Martial law poster defends the weekend.

Staff photo by Mike Budd

Serving the Notre Dame - St. Mary's community

Monday, March 5, 1973

Martial law stays election

by Mike Baum
Staff Reporter

The complex, often chaotic, processes of student government elections apparently came to a temporary halt over the weekend, as compromise meetings between principals Bob Kersten, Dennis Flieger and students' representatives culminated in the adoption of a new government constitution and plans to write a new student government constitution.

Factors which led to the technically illegitimate suspension of Sunday's presidential election and the Student Government Constitution reportedly included a general feeling among student leaders that Sunday's scheduled election could not produce a representative SBP, dissatisfaction with the current Board of Commissioners, arm of government.

According to Judicial Coordinator Greg Smith, some 38 pairs of students announced themselves as candidates for the presidential election, the Student Body President and Vice-President, at least ten of which had been Signed petitions. Under the rules decided upon by the Election Committee under Chairman Paul Dziedzic, the candidate with a simple plurality of votes cast would have won the election.

Such an arrangement entailed the possibility of a president being elected with less than 50 percent of the popular vote.

In addition, reports indicate that both of the principal tickets in Thursday's election might have been defeated.

Close counts indicate that current SBP Bob Kersten wished to avoid another term in that office, and SBVP Dennis ("H-Mat") O'Brien and Jim Clarke had come to a tentative agreement that neither would seek election.

Faced with what they saw as an inevitability of an inclusive election, student leaders met, according to sources, and hammered out the resultant compromise resolution on a new government constitution incorporating the Hall Presidents Council into student government structure of the Board of Commissioners, could be drafted and ratified.

The final day of the festival, "Frigid Friday," features a decathlon, road rally, bicycle race, trucking contest, frisbee tournament, chariot race, tug-of-war, touch football championships, the search for a needle in haystack, a pie eating contest, the Beerleer Hunt, and "the return to the mud pit." These activities will be centered around "Splendor in the Grass," a picnic for the entire ND-SMC community.

Entertainment will be plentiful, especially Friday night. In addition to "The Fourth Original An Irish Amateur Hour," the HPC will ex-lguest "Jill, a free concert by the spectacular group whose identity will be kept secret" with the Student Union.

Saturday evening's Irish Wake of the South Bend Army will close the An Tostal Weekend.

Jeselnick requested that all students be invited to Wednesday night's meeting in the Breen-Phillips Chapel at 7:30 p.m. At that time events will be assigned so that preparations for the festivities can begin.

The annual tug of war contest brings out the best in campus athletes as students defend their hall's honor.

It's getting to be that time of year—when books and studies are blissfully forgotten for a tranquil setting and cherished company. (Staff photo by Mike Budd)

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Theologians speak on liberation

Liberation is thus open to men, the theologians urged a shedding of rules on all's part and possibly allowing men and women to choose several options for their lifestyles. "We hear that a woman is not fulfilled until she gives herself to a man. Is that right? We should be considering celibacy (or forms of motherhood) today, said Rev. Way, urging his audience to obtain this step by society, are ignored after they reach the end of their "productive" motherhood years. "When women reach their forty's and their children are grown up and gone away, does society say, Good job. Well done. Now come and use your creative powers to help us with our problems?" No. The mothers are left stranded. They're told. Be good mothers, but you'll get no value for it."

Their lecture outlined an outline of a by a short passage out to the audience offering issues and prospective answers on the problem of "Liberation and Theologies," and frequent pauses were taken to allow those present to talk to each other about the problem just presented. During "The Beach Boys" and planning to run for the Presidency in 1976.

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Ticket sales begin MONDAY at S.U. Ticket Office, 3rd Floor LaFortune. Make reservations now to insure a seat!
Executive interfering with legislative duties

by Patrice Conney
Staff Reporter

The major threat to the governmental system of the United States comes from the tendency of the Executive Branch to ignore the jurisdiction of Congress, according to Henry Commager, Professor of American History at Amherst College.

"The Executive Branch is interfering with the Legislative Branch in a gross manner," Commager avered in a speech delivered last night in the Library Auditorium.

It is Commager's view that the Viet Nam war has been largely a presidential war in that Presidents Johnson and Nixon waged war without a declaration of war by the Congress. The Gulf of Tonkin Resolution was used as an excuse to get into the war, but was later repealed, yet the war went on.

The intimidation of the media is the most serious attack coming from the executive department on the rights of the First Amendment, he felt. Commager cited examples of the taxes levied on newspapers as The New York Times and The Washington Post, and added that the attack had spread to television in the form of Mr. Agnew's attacks and the anti-trust suit. Such actions would seem to indicate that the press doesn't have the right to criticize the government, in any example being the subpoena of reporters in connection with the Watergate case.

Another struggle between Congress and the President is over the power of "the purse strings." In this instance, Commager points out, Nixon has repeatedly impounded funds appropriated by Congress. "There has been no other instance in our history where a President vetoed a proposal of Congress by killing programs voted in by Congress," he said. Some of these programs include: Model Cities, Desalinization plan, Urban Transport, Office of Education, and Biological Research.

The President, Commager argued, is asserting that he can hold over money for the next year, can destroy programs by not using the money appropriated, and is seriously eroding the legislative authority inappropriately.

Commager asserts that Congress should refuse appropriation to the Executive Branch and Defense Department until the President cooperates. Congress should definitely reassess its power over the purse strings, and reassess its power over making peace and war. The power of Congress to confirm appointments should not be waivered out of courtesy to the President.

Claims of Executive immunity and privilege should be rejected in regard to Senate hearings and investigations. More importantly, Congress should protect the media and their right to inform the American public of what is happening.

"The Legislative Branch has failed to support the American people and itself and so far has lacked the courage to recover its powers," he maintained.

Commager vehemently attacked secrecy as a governmental operation. "If the Senate is not allowed to know what it is ratifying how can it ratify it?"

A "famous" example is an expenditure of $6 billion in one year--to what purpose no one knows. Commager concluded, "while the result that there is no true picture of relations with Saigon, the peace negotiations, or the conditions of SEATO and the POMS."

The spread of secrecy has gone in all directions, along with punishment for those who violate the secrecy. The use of the Grand Jury to harass and punish instead of protecting rights as it was originally designed to do, is a gross abuse according to Commager.

Commager has written several books, including America in Perspective, Freedom and Order, and Freedom, Loyalty, and Dissent. Previously he was a professor at Columbia for 28 years, and is considered one of the most renowned historians in the country.

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Only Rational Thing

The Board of Commissioners and the present student government did not employ the only rational thing that could have been done last Saturday when they cancelled yesterday's third installment of the student body presidential election. Sunday's election had the trappings of an even greater farce than its two predecessors: there were 28 candidates at the point of cancellation and the list proceeded to grow exponentially as time continued.

No clear inference may be drawn from the results of Thursday's election. One cannot say that Bob Kersten received a majority of the votes cast (in absentia) nor can one say that a majority cast their ballots in protest of the entire election procedure.

What is clear, and it is the only thing that is clear, is that a majority did not wish to have a wholesale revision of student government ushered in for the second year in a row. It's not certain that the majority in that sense, really got its way. However, it will be clearer if the document which comes from the constitutional revision now under way is approved by the mandatory two-thirds of the hall councils. If Bob Kersten, Dennis Etienne, Mike Margot, Jim Clarke, Chris Singleton and Fred Baranowski (the drafters of the new constitution) genuinely wish to protect the rights of selecting a Student Body President under the pretense that such a person would, in fact, emerge from the elections of the past week? Have they, finally, been deceived?--have we been deceived?

It will be several weeks-perhaps months--before the answer to this question can be made unequivocally. It is certainly true that the student body has nothing to show for what happened last week--except, perhaps, general disgust. But if this disgust takes concrete form in a document that restores the faith of the student body in its electoral processes and brings a new life to student government, then the actions of the past week will have been taken in good faith.

The most popular student leader in recent times has undertaken to produce such a document as his first real commitment to student government. We hope he and the other members of the committee are successful.

The Editorial Board

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camera freaks arise! A $10 prize awaits the best pictures selected by our judges to be used in a "Campus Printout," a future issue of The Observer. If you have black and white photos of campus scenes you would like to see published, bring them to The Observer office, third floor.
Anti

Steel Yard Blues, The first released film from now-defunct producer/actor-turned-producer Tony Bill, is fighting a struggle for recognition. For some unknown reason, the producers of Steel Yard Blues, a comedy-drama, have decided to promote it. Should Bill's film have the potential for popular success? Ask the question.

Steel Yard Blues is an extraordinarily funny, touching, and sentimental film. Peter Boyle (who starred as Joe a few years ago in the television series "Baanuctive"") plays a dummy, and he shares the spotlight in it with his stoic and admirable dummy, and he shares the spotlight in it with his stoic and admirable dummy. He is a human, as is his companion and the dummy. He has more outbursts ranging from his hero uniform to a world war of brains to a great put-on of a dummy. And there's "The President's Analyst" a serio-comic satire film about the politician to the president and how he cannot escape the Secret Service agents when they try to kill him. No, no is exempt from the movie's spoken of the FBI. There are also some great car chases. Take to the couch at eight tonight on NBC. Roy Clark stars Wednesday at 9:30 on NBC in a special appearance of Robert Lawrence Stevenson's "Dr. Jekyll and Mr. Hyde." I've got my reservations about this one.

Now we come to the pilot, all made for television. Screenplay of the new film "Rizzoli's Law," an unsold pilot for this year starring Richard Widmark as Brock who quites the P.D.N.Y. and becomes a modern Western lawman. Bet you're one of a "McCcloud" in reverse which was the same problem as the creation of the old mind. Of course, when this pilot died, Widmark opted for "Madigan" based on the movie of the same title (in which Madigan-Widmark was killed). It was a good choice. It airs tonight at nine on 10.

"C.C. Serling's Screen Play" (No. 22) has Lloyd Bridges as a private-eye who, among other things, finds a pal a dummy. Joe, too, is a proposed pilot. Air Wednesday on ABC at 8:30. Lee Majors gets put back together again after a plane crash and becomes a half-man half-machine secret agent for the government in "The Six Million Dollar Man." If this pilot sells (remember: money is the name of the game), the series will be titled "Brock" (is human robot) and Majors will have his current second-banana role in "T. S. "Highway-Counselor at Law." On the "ABC-Doug Night Movie" we have two not-very-good pilots. One, David Harnesens returns as a three-hour private-who only takes phone calls when they intersect him in "Harry O" and, at ten, Stuart Whitman plays a private investigator who operates the worst for an international detective agency in "Intersect" (the same name but in relation to Mannix's old organization). So, there are two more detective pilots for you and in the coming weeks, there will be, more like Mr. Inside-Outside: a cop and an ex-cop who team up in New York created by the producer of the French Connection (Mar. 14), or Police Story (played by Joseph Wirthman, of course the New Centurians starring Vic Morrow (Mar. 13), or, Chase, a Jack Webb enterre about undercover cops (Mar. 17), or Partners in Crime with female. Lee Grant, as the lead (Mar. 17), or Jarret starring Glenn Ford as an anti-violent detective--a California based Banacek (Mar. 24). Or, why if we're going to see them come along but I think you can guess how the series will turn out.

Hold on, though, we still have two more open slots. If we tell you, it's one in a detective film. And in case you haven't guessed it by now, it is, it is a pilot. The Marcus-Napple series is Telly Savalas as a detective (police) trying to find an abusive police officer on an actual murder in 1962. It begins at nine Thursday; the second is Friday. The final film is a conglomerate of three half-hour pilots. More about that, concerning three segments with important bylines. One, Warner, Connors of Baltimore, with many roles, semiclassically, with Tarry Savalick, Jon Forsyth, Ben Murphy, and Ida Lupino stars as the police one in "Brock's Last Case" (Mar. 22), and it is a film made it big due to the misleading title. Which is the case of "Deliverance" and Brando (circa "The Godfather") in what can only be termed as a "Steel Yard Blues" not perfect.

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Pro-life organization becomes state-wide

by Lee Buchignani
Staff Reporter

The Student Coalition for the Human Life Amendment announced its formation as a state-wide organization with chapters at Notre Dame, St. Mary's, Purdue, Indiana University, Fort Wayne, and Indianapolis.

The program of the Coalition is to generate student interest and public pressure for the passage of the Human Life Amendment recently proposed in Congress by Rep. Lawrence Hogan of Maryland. Rep. Hogan has written a telegram endorsing the Coalition, which concludes that the child in the womb is a human being, has no human or constitutional rights and may be destroyed practically at the convenience of the mother. It's said Mark Souder, co-chairman of the Coalition and a Notre Dame graduate business student.

Rich Maggi, a Notre Dame senior who is organizational director for the Coalition, said, "The Coalition will be sending speakers to twenty-two Notre Dame dorms within the next few weeks. Dr. Charles Rice of the Notre Dame Law School was the guest speaker for the first dorm meeting in Grace Hall last Monday night."

Dr. Rice, a noted national leader of the Pro-life cause, stated in his recent appeal to the Commission on Civil Rights concerning abortion: "Millions upon millions of innocent children will be legally killed by abortion in the wake of the Supreme Court decision of January 22, 1973. The situation calls for forthright action to eliminate this denial of equal protection in the administration of justice. It would be indefensible, to stand by, inert and passive, in the face of the mounting slaughter of defenseless children in the womb."

The Coalition of Notre Dame, Saint Mary's, and many other Indiana schools is composed of a wide variety of people, including workers from both sides of the body of student government, had to be abolished, saying that it had "failed miserably." "What we have right now is a township sort of government," Etienne said, "and it hasn't cut the mustard."

Etienne said he hoped to incorporate the HPC as a "forum" for issues but said, "What we're going to try is to do away with any sort of legislature largely because there's no legitimacy to be done."

He said that appointments and budget proposals would probably be handled by the HPC in the new structure.

This spring recess, when you land in any of these cities, if you show your TWA Youth Passport and present your boarding pass to any TWA ticket office within 24 hours of your arrival, you'll get a nice, fat coupon book full of discounts, two-for-ones, and free things. (If, by the way, you don't own a TWA Youth Passport, we'll be happy to accept your other airline youth card for an even trade, at the ticket office or airport before you depart. Then you too can cash in on the coupon book.) So, if you're off across the country this spring recess, take a look at what you'll get if you fly TWA.

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For more information see your Campus Rep or call TWA.

Starting March 15.

WITH TWA PAYS TO BE YOUNG.
by Vic Derr

The Fighting Irish basketball team clinched its 1972-73 season on Thursday, when it agreed to appear in New York's National Invitational Tournament, Saturday, in a game against the South Carolina Gamecocks. ND's cagers completed their regular season and tied 0-0 for four points when Mike Dunleavy scored 13 and South Carolina Saturday afternoon at the ACC.

"But our defense has been our forte in all of our wins this year. It helped us late in the game again today. They came back at us late in the game but we made two key steals to win it," Frank McGuire, the South Carolina coach, also commented on ND's defense against his team's late-game rallies that would come back and put the ball up as quickly as possible. "Winters was the game's key player. We knew Brakow made a super steal to stop that." This is a tough place to play in," he continued. "If you ever want to get ready for a tournament, this is the atmosphere to get ready for. Notre Dame always plays well at home."

During the first half, when it was McGuire's Gamecocks who were "at home" in the ACC, USC shot 65 percent from the field in the first period, and they took their first lead of the game, 8-6, at 3:53, when Brian Winters tossed in a jumper from the corner. South Carolina held that lead and had a three point play tied at 26 with 5:14 left.

Carolina had five unanswered points during the next minute and 14 seconds, but the Irish rallied just before the half, and Shumate's medium-distance jumper brought the Irish to within one, 37-36, at halftime.

Shumate had 15, and Croty were the only ND players in double figures. "I thought we played well at home," he continued. "If you ever want to get ready for a tour­nant, this is the atmosphere to get ready for. Notre Dame always plays well at home."

The Gamecocks, who are bound for the NCAA's Eastern Regional, are 19-6 and finished double figure scoring from Joyce, Winters (15), and seven-foot Danny Forty. Alex English had five and Mike Dunleavy four for USC.

IH Meets

(Based on page 8)

Breen Phillips wasn't far behind in third place with 41 points largely because of his performances in junior Joyce. Quinn had a second in the 100-yard in individual freestyle, a second in the 50-yard backstroke and a third in the 100-yard freestyle.

Stanford placed fourth with 30 points while Carolina was fifth with 19 points. Carpenter was fourth, Burress was fifth, and Mc Kee was sixth.

The girls dominated the diving competition, with Mary Lammers of Florida taking the one-meter diving and Kathy Gallagghy of Walsh second. Shumate finished to overcome Walsh in the female division, 62-29.

Classified RDS

Classifieds, 24 pages would like to trade in for credit card with your score to New York's National Invitational Tournament, Saturday, in a game against the South Carolina Gamecocks. ND's cagers completed their regular season and tied 0-0 for four points when Mike Dunleavy scored 13 and

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ND grabs second place with sweep of Duluth; face No. Dakota next

By Jim Donatelli

Sports Editor

Our Dame played the most improved team that we have seen this year in the modern hockey history Saturday night at Compton Arena when the University of Minnesota-Duluth Bulldogs were swept. As a result, the Irish, winners of 10 of their last 19 games, finished the regular season in third place, while the Bulldogs, who won six straight, finished in fourth place.

The Irish were in third place with Michigan Tech prior to last weekend. The Bulldogs took a 9-3 win over one of their eight series against Duluth would have put us in third place finish, but they were also well aware that even one loss might mean elimination from postseason play.

Scoring three goals in the last 10 minutes of regulation period, Notre Dame broke open a 2-2 game and pulled away to win, 7-2, against the Bulldogs. And, while the Irish scored three goals in the third period, it was Notre Dame's big effort behind the efforts of Al Sumerbell, Bill Werry, first in the 50-yard dash for the long jump with a leap of 20 feet, 4 inches. On Tuesday night, another first for Morrissey, setting a new school record for the 500-yard dash in 1:46.9. The field was off. Collins placed third at a total of 10 with Duluth's 8-2 win over the Bulldogs.

Our Dame was the closest either team to scoring until Healip broke on in Kronholm in the final minute of the game. Notre Dame had to take a holding penalty in the final minute of the game and, in the process, advantage to go four-on-three on the power play. With two minutes left, N.D.'s Birken was deflected out of the net for scoring 15 seconds before the period ended, but no goals were awarded.

The Bulldogs put on good pressure at the start of the final period. It was another advantage for Lyman Haskett. "We were sent off for a blocked shot and Notre Dame had a power play of its own. We're not going to let Notre Dame return to the ice, but we were unable to threaten them," a happy coach said.

With their topline of John Noble, Bumbacco and Liam Williams on the ice, the Irish started to control the action and kept the Bulldogs off their own ice as long as they could. The Irish turned the game when UMD's Pokey Traschel was given a two minute penalty for charging at 10:30. Thirty seconds later, Noble broke around the defense of the Bulldog's front row faceoff watched past the screened Mrazek, who didn't know whether to go left or right, the issue and the assit was all but decided. The Irish scored 1:04 reassured even the most nervous Irish fan.

Despite Friday's final score, Duluth's goalie Mike Nyrop would have a game until the Irish got but midway into the game. But Nyrop's 3-2 win at Colorado College (15-2) two weeks ago and, over the weekend, tied Michigan 4-4 on Friday and lost, 3-2, to the last-place Wolverines (14-2-1) Saturday in Grand Forks.

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