

The Daily Tar Heel

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Tom Gooding, Editor

Orientation Debt Not Legislature's

The Orientation Commission has filed a late requisition with the Finance Committee of Student Legislature for \$988.56.

Finance Committee voted unanimously last week not to approve the appropriation pending investigation.

A cursory examination of the facts in the case point out enough irregularities to validate the caution displayed by the Finance Committee.

The Orientation Commission had \$2,000 in its budget for a picnic when it signed a contract committing itself to an expenditure of \$2,961.

Even if the picnic had stayed in the black financially it was in the red over budget regulations which state:

"No organization receiving any of its money from the Student Legislature by this budget shall knowingly incur any expenses which shall exceed its total amount of money budgeted or in its account at that time."

Unfortunately, the irregularities do not stop there.

The Orientation Commission failed to deposit the money received from the administration in the Student Activities Fund Office.

The budget states: "All

organizations, agencies, or activities receiving an appropriation by this budget or other legislative appropriations shall be required to deposit all revenue regardless of source in an account at the Student Activities Fund Office, unless otherwise specified by law."

The picnic was paid for in cash by the Orientation Commission. Thus, no requisition form was received by the Student Activities Fund Office for the picnic.

The Budget for 1970-1971 states in Article 5 Section 2.b: "Before any expenditure can be made a requisition form must be obtained from the Student Activities Fund Office, stating the name of the organization, the amount to be spent, and the expense account as provided for in its budget."

Unfortunately for the members of the Orientation Commission, the budget goes on to state in section 2.3. of the same article: "All persons receiving funds from Student Government must comply with the requisition system, and violation of this system is considered a violation against the Student Body and must be prosecuted by the Attorney General before the appropriate council."

We do not wish to advocate that the members of the Orientation Commission should be prosecuted.

However, the issue entails far more serious implications than "inexperienced students serving the picnic," as members of the Orientation Commission seem to believe explains the financial discrepancies.

The Orientation Commission seems to feel that Student Legislature should be soaked for the nearly \$1,000 in deficit spending.

However, the budget specifically states in Article 5 section 2.d.:

Student Government shall NOT be liable for funds expended without a requisition form. The person expending funds without complying with the requisition system IS LIABLE for expenditure of these funds."

For Student Legislature to grant the late requisition would be a misappropriation of student funds.

Talks With Administration Fail

Trustees Students' Last Hope

Representatives of Student Government, pushing for the "self-determination" visitation policy, will take their case before the Board of Trustees' Consultative Committee today. Student Government has been unsuccessfully butting heads with the UNC-CH administration for the past month, and the Trustees have become the students' only hope.

It is regrettable that students will probably discover in their talks with the trustees that they are considered second class citizens, a fact that the administration has been proving to them for the past few years, a fact that could some day result in violence on the Chapel Hill campus.

Prior to the first day of classes, the administration declared the policy of "self-determination," passed by Student Legislature last spring, "invalid." In effect, the administration took one more step in taking control of student life away from the students.

This act by the administration

was not surprising. Though officials of the University proudly point out the fact that UNC students govern themselves, any act of Student Legislature or the student body as a whole that displeases the administration is declared "invalid" or ignored completely.

And anytime the University is faced with financial problems it is the students who must suffer.

The campus-wide referendum calling for an end to double jeopardy (trying students in student courts for legal offenses already tried in civil courts) was ignored by the administration.

Pleas by women's organizations for the same self-limiting hours men have enjoyed for years have been answered somewhat, but freshmen women still have closing hours.

And now the administration rejects Student Legislature's visitation policy.

These three examples are just a few out of many. The list could go on and on.

The University has run into a few problems in the past few years just as any University does, but at UNC it is always the students who pay.

UNC was losing money on dormitories because students began to decide not to live in University housing because of the run-down condition of the dorms. The solution was simple: make sophomores and junior transfers live in University housing.

Extra parking was needed for football games. The solution: close off several student parking lots the days of the games.

The hospital and medical school needed more office space. Simple. Move nursing students out of Nurses Dorm.

The University could not efficiently run a cafeteria service and was losing money in Chase and Lenoir, and it was willing to stop a food service completely until

SAGA and Servo-Mation decided to try.

The UNC administration has been ignoring student needs and refusing to listen to student opinion for too long. The students have been forced to go to the Board of Trustees. Probably the trustees will not listen; hopefully, though, they will. For students are human beings, they can only tackle so

The same problems on a larger scale existed at Columbia University until students tired of the authoritarian rule of President Grayson Kirk, and violence broke out in the spring of 1968.

The situation on the Chapel Hill campus is not that bad yet. But if the trend continues, students may be pushed too far. It will be regrettable if UNC becomes the Columbia of the 1970s, but it may also be understandable.

Letters

Columnist In Error

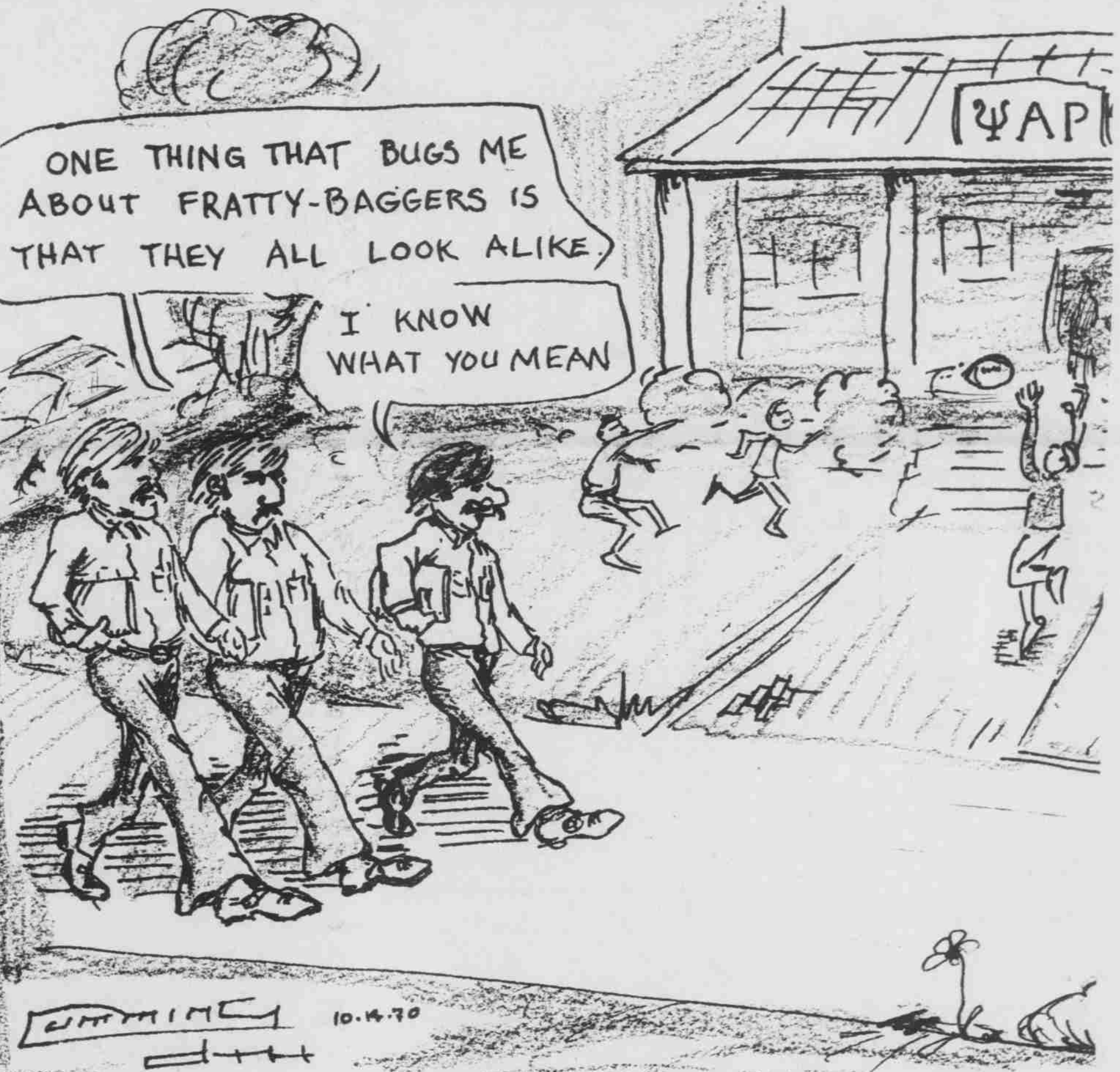
Dear Sir: In response to Mr. Adcock's column of October 8, I would like to point out several errors in his logic. The most important error is his assumption that we here at UNC have been demanding "student rights." What has been demanded is simply treatment as mature individuals, as citizens.

I am a student, I pay taxes, both income and other taxes such as sales, gas, etc. Many other students here are taxpayers as well. Some are even allowed to vote. By his logic, such students should be allowed some say in how the school is administered.

As to general fitness of students administering or participating in the administering of schools, his arguments against such practices are ill-founded. With the guarantee of equal rights and of equal protection of those rights, welfare recipients who are of age can vote and hold office just as any other citizen. Which means welfare recipients have the potential to run the welfare programs, to vote for more welfare.

When large numbers of officials demonstrate incompetence, inability, hypocrisy, and a petty disregard for the people whose well-being is entrusted to them, the student had better speak up. It has been clearly demonstrated in this society that if a victim does not demand help or redress, no one will give it to him.

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78 Years of Editorial Freedom

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Judicial Reform Reaction: 6 Basic Premises

Editor's Note: The following column, second in a series, 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.

As I said in my earlier editorial on the Judicial Reform Committee Report, all parties which enact the provisions of this report bind themselves to a definition of the University and its interests. From my experience in the political processes of this University, however, it seems to me that the policies most beneficial to the student body have been enacted due to a sharp conflict of interests and deep disagreements over the legitimate functions and interests of the University. Let's look critically at the six basic premises on which the Instrument rests:

1. "...this responsibility (adjudication of student discipline) has traditionally been shared jointly with the faculty and has been exercised in such a way as to give students a major role in the formulation of basic policy concerning student conduct and in adjudication of particular cases arising under that policy."

Certainly the experience of recent years does not bear out the claim of this statement. One such example is the policy dispute over double jeopardy which gave rise to this committee. The simple fact of the matter is that the administration has always felt free to make policy with respect to even the most intimate details of student life and has also felt free to ignore the wishes of both students and their duly elected representatives when they have felt it expedient to do so. The faculty, a large contingent of which is at least sympathetic with the students (remember Prof. Fred Wright's

comments on visitation policies at the Consultative Forum's meeting last year), has normally had only a marginal role in the formulation of basic policy; they are usually limited to clarifying existing policy.

2. "...a narrow view of the educational process must concede that a student's activity outside the classroom influences that process... (it) therefore is an area of proper concern and regulation by the University community."

Now let us be honest with ourselves. What mechanism for enforcement does the University have when it comes to grips with an attempt to regulate extracurricular life, especially when it tries to permeate its control into the intimate details of a student's life? And so long as I maintain a sufficient QPA to remain in the University, then what concern of the University's is it if I sleep with a young lady from time to time, or for that matter if I'm a skag freak? Those few students who are burned on visitation violations, drug policy infractions, etc., are martyrs to the fact that the University simply cannot regulate the intimate details of life on this campus, even in University housing, unless they are willing to hire armed guards and spies.

The fundamental principle stated by this legislation is simply that the University of North Carolina is unwilling to relinquish the ancient, outmoded, and, now, frequently abandoned doctrine of in loco parentis. Even in the Federal Courts there is a growing body of opinion that in the modern large university, especially one such as this where nearly two-thirds of the student body does not live on campus, maintaining the idea of in loco parentis is both unworkable and absurd. Yet UNC intends to maintain that right, even while our contemporaries fight wars and work, without the

asinine restrictions with which we as students must put up.

The third premise says, essentially, that if you want to be a student here, or if you'd like to remain a student here, then you have to be prepared to put up with pretty much.

The fourth and fifth premises indicate the Committee's stance on double jeopardy or concurrent jurisdiction. In short, if you've done it and the city, state, or nation knows about it, then there's probably some way in which you've burned the University, so they're going to finish you after these other agencies have a crack at you. The appropriate interests of the University are, according to premise four: 1) the opportunity of all members of the University community to attain their educational objectives; 2) the protection of the health, safety, welfare and property of all persons in the University community (think of all the drug, visitation, Disruptions, ad infinitum, ad nauseam policies hidden in that line, my friends); and 3) the protection of University property.

It seems to me that there is enough glowing generality in the first two instances of University interests to invent policies hitherto unheard of. And if you consider the rest of the report, such policies may well be invented. They've invented numerous violations already (and made them subject to suspension or expulsion) which, to the best of my knowledge, have never been heard as cases.

6. "The Honor Code...should not be completely superseded by this Instrument."

In other words, if what we've caught you for is not covered in the three single-spaced pages of sanctions, and is in some remote way like academics or lying, cheating or stealing, then you're still in for it. Let the laws fit the crime.

As I said earlier, it is my substantial opinion that the enactment of the Instrument of Judicial Governance would represent a great leap backwards. In further support of this contention, let me point out several more minute things that the emasculating of student levers of power over policy and the expanded role of the Associate Dean of Student Affairs.

In the first place, the Code of Conduct, which has all the sophistication of Salic law, reinstates the penalty of expulsion, which was eliminated some two years ago and which separates the relationship of the student and the University forever. By covering such a long list of offenses (a-o.) it seems that the likelihood that such sanction might be imposed is substantially increased. As this paper has pointed out previously, these violations cover a wide range and, as I said earlier, some of these violations have never before existed as cases within the legitimate jurisdiction of University courts. Finally, there are many words used in the violations which any tenth-rate legal mind could tell you are terrifically vague for the purposes of law. The Report does not give any indication as to which, if any, appellate authority has the legitimate right to define these words for the purposes of enforcement. Considering the role of the office in charging students, and considering the role of the officer in formulating the Instrument, I would not be terribly surprised to find that the legitimate officer to define these legally vague terms (and he will construe them broadly, I assure you) is the Associate Dean of Student Affairs.

Structurally, the report tends to set up new student government politics and entrenched bureaucrats by the score. In practice, there are a number of courts which exist only on paper.

Furthermore, there are many courts whose jurisdiction is so tautly defined that they will never find a practical occasion to sit. Yet those positions must be filled. Some courts, such as the North and South Campus Residence Boards are analogous to courts already existing, yet such courts usually sit on only a dozen (or fewer) cases per year.

The reconstruction of the top administrative positions with respect to the courts has the tendency to emasculate the two positions previously looked to for judicial leadership and initiative, the Attorney General and the Chairman of the Court. This is done in two ways: first, many of their powers are delegated in order to create another new bureaucrat, the Court Administrator; and, second, they along with the Chairman of the SL Rules Committee are subject to co-optation from their traditional student government roles and orientations through their membership on what I said earlier I believe will be the Cansler controlled Supervisory Panel. If Cansler control doesn't scare you, look at this report, it's the best example of the disease I've seen in my experience here.

So as I have contended, though the average student has little experience with, and little knowledge of, the judicial system here, he would do well to seriously consider the reactions of this report before voting in favor of the Instrument of Judicial Governance. There are, by the way, two features of the report which, I feel, represent reforms: trials are opened to the public, and the student is given the right not to testify against himself. Yet let there be no doubt that adding these reforms to existing legislation is far, far more beneficial than enacting this otherwise reactionary Instrument.