

CHAPARRAL

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INSIDE: Professor Franklin's opening statement to the advisory board.

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Vigil Protests Vietnam Vote

By TIM CLARK

A coalition of Bay Area anti-war groups held an "anti-election vigil" at the South Vietnamese consulate in San Francisco October 1 and 2. The twenty-four-hour vigil protested the election in South Vietnam, in which the incumbent President Thieu ran unopposed. About 50 persons gathered in front of the Market Street consulate throughout the vigil, with 150 present during rallies held both days around the noon hour. The group picketed the consulate, presented guerrilla theater performances, and passed out literature.

In addition to protesting the election, the demonstrators called for the end of American support of Thieu and support for the Seven Point Peace Proposal of the Provisional Revolutionary Government. The first point of that proposal, presented at the Paris negotiations, calls for the release of American POWs on a timetable tied to the withdrawal of American and Allied troops, provided the United States sets a date for total withdrawal. The second point calls on the United States to end its support of Thieu and for the establishment of a coalition government to supervise "genuinely free, democratic, and fair general elections in South Vietnam."

The emphasis of the vigil was on education, rather than on a mass demonstration. Jan Austin, of the Red Family commune in Berkeley, stated that, "Educational work has been good; lots of people know that Thieu is the only candidate." Organizers considered the vigil a success,

despite the small numbers, because of the favorable response from passersby.

The Saturday rally featured several short speeches. Barry Romo spoke on the 1967 elections in Vietnam, which he observed as a GI. Norma Welshans, introduced as the first WAF to refuse orders to report overseas, spoke on her case and the GI movement. A Vietnamese student, who has been threatened with reprisals when he returns to Saigon, spoke on the domestic situation in Vietnam. After the vigil, many of the demonstrators left for a rally at San Quentin Prison, part of nationwide demonstrations at prisons across the country.



Judicial System Questioned

By HERB BOROCK

A legal system can be thought of as a union of primary, secondary, and tertiary rules. Under primary rules, "human beings are required to do or abstain from certain actions, whether they wish to or not." Secondary rules provide that "human beings may by doing or saying certain things introduce new rules of the primary type, extinguish or modify old ones, or in various ways determine their incidence or control their operation." Tertiary rules provide a method of introducing, extinguishing, or modifying secondary rules. (Quotations are from H.L.A. Hart, *The Concept of Law*; Oxford University Press, 1961.)

For Stanford students, the primary rules are the Prohibition of the Possession of Dangerous Weapons, the Policy on Campus Disruptions, the Fundamental Standard, and the Honor Code. The secondary and tertiary rules are provided for in the Legislative and Judicial Charter of 1968, as amended Winter Quarter, 1968-69.

The primary rules and the Charter appear in the little red book distributed at registration. The book, entitled "The Stanford Legislative and Judicial System," is available from President Lyman's office. The relevant section is on pages 11-30. To avoid confusion and misinterpretation, you should throw away the other pages.

CHARTER PROVISIONS

Article I of the Charter describes the Student Conduct Legislative Council (SCLC), which is the body that can introduce new primary rules, and extinguish or modify old ones. Article II describes the Stanford Judicial Council (SJC), which determines the incidence of and controls the operation of the primary rules. Article III provides a method for amending the other articles of the Charter, and describes a key body in the amending process, the Committee of Fifteen (C-15).

Article IV contradicts the other three articles, since it provides that the President of the University may issue primary rules, secondary rules and, by extension, tertiary rules.

RECENT HISTORY

When the Charter was first proposed, some people questioned the arbitrary power granted to the President under Article IV. A faculty member replied that this arbitrary power could be checked by recording each use of Article IV on a chalkboard in White Plaza. Although the chalkboard never appeared, the first President to use Article IV, Kenneth Pitlor, used it only twice. He resigned after less than two years in office, during which time the judicial system was being attacked by students who claimed it was repressive, and by faculty, administrators, trustees, and alumni, who claimed it was not as repressive as it should be.

Although over 65 cases have been brought before the SJC, and many have resulted in convictions, the most militant and broad-based actions in the past three years have never been adjudicated by the SJC. (1969: a 10-day sit-in which shut down the Applied Electronics Laboratory. 1970: a week-long strike which shut down the entire campus. 1971: the

February 10 shutdown of the Computation Center and the April 8-9 alleged sit-in in the Stanford Hospital.)

Many students believe that the SJC and the President have subverted the Charter and acted illegally to compensate for their inability to get convictions in the most important cases. Since the faculty and the administration have the power to do whatever they want to do with the student judicial system when that system is functioning, the students' response has been to stop that system from functioning. The student judicial system is fast approaching a crisis where students will attempt to seek a redress of grievances from faculty and administrators who have demonstrated their unwillingness to redress such grievances in the past.

The student body has proposed amendments to the Charter which, if enacted, would grant students the right to be tried by a jury of their peers, give defendants the individual rights guaranteed by the Constitutions of California and the United States, and remove the arbitrary powers that President Lyman has. Until those amendments are enacted, the judicial system will be stacked against defendants.

The second half of Herb Borock's article will appear next week along with recent developments in the status of the judicial system.

Social Note

Princess Alexandra, in San Francisco during British Week to help drum up foreign trade for the permanently-stagnated British economy, was seen Saturday shopping at Woolworth's. Arriving in a brown Rolls Royce with police escort, the Princess was greeted by people attending the anti-election vigil next door at the Saigon consulate. The impromptu welcoming committee chanted "I.R.A." (referring to the Irish Republican Army), "Free Ireland," and "We love Bernadette Devlin."

It is not known what the royal visitor purchased at Woolworth's, but there was a sale on toothbrushes.

The staff of the *Chaparral* would like to have a regular page in each issue devoted to women and put out by women. Articles may range from news and interviews to personal experiences, poetry, or reviews. The *Chaparral* expects this to be a weekly forum in which women can address themselves specifically to their own situation.

Regular meetings of the *Chaparral* staff take place with some regularity at 8 p.m. on Thursday evenings. Prospective members should attend. The deadline for articles is noon of the Monday before publication.