

# Statesman

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## Polity Senate Lifts Sports Freeze

By ED KELLY and TOM CHAPPELL

The Polity Senate passed a motion at last Wednesday's meeting to reinstate the \$45,000 funding for the Student Athletic Council (SAC). In a related development, the Senate also passed a motion not to fund intercollegiate athletics after April 1, 1980, giving the University a period of two years to find alternate sources of funding.

The SAC had originally been frozen on October 19 and the Senate rejected a motion to unfreeze it a week later. On October 26, Polity President Ishai Bloch said, "It was the will of the Senate," that the budget remained frozen until the University Senate meets this Monday to possibly reconsider its definition of good academic standing. Nevertheless, Wednesday's motion made by Mount College Senator Jerry Gross releasing the funds and enabling athletic schedules to continue, passed by a vote of 22-13.

Athletic Director John Ramsey said that he didn't see any major problems in continuing the sports program. "It [the reinstatement of funds] gives us a little breathing room and a chance to reorganize," he said.

Now that the SAC funds have been released, the temporary funding coming from the money used to operate the gym is no longer needed. As a result, Executive Vice President T.A. Pond said that the gym hours which were going to be shortened if the freeze continues will no longer be cut. "I'm very pleased that that didn't happen," said Pond. "Polity has no obligation to reimburse the gym account," he added.

However, Polity Vice President Frank Jackson said that Polity would repay any money that was spent by the Physical Education Department during the freeze. "If anyone laid out any money it will be paid back," he said.

The freeze that went into affect on October 19 marked the second time in five months that the Senate cut off funding for the SAC. Last May, the Polity Senate froze the funding ruling that academic ineligibility requirement

that applied to intercollegiate teams were exclusionary and teams that maintained those standards would not be supported. The Eastern Collegiate Athletic Association (ECAC) requires that a student be in good academic standing to be eligible to compete in intercollegiate athletics. At Stony Brook, students are in good academic standing if they have achieved at least 24 credits in two consecutive semesters. On the grounds that Polity, the student government, funds athletics and cannot force students to pay a mandatory activity fee for activities in which some students cannot participate, last spring the Polity Council stopped funding athletics by freezing the SAC budget. However, despite the fact that the University Senate refused to change its definition of good academic standing, to include all registered students, the Polity Council unfroze the budget last August.

The issue emerged again last month when Statesman reported that three members of the women's volleyball club were declared ineligible under ECAC rules, because ECAC rules only apply to intercollegiate athletics and not Polity clubs, the Senate froze the budget. Ramsey, however, later admitted that he made a mistake in calling volleyball a club and that it was actually a varsity sport subject to ECAC rules. At the Polity Senate meeting on October 26, Bloch once again stated that the solution to the exclusionary rules would be to ask the University Senate to change its definition of good academic standing to include any student that is registered. Bloch said that that definition would allow all students to participate. University Senate Chairman Billy Jim Layton, however, said that it would be unlikely that the University Senate would change its definition. Nevertheless, the Polity Freeze continued.

Bloch, who voted in favor of the freeze at the last two Senate meetings was not present at Wednesday's meeting, when the freeze was finally



POLITY PRESIDENT ISHAI BLOCH and Vice President Frank Jackson — two different views on Freeze.

lifted. Although he said he was "surprised" and "disappointed" by the reinstatement of the funds, Bloch maintained that he would continue to try to change the University Senate's definition on Monday. "I think it hurts our position on everything," he said. "We [the Polity Senate] don't back up what we say. The reason we froze the budget was ideological but we turn around now and show that we can fund athletics — even if it is exclusionary. I don't see a prayer in the world of getting anything done, but I'll try as hard as I can. I talked to athletes and they felt that they could hold out until Monday."

### Delegate Emergency Powers

James College Senator Mary Schwartz made a motion at Wednesday's meeting to delegate emergency powers to reinstate the budget if the University refused to change its definition of good academic standing on Monday. The motion, however, was rejected, and the freeze was subsequently lifted.

Last Wednesday, Pond released a memorandum to the campus community which stated that money from the gym fund would be used to support athletics while the funds were frozen and that as a result the gym hours would have to be cut. Pond also said that the Athletic program would be discontinued on Monday if Polity did not reinstate the funding for athletics, because the University would not be able to maintain its status in the ECAC.

Since the budget was first frozen last month, many different reasons for releasing the funds or for keeping them frozen have been offered by various Polity Senators. Benedict College Steve Finkelstein who had opposed the freeze since the beginning, indicated that Pond's announcements were instrumental in his voting to unfreeze the budget at last Wednesday's meeting. "It's affecting thousands of other students who aren't involved in intercollegiate athletics," said Finkelstein. He also said that if the budget remained frozen it might

jeopardize Stony Brook position in the ECAC. "If the sports budget remains frozen and we have to forfeit games we won't be able to schedule games for 10 years," he said. "No other schools will touch us. We have to consider the long range consequences."

Commuter Senator Larry Seigel who made the motion not to fund athletics after 1980, voted to end the freeze because he thought the University should be funding athletics said, "If we say that we're going to stop funding sports in 1980, then the athletes can play while the University works on alternate sources of funding. It is not the responsibility of Polity to fund sports," Seigel explained.

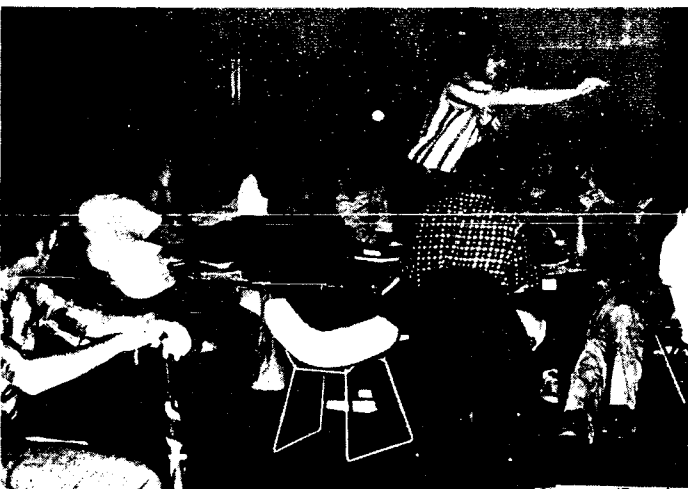
Junior Representative Mark Fish voted against the freeze because he felt that there was little hope in changing the definition of good academic standing. "There are 10 students on the University Senate and over 100 administrators. There's no way that they're going to change the definition of good academic standing."

Bloch said, "Pond's memo was a scare tactic," and Polity treasurer Mark Minasi still favored the freeze despite the recent announcements. "Pond threatened us with closing the gym and stopping the sports program," said Minasi. "Our cause is just. A thousand people are on probation. I think a thousand people are enough to listen to."

Senior Representative Mitch Share also said he favored the freeze. "Anybody who pays an activity fee is entitled to be on any activity Polity pays for," he said. "This is a constitutional question. The University Senate can alleviate the problem on Monday by changing athletic requirements."

Although Bloch felt that there was little hope in influencing the University Senate without the freeze, Finkelstein said the Senate's position would not be hurt and that they had not backed down.

(Continues on page 3)



THE POLITY SENATE discussing academic eligibility requirements.

# News Briefs

## Stony Brook Campus Is Seen As Graveyard for Food Services

### House and Senate Seek to Speed Bill

Washington — House and Senate leaders, facing the possibility that Congress may fail to complete work on a national energy bill this year, sought ways yesterday to speed up work on a compromise.

But one leading Senate Democrat said President Carter still may not get the energy legislation until just before Christmas and had better cancel his plans for an overseas trip later this month.

House Speaker Thomas O'Neill and Senate Majority Leader Robert Byrd arranged to have two conference committees instead of one work on the legislation.

One conference committee will continue working on non-tax aspects while the new one will begin meeting next week to discuss energy taxes.

The step was opposed by Representative Harley Staggers, (D-West Virginia), chairman of the single conference unit now trying to fashion a compromise measure. He claimed there was no need for two panels to work on the energy bill.

But Senator Henry Jackson, (D-Washington), chairman of the Senate Energy Committee said that without such an arrangement, Congress may be unable to finish work on the energy plan this year.

### Warning Label Bill Passed

Washington — A bill that would require cancer warning labels on diet food and soft drinks containing saccharin was passed by the House last night and sent to the Senate.

The bill, approved by voice vote, was expected to be adopted by the Senate today.

The legislation would block for 18 months a Food and Drug Administration (FDA) ban on the artificial sweetener. The FDA wants to prohibit saccharin as an additive to food and beverages, but permit its sale as a nonprescription drug.

Senate and house conferees worked out the bill as a compromise to two different versions passed earlier by the two houses.

Under the compromise, the label on saccharin food and drink products shipped inter-state would read:

"Use of this product may be hazardous to your health. This product contains saccharin which has been determined to cause cancer in laboratory animals."

### Congressmen Vote on Abortion Bill

Washington — Here is how New York congressmen voted as the House rejected, 172 to 193, Senate-proposed guidelines on when the government would pay for abortions for poor women. A yes vote is for the Senate proposal. xxx-denotes not voting.

Democrats — Addabbo yes; Ambro no; Badillo xxx; Biaggi no; Bingham yes; Chisholm yes; Delaney no; Downey yes; Hanley no; Holtzman yes; Koch xxx; LaFalce no; Ludine yes; McHugh no; Murphy no; Nowak no; Ottinger yes; Pattison yes; Pike yes; Rangel yes; Rhoads yes; Rosenthal yes; Scheuer yes; Solarz yes; Stratton no; Weiss yes; Wolff xxx; Zeferetti no. Rosenthal yes; Scheuer yes; Solarz yes; Stratton no; Weiss yes; Wolff xxx; Zeferetti no.

Republicans — Caputo no; Conable yes; Fish no; Gilman yes; Horton yes; Kemp no; Lent no; McEwen no; Mitchell no; Walsh no; Wyden no.

### Fraud Suspect Hires Bailey

New York — Veterinarian Dr. Mark Gerard, suspended from practice at Belmont Park for "possible racing fraud" in the New York race horse switch scandal, hired attorney F. Lee Bailey yesterday and issued a statement denying all allegations against him.

In the statement — issued by attorneys Neil T. Shayne and Bailey — Gerard said: "Allegations have been made that I have been involved in deliberately switching a fast horse named 'Cinzano' for a mediocre horse named 'Lebon' at Belmont Race Track. These allegations are false."

The statement then was broken down into five paragraphs which read:

"1, Two horses were identified for me at Kennedy Airport on June 4, 1977, one as Cinzano and one as Lebon.

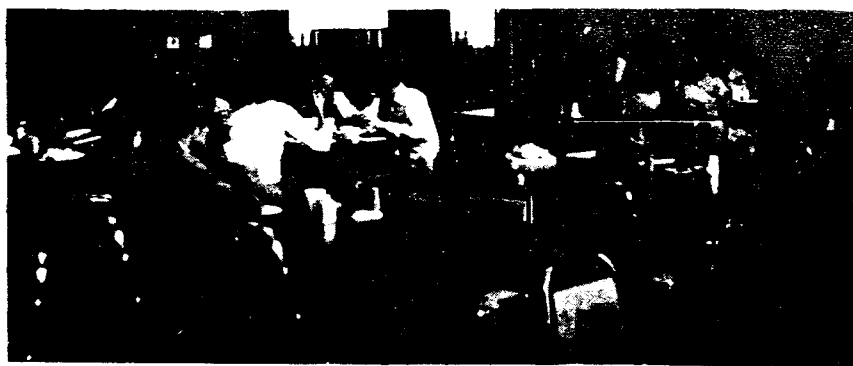
"2, Because the New York Racing Association (NYRA) does not require identity by tattoos on imported horses, I have no way of knowing whether the original identification to me was true or false.

"3, The horse known to me as Cinzano suffered destructive injuries by accident on June 12, 1977. After examining this horse, I determined that it would have to be destroyed.

"4, I had the carcass removed from the premises as soon as possible for obvious reasons, particularly including the well-being of the other horses in the stable, but after examination by another veterinarian.

"5, Irresponsible leaks to the press from the New York racing and Wagering Board have resulted in unfair and prejudicial opinions being formed by the public. I now wonder whether anyone is still interested in making careful evaluation of the facts."

Compiled from the Associated Press (AP)



STUDENTS eating at Lackman's Roth Cafeteria soon after its reopening.

By MITCHELL MUROV and ERIC GOLDIN  
As far as University food services are concerned, Stony Brook will always be a "graveyard."

Since the University first opened 20 years ago as the State University College on Long Island, in Oyster Bay, nine different companies have been contracted to be the University's exclusive Food Service, and only two of these operations have been successful.

With the exception of Slater, the University's first food service, and Lackmann, the current operation, Stony Brook food service contracts have proven to be the kiss of death for these companies.

Just as Prophet Food Service. According to former Polity Historian, and present Polity Executive Director, Bill Camarda, Prophet signed a two year contract with the University in 1970. However, the company was hit by a two week strike by its employees just one month into the Fall semester, an action which, according to Camarda, was "the beginning of the end of the mandatory meal plan." He explained that students who began cooking in their dorms, discovered that the food was much less expensive than the mandatory meal plan, and also tasted better. Another strike in February which lasted six weeks reinforced student opposition to the mandatory plan, and appeared to give students an excuse to terminate their contracts with Prophet. By the year's end, only 700 out of an original 4,000 students were still eating in the dining halls. As a result, Prophet refused to honor the second year of the contract.

Slater, which served the University during its first five years at Oyster Bay, was somewhat luckier.

At first, Saga Food Service experienced similar success. After being contracted by the University when the school moved to the Stony Brook campus in 1962, Saga served the growing campus until 1968 with few difficulties. Originally, only G-Quad Cafeteria was open, but by the time Saga left, H and Tabler Quad Cafeterias were serving students as well. At that time the meal plan was still mandatory, but also much less expensive than today, with nearly 4,000 students paying about \$150 for a 19 meal a week plan. Although the Saga meal plan was successfully operated, it was underbid for the 1968-69 food contract, which was awarded to ABC-Gladioux, a midwestern firm.

And then the problems started. After signing a two-year contract, with the state, which handled University food service contracts at that time, ABC-Gladioux became a frequent target for student complaints, due in large part to the low quality food. As a result of these complaints, Camarda explained, ABC-Gladioux renege on the second year of the contract, and instead turned over operation of the University food service in 1969 to Ogden Food, a sister company of Gladioux.

After the problems experienced by Prophet during 1970-71, which resulted in the termination of the mandatory meal plan, few students seemed eager to return to the dining halls. As a result, Servomation, which ran the 1971-72 meal plan, saw the number of students on their plan dwindle to 100. The fact that Servomation had a weekly, rather than monthly plan did not help matters, since many students were unwilling to renew the

plan each week. Once more, this resulted in a food service pulling out after the first year of a two year contract.

Although most students dining in dorm rooms at this time were undoubtedly eating well, a Brookhaven Civic Association discovered one problem; the residents were preparing their food without the proper cooking facilities, a situation University officials viewed as a potential fire hazard. A "Dormitory Cooking Task Force" was formed as a result, recommending that the 1972 meal plan be made mandatory for incoming Freshmen, and that a \$25 cooking fee be imposed on all other students. Because the mandatory meal plan recommendation did not apply to the 1971 student body, the plan was passed. Nobody had any idea that the cooking fee would still be in effect seven years later, Camarda explained.

In 1972, the Crotty Brothers firm received a one year contract. Unlike the previous contractors, however, Crotty only managed the food service operations, while the state purchased the food and paid the employees. Nevertheless, the state lost money with this arrangement, and as a result, gave the Faculty Student Association (FSA) responsibility for the University's food service operation. FSA then contracted Saga once again, but the nationwide firm did not find the same success as previously. They lost \$40,000 in one year.

#### Horn and Hardart Gets Bid

Although the University had long since earned its reputation as a food service graveyard, three companies, ABC-Gladioux, Saga and Horn and Hardart placed bids for the 1974 contract, which was eventually awarded to Horn & Hardart. Amidst promises for improvements in the meal plan, however, Horn and Hardart turned out to be a disappointment, Camarda said, partly because the company pressed once more for a voluntary meal plan. Nevertheless, the company was awarded another one year contract for 1975-76, and met with disaster. Starting with 1,200 required students and 500 voluntary participants, the company ended the year with 50 voluntary students and an \$80,000 loss.

The situation was clearly deteriorating, and another company was obviously needed. After much debate Lackmann Food Service was selected in the summer of 1976 and rewarded a three year contract although they were aware that the meal plan would soon be voluntary for all students. According to FSA Operations Chief John Songster, Lackmann which also operated the C.W. Post College food service, last year "broke even, actually a little better." He added that "the number of people on the plan is growing, with more upperclassmen returning to the plan." Currently, 1,951 students pay for from five to nineteen meals per week.

After two years the Lackmann operation seems to be running smoothly. The company operates all campus cafeterias, and plans to provide food for the Union Disco which will be opening soon. Recently, the food service also opened the Roth cafeteria, which had remained vacant for several years, "to relieve the jam in the Union and Humanities Cafeterias," Songster said.

It is difficult to say why, but not matter what is said about Lackmann food service, few will deny that it is indeed thriving...in a graveyard.

# Polity Senate Votes SASU Membership Down

By TOM CHAPPELL

The Polity Senate voted to not allocate the funds needed for Stony Brook to re-join the Student Association of the State University (SASU) at Wednesday night's meeting. SASU is a statewide lobbying group which represents the students of the State University of New York (SUNY) schools.

Stony Brook withdrew from SASU two years ago in response to the seating of 10 members of the Third World Caucus, an organization of SUNY minority students, as voting members of the body. At the time the Polity Senate voted to withdraw because they thought the seating of these delegates was unrepresentative, as only six of the 21 member schools participated in the selection of the delegates.

Although the seating of the Third

World delegates was still an issue this year, according to Polity Treasurer Mark Minasi, economics was the major factor in the decision not to rejoin SASU. "Polity does not have the money to pay the membership dues," he said. SASU President John Dougen, who addresses the Senate, said it would cost between \$8200 and \$8700 to join.

"We represent the interests of students to the state legislature and to the SUNY System," Dougen said. In the long run the membership fee will be a great investment for Stony Brook students, according to Dougen.

Dougen called the Third World Caucus controversy "water under the bridge" in expressing his hope that Stony Brook would rejoin. However Polity Vice President Frank Jackson said there is still strong sentiment against the Third World

delegates participating in SASU. "I am definitely in favor of the Third World Caucus being represented but that may not be the opinion of the entire Senate," he said. Jackson said he believes that if finances had not prevented Stony Brook from rejoining SASU, the Third World Caucus issue would have re-surfaced.

Stony Brook has been a participating member of SASU since last August when Polity officials expressed interest in rejoining this year. However, this temporary membership ended after Wednesday night's vote, according to Jackson.

Jackson said that the Senate will decide on how to fill Harts' vacated Assembly seat at their next meeting.

Jackson and Benedict Senator Steve Finkelstein said they hoped that the SASU membership dues would be

included in next year's budget. "If there is no money this year we can't pull it out of a hat. But maybe next year we'll be able to join," Finkelstein said.



FRANK JACKSON

## FSA Disco Still Waiting for Liquor License

By NATHANIEL RABINOVICH

A new discotheque in the Student Union, originally scheduled to open November 1, has not opened yet. The delay in opening was caused by difficulty in getting a liquor license, according to Faculty Student Association (FSA) Chief Operations Officer John Songster.

The discotheque which is to be called "End of the Bridge," is to feature a Lackmann supplied restaurant, bar, and live music, according to Songster. He added that it is otherwise almost complete, with a sound system, bar, and carpeting already installed — murals will be painted this weekend and a new flooring will be added next week.

According to Songster, FSA applied for a liquor license in August, but the State Liquor Board did not consider the application until October. At that point they ruled that Lackmann food services should hold the license.

According to Coordinator of Dining Services Keith Burd, the application has been submitted and "the license should be coming in soon."

The discotheque, according to Songster, is to be a "restaurant-cocktail lounge combination" open for lunch and dinner, where students can sit down and order food. Burd said that all workers will be employed by Lackmann. He added that students can buy full meals as well as dishes a la carte. In addition, he said that the discotheque will have a giant television screen by the bar "for Monday night football" as well as nightly entertainment in the form of a disc jockey or live band on Saturdays and Sundays. Burd said that he "would like to

see a good campus group one night a week," as well as a local band once a month.

However, no particular arrangement with regard to entertainment has been made with the Student Activities Board (SAB), according to Concert Chairman Tom Neilsen. He said that he expects to speak to Songster this Friday.

Songster said that the discotheque, located on the second floor of the Union at the entrance to the "Bridge to Nowhere," will probably be open "at

least until 1 AM" on nights that there is entertainment. The Union presently closes at midnight.

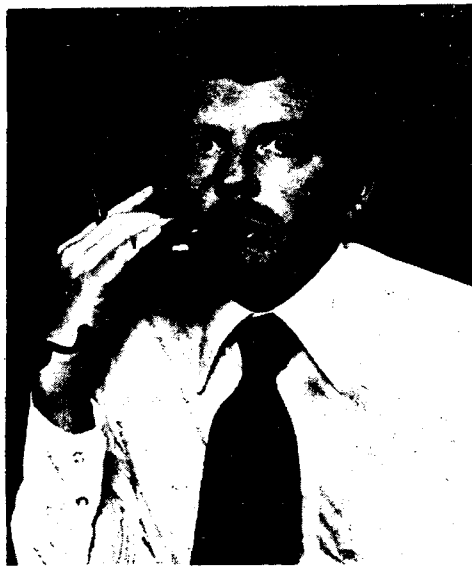
Student Union Director Roland Buck said that when the discotheque is completed, he'll do all he can to make sure it works, including having the building kept open after midnight.

According to Songster, when the "End of the Bridge" opens it will be unique to the campus. He said that it will be "a place to take guests to go for dinner and an evening of entertainment." Burd

added "I think every college needs a white table cloth type of restaurant."

"I hope they decide to have more than just rock and disco music. I'd like to see them have a square dancing night. I think that would be very entertaining," student Paul Zahra said.

Commenting on the new disco, Polity President Ishai Bloch said, "It's one of the better things FSA has done." As for Zahra's proposal, Bloch said, "Sounds like a great idea, square dancing is pretty popular you know."



Stateaman/Kerry Schwartz

JOHN SONGSTER

## Four Quads Losing Heat and Hot Water

There will be no heat or hot water in Kelly, Tabler, Stage XII, and Roth Quads for at least 48 hours this weekend as the University repairs a steam leak in the manhole across from the Tabler steps. Both the Heavy Engineering Building, and the Computer Center will also be affected by the outage.

The outage will begin when the system is shut down about noon today, so that the temperature within the manhole drops to where it is safe for workmen to enter and make the necessary repairs, which should take only a few hours, according to Facilities Operations Director Kevin

Jones. However, heat and hot water may not be restored to the entire campus, until late Sunday afternoon or evening.

The Gym, which will not be affected by the outage, has extended the hours its shower facilities will be available to students this weekend, at the request of Polity Hotline Coordinator Roger Rivera, according to the coordinator. The Gym Security staff, a group of Work/Study students, has agreed to remain an additional eight hours this weekend so that the Gym will be open from 8 AM to 2 AM today, tomorrow and Sunday.

— Jack Millrod

## Registration for Spring Semester

Advance Registration for the spring semester will be held on the week of November 14 for the undergraduate students, and the following week for graduate students, between 10 AM and 4 PM in the Administration Building, according to University Registrar William Strockbine.

Faculty advisors will extend their office hours during the period of November 7 through November 18 to accommodate students who need assistance in planning their academic programs, selecting a major, or making any academic decisions.

Along with a permit to register, an information booklet and an Advance Registration form will be mailed to all students.

—Raymond Weinberg

## Budget Freeze Lifted by Senate

(Continued from page 1)

"We didn't back down on any of our principles," said Finkelstein. "I don't think we needed to put pressure on the University. They know how we feel. If they're willing to compromise, we can compromise. We decided we could work with the administration and take the politics out of Athletics."

Minasi, however, said that "The Administrations will be here many years, we will only be here a few. They're eroding student freedom a little at a time, but when you look back we've lost a lot. We've backed down on every other threat by the Administration and id we back down now we might as well resign."

Jackson seemed sympathetic to both sides. "I think the Senate made itself look foolish but it is a thin line between

representing people and what you think is right," he said. "I voted to unfreeze it. You can't fight battles with the Administration when the student population is opposed to what you're doing. They showed that they objected to it [the freeze]."

Block, Minasi Apprehensive

At the October 26 meeting, Bloch and Minasi said they were apprehensive that the academic ineligibility rules might be used to apply to non-academic areas sometime in the future. Vice President for Student Affairs Elizabeth Wadsworth, however, said that she knew of no faculty or administrators who would make such a move. At Wednesday's meeting, Wadsworth sent a memo to the Senate stating that administrators do not establish academic criteria and that the

establishment of the Student Life Committee as part of the University Senate would prevent any changes that the students didn't want.

Sophomore representative, Jim Zito, however, disagreed. "She [Wadsworth] has a way of patting us on the back with one hand and picking our pocket with the other," he said.

'I'm Glad'

With the freeze over, the athletics teams are returning to their regular schedules. "I'm glad it was unfrozen," said Matt Lake of the cross country team. "But I'm sad it didn't work. It wasn't their reasons I was against, I was against their means," he explained.

Ramsey said the freeze was a "source of aggravation to seniors in all sports. That will never be recovered," he said, "and that is really regrettable."



**Nose Job**

In search of marijuana, a policeman took a specially trained dog into the baggage room of an airport and turned him loose. After a few tentative sniffs the dog zeroed in on a black satchel, which—upon being opened—yielded a cache of the drug.

But in court the owner of the satchel invoked his constitutional rights. He said a search without a warrant, in a private section of the airport, was a violation of the Fourth Amendment.

And the court agreed. Throwing out the incriminating evidence, the court said:

"The agents of the government must observe the law in enforcing it."

This case illustrates the kind of "search and seizure" problems arising from the growing use of canine detectives in locating drugs. For the most part, however, the courts have found such evidence acceptable.

In another case, police had also used a trained dog to check luggage at an airport. But here they had been alerted by an airlines clerk, whose suspicions had been aroused by the owner of a particular suitcase.

With that much to go on, said a court later, the search could not be classified as unreasonable. Result: the evidence stood up.

In a third case, the pilot of a private plane was asked by officers if they could examine his personal belongings. When he said yes, they brought in a trained dog—and the dog found narcotics in what appeared to be an innocent package.

Haled into court, the man objected that he had not given the police permission to use "extraordinary" measures. But the court overruled his objection. The court felt that as long as the police had permission to search, they had permission to do it well.

A public service feature of the New York State Bar Association.

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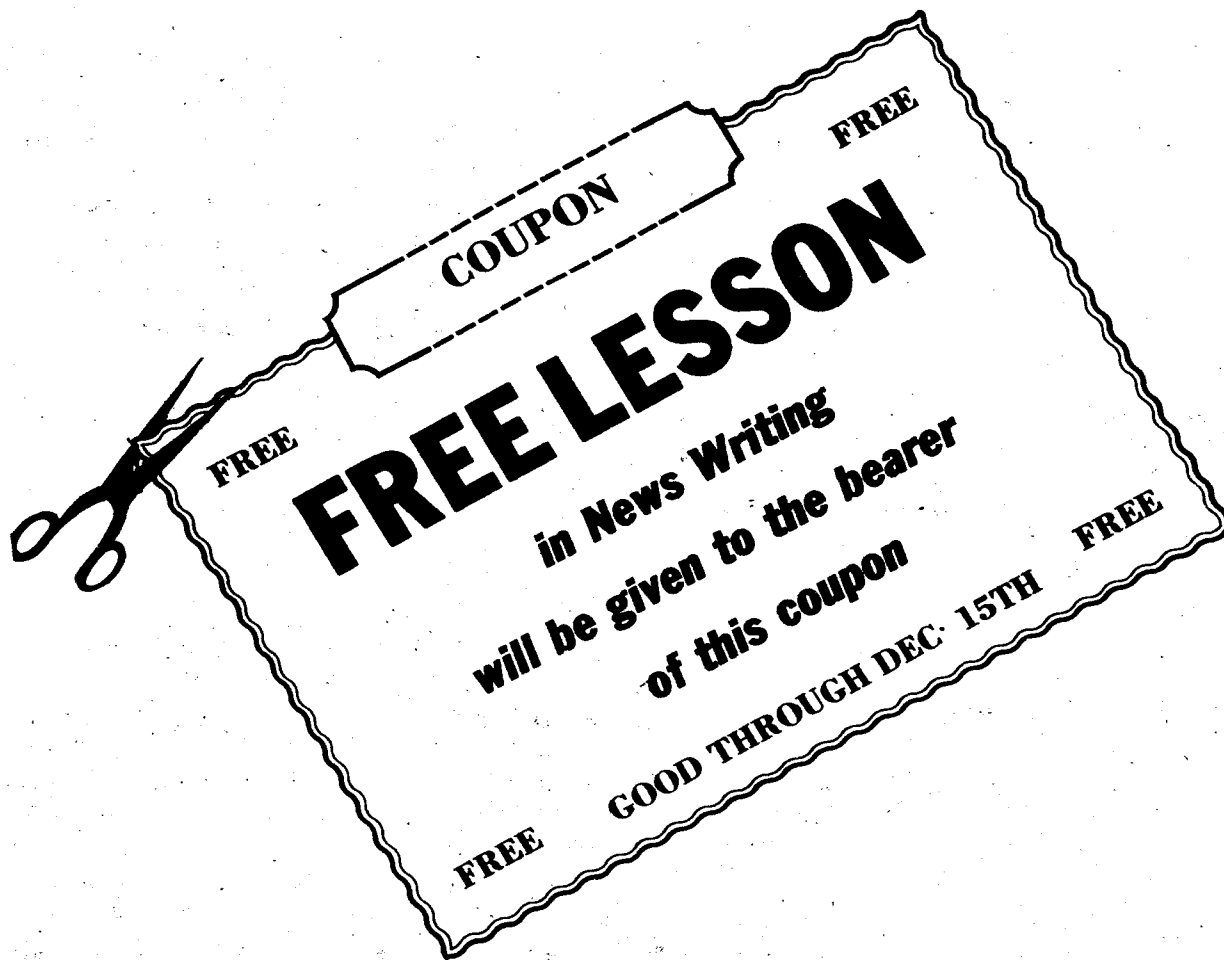
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# Standardize SAB Ticket Procedure

Now that Jerry Garcia fans have had a few days to sleep and recover from the long weekend that many people had to spend waiting to get tickets for the December 9 concert at the Stony Brook Gym, an examination of the procedure the Student Activities Board used for the distribution of the 500 or more reserved seats is in order.

Most of Garcia's fans, once they had tickets to firmly grasp in their hands and gaze upon, broke out into broad smiles, blotting out of their minds the many hours they had been awaiting that moment. And now, with the passage of more time, the memory of that ordeal has been even further clouded by the happy thoughts of the upcoming event. But it must be pointed out that Garcia fans, and more generally, Grateful Dead fans, are well used to such efforts in the name of good seats.

And while Stony Brook students may have been hardened by the great efforts they must make simply to fulfill many bureaucratic duties, we hope that the distribution of reserved seats for the next major concert is handled in a more

organized fashion, with a lot less inconvenience for the ticket buyers.

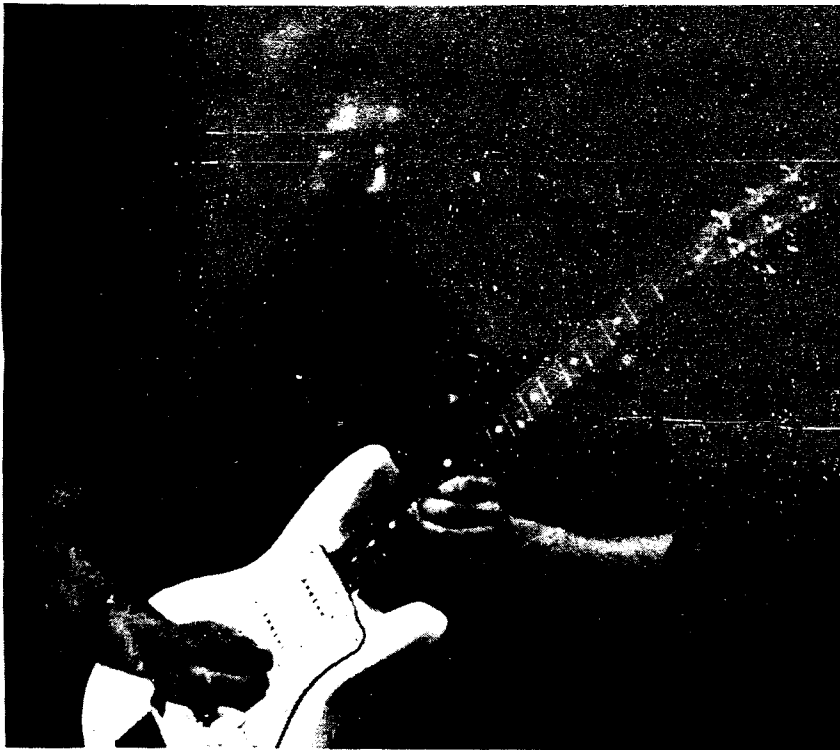
That is not to infer that Richie Schechner and Tom Nielsen of SAB did not do a commendable job with a difficult project, but we feel that the next time around everything should be handled much more smoothly.

Specifically, Statesman objects to the fact that the early procedural plans called for random roll calls of the list of people waiting for tickets early into the morning. It wasn't until late Sunday night that the amount of people waiting (more than 300), the cold weather outside, and the security of the Union was considered, the decision was made to have the people, some of whom were waiting from mid-day Saturday, come back at 5:30 Monday morning. Then everyone who made it back at 5:30 AM had to withstand the cold for 90 more minutes, while more roll calls are taken. No one was admitted to the Union until its official opening time of 8 AM.

Statesman understands that security was the basic reason why everyone was told late Sunday night that they would have to leave the Union and come back so early. But the

disorganization that accompanied the late nature of these decisions was highly inconvenient to the students. And the 90 minute wait in the cold morning air was more than just inconvenient, it was a cruel end to a 2 1/2 day ordeal.

Once again, we wish to compliment SAB on the finer points of the operation, especially the fact that an effort was made to keep everyone informed, and even more important because everything was done in a universally fair manner. But we hope that before the next such undertaking, SAB has worked out a definite method of distributing reserved seats. One that is run on an equally fair 'first come, first serve' basis, but one that will also be able to be followed easily without late changes.



FRIDAY, NOVEMBER 4, 1977

VOLUME 21 NUMBER 19

## Statesman

"Let Each Become Aware"

David M. Razler

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Feiffer

TOMORROW I SET SAIL ON A SLOOP FOR CANADA



THEN I HIKE ACROSS CANADA TO THE ROCKIES.



THEN I CLIMB THE ROCKIES.



THEN I SKI DOWN THE ROCKIES.



BY THE TIME I HOP FREIGHTS HOME THE HOLIDAY SEASON WILL BE OVER.



AND I WILL HAVE AVOIDED THE DANGERS OF A FAMILY GET-TOGETHER.



11-20

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# Affirmative Action Must Survive

By HUGH G. CLELAND

Stony Brook students (and faculty) are deeply interested in, disturbed by, and puzzled by the "Bakke Case" and the problems which it symbolizes. Let me suggest a way of looking at it.

Alan Bakke, a former Marine Corps officer and astronaut trainee was 10 or 11 years older than most college seniors, applied to the medical school of the University of California at Davis. He was turned down, probably because at his age he would give considerably less service to the nation for the \$125,000 or so it costs society to produce a doctor. Bakke was turned down at 13 other medical schools, probably for the same reason. The University of California at Davis, under a special admission program admitted eight Mexican-Americans, six blacks, and two Asian-Americans who had lower grades than Bakke, although they were well qualified for medical school. (All but one have since graduated and passed their medical examinations.) In addition, 36 white applicants with lower grades than Bakke, but also well qualified, were admitted. Bakke brought suit claiming that the minority admissions program discriminated against him, and asked the supreme court to order his admission. The case is now before the court.

Everyone understands that more than Bakke as an individual is at stake here, but it is not always understood clearly how much is at stake — nothing less than the whole idea of affirmative action, and beyond that, of equality for Americans. Because, make no mistake about it, a sweeping Supreme Court decision for Bakke would wipe out affirmative action programs and policies for women as well as minorities, and the all-too-modest gains made by both groups in recent years would be largely undone.

## Powerful Appeals

Nevertheless, powerful emotional appeals are marshalled for Bakke. One such argument says, in effect, "why not the best?" Minorities, as well as others, should have "the best" doctors.

There are two problems with this position. One is that "the best," that is, the people with the highest grades, will not go into the rural areas and ghettos where the need is the greatest. Newark, for example, has lost half its doctors since 1968. Do new minority doctors go to the areas where they are most needed? Studies show that, much more than other recent graduates, they do.

The second problem with the assumption that "the best" should go to medical school is the assumption that we can identify "the best" through high grades. Grades and academic records and performance on tests are, alas, as biased, as such recent books as *The Hidden Injuries of Class*, and *Inequality* by Christopher Jencks have shown. Let us take two hypothetical students. One is poor and lives in Toledo, Ohio, which has just shut down its public schools for the rest of the year because of lack of funds, something that was done last year as well. The student from Toledo has few books or magazines at home. Somehow or other, he gets out of high school, and then perhaps goes to a (community college, while holding a part time job. Finally, he transfers to a four year college, perhaps while still working part time and graduates.

## Middle Class Better

Compare him to some student from an affluent suburb. He attends very good schools. He has extensive cultural advantages at home. He goes to summer camp, and perhaps even to Europe. He has the best medical and dental care, and perhaps tutoring if he needs it. Perhaps both parents and an older sibling are college graduates, and "know the ropes." He goes to a good University straight from high school. He also graduates. Both he and the student from Toledo take a standardized test in their senior year, and each has compiled a grade average. Not surprisingly, the middle class student does "better," even though the student from Toledo (or Cleveland, or El Paso, or Watts) has a respectable record. Is society, at this point, after one student has been highly favored and the other

greatly disadvantaged, to suddenly become "neutral" and reward "the best" on the basis of a grade point average or test score?

A second pro-Bakke argument with great emotional appeal is the argument that affirmative action is "reverse discrimination" and attacks the rights of the majority. The fact is that since 1968, when special admissions programs for minorities were instituted, more white students than ever have been admitted to medical schools, because of the expansion of medical education. Medical schools admit almost 50% more white students than they did 10 years ago. White students are hardly discriminated against. It is true that not everyone who applies to medical school gets in, but even if Bakke wins and minority admissions programs are abolished, most people who are now turned down would still be turned down.

I feel for the student whose family has worked hard and who has himself worked hard to be a doctor, and is denied a place. But one feels also for the sick child in rural South Carolina or Newark who will not receive medical care unless more black doctors are trained. The college graduate with a good average and a good education who is nevertheless denied admission to medical school has already had many advantages, and will probably do pretty well in life. He will undoubtedly be disappointed, but the alternative is for us to continue as an unjust and unfeeling society.

Decisions in cases like this are not made just by the Supreme Court. Someone has observed that the Supreme Court watches the election returns, which is to say, that they are influenced by public opinion and by pressure. That opinion and pressure needs to be informed and mobilized against the Bakke position and on behalf of equality and social justice.

(The writer is an Associate Professor of History at Stony Brook, and co-chairman of the Political Action Committee of the Brookhaven Branch of the NAACP.)

## Unfair Election

To the Editor:

This should be of concern to all Statesman readers who value the right to vote for candidates of their choice as there is nothing more despicable than to see a party trying to knock another party off the ballot.

Section Hudson Valley of the Socialist Labor Party (SLP) has a local candidate in Dutchess County for the legislature from the eighth Election District, David Seales of Wappinger Falls, who filed a nominating petition with enough qualified voters to have his name on the ballot in the November 8 election.

That a Socialist Labor Party candidate would be on the ballot did not please the Democrats as their county chairman challenged the SLP petition contending it did not have sufficient valid names of voters. The Dutchess County Board of Elections ruled on the contrary that his petition did in fact, have enough valid signatures, hence the Socialist Labor Party candidate will, in spite of the Democrats, appear on the ballot.

Let it not be forgotten that the Democrats were out to prevent voters from using their free will of voting for the Socialist Labor Party if they wanted to. Had they won the challenge, instead of an open ballot, there would have been a closed ballot.

Shades of Nazi Germany, and Stalinist Russia!

Nathan Pressman  
Socialist Labor Party Member

## Moynihan's No Racist

To the Editor:

I am very disturbed with the present campaign by the local National Association for the Advancement of Colored People (NAACP) against Daniel Patrick Moynihan. After studying minority groups and using a book that this man co-authored entitled *Beyond The Melting Pot*, I find this attributed label hard to

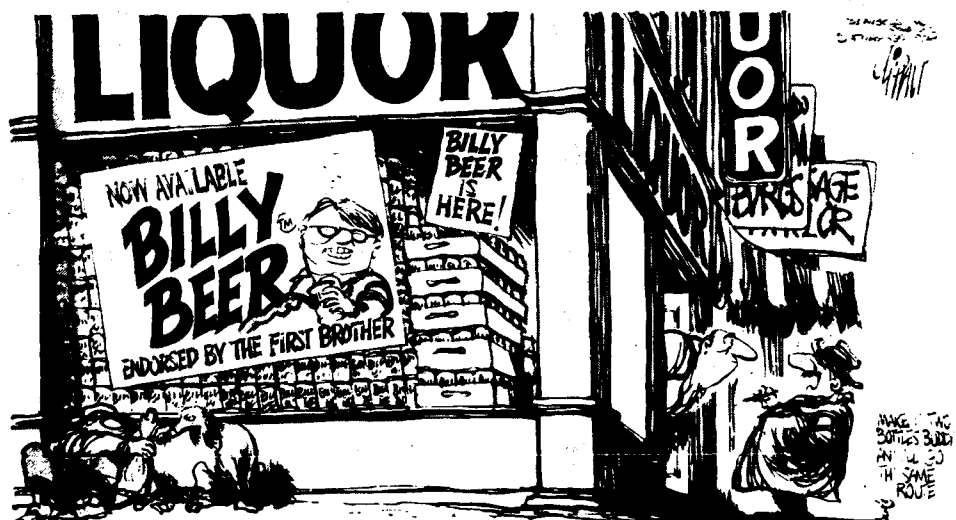
believe.

Beyond this, I was very disturbed that some of these people who were pointing to Moynihan as a racist do not really have a basic understanding of his ideas. When I questioned one of these individuals as to whether he was familiar with Moynihan on this topic, he sheepishly acknowledged his ignorance. I further feel that the quotes on their leaflets were taken out of context. True propaganda!

I can appreciate the goals of this organization as a whole, however, I have lost a lot of respect for this particular group who aspire to educate others when they themselves are ignorant of the facts. I strongly urge the people at this university and all the members of that organization not to label a man a racist until they have thoroughly researched his views.

Lawrence Beer  
Sanger College Residence Hall Director

## Oliphant



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NOV 20	DAN FOGELBERG	NOV 20
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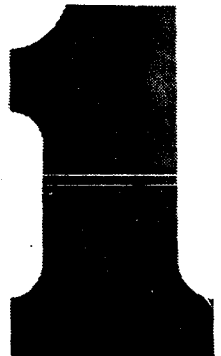
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# Some Legal Notes on the Bakke Case

By NILDA AFONTE-RAFFAELE

Allan Bakke claims that admission quotas at the University of California Medical School are in violation of his right to equal protection under the 14th Amendment of the Constitution because they resulted in his exclusion while black students whom he claims were no better qualified were included. There are some civil libertarians who feel that Bakke is right—that race should never be an acceptable classification when it infringes upon the fundamental rights of those not included. In the case of traditionally oppressed minorities receiving compensatory preferential treatment we disagree; Bakke is wrong.

Race has been labeled a "suspect" classification by the Supreme Court under the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution since 1944. Even before then the Court, in dealing with racial discrimination, had stressed the historical importance of its decisions, linking them to the prevalent oppression against ex-slaves and their descendants. The "suspect" classification has meant a "severe scrutiny," the withdrawing of the presumption of validity from a statute. The Court has required that any such statute would be valid only if there were a "compelling state interest" involved and if for such the classification were the "least onerous means" of achieving the state goal. The developing of the doctrine has been cautious and the Supreme Court has only reluctantly used the test for other classifications. For instance, the test is not yet used consistently in cases of classifications on the basis of sex. This cautiousness can be perhaps attributed to the deliberate placing of race at a particularly high plane of importance. The Court has stressed again and again its interest in reversing the oppression by American society upon the

Black minority.

The Court itself initiated the term "invidious." one constitutional law scholar's formula for determining whether a classification is an unconstitutional 'invidious discrimination' would ask, first does it 'discriminate' against a disadvantaged group, second does that discrimination relate to an interest that is 'basic' or 'fundamental' or 'critical', and if so, third is the state's justification compelling enough to overcome the presumptive invalidity implied in a phrase like "strict scrutiny?"

We believe that the quota system at the Davis Medical School falls the 'invidious discrimination' formula, specifically because it does not discriminate against a disadvantaged group. We believe the more conservative stance of the Supreme Court vis-a-vis the use of the "Strict Scrutiny" in Equal Protection, limiting it to cases where there has been a history of oppression and discrimination, will prevail. Note how begrudgingly, for example, the suspect label was affixed to the classification of sex in one Supreme Court decision. Since then the Court has not applied it to other claims of discrimination on the basis of sex but has used the less severe test or another hybrid or intermediate test.

It is ironic that in this analysis, one must rely on the more conservative review. The "valid state interest" review presupposes a statute to be valid and the Supreme Court will uphold its validity if the classification is reasonably related to the objective in its enactment, so that "all persons similarly circumstanced shall be treated alike." For example, under this test in 1949 a Michigan law which prohibited women from working as bartenders was held valid on the grounds that it was reasonably related to the state interest of

defending the "public morals."

Should the Court use this traditional less severe test, it would, I believe, be reiterating a previous theme regarding race discrimination cases; that racial discrimination issues are relevant when a disadvantaged socially oppressed group is the target group; hence, an advantaged group may not claim protection under this test. The conservative stance of limiting "strict scrutiny" to racial discrimination of disadvantaged groups would be in fact protect our minority affirmative action programs.

Racial Representation

Using the valid state interest test we would conclude that racial quotas in admissions policy are reasonably related to the state objective of increasing racial representation in the professions.

We may note that 'quotas' as such do not mean that admissions standards are discarded in favor of minority persons. What it means is that given a minimum admission standard among those who qualify for admissions, preference will be given to persons who fall under the quota classification.

Regarding our Educational Opportunity Program the Advancement on Individual Merit Program at Stony Brook: The Bakke Case is not relevant here as Bakke claimed he was rejected on the basis of race. At our program, disadvantage means economic and academic (high school average not high enough for regular admission but with otherwise recognized college potential), and a student in her/his application need not identify her/himself ethnically. At the present time we have 505 students in the program, 290 Blacks, 74 Spanish Surname, 70 Orientals, 70 Caucasians and 1 Native American. (The writer, an attorney, is a counselor in Stony Brook's Advancement on Individual Merit Program.)

## Miserable Encounter With a Statesman Editor

By RICHARD EINHORN

I am writing this article about a leading editor of Statesman.

A man who so pompously puts his name under the quotation "Let Each Become Aware" My first experience with him was in writing a viewpoint for Statesman discussing the issues involved with the struggle at Kent State. I was shocked when I saw the butchering of the article about Kent. First of all the title was changed so that any prospective reader would not know that the article was about Kent. But this is only the beginning. The article first talked of the problems posed by Kent and the proposed solutions. Conveniently—although the article was well within the limits of the spacing requirements—the proposed solutions were deleted. The demonstration, which the editor so urged people to support, was not even mentioned in the Statesman reproduction of the original Viewpoint.

Angry, I approached this man and asked for an explanation. He said he would get back to me. Of course, he never did. I attempted to reach him again for an explanation. This time he said to me that the last page was probably lost. That didn't work though because my name was on the final page of the article when I submitted it and my name did appear in the Statesman publication. To make a long story short, I received a string of miserable excuses, no apologies and no reprint of the article. When another article was submitted in response to my Kent article, claiming that no solutions were put forward—again, no action was taken by this editor.

But the editorial board has sunk to the lowest of lows in the editorial "Keep the Hill as a Symbol." In it he has stated that the Revolutionary Student Brigade (RSB) co-opted the demonstration and refused to allow Mitch Cohen, board a bus from Stony Brook. First of all, the RSB organized thirty people to go to Kent from Stony Brook which this editor feels not newsworthy enough to mention. But what's even more important — if he had bothered to ask any of these 30 people, he would have found out that Mitch Cohen never even attempted to go on the bus from Stony Brook. In fact, he wrote a leaflet telling students at Stony Brook not to go on the Polity bus to Kent State. Then Mitch continued to rave about the RSB, lying about us from top to bottom. Yet our dear editor still attacks the RSB. Well, where was he and his brother Mitch when we

organized an armband day at Stony Brook in support of Kent in which hundreds of students participated. Where was he and his brother Mitch when we held a rally in support of Kent at Stony Brook. And when does he become an authority on the nationwide practices of the RSB, when he can't even take the time to go to the demonstration at Kent that he says he so admirably supports.

The highlight of this escapade is that a woman who works for Statesman and did care enough about Kent State to go to the demonstration, saw that Mitch never attempted to board the bus, and called RSB members before the printing of that article to see if anything could be done. This is after she approached this editor, telling him his information was wrong, yet he still refused to change it. RSB members then called him to say that his information was unfounded. He printed the article anyway and now has threatened to fire this woman. The woman was unaware that she was breaking any Statesman rules and the incident in and of itself was quite harmless.

Now we have this editor abusing his position of authority (much like the Kent State University administration used their power to bring police on campus to brutally attack and tear gas demonstrators, and who had the courts promise to imprison any participant of the protest at Kent).

He is threatening to fire this woman who went to Kent even though she is recognized as a good worker. A woman who's only source of income is her Statesman job.

Well, the RSB condemns this editor for all of his actions. If he wants to see cooptation of worthy causes, let him read his own diary and the leaflet we've saved by Red Balloon telling students not to go on the Polity Buses and then going on to tell a fist full of lies about the RSB (We've saved the leaflet to pass around to comrades because we find it so amusing).

Due to the disgraceful repression at Kent, many people couldn't show up, but the RSB and fellow organizations in the coalition still brought 1,200 to Kent. The Red Balloon brought three. This Statesman editor: 0.

The RSB will never put out a leaflet about the Red Balloon, because we feel they're insignificant and that's not where we're at anyway. As far as this man, he may say he supports keeping the hill as a symbol but his actions speak louder than his words. If he resigns tomorrow, we can all throw a party, but if he attempts to fire a Statesman worker for putting forward her views of what she feels happened around Kent, let's do all that's possible to re-instate the woman and ice this editor for good. (The writer is a member of the Revolutionary Student Brigade).

Oliphant



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Volunteers needed to conduct survey on the handicapped in the Township of Brookhaven. Call Doris 928-4433 9:30 — 4:00.

Lacrosse players — anyone interested in forming a Stony Brook Lacrosse Club call Frank 6-6657.

For all undergraduate students interested in taking an Economics course next semester (Spring '78), there will be an advising session on Nov. 9, from 4:00-5:30PM in Lecture Hall 103. Members of the Economics department will be there, available to discuss the content of their courses and to answer your questions. You can pick up copies of the course schedule in the Economics department, 558 2nd floor. Whether or not you're sure of what you're taking, come and check it out.

Get involved! Join Hillel. Sign-up in Humanities Rm. 165.

Come down and visit "The Other Side" in Mount College. We have good atmosphere and delicious food! Open 7 days a week 9:30-1:30 AM.

A meeting for English majors interested in attending graduate school will be held on Wed., Nov. 9, at 4 PM in the Faculty Lounge, Hum. 283.

Searching for 1978 Orientation Leaders. Applications are available in Hum. 102, Mon. Oct. 31 and must be returned by Wed., Nov. 16.

## ATTENTION SPORTPERSONS:

Write for Statesman Sports

Call Ed at 246-3690

## Intramural Scoring

GERSWIN B \_\_\_\_\_ 14 21 — 85  
MOUNT C/D \_\_\_\_\_ 0 0 — 0  
Gerahwin B — Wayne Goldman 50 pass from Zeitman (Cary La kick)  
Gerahwin B — Ken Tamaras 30 interception (La kick)  
Gerahwin B — Mike Carrigan 60 pass from Paul Bernstein (La kick)  
Gerahwin B — Bernstein 10 pass from Zeitman (La kick)  
Gerahwin B — Tamaras 50 interception (La kick)

O'NEILL G-1 \_\_\_\_\_ 0 7 — 7  
O'NEILL G-2 \_\_\_\_\_ 0 0 — 7  
O'Neill — Paul Clements 60 pass from Gary Parocco (Parocco kick)

AMMANN A-1 \_\_\_\_\_ 10 0 — 10  
AMMANN C-1 \_\_\_\_\_ 0 0 — 0  
Ammann A-1 — Bob Leon 55 field goal  
Ammann C-1 — Steve Irsam 66 pass from Tony Cianci (kick failed)  
Ammann A-1 — George Vamalos 5 run (Leon kick)



Statesman/Gary Adler

SIXTY-FOUR RUNNERS SPURRY AWAY on the first few steps of a three-mile run. Intramural Director Bob Snider (background, left) motions to onlookers that graduate student Steve Moorman is not the official winner. The victor, with a record setting time of 15:29, is Bruce Johanson (right).



## A Fun-Filled, Record Setting Three-Mile Run

By LENN ROBBINS

At about 4:30 yesterday afternoon Bruce Johanson expressed his feelings and those of some 60 others when he said, "I feel terrible." That sounds pretty realistic coming from someone who just ran three miles.

Yesterday Stony Brook held its intramural cross country meet, a three mile trek around campus. The field of competition included men and women undergraduates and one graduate student. Some ran for fun, others for health, while others had dreams of glory.

"I want to run in the Boston Marathon in about six years," said Felicia Goldstein. "I run between three and ten miles a day." Goldstein finished with a time of 21:45.

The official winner, Bruce Johanson was the best prepared. Johanson has been running 15 miles a day, and has been doing so for the last 300 days. His time of 15:29 shattered the old intramural of 16:11, which was set by Jeff Defiore in 1974.

"The hardest thing is getting out everyday and running," said Johanson.

The graduate student who ran, Steve Moorman, finished the course in 15:18. But Moorman was not eligible to compete since intramurals serve undergraduates only.

"I run for fun," said Moorman, "Usually I don't do any serious competing, but this was a good opportunity."

Johanson, who finished tenth in last year's Nassau County marathon, said, "When I run I try to keep an even pace. I run both for health and for fun."

Along with his personal triumph, Johanson helped lead his hall, Kelly C, to first place as a team. Kelly took three out of the first five finishing positions. Along with Johanson were hallmates Gene Goldrick, who finished third with a time of 15:54, and Bill Bisinger.

Before the race Goldrick termed Johanson the "odds-on favorite." Although Goldrick was well-aware of Johanson, he still felt he had a shot at the victory. "I thought I had a chance, but I didn't feel that super good today. Bruce ran well."

Bisinger, the third representative from Kelly C to finish in the top five, finished fourth with a time of 16:07. Harry Gordon took fifth, three seconds behind Bisinger.

The surprise of the day was the number two finisher, John Folan. Folan is a quarter-mile sprinter who runs indoor track.

"I came down to start getting in shape for the indoor

season," said Folan. "I was hoping to convince some of these guys to come down for the indoor team, we could really use their support. I didn't realize I had a chance to win until we were about 50 yards from end and I was in third. Then I started sprinting."

Folan and Jim Ronaldson, who finished seventh, both stirred excitement with strong kicks at the finish. Folan beat Goldrick by four seconds, while Ronaldson edged Paul Esposito for seventh by even less.

### Large Turnout

Intramural Director Bob Snider was pleased by the large turnout. "We had about seventy entries, which is very good," said Snider. "There were 64 runners at the start, with only three disqualifications and four who

didn't finish. It was a good effort."

Johanson must have agreed with that statement.

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### Top Ten Finishers

1- Bruce Johanson, (15:29); 2- John Folan, (15:50); 3- Gene Goldrick, (15:54); 4- Bill Bisinger, (16:07); 5- Harry Gordon, (16:10); 6- Bill Schimmel, (16:14); 7- Jim Ronaldson, (16:21); 8- Paul Esposito, (16:22); 9- Andy Zwierling, (16:31); 10- Manning Moser, (16:36). Kelly C, 17 points; Gray A-3, 57; Irving B-1, 75; Langmuir A-3, 92.

## Unofficial Entry Has the Most Fun As Graduate Student Finishes First

By JERRY GROSSMAN

The intramural office's roster for yesterday's three-mile run officially listed 64 runners at race time, but there actually was a 65th. Standing poised and ready to go was a 25-year-old graduate student, Steve Moorman, even though he was not able to officially enter the middle-distance race.

Moorman, who is studying for a master's degree in anatomy here, and lives in Smithtown, knew that his non-undergraduate status precluded him from being in the race officially, but that really didn't matter to him. As he put it, "I run for fun. I only compete in fun meets, and this was a fun meet."

When the race was over Moorman had had more fun than anybody else. Bruce Johanson's time of 15:29 was better than anybody who had officially entered the race, but Moorman's time was even better than that. Moorman ran the three-mile-course around the intramural fields and portions of loop road in only 15:18.

Moorman says that he has only been running for three or four years, and that he doesn't belong to any type of track club. But the slightly built athlete said, "I usually run a minimum of 10 miles a day, because I enjoy running. But I'm really surprised I did that well."

Johanson, who headed Kelly C's winning team

effort, took the lead early, finishing the first half of the race in 7:24. Moorman, meanwhile, was in third place behind Johanson and the eventual official second place finisher, John Folan. "I felt good then," Moorman said, "so I picked up my pace."

Moorman passed Folan to move into second place, and then with about 1/4 mile left, he passed Johanson.

"As I passed him [Johanson], and the other guy [Folan], I told them to keep the pace, cause I knew they were going to win. They didn't know I wasn't in the race for real," Moorman added, smiling. "When I was second Johanson kept looking over his shoulder at me."

"I thought that guy was in the race," Johanson confirmed. "I thought I finished second."

Johanson got the new intramural record, and it is his name that will go down in all the books, but Moorman was just as happy. He had gained a great measure of satisfaction. Since he only competes for fun anyway, it didn't matter to him who was official and who wasn't.

### "Warm Down"

When all the commotion accompanying the race was over, and almost everyone had gone home, Moorman went out to "run a few more miles to warm down." When he normally works out he runs alone, but for this particular workout Moorman had a partner. Jogging at his side was one of his competitors in fun, Johanson himself.