

Editorial

The latest Penn State Harrisburg power struggle; SGA and the student court battle over constitutions

I know you are but what am I.

A few problems arose at the last Student Government Association meeting (March 17). They sounded a little like this.

The focus of all the controversy was the constitution—in particular, the student court's objections to revisions SGA was planning.

A little background: this semester, the constitutional revisions committee began incorporating the constitution of the student court into their own. They were hoping to eventually form one common document for all the branches of student government.

The justices, however, felt some proposed amendments would usurp some of their separate judicial power. Instead of allowing them to continue under their own power and guidelines, they would be required to work under SGA's.

So, along came the SGA meeting. What was supposed to be a last confirmation of the candidates and the constitution turned into an endless debate. In fact, it became a struggle; SGA trying to get the issue passed and the courts threatening to shut them down if they did.

In the end, a motion to postpone the elections was passed, hoping a little more time would help get the kinks worked out. It all left The Capital Times asking why?

Why does the student court have their own constitution to begin with? Certainly, no reason exists to blame the current court, as their constitution was in place long before they arrived. But just as certain are the redundancy and the conflict of having it remain.

One of the court's functions is to preside over the constitutions of SGA and all other clubs. Who, then, presides over their constitution? In the interest of checks and balances, the court should not have a separate document. A prime example - the U.S. Supreme Court and the rest of our government work under one, universal constitution.

Why did SGA recognize the courts complaints at all? The process the legislature was working through was an amendment process. The courts essentially have no jurisdiction here. Rather, they preside over legislative procedures.

So, to stop the process, the judiciary threatened to shut down SGA. How is it possible one body of government can shut down another? Where are the checks and balances in that?

An argument was raised by the court who said SGA was in violation of their own guidelines by incorporating the court's. Again, this is not legislation. The court has no power to rule over an amendment process. If the students vote it through, those amendments become part of the document the court interprets.

For example, imagine an U.S. amendment calling for the summary execution of anyone over 6 feet tall. While the courts, and hopefully everyone else, would think it is preposterous, nothing could be done to stop it save public rejection.

Imagine again that it had overwhelming support and made it through the amendment process. It would now become part of the constitution, despite the conflict of a tall person's right to "life, liberty, and the pursuit of happiness." The Supreme Court would then have to weigh cases using this amendment as well as all the others.

Seem preposterous? Think of the repeal of prohibition. Another instance where two amendments directly conflict.

Such is the case here. The debate at PSH was over an amendment process, not a legislative one. The court has no jurisdiction over this. Yet the elections were postponed because of the protracted discussion.

So where do we stand now with elections postponed and no solution in sight? The threats being volleyed back and forth here are, frankly, a little childish. Be that as it may, SGA must stand up and do what common sense dictates. There is no reason for two separate constitutions. In fact, the reasons actually stand against it.

On the other hand, SGA must also be willing to listen to the judiciary. Together they must create a foundation of checks and balances for both sides. Perhaps another "great compromise" is in order.

Finally, students must participate. Get a copy of the constitution, read it and vote your conscience. Let your representatives know what you want and expect.

Anyone over 6 feet tall will thank you for it.

Letter to the editor

Dear Editor:

Disquiet filled me as I read the front page of the February 19, 1998 issue of The Capital Times, which described how flyers belonging to the Black Student Union were defaced in two separate incidents. Adding to this feeling of unease was the vague memory of another article within the CapTimes, published in recent months. In it, much space was devoted to the importance of "people thinking" and how the University should continue to improve its attempts to produce graduates whose educations are multi-faceted, regardless of economic or business pressure on the University contrary to that goal. The polarity of these incidents, against our mutual interest of progression toward that goal, should be of concern for everyone here on the Capital Campus.

Seeking answers to the internal question, "What can we do?" included a first stop in the Student Assistance Center. To demonstrate support to those students who were the targets of the racial-hate incidents, I learned messages of concern from all students are welcome and will be forwarded; and how integral this action is to sustain and

continue the vast majority's advocacy for an educational atmosphere free from intimidation and fear.

My second conversation discussing the incident involved a professor whose professionalism, and regard with students, is unsurpassed. His normally pleasant and cheerful demeanor was temporarily displaced by an infinite sadness, a weariness which I could only inadequately describe. He recounted that this type of behavior has been ongoing for decades, and in closing, he ended with the words, "So what can we do? These things will continue."

Though he did not mention the words losing, nor loss, this is precisely the emotion I feel. I feel a personal loss for all of us. Meeting and getting to know other students has been a valued part of my educational experience at Penn State-Harrisburg, and it helps me to know that I am not alone. The questions I've posed in order to learn more about another student's heritage have always been met with delight, and details that make one hunger for more.

Listening to the narratives of people, places, and events, I have

shared many things - among them, the wondrous history of Palestine, the beauty of the Black Hills of South Dakota, the inspiration and courage of leaders from every culture imaginable. This collective knowledge, part of us, is simply unavailable from any text, regardless of how well-written. For the perspective of the teller is part of the tale. Our loss, then, would be for silence to take the place of the numerous echoes which, together, relate our history, that which is a precious heritage of humankind.

And the question itself still echoes, "What can we do?" As silence is often misunderstood as tacit approval, part of our response to these incidents must be to answer the challenge of the CapTimes editorial: to courageously, determinedly, and consistently push ourselves to become critical thinkers. The actions of thinking persons are just and equitable: giving every consideration and support to our diverse community, including speaking out against intolerant remarks and actions.

Think. Act. Please.

Sincerely,
Melissa L. Yeager

Search continues for contributors

In what has become a constant process, The Capital Times is again looking for writers and photographers.

Throughout this semester's issues, the same few names have been appearing too frequently. Why? Simply because contributions are that limited.

In order for this paper to cover a wide variety of happenings at PSH, we need a number of different people from a number of different areas.

We do take pride in what we publish, but realize it is a school paper. While little reason to be intimidated exists, we understand you may be. Whether you are not confident in your writing skills or just worried about peoples' reactions, do not fret. We are willing to help you get your work out there.

After all, this may be the best way to get published. That always looks good in a portfolio or resume.

The Capital Times

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