communication, several students at Carr Dorm (which has some claim to be the Al Lowenstein—or, if you prefer a more traditional vocabulary, the John the Baptist—of the self-determination movement) are circulating a petition that protests the conviction under an unjust and irrelevant policy.

Signing this petition, which will be presented at the visitation meeting next week, is one way of making yourself heard. If you want to do more, sit down at your typewriter and write some letters; or, if you're really ambitious, try to persuade the other members of your residence unit (if you live on campus) to vote to reject the Administration policy.



## Tony Lentz In Defense Of Student Rights

It is my certain conviction that no man loses his freedom except through his own weakness.

—Gandhi

The David Adcock column on student rights which appeared in Thursday's Tar Heel left the reader breathless for a full two minutes after finishing the last paragraph.

"Letting students run public schools," Adcock wrote, "is like allowing the inmates to run the asylum."

Like most students, I can certainly appreciate the comparison between the University campus and the asylum.

And the mind's eye could easily conjure up a picture of the University campus and the asylum.

But the remainder of Mr. Adcock's treatise leaves the reader convinced that the author was absolutely correct in his first sentence when he said:

"Chants of student power and academic rights are constantly being battled about today with little apparent argument of thought."

One hardly knows where to begin a discussion of such an interesting column. But then, we've got to start somewhere.

In the first place, Adcock bases his entire argument on the assumption that

students want to set policy for the entire University community.

I am reminded of Kierkegaard's comment on learned literary men such as Mr. Adcock.

"Like Leporello learned literary men keep a list, but the point is what they lack; while Don Juan seduces girls and enjoys himself—Leporello notes down the time, the place, and a description of the girl."

Mr. Adcock, it seems, has noted all the "in" words and phrases like a nice mechanically-oriented son of Middle America. But he, like Leporello, has entirely missed the point.

Students are only asking for a voice in the decision-making processes; not the voice.

But then, we are forgetting the remainder of Mr. Adcock's statement. It reads, in essence, something like this:

—Students are stupid.  
—Students who are stupid must be told what to do by parents, chancellors, governors, and other right-thinking deities.

—Students do not earn their own way, therefore students are "social inferiors."  
Conclusion: Students are stupid.

mentally degenerate and socially inferior...therefore they have no rights.

The "reason and argument" Mr. Adcock employs is, I admit, somewhat astounding. Nonetheless, I feel compelled to mention one or two thoughts that come to mind.

Some students, I admit, are not too bright. But we have left home, facing the world on our own two feet. Many of us work hard at improving ourselves.

Some of us even work to help our parents foot the bill for tuition, fees, books, etc. Most of us will go on to become good citizens, and we will probably pay more taxes in our lifetime than our parents ever dreamed of paying.

In other words, I think we are a good investment. Perhaps the best investment the State of North Carolina can make.

And almost all of us are American citizens. Surely that counts for something. At least it used to mean something.

By this time, I am sure, Mr. Adcock will have rent the calm of the campus with cries of "Emotionalism! Emotionalism!" I can reply only that this is an emotional issue.

One student has already been tried by faculty tribunal for violating an

administration decree. The sentence has been recorded on his record...probation.

This student can no longer be elected to any campus office or represent the University community in any type of competition.

His crime? Keeping a girl in his room beyond the Administration's decreed time limit.

This regulation, Mr. Adcock appears to argue, is within the powers of the Administration because it owns the dormitory buildings.

True, Mr. Adcock. But they do not own the students.

Even if we assume that the Administration is the rightful governing body for the students at UNC, there is still a higher principle involved.

The Administration, by attempting to legislate morality, has invoked the spectre of government poking its nose into the personal affairs of its citizens.

And, as Henry David Thoreau so aptly phrased it:

"I think we should be men first, and subjects afterward. It is not desirable to cultivate a respect for the law, so much as for the right. The only obligation which I have a right to assume, is to do at any time what I think right."

### The Daily Tar Heel

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