

# THE TAR HEEL

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## The First Amendment and the Fourth Estate

In a case involving the Stanford (University) Daily, the U.S. Supreme Court ruled last week that police have the right to enter the premises of a newspaper with a search warrant and without prior warning for information relating to the commission of a crime.

Overturning two lower court rulings which held that law enforcement agencies must first obtain a subpoena, the five-member majority found that newspapers hold no special right to be forewarned of a search and seizure operation and that they no longer enjoy the privilege of being able to go to court to argue the constitutional merits of a search prior to its inception.

In essence, the Supreme Court has taken yet another step in abridging and limiting the fundamental rights of individuals and organizations even though they may not be involved in a crime.

We are not particularly surprised by this continuing erosion of the spirit of the Constitution, and we are even less surprised that four of the five justices in the majority were appointed by former president Nixon. After all, the narrow mindedness and spiritual decay thrust upon us by Nixon and his ossified political philosophy continues to permeate our society like the acrid gas that lingers long after the refuse has been buried.

But we are gravely disturbed by the long-range implications of this decision as well as by the steady weakening of the Bill of Rights, the only part of the Constitution that makes the rest of it worth anything at all.

Newspapers are a private enterprise and a public trust. Some of them, to be sure, haven't the dignity to be a fitting burial shroud for a dead fish. Others, although their pages may be yellowing all too soon, should be preserved, if not under glass, than at least in that firmament revered by arch-supported and flat-bottomed newspapermen everywhere — the Press.

Most rational beings detest crime, and the people who report it probably detest it most of all. But this new decision does more than crack the lid on the proverbial Pandora's box: it rips the lid off on a whole range of possibilities that are at best frightening to the supporters of a free flow of information. It could allow any two-bit politician to order an investigation into how the press found his well-wadded back pocket in his own commission of a crime. Or it could allow any government to track down and punish the purveyors of information a well-informed citizenry may need to know about its administrators, and thus destroy the confidentiality needed between reporter and source to tell us what our government would be foolish to have us know. And in spite of Justice Byron White's disclaimer that the courts could correct abuses that result from the decision, we should keep in mind that the courts are still trying to correct abuses of the Bill of Rights that have lingered from the 18th century.

Now newspapers may not have achieved the ideal once assigned them (although few institutions have), but one half of living is the striving for the ideals and promises of the other half. And as a counterweight to governmental abuse of power, we would do well to paraphrase Thomas Jefferson: the press may not yet have gotten over adolescent acne, but when it comes time to find a date for the senior prom, it may be the best you'll find.



## ... And inflation rides again

We are presenting this editorial concerning the recent postal rate increases somewhat late.

But considering the quality of the postal service, we thought the timing would be appropriate.

We understand that the idea of a postal service began sometime around the founding of the Republic when a naive and nascent government held the value of the written word in such high esteem that it decided that the word should be spread among the people as cheaply and quickly as possible.

Thus for most of the life of the Republic the postal service was subsidized by the government so that each citizen could almost be guaranteed the right to be informed.

But oh how far we've come. With the rise of big business, the big dollar and the Big Tube, and with the decrease in quality of almost everything else, the government decided that the value of the word should be pegged to the fluctuations of the business cycle and the advertising circular, with the citizens themselves subsidizing this assault on their unsuspecting selves.

Enough is enough. How can the government get away with charging two cents extra for a service that isn't worth the three cents it used to charge for the whole deal? And to add insult to injury, not even print a stamp with the price on it?

For two cents the least they could have done was to forget the "A" and put some more glue on the back of the thing.

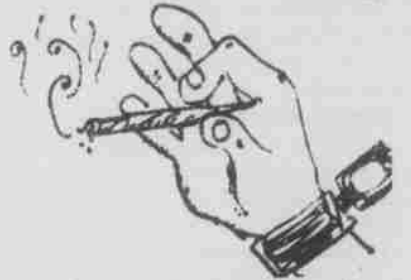
But then we always wondered what became of the left-over horses of the Pony Express.

### Legal services

## Advice for travel abroad

This advice is prepared by Student Legal Services which maintains an office in Suite C of the Carolina Union. UNC students have prepaid for this service and may obtain advice at no additional charge.

Travel in foreign countries can be an enriching experience, but students need to be aware that when they leave the United States, they leave the protection of U.S. laws. This means that an American is subject to all the laws of the country in which he is travelling. This fact has been made painfully clear to those made subject to foreign drug laws, usually much harsher than U.S. laws.



As soon as you leave U.S. borders, you then become subject to all laws of any country in which you touch down. This means civil, criminal and vehicular statutes. U.S. laws have no effect. If you have a legal problem while abroad, contact a U.S. Embassy or Consulate. They will not provide you with legal assistance, but many times the embassy has a list of local attorneys who can help Americans. If you are arrested or held by local police, U.S. officials will not provide bond, but they may help you contact friends and family and advise you where to get legal counsel. Remember also that if you travel in countries with whom the United States does not have diplomatic relations, there is no embassy to call.

ADVICE FOR THE DAY: 1.) When travelling in a foreign country, remember you are a guest and you must obey the host country's laws. 2.) If in doubt, use your common sense. 3.) If you encounter any problems, contact the U.S. Embassy or Consulate.

## The Court and press freedom

The following statement has been released by the freedom of information committee of The Society of Professional Journalists, Sigma Delta Chi.

In its Stanford Daily decision the Supreme Court today crippled the American press — printed and electronic.

By giving the police a new privilege to seize unpublished and unbroadcast material from newspaper, radio and television files, the Court has rewritten the First Amendment.

The Founding Fathers protected a free press to guarantee the independence of that press and to nurture its ability to protect and enhance our society's democratic institutions.

The Society of Professional Journalists agrees with Justice Potter Stewart's vigorous dissent. Justice Stewart both noted that the First Amendment "does explicitly protect the freedom of the press" and that the Court's decision enables the police to invade that freedom without challenge in courts from the press.

People with knowledge of wrongdoing and wrongdoers will be more reluctant now to talk with reporters. The Court has shredded the reporter's traditional promise to protect a "source's" identity.

It is perhaps not neat and orderly that the press in American society should be more protected from search and seizure than is the individual citizen. But free and democratic societies do not have an authoritarian neatness to them. The American press — printed and electronic — is a guardian of democracy for all citizens and a protector of individual citizens' rights.