

A court in collusion?

The peculiar case of Lee Chavis points up the serious problems inherent in UNC's Honor Court. Chavis, a student defense attorney who was recently fired by Student Atty. Gen. Chuck Lovelace, says he was fired because he advised a client to change his plea from guilty to not guilty. Lovelace says Chavis was fired for mishandling his client's case.

Whether the firing was justified is beside the point. Because a student defense attorney is directly responsible to the student attorney general, who serves as prosecutor in Honor Court cases, the defense attorney automatically becomes caught in a conflict of interest. It is his job to represent the interests of the defendant; but to keep his job he must also attend to the wishes of the prosecutor. Needless to say, the interests of the defendant and the wishes of the prosecutor do not always coincide. And it is the defendant who in the long run suffers because of this conflict.

Why isn't the system changed? Why isn't an independent pool of defense attorneys established? Part of the reason undoubtedly stems from the fact that no one is really aware of the situation. Honor court trials are held in secret, and neither transcripts nor results of the trials are made public. Thus the court is isolated from any effective public evaluation.

There are a number of other very questionable practices engaged in by the court. In the case that resulted in Chavis' firing, for example, the prosecutor told the court that the defendant had pleaded guilty in the preliminary conference and then changed his plea to not guilty after consulting with Chavis. Such information would never be admissible as evidence in a court of law.

The attorney general's office also apparently failed to tell the defendant in that case that he was entitled to counsel during the preliminary conference. Chavis was not assigned to the defendant until after the preliminary hearing.

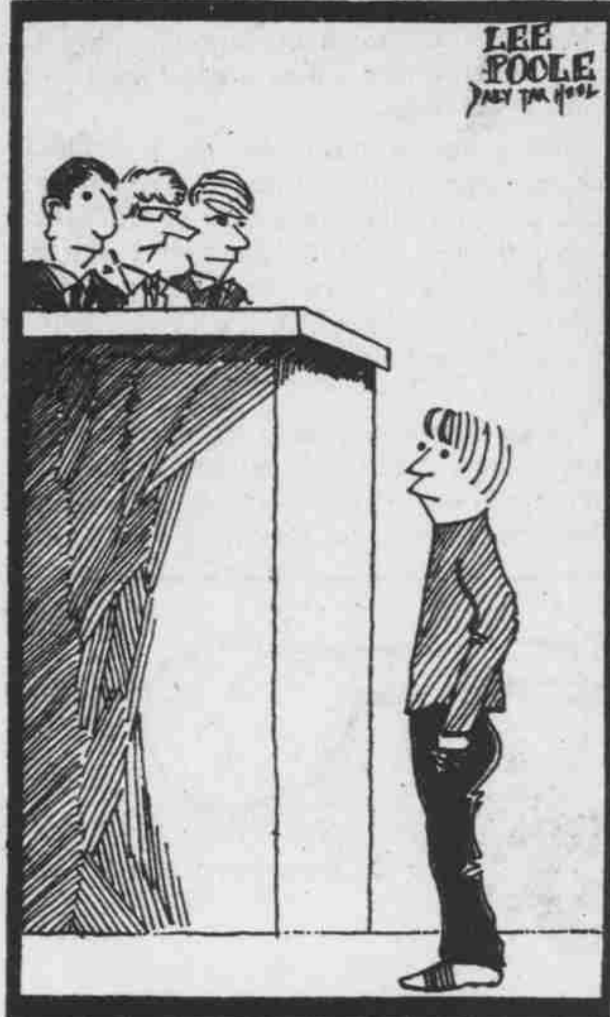
It is quite clear that the honor court does not come close to meeting the standards of due process established by the U.S. Constitution and the U.S. Supreme Court.

Lovelace and other defenders of the honor court do not think the court has to follow due process as established by the Constitution. The court is well within legal bounds, Lovelace claims. "The chancellor has final authority in matters dealing with student discipline. He has designated the student judicial system to handle that responsibility."

But the Fourteenth Amendment to the Constitution says that government may not "deprive any person of life, liberty or property without due process of law." The courts have agreed that at least ten years of public education is the right of all citizens of this country. We believe that higher education is also the right of every citizen, and the state of North Carolina has committed itself to that belief. The honor court, established under power delegated by the state government, is empowered to take away that right—to expel a person from the University. To inflict such severe punishment—which clearly seems to involve such things as loss of property in terms of employment opportunities—without due process seems to be in flagrant violation of the Fourteenth Amendment.

The UNC Honor Court has not yet been thoroughly tested in a court of law. But in this litigious age there is good chance that it will be. We hope the school will see fit to revise the system before such a case arises.

A fair trial must be an open trial in which the defendant is allowed independent counsel and in which the standards of due process are followed. This is one of the pillars of our country's constitution, and there is no convincing reason why it should be ignored at UNC.



Editor's note: Campus run-off elections will be held Wednesday. Today candidates for the offices of student body president and Carolina Athletic Association president present their views on the campaign.

All too often campaigns turn out to be battles between personalities. In this election, I have done my part to face the issues that concern the students. Many students complain because they feel candidates are not realistic. I think it is time for the student body itself to be realistic and choose the candidate that will be the best student representative and leader. Carolina students are capable of seeing through the candidates to determine their motives, initiative, leadership abilities and capacity for accepting responsibility and for dealing with people and problem areas. My qualifications for the office of student body president rest on my strength in all these traits.

Student Government needs open-minded individuals who have insight and enthusiasm in order for the students to have an active voice in decisions which directly affect them. I genuinely hope that my open-mindedness, insight and enthusiasm have been intensely exemplified in my door-to-door and media campaigns.

I will welcome individuals to bring sincere suggestions to Student Government and will work with those individuals to research thoroughly and evaluate the ideas before incorporating them into Student Government. Comprehensive statistics of student opinion are the key to securing favorable consideration from the Chancellor's Committees, the Division of Student Affairs and the Faculty Council. I intend to make full use of available resources to make such favorable consideration possible.

My awareness of the needs for student involvement and student interaction and my direct communication with students are characteristics that have

separated me from all the other candidates during this campaign. Many people have said that the best way to run an administration is as if you were campaigning even after elected: continue careful planning, close contact with constituents, good publicity and effective organization. I pledge to continue my door-to-door contact with students during my term as student body president in order to maintain a constant student awareness. Such contact would be less rushed than brisk campaign visits and hopefully could reach an even wider distribution of students.

A year is a short time in which to gain significant benefits for students. Therefore, if Student Government is to reach its greatest potential, it must build on the good aspects of the former administration, going above and beyond it; a healthy combination of the new and the old is essential to improve the weak and the strong divisions of Student Government. I have proposed innovative ideas, many of which were substantiated in an article by Karen Millers that appeared in the *Daily Tar Heel*, Feb. 8.

Rather than restate the proposals you have already seen in the *Daily Tar Heel* articles, I would like to refer you to copies of my written platform which are available today and tomorrow at booths throughout the campus. Please look closely at my proposals, especially those in the very important area of academics.

This office requires a total commitment by whomever that students elect to serve them. I am willing to make this commitment in terms of time and spirit. I will take a reduced course load in order to meet this time commitment (which may necessitate a late graduation for me).

I greatly appreciate the solid support of the students which gave me the lead in the race last Wednesday. Remember that you need your student ID to vote. I urge all students to get out and vote tomorrow.

Last Wednesday, 3,676 voted for a change in Student Government. This Wednesday is the last chance to vote for change.

Mark Miller says he is a leader, but he is really a follower of the institutions and practices of Student Government this year.

A leader is what the executive branch needs, a leader who will actively represent the student body, a leader who will listen to students and a leader who will be heard.

The differences between my campaign and Miller's campaign accent our differing philosophies.

I have not "proposed" obscure programs which have already begun or been tried for years, such as the glass and aluminum recycling program, "Dean's Hour" and rechanneling the profits from pinball machines back to dorms.

Miller has proposed "under-the-door" reports to keep students informed about Student Government. I will not waste money from student fees on something that will be unread and unwanted. I plan to communicate with students through the *Daily Tar Heel* and WXYC-FM and by going to dorm and organization meetings.

Miller may think that interaction is the key, but I don't. Representation has been forgotten. Students have wailed on the short end of student-administration "interaction" for too long.

The basic difference between Miller and myself can be seen in the way we have presented our platforms. Miller's platform is very project oriented, which reflects the prevailing philosophy in Student Government of projects, projects, projects. My belief is that something more important is being neglected, and that is the role of the president as a representative of the students.

The president is a voting member of the Board of Trustees, and he is the only student voice before the administration.

Representation can be effective only if the executive branch is reorganized to use student input to the maximum.

I have talked with a lot of students in the last month and they are tired of the "laundry list" of proposals and programs that are presented every year. What students want is a president who will actively work for them; one who will work for longer drop and drop-add periods; one who will make the administration aware of how poor academic counseling is; one who will organize his staff to handle complaints or ideas that may affect only one segment of the student population, such as getting "free flicks" to South Campus or getting permission for joggers to use the indoor track in the Tin Can.

To represent students, Student Government must first have a broader perspective; it must be reflective of the student population. Active recruitment and open interviews for staff positions and appointments must be made to improve the executive branch.

As former chairperson of the Media Board, I have the background to understand how the administration operates, and how to organize the executive branch to be effective with the administration.

I do not have the endorsement of Student Body President Billy Richardson, as Miller does, but I do have the support of the Association for Women Students, the Black Student Movement and the Graduate and Professional Students Federation.

Instead of talking about myself, let me quote Sallie Shuping, chairperson of the Association for Women Students, who has summed up my campaign very well: "Bill Moss stresses in his campaign the need for representative government, not an increase in programs of ever-expanding committees. On this premise, Moss presents himself as a strong advocate for students' needs to both the administration and the Board of Trustees."

Carolina Athletic Association president

GARY MASON

DAVID ROYLE

Alan Murray has once again abused his power as editor of the campus newspaper, this time to influence the outcome of an election. I am referring to his scathing editorial criticism of me, which appeared in the *DTH* on Feb. 9 election day. This libelous attack on me had a tremendous impact on the Campus Athletic Association (CAA) election, and even more so because I did not have an opportunity to defend myself against the vague allegations and sly innuendos leveled at me. Talk about dirty politics! Murray is our resident expert on the subject!

Editor Murray, who chose to play the role of the cunning kingmaker in this election, sought to deceive the electorate into believing that I am some nefarious sort of "political opportunist," and thereby ensured the election of his hand-picked choice for the office. Murray's editorial was not only a severe blow to my credibility with those voters who are so gullible and noncritical as to take his word as the gospel truth, but it was also a much-needed boost for one of my opponents—the one he endorsed, of course. Fortunately, Murray's last-ditch effort to defeat me failed, though I must admit it came darn close to succeeding! And it might have succeeded had it not been for my hard core of support which refused to crumble.

Murray contends that "there is no good reason to vote for Gary Mason." I must disagree! There are many good reasons to vote for me. One good reason is my experience. As past president of the American Intercollegiate Athletic Association, I know what needs to be done, and what can be done, to solve such pressing problems as the basketball

ticket-distribution mess, the poor quality of women's athletic programs and facilities and the grossly inadequate financial support of club sports and so-called minor team sports. Another good reason to vote for me: as CAA president I will break with tradition by keeping regular office hours to promote visibility. Furthermore, I will be an energetic, aggressive and determined student advocate on the Athletic Council! And I could go on and on!

Murray contends, also, that my platform is "absurd." Again, I must disagree! How, I wonder, can a platform which reflects the needs of the students, as mine does, be absurd? Perhaps the basketball ticket-distribution system that I have proposed to replace the present confusing, inadequate and unfair system is absurd. Yet my system, which is modeled after the very efficient, equitable and popular system used at N.C. State University, would guarantee each student tickets to at least three home games, one of which would be a major big four contest. Is that absurd? I would also work to increase the funding and facilities for both women's and club sports. Is that absurd?

Murray implies that I am running "to take advantage of the handouts and the free tickets that are provided to the CAA president." Nothing could be farther from the truth! I made it explicitly clear to Murray in a meeting on Feb. 8 that I would not accept courtesy tickets to basketball games!

Yes, Mr. Murray, the potential of the position of CAA president as an instrument for student advocacy is tremendous. So, vote for Gary Mason on Feb. 16!

Letters to the editor

In-depth study—newspapers can start fires

To the editor:
After reading your in-depth coverage on bicycle shops in the area, we at Tumbleweed Cyclery decided to do our own survey on newspapers in the area. After a lengthy and comprehensive study we find:

- newspapers are printed on paper
- pages are usually numbered ordinarily
- Some have funny pages, some don't
- d) all of the above

As almost all newspapers do meet these exacting criteria, we conclude that they do in fact have one thing in common; one can start fires with them, but not if they are all wet.

Peter Simpson
Tumbleweed Cyclery

Lassiter endorses Moss

To the editor:
I would like to thank all those people who helped me in my campaign for student body

president—those who campaigned actively for me, those who voted for me, and those who encouraged me with their inspiration and friendship. Although we narrowly lost the election, I gained many new friends and am much richer for this.

I would also like to encourage each of you to work and vote for Bill Moss for president on Wednesday for the following reasons:

First, Bill believes in many of the same things I campaigned for. Bill wants to open Student Government to all students. We both believe it is wrong for a small clique of students from the same hometown to monopolize Student Government for three years.

Second, Bill does not promise, as his opposition does, to implement things that are already being done or are about to be done, such as recycling, student departmental associations and Dean's hours. Bill is honest with the students and doesn't try to take credit for ideas which are not his.

Third, Bill has a quiet sincerity and dedication. He doesn't try to impress

students with his dedication by telling them he will graduate a semester late (which he will) because he knows that almost every student body president in the past has taken a light course load and gone to summer school to make up the hours.

Finally, Bill has the confidence of students from all facets of student life. As Media Board chairperson, he proved his leadership abilities. Bill has the support of the fraternities and sororities. He has been endorsed by the Association for Women Students, the Black Student Movement and the Graduate and Professional Student Federation because he represents a change from the past.

If you think Student Government is doing a great job, then vote for someone else. However, if you believe as we do that Student Government needs a new perspective, not just a different face, vote for Bill Moss for president.

Tal Lassiter
220 Avery

Thanks to Pegasus

To the editor:
Thanks to Pegasus for some fun, some laughs and some great shots for Physics 45.

Tim Harrison
F-9 Royal Park

The *Daily Tar Heel* welcomes letters to the editor. Letters must be typed, double spaced, on a 60-space line and are subject to editing for libelous content or bad taste.

Letters that run over 25 lines (150 words) are subject to condensation. Letters should be mailed to the editor, *Daily Tar Heel*, Carolina Union.

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