The Daily Tar Heel

83rd Year of Editorial Freedom

All unsigned editorials are the opinion of the editors. Letters and columns represent the opinions of individuals.

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Y hunger week: facing the crisis

In its own subtle, unassuming way the Carolina YM-YWCA is organizing a "Starvathon" this week, a short period of reflection on the problem of world hunger. The Y's program is not splashy or spectacular, but neither can our commitment be if we are to cope with the long-term crisis.

University professors, the senior officer of UNICEF, Yale Chaplain William Sloan Coffin, and other educators will be quietly circulating around the campus this week to give students a personal, and hopefully lasting, perspective on the issue. But the culmination of three days of lectures, class visits, and a one-day fast will be Thursday's $10,000 money-raising drive. Thirty per cent of the money will go for hunger relief in North Carolina and 70 per cent will be used to prevent blindness in the children in Bangladesh. It is imperative that UNC be able to raise this sum, especially since it only involves a 50 cent contribution per student.

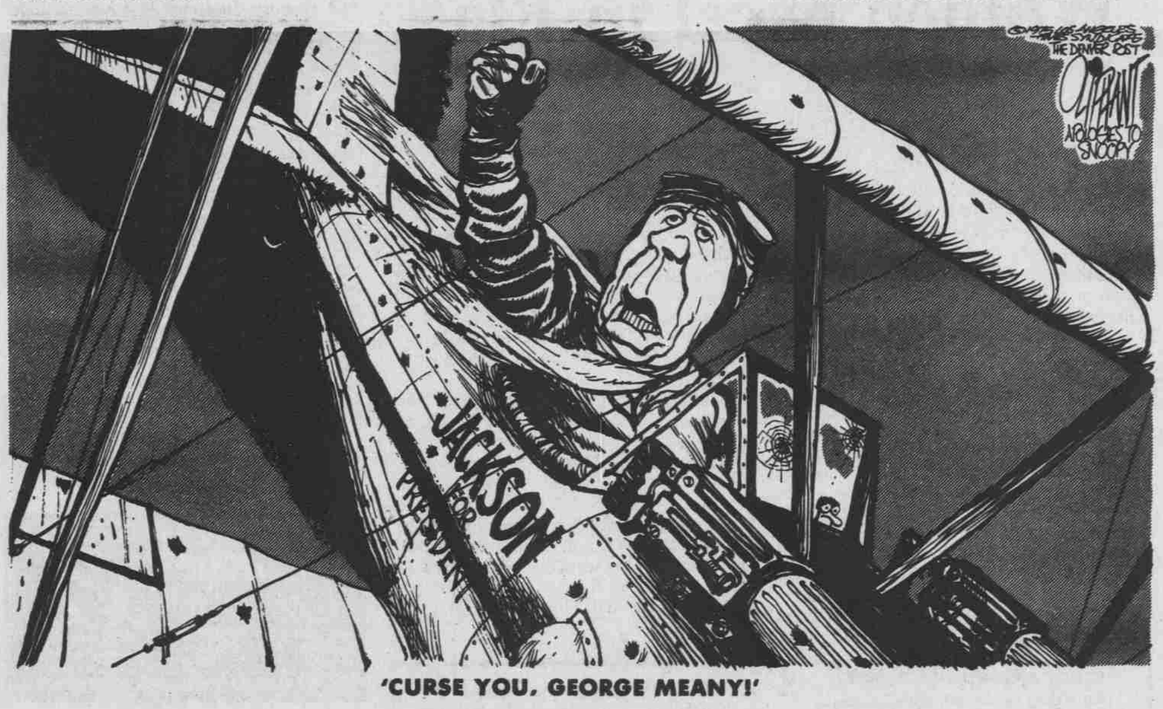
A personal approach to the problem is necessary if we are ever to understand the dilemma. Numbing figures quoted by experts have little impact. To say that 400 million people are now on the brink of starvation won't change our gluttonous lifestyles even if we are told that 9 more hungry children were born in the time that it took to read this sentence. The problem is so great that it is almost impossible to conceptualize.

Consequently, we must either accept the problem as given, or fast until we see what hunger is really like, and then multiply our hurt. Then, once we have some vague notion of suffering, the focus should be on changing our personal lifestyles and national policy to deal with the issue. Whether this means eating less meat because a cow is a very inefficient protein converter, or giving U.S. food aid to poor countries instead of political allies, our use of our resources must be changed.

Why? Because too many people are starving, whether that number is 40 or 400 million. Too many because the fact that people have always been hungry does not make present suffering right. Too many because for one of the few times in history, they don't have to be starving. Too many because they are now dying in larger and larger numbers. Too many because we can never know what anguish we are condoning.

This week's editorials accept the moral premise that rich Americans are obligated to respond in some way, the only question being the best way to react. Similarly, the Y hunger week is designed both to educate and motivate.

Ultimately, of course, such programs are worthless unless you, the individual, make some sacrifice. It might be 50 cents, less fertilizer on your front lawn, or eating chicken instead of steak. But remember: if you were delirious with hunger in Bangladesh, how would you want a plump American to react?



'CURSE YOU, GEORGE MEANY!'

Bill Sitton

Marbley juror: 'travesty' trial

Exactly one week ago, seven members of the Undergraduate Court heard the case of Algenon Marbley, Black Student Movement (BSM) chairman, for the alleged disruption of David Duke's speech in Memorial Auditorium on January 16. In a closed case followed by private deliberation, the court found the defendent not guilty as charged. As a member of that court, I believe the Marbley case has raised some serious issues which must be addressed by the student judicial system.

First of all, the very trial itself was a travesty of justice, for two reasons. One, court members, both black and white, were too closely connected with the actual situation to divorce themselves from their own personal prejudices. For example, there were two court members who participated in the incident of January 16. I cannot equate such participation with objectivity. My own experience before the trial inevitably had some impact on my objectivity. I was constantly exposed to opinions by fellow students and professors. One could argue that being objective simply denotes the ability to draw logical conclusions from the facts presented. This definition, however, ignores the impact of actual involvement in such an emotional situation.

The second reason why the trial was a parody of justice was the fault of the court itself in allowing the issue to be decided on moral grounds. Five material witnessess, in turn, testified to the court that (1) The speech was a normal activity of the University (2) A disruption of that activity took place (3)*Certain* students rights were violated. The defense countered this testimony by maintaining that the defendant, Algenon Marbley, felt threatened and intimidated by the presence of Mr. Duke on campus, and his actions were merely an attempt to register his dissatisfaction toward Mr. Duke. No one present at the trial could deny the sincerity of Marbley's convictions: He did perceive a threat in allowing a Ku Klux Klan spokesman and organizer to appear on campus.

This, however, should not have been the crux of the issue. Whether or not Marbley was morally justified in what he did was not for the court to decide. A conclusion could not be made that the verdict in that trial would have been different if the court had addressed itself solely to the charges at hand. But it can be maintained that justice was ill-served by placing the issue on moral grounds.

Perhaps the greatest tragedy of the entire incident was that the case had to be tried by the Undergraduate Court. One cannot deny the legitimacy of Arthur Pope's right to file suit. Judging by opinions expressed in the *DTH*, many students supported his actions. An undergraduate court, however, was not the proper forum to resolve the controversy. Marbley had reservations before the trial that even an acquittal by a minority court might not absolve his actions in the minds of the student body. This attitude is even further substantiated by the fact that there have been only two minority court convictions during the 1974-75 school year.

A possible alternative would have been an adjudication before the University Hearings Board, a court composed of two students, two faculty members and the Dean of Student Affairs or his designated representative. This court, by virtue of its more diverse composition, might have been able to render a more impartial hearing of the case.

Some court members felt intimidated and resentful that the Chancellor or the Department of Student Affairs had completely ignored the entire matter. The Department of Student Affairs believed that the case had to come before a student court or it would undermine the entire Undergraduate Court system. But was that a realistic conclusion?

The student court procedure, by virtue of its private, closed hearings, has worked well in dealing with cheating, lying and stealing violations, the great bulk of cases coming before the court. It has protected the rights of the defendant against embarassing or damaging publicity. The Marbley trial, however, was clearly an aberration from the norm. Hundreds of students have a direct personal interest in the court proceedings, in addition to the many thousands which could be affected by the precedent established.

Under the circumstances in which the case was presented, several court members felt that their hands were tied. The court could have found Algenon Marbley guilty and then entertained 200 other suits against participants in the disruption. If that had occured, the court would be adjudicating the cases long after many of the students had graduated. As the court's decision now stands, many students have dismissed it as a logical conclusion to a minority court. The unfortunate result of allowing the case to be tried in an undergraduate court has not been to strengthen and enhance the validity of the decision. It has only promoted controversy and resentment on the part of many students.

The only suggestion which can be made, is that in the future, if such a controversy develops concerning students' rights on such an emotional issue, the University's Administration not bury its head in the sand in hope that someone will deal with the controversy. The Chancellor, the Department of Student Affairs, the Carolina Union and the Attorney General had a clear, vested interest in the alleged disruption of January 16. Because these principals ignored the situation, the student body is now torn by an issue that has taken more than a month to resolve.

Bill Sitton is a senior political science major from Hickory.

Gerry Cohen

Don't sell electric utility

This Wednesday night at 8 p.m., what might be the penultimate act of the continuing Duke Power drama will be playing at the Institute of Government auditorium.

Wednesday night is when Attorney General Rufus Edmisten will hold a public hearing on the sale of the University Utilities System. University intentions currently are to sell the electric system to Duke Power, the telephone to Southern Bell, and the water and sewer system to a co-operative formed by various local governments.

Most consumer resentment has come from the proposed sale of the electric system to Duke Power. Currently, the University buys 75 per cent of its power wholesale from Duke Power under a contract regulated by the Federal Power commission, and generates the remaining 25 per cent in its coal plant on Cameron Avenue.

The University then retails the power to 98 per cent of the people in Chapel Hill and most consumers in Carrboro. Currently, there is about a 13 per cent difference between Duke's retail schedule in other communities and the University's retail rate structure.

What result will the electric sale bring? Most likely, it will result in a substantial increase in power costs for local consumers, and the University itself may have to come up with an additional $300,000 per year for its own electric purchases. Dorm rents will be affected.

The $14 million that Duke Power is planning to pay for the system must also be paid back — paid back by Duke Power consumers all over the state who are already hard pressed to pay current skyrocketing costs. There also exist many questions about how Duke Power will raise the money to pay UNC. Recently, Duke Power has had to sell a number of its buildings and lease them back simply to keep in operation.

Other grave questions should be raised before the attorney general. As the people's attorney, he appears before the utilities commission, which must grant a certificate of public convenience and necessity before the sale can be approved. Could any rational person begin to argue that the electric sale is in the public convenience or necessity, much less in both?

Serious questions exist about the sale process. Was the commission biased, either deliberately or because of the type of persons selected for membership? Did the commission adequately weight the needs of the University, employees and consumers? Did the University adequately study what may be the best option, which is retaining the electric system?

It would seem that that last option is that citizens should now be pressing for the ultimate decision on the electric system. South Building administrators have said, since about 1970, that utilities were too much of a management headache for academics, and they were probably right. But, just as the Hospital was spun off to a 12 member Board of Directors, responsible directly to the Board of Governors, the electric system could have separate management.

Continued public ownership of the electric system serves many useful purposes. It keeps electric rates down for consumers and UNC, and will help hold down the spiraling increases in dorm rents. It will enable the state, with a so-called "yardstick corporation" to monitor the charges of private utilities companies. It will save us from having to pay for the electric system a second time, (there is no debt on the system) since the capital was paid by user charges.

We should all greet the attorney general with a large crowd on Wednesday night. We must recite the facts, ask him to vote "no" when the sale comes before the Council of State, and request he oppose the sale when it comes up before the Utilities Commission.

Gerry Cohen is a UNC law student and member of the Chapel Hill Board of Aldermen.

Letters to the editors

Duke and Jews for Jesus different situations

To the editors:

For some days now I have witnessed the courage of the writers of the *Tar Heel* as they have "braved the rain" in their search for the truth. The headline of Feb. 28 speaks of double standards. Since the rain has been coming down so hard and prevented you from making your way to my office, permit me a few remarks.

I believe in the right to freedom of speech and the exchange of ideas. I stand firmly against the efforts of those who would violate this right. It is also my deep concern that we recognize the need to be sensitive to one another within our learning community. In the first event, the right to freedom of speech was not allowed and I addressed those who were denying the right, urging that they permit the speaker to be heard. In the second situation, the right to freedom of speech was exercised. In that process, however, some people were offended and in that situation I attempted to be sensitive to their feelings and suggested that an apology was in order. It is pleasing to note that apologies have come forth.

In two quite different situations I spoke to both of those concerns with consistency and directness. If it is your wish to label this a double standard then I plead guilty to your narrow definition and sincerely hope for your continued education.

Donald A. Boulton
Dean of Student Affairs

The Daily Tar Heel welcomes the expression of all points of view through the letters to the editors. Opinions expressed do not necessarily reflect the views of the editors. This newspaper reserves the right to edit all letters for libelous statements and good taste.

Letters should be limited to 300 words and must include name, address and phone number of the writer. Type letters on a 60-space line, double spaced, and address them to Editor, The Daily Tar Heel, in care of the Student Union, or drop them by the office.

Columns expressing diverse points of view are also welcomed. All students and faculty are eligible to submit columns.

FM frequencies becoming scarce

To the editors:

Much has appeared in the *Daily Tar Heel* lately about the student carrier current station, WCAR, seeking to acquire an educational broadcast license from the Federal Communications Commission (FCC).

I would like to offer further comment on this matter, firstly to commend the *DTH*, particularly reporter Jim Roberts, on the fair and accurate accounting of the events. In my opinion, a superb job has been done in representing the views and actions of all involved.

Secondly, since my name appeared frequently in the articles, I would like to expand on my personal views, in the hope that the students will better understand my position with regard to WCAR's acquiring one of the valuable FM frequencies reserved by the FCC for educational purposes. In one edition I was accurately quoted as saying that use of these frequencies for other than educational purposes would be a misuse. I strongly feel that this is so, and that the FCC, in awarding educational licenses for other purposes, has violated its own rules. There was a time when it didn't matter so very much; frequencies were plentiful and the FCC handed them out like salt water taffy samples at Atlantic Beach. Now the education FM portion of the broadcast spectrum is cluttered with low-powered stations serving as entertainment channels. This at a time when there is a serious effort in this country to build an effective public radio system and the frequencies are needed to provide meaningful educational, informational and cultural services.

Today, full-service public radio stations cannot get on-the-air in many major American cities (among them, Providence, Sacramento, New Haven, Cleveland, Chicago) because frequencies are no longer available in those areas. They are all taken by low-powered "educationally" licensed stations which provide no different programming than that available on commercial stations.

Locally, there is extreme interest in establishing a number of broad-purpose public radio stations to provide coverage for the entire state of North Carolina. Unless frequencies can be obtained by organizations with the commitment and resources to provide the kind of service we're talking about, great numbers of North Carolinians will be deprived of this much desired service. It is my understanding that WCAR is now seeking to re-organize itself into a non-profit corporation which would qualify as an educational institution — the only type of entity eligible to receive an educational broadcast license. This may or may not be successful, depending on the skill of WCAR's lawyer and on the FCC's interpretation of the corporate documents and proposed program schedule. My guess is that the FCC just might approve the new structure and give it its blessing. If this does happen, and if WCAR follows its present programming plans (essentially entertainment) then another educational frequency will be utilized for purposes other than those intended by law and the occupancy of a frequency by WCAR might jeopardize the development of a full-service public radio station in a nearby area of the state. If those events occur, I would hope the student association would be prepared to relinquish the license and go off-the-air when the frequency is needed for its intended purpose.

Donald M. Trapp, Director
WUNC-FM

Student juries ensure fairness

To the editors:

Your editorial of Feb. 27 ("After the Marbley Case") is nothing short of nauseous to those who have fought long and hard for many years to ensure that students would judge students, the only method to ensure fair trials on any campus.

I can think of no group that has done less to actively protect student freedoms than administrators. While you may be quite prepared to renounce a student's right to a trial by his peers, I would be willing to predict that most of us are not the least bit interested in going in front of an "objective" panel of administrators or faculty for a fair trial. Seems to me to be a bit like asking Mayor Daley to pass judgement on the Chicago Eight. It's about time that the whole notion *en loco parentis* was thrown out for good.

The real travesty in this whole situation is not that Marbley was acquitted or that "our peers have failed to protect our freedoms," but that a racist like Duke was invited here in the first place. As for what will happen next time, let's hope that in the future we'll all have the good moral sense not to invite someone like that again.

Students, and students only, can best protect student freedoms. It can't be done by surrendering responsibility to administrators, regardless of how enlightened they might be. If the *DTH* editors really want that kind of system, I suggest they get out of college now and enroll in a day-care school. Anyone who naively believes that justice in this country has been, or is, apolitical or colorblind now belongs on that level anyway.

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