

THE WORLD TODAY

Nixon stresses unity among US allies

BONN (UPI) — President Nixon, in an historic address to the West German parliament, urged America's European allies yesterday not to abandon the Atlantic alliance on the eve of critical negotiations he intends to open with the Soviet Union.

Nixon, who flew to West Germany from London on the third leg of his European tour, spoke after winning assurance that Chancellor Kurt Georg-Kiesinger had "full confidence" in his conduct of forthcoming talks with Russia.

The U.S. President, after receiving the most enthusiastic welcome of his trip so far, spoke for 14 minutes to the Bonn parliament. It was the first time in its 20-year history the parliament had granted a foreign head-of-state the right to speak to it.

Draft overhaul proposed by Kennedy

WASHINGTON (UPI) — Sen. Edward M. Kennedy, (D. Mass.), yesterday proposed a major overhaul of the draft and called for a study of amnesty for those who fled the country to avoid induction.

But Kennedy said the draft cannot now be abandoned because an all-volunteer Army "is simply not realistic policy for the immediate future."

"It's way down the road," Kennedy said and warned ending the draft could lead to "an all-black Army fighting white middle-class wars."

Morton selected new GOP chairman

WASHINGTON (UPI) — President Nixon ended a political tug-of-war yesterday by selecting Rep. Rogers C.B. Morton of Maryland, his floor manager at the Miami Beach convention, as the new Republican national chairman.

Morton thus emerged the victor in an internal party controversy over a White House plan to install Murray Chotiner, an old Nixon political ally from California, as deputy committee chairman in actual charge of the national GOP organization and staff.

The appointment constitutes the first time that brothers have held the chairmanship of a political party's national committee. Morton's older brother, former Sen. Thruston B. Morton of Kentucky, was Republican national chairman in 1959-61.

Fifth Avenue blaze claims nine lives

NEW YORK (UPI) — Martin Cuniff ignored flames and searing heat so intense they melted his fireman's helmet over his ears.

Nine persons perished and seven others were gravely injured just before quitting time yesterday when a flash fire fed by highly flammable liquid glue raced through a five-story marble and granite office building on Fifth Avenue and 48th Street in Manhattan.

Fire officials indicated the foot of a man who collapsed from the heat prevented the door of a third-floor elevator from closing. Several perished in the elevator.

Communists escape during night

SAIGON (UPI)—Communist troops early today quietly abandoned the rubble of two villages they had captured and successfully defended for almost 24 hours against massive Allied infantry and tank assaults.

South Vietnamese troops at dawn reoccupied Don Lach and Ho Nai outside the giant U.S. air base at Bien Hoa near Saigon. They found no resistance.

Military spokesmen said the communists apparently slipped away during the night despite the fact that Allied forces had surrounded the villages to prevent such a withdrawal.

At least 130 communists were killed in fierce fighting against Allied attacks to recapture the villages yesterday, spokesmen said. Another 50 were captured. Allied casualties were described as light.

Communist casualties were expected to raise as cleanup work began to clear away the rubble of the villages, both which were leveled in the fighting.

The two villages were on the eastern edge of the Bien Hoa air base, the world's busiest airfield, and housed about 1,000 persons, most of them dependents of South Vietnamese soldiers. Most of the villagers fled when the communists attacked and captured the villages early yesterday.

Sirhan prefers death to present trial

LOS ANGELES (UPI)—Sirhan B. Sirhan is willing to plead guilty to the murder of Sen. Robert F. Kennedy and die in the gas chamber rather than proceed with his present trial.

The 24 year old Arab exploded in anger in the courtroom yesterday at presentation of notes in which he wrote that Kennedy "must die like his brother."

Sirhan stood up and shouted and had to be shoved to his seat twice by bailiffs when the prosecution presented the diaries in which he had scribbled...over and over again that "RFK must die."

Sirhan told Superior Court Judge Herbert V. Walker in private chambers that he would rather die "than have people think I am getting a fair trial."

THE OBSERVER

Serving the Notre Dame and St. Mary's College Community

VOL. III, NO. 89

THURSDAY, FEBRUARY 27, 1969

Joyce squelches 'Vaciline'; Raises question of its decency

by David Lammers

Reverend Edmund P. Joyce, Executive Vice-President and acting President of the



Rev. Edmund Joyce, C.S.C.

University in the absence of Father Hesburgh issued a letter yesterday to Richard Rembush, Student Union President, withholding permission to publish a proposed student magazine, *Vaciline*.

In his letter, Joyce said that "serious questions can be raised about the inherent decency of the material."

"I would direct you, therefore," the letter said, "to cease printing the material on the student press until such time as further approval is indicated."

The Joyce letter said that because of the "problems the student publishers, Donald Hynes and Martin McNamara, have had in obtaining an agency

to print their material" the university authorities cannot ignore the legal responsibilities which might arise from the publishing of the magazine under Student Union auspices.

A subcommittee set up by the Student Life Council last week to consider the question of publishing the magazine on campus passed the decision on to the Student Union Board of Directors. The Board approved publication by a vote of 4-2. Student Union Press and Publishing printed the magazine

when he contacted Campus Press they told him that the magazine had already been sent to Multi-Graph for binding. Rembush and Student Body President Richard Rossie then called an emergency meeting of the Union Board of Directors to discuss the legality of Father Joyce's order to cease publication.

Rossie said that during the meeting he spoke with Phillip Faccenda, special Assistant to the President and was told that the student publications policy

VACILINE

"TO KEEP THE ISSUES ABOVE WATER"



STAFF

Kathy Cecil * Don Hynes

Tim McNamara * Marty

McNamara * Shaun Reynolds * serving the Notre Dame community *

HOT AND COLD APPLIED ALTERNATELY McNamara 2

PACK OF LIES McNamara 3

POEMS Cecil 6

FERTILE CRESCENT Hynes 8

ADVERSARIA Hynes 9

MUSICAL INTERLUDE staff 10

GROWING ON TREES Reynolds 12

EROTIC TEMPLE SCULPTURE IN NEPAL MacCarthy 16

MAGAZINE RACK McNamara 20

Title page of banned magazine

and the material was delivered to the Multi-Graph Co. of South Bend for binding.

Union President Rembush said that he was contacted by telephone by Father Joyce yesterday morning and was directed to cease publication of the magazine. Rembush said that

as stated in the student manual was invalid because it had not been approved by the Faculty Senate and by the Academic Council of the university. Rossie said that he was told by Faccenda that since the facilities of the University were used in the printing of the magazine any

(continued on pg. 2)

Grad student deferred

Earlier this week, Supreme Court Justice Potter Stewart temporarily blocked the induction of four graduate students into the Armed Forces. One of the students was Theodore Kaplysh, a second year law student at Notre Dame and a prefect in Howard Hall.

Kaplysh, who is currently classified as I-S, has received four draft notices since last November. The Selective Service Act provides that students classified I-S "are deferred by law until...the end of their academic year at a college or university."

After receiving his induction notice in November Kaplysh appealed his case. Stewart blacked his induction and now Kaplysh's local board must reconsider the case.

The ruling is the first of its nature and the outcome may have an ultimate effect on every student doing graduate work. If the stay of induction allows Kaplysh to finish this year at Notre Dame it will set a

precedent that will possibly allow second year law students to complete their third year, next year, before being drafted.

The Draft Law of 1967 authorizes the President to determine the draft status of graduate students. The policy, before it was amended last year, was to defer students who maintained good grades.

Kaplysh said that if his board inducts him anyway he will submit to induction.

"It will cause me undue hardship to interrupt my studies at this midpoint, though," he said.

General Lewis B. Hersey, Director of Selective Service, issued a memorandum this year fostering a different interpretation. He stated that every graduate student, regardless of class, is susceptible to the draft. Justice Stewart in his ruling stated that he believed that Hersey was interpreting the law as a matter of his own discretion.

Three more juniors now in contest for SBP

The race for Student Body President became even more crowded yesterday when three more hopefuls announced. The three are Joe Shadwell, Al Apt, and Kevin Smith. All three are Arts and Letters Juniors.

In a prepared statement Apt indicated that his main thoughts were on the channels of communications in the University. He said that "Due to the excellent dialogue in the community between the administration and the faculty

and students I feel no substantial changes are necessary."

Apt feels that "...the varied opportunities for real personal progress on both the social and academic levels provided by the university...are adequate though certain leftists can't cope within normal functions."

Apt's running mate is Duff Holahan, also an Arts and Letters junior.

Joe Shadwell's campaign manager, in announcing for him, stated, "We believe that Mr. Shadwell represents the common

denominator among the dissident factions. He stands unalterably opposed to the current sterile outmoded structures and wishes to establish a new order based on the principles of enlightened anarchy."

According to his campaign manager, Shadwell feels that "...the community has isolated the students from all relevant issues."

Shadwell was confined to the infirmary and unavailable for comment. However his running mate, John Sloan issued a statement.

"I have seen the retrogression of the individual for too long. I will no longer stand by—the hierarchy shall perish under the

rule of true freedom," Sloan said.

Sloan is also an Arts and Letters Junior.

In announcing his candidacy Kevin Smith stated that "...our candidacy is a call for student involvement. Notre Dame does not belong to those who are content with today and apathetic toward common problems."

In enumerating his approach to this problem Smith stated: "Involvement is the key to personal and social fulfillment. While the existing power structure has condescendingly allowed the student body to genuflect before it, we will attempt to infuse in the students a sense of concern, participation,

and responsibility."

Smith also attempted to set himself off from the other candidates. He set himself up as the candidate who would "...fill the void that exists between power oriented candidates and the students."

Smith also stated that "Too many candidates, in their quest for personal achievement, ignore the student body while vying for the support of various enclaves of influence. Rather than reflecting the interests and view-points of the students, they redefine the issues in terms of their personal feelings...This is unacceptable to the majority of Notre Dame students."

Smith's running mate is Gene Ritzenthaler, a junior

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'Vaciline' is squelched by Joyce

(continued from page 1)

legal action brought because of it could force the university to assume liability.

The Board decided to submit

the matter to the Student Life Council for adjudication as soon as possible. Father Joyce, in his letter, said that this was also his intention. Student publishers of *Vaciline*, Hynes and McNamara, said that they did not know in whose possession the magazine was. Hynes said that the action by Father Joyce was "the seizure of private property and an obvious violation of my civil

rights." McNamara said that they have handed their case over to an attorney from the American Civil Liberties Union. When asked if he knew who had the magazine both Father Joyce and the manager of the Multi-Graph Co. refused to comment. Father Joyce also refused to make a statement when asked if he had read the magazine.

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SMC student assembly

(continued from page 1)

2) Resolved that the Student Assembly be composed of hall representatives in a ratio of one representative per 100 students. An amendment was passed adding two seats for freshmen representatives to be filled at the time of freshmen elections.

3) Resolved that the executive board be abolished.

4) Resolved that two seats on the Student Affairs Committee be allocated to the Student

Body President and Vice-President and that the other eight seats be filled by students elected by the advisory board from its membership.

It was also legislated that the following powers be delegated to the assembly:

1) the power to make formal statements of recommendations regarding student opinion in both the academic and non-academic realms.

2) the power to approve or veto any and all Student Government appointments with the exception of those in the judicial system, but not class or hall appointments.

3) the power to recall any Student Advisory Board elections or appointments.

4) the jurisdiction over legislation that solely affects students.

5) the power to settle any questions of jurisdiction within the student substructure of Community Government.

6) the power to restructure the student substructure of Community Government.

Other changes enacted included the abolition of hall senates, and it was further resolved that assembly members cannot hold other offices by appointment or election.

Passage of Miss Driscoll's bill was also held to be an acceptance of the cover letter.

Another amendment was passed stating that all meetings of the student assembly would be open.

One motion was defeated. This provision stated that the Academic Affairs commissioner would sit on the Student Assembly in a voting capacity solely when an academic question is being considered.

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THE OBSERVER

An Independent Student Newspaper

WILLIAM LUKING, Editor-in-Chief

FOUNDED NOVEMBER 3, 1966

NOTRE DAME, INDIANA

Refined procedures

"Acting chief executive of the University" Father Joyce, in Father Hesburgh's stead, in a letter to Student Union President Richard Rembusch, refused "permission to publish the proposed magazine, Vaceline (sic), on the Notre Dame campus pending refinement of procedures to handle such publications."

In so doing, Joyce violated the constitutional rights of those who authored the magazine, since permission to print the magazine had been granted previously and the material had been, in fact, already printed. What Joyce succeeded in doing was to prevent its distribution and thus the free expression guaranteed not only by the United States Constitution, but also the Student Manual.

Conveniently yesterday afternoon Mr. Phillip Faccenda speaking for Father Joyce told Student Body President Richard Rossie that he thought the Student Manual was invalid since it was not approved by the Faculty Senate of the Academic Council despite the fact that the manual was endorsed by someone named Hesburgh.

Joyce made his decision "in view of serious question" raised by one South Bend printer, who refused to print the magazine, which incidentally is correctly titled "Vaciline." Apparently Joyce holds the opinion of one printer to be of more weight than Father McCarragher, a University vice president, a tri-partite sub-committee of the Student Life Council, and the Student Union Board of Directors which includes McCarragher, lawyer and professor John Houck, Rembusch, Rossie, his vice president Nau and student Edward Davey.

The Union Board viewed the contents of the magazine and voted 4-2 to permit its printing. Joyce has yet to admit that he has even seen the offending material. We can answer the "serious questions" Father Joyce raises "about the inherent decency of the material" found in "Vaciline" and assert that the content of "Vaciline" is no more objectionable than issues of the JUGGLER over the past three years. (Strange would be the mind finding the JUGGLER objectionable.) It might be noted that this latter publication is officially published and totally financed by the University.

Until Father Joyce replaces his "No Comment" answer to all of yesterday's questions with an admission that he has seen the magazine and that his apparent conclusion that the magazine is obscene is based on legal rather than narrow personal value judgements, we can only conclude that he is suffering from pornographic paranoia.

The situation is, clearly, that Joyce simply exercised his own arbitrary will and overrode the institutions created to handle such a magazine.

He not only violated the constitutional rights of the editors but he also broke the contract they had with the Union Board.

For the second time in the past two weeks the University administration has ignored presiding structures in making pronouncements on issues it feels are important enough. This time it has even overridden the vice president of jurisdiction.

We can only be astounded by Joyce's action and urgently hope that the error is corrected immediately, and if not, that just retribution is rendered, perhaps by a court of law.



Kay Markle

The Split

If the shattering student protests of the late 1960's have any general sociological significance, it must be the monumental split they have created between two segments of the same generation--the students vs. the non-students. It is obvious enough, and not too disconcerting, that student activities, especially the more violently iconoclastic varieties, would alienate the comfortably settled parts of society. What is less obvious, and possibly more ominous, is that the 18-25-year group is dividing as well, along the same stress lines. The rioting at the University of Wisconsin, during which hundreds of young men were called upon by the governor to restore order among hundreds of other equally young men is perfectly illustrative. The boys in the reserve units were, in effect, asked to become surrogate parents of the boys on the campus--a sort of vastly elevated sibling rivalry, encouraged by the real parents who don't quite know what to do with their kids anymore.

The radicalism pushing for change at universities and in government and all the other stagnant areas so abundant in American life is polarizing attitudes in a generation that can't afford the luxury of internal dissent. Non-students are seeing kids as just that--kids: rebellious, irresponsible, destructive, greedy, selfish and eminently untrustworthy. The students have their own myopia, as they come to believe that they are the only ones with sufficient guts, intelligence and sensitivity to resist becoming cogs in the old materialism machine. Grudgingly mixed in with the militants are the students who don't like being labelled radicals because they're not, who resent the radicals and fight bitterly with them on home ground, while in public they either sullenly defend or deride them, earning a good measure of the militants' contempt. They are neither wanted by the radicals nor liked by the non-students, for their scruples alienated them from the former, their status from the latter. Their adjustment can only be described as schizoid.

In the next twenty and more years the misconceptions, distrust and scorn being created now are going to stand no one in good stead. The students are inevitably going to end up in positions of influence--which is, presumably, why they bother to be students at all. And working for them, reading them, voting for them, being taught and doctored and managed and planned for by them, are going to be all the non-students who learned quite early that college people are intellectual traitors who caused all the trouble back when they were growing up. It is inevitable that there will be a residue of arrogance on the one hand and suspicion on the other.

Students work like hell to communicate with the migrant workers and the blacks. Isn't it nearing the last possible moment when they can still communicate with the people they are going to have to live with for the rest of their lives?

THE OBSERVER

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The Mail

ND students: Lucky

Editor:

Do you students there at Notre Dame ever stop and realize how lucky you are?

I can see protests, demonstrations and booing their own basketball team at other Universities, but not at Notre Dame.

If you students were with me and had turned fifty years of age today, the 19th of February, 1969, I'm sure you would all stop and realize what a lucky lot you are.

I will always go through life with the wish that I could have attended that wonderful University. Since I have been out of the service after World War II and have been graced by God with a fine family and job, I've been on that beautiful campus of yours at least fifteen times. I will always look at your beautiful university with a look of admiration. I sure hope you students will stop and realize Notre Dame is not N.Y.U., California, Kentucky or any other university but the great university it is and please, I beg of you to keep it that way.

If the urge ever comes to protest, demonstrate or boo at any athletic event, I hope you will walk that beautiful tree-lined campus toward the beautiful Sacred Heart Church and regardless of your faith, stop in and say a prayer of thanks for your great opportunity of being able to attend such a wonderful school.

I might add you students can also offer a prayer that my twelve year old son may have the mentality, grades and the opportunity to attend Notre Dame some day.

I'm for all you young students all the way and hope you will lead our country in the future. But please stop and listen to your great president, as you are lucky and have a wonderful school and opportunity.

Sincerely,

Robert J. Serey
820 Montgomery Ave.
Ashland, Kentucky
(just an old steelworker and Notre Dame backer - all the way.)

Hysterical answers

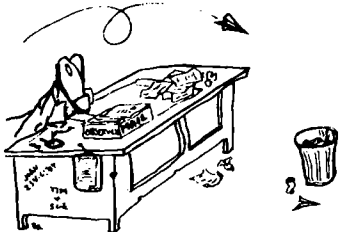
Editor:

Don Hynes column on Father Hesburgh's letter has provoked an incredible chain reaction of hysterical answers. Those who accuse him of having been "angry" or "emotional" react exactly in the same way: they attack the form of the letter but nobody discusses its content. What I cannot accept is the

systematic "moral lynching" of Mr. Hynes by students and faculty as well. If reason still has a place in this University, let's use it.

The main thesis of that column was that Father Hesburgh's letter was self-contradictory. While expressing a warning against pressures external to the academic world, that letter (despite the opening editorial of yesterday's *New York Times*) was nothing less than the execution of pressures external to this University: Alumni, Summa, South Bend. Who would contradict that thesis?

The collateral thesis was that



the Administration does not belong to the learning process of the University. If there are people who can contradict this opinion, let us hear from them. . . but please, friends, show me how many cultural or religious insights have you gotten from, say, Father McCarragher.

Certainly Don was not moderate and definitely he should have avoided writing down things that the academic *savoir faire* allows only to be taught. His column was passionate and violent, but at least showed a genuine interest for the University. But if a student can be permitted to be intemperat, it is very sad to see the same reaction from the faculty. I have read letters that attacked the person, his happiness, his motivation, his mental equilibrium. And why? Because he was guilty of a crime of lese-majesty. I don't agree with the form of that column. Probably Tom Erbhar's wit

would have helped, but I think that the content was right and well-defended. Father Hesburgh's letter was not justified by the circumstances. It was certainly a marvelous political move, worthy of the best intuitions of my compatriot Machiavelli: it gave the nation the false impression that Notre Dame was on the verge of a revolution and at the same time satisfied people's desire of stability by tranquilizing them with the ever suggestive assurance of the "tough line". It created a case and solved it at the same time. It was just a parenthesis, as Don said, of self-indulgency with overt political and economic goals. What that letter hopefully did not calculate was that it would have radicalized divisions and frustration on the Campus, rather than pacify them.

But the most disturbing result of that letter is that Father Hesburgh goes on reaping the harvest whose seeds others have sown. Other Presidents had trouble; other campuses had riots and violence; Father Hesburgh reaps the fruits. Without the smallest effort on his own he is now the "defensor civitatis." But after all, isn't it true that "one sows and another reaps" (John 4:38)?

His letter finally reached the Olympus when even President Nixon endorsed it. And thank God, Nixon's letter gives the statement its highest recognition and its final sense: it will be turned to Vice-President Agnew. At last the right man for the right letter.

(Dr.) Mario Corradi
Department of Philosophy

Deserting reality?

Editor:

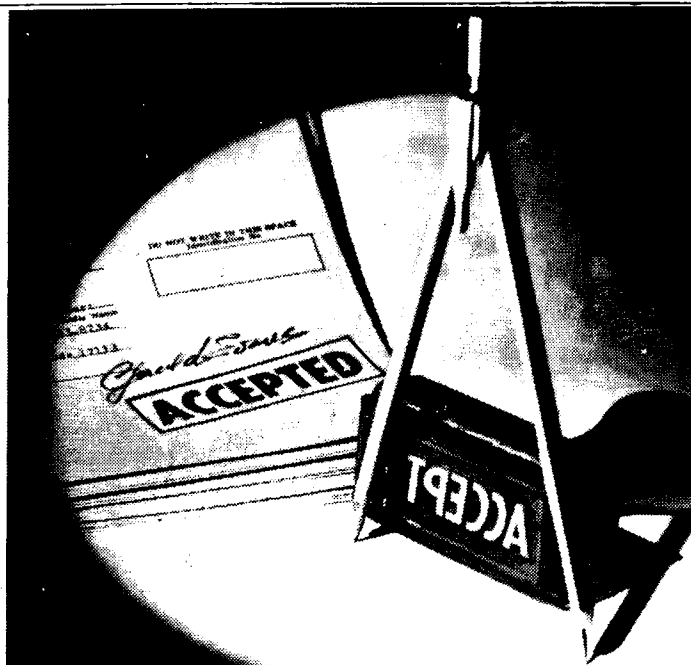
Professor Duffy in his letter on Friday lines up a cast of characters which I am sure he would not tolerate in one of the

novels he teaches. The professors are described as displaying "patience, sympathetic imagination . . . trustworthiness . . . courage, generosity and candor." On the other hand the bad guys (viz. the Administration) "did nothing

sensible" and had for supporting cast "dingy bigots" and a "seedy militia."

Isn't this "deserting reality" for a "heaven of forms?"

Sincerely yours,
Frederick J. Crosson

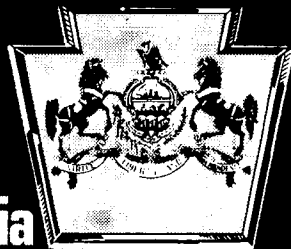


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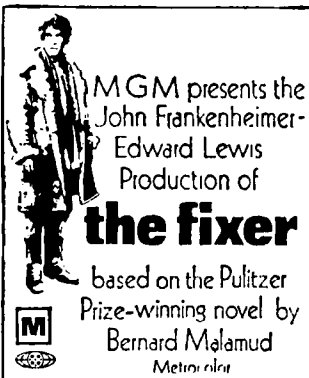
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