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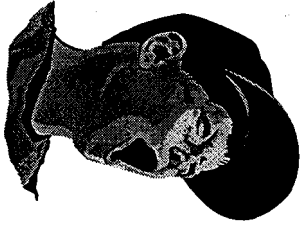


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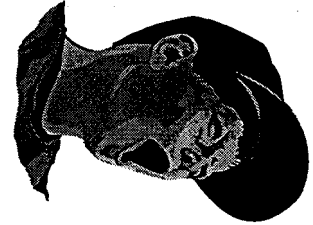


THE OFFICIAL STUDENT NEWSPAPER OF NSU'S
FARQUHAR CENTER FOR UNDERGRADUATE STUDIES

Special Edition 01/29/98



Crude Justice



by Angel Sanchez
Associate Editor

On Friday, January 23, 1998 the Student Government Senators impeached the Executive Board members at SGA's High Court of Impeachment. The Executive Board members are Tim Connelly, President; Nicholas Catalfamo, Secretary; Alyson Dion, VP of Judicial Affairs; Melissa Hellerman, Director of Public Relations; and Oluwasola "Sola" Kotun, Treasurer.

These charges came about after the SGA Executive Board voted unanimously to remove a parking sign as a form of protest on December 2, 1997 - see Issue 7 of *The Knight* Newspaper (26 November 1997). The charges brought against them were: Abuse of Authority, Malfeasance, and Conduct or actions unbecoming of such persons holding such office or position in the Nova Southeastern University Student Government Association (NSUSGA).

The hearing took place in the conference room - The Green room - next to the Flight Deck bar located on the second floor of the Rosenthal Building. The hearing lasted 50 minutes. During that time, both the prosecution and the defense questioned witnesses to explain the actions taken on December 2nd, 1997.

The prosecutors were Cristina Groschel, Trudy Hartje, and Caroline Ramkisson, the members of the Organizational Standards Board. The members of NSUSGA Executive Board defended themselves. After the hearing was over, the Senators deliberated whether or not the NSUSGA Executive Board were in violation.

SPECIAL SGA EDITION

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After an hour of deliberation, the discussion was tabled because a decision could not be reached.

On Sunday, January 25, the Senate met and deliberated for an hour and a half and decided that since there was nothing in the Constitution that dealt with the current situation the way they wanted, an Amedment needed to be made. Thus the Senate drafted an amedment that is to be voted on by the student body. The amendment basically states that the Court will have the option of suspending members for a given amount of time, if found guilty, rather than removing them from office permanently. However, for a suspension to be voted in requires a unanimous decision of the court, while impeachment only requires a 2/3 vote.

Whether or not the amendment is ratified into the Constitution, a final verdict will be reached on February 1st, 1998, concluding whether the members of the Nova Southeastern University Student Government Association's Executive Board violated their duty.



A Resolution for the Resolution of the NSUSGA Difficulties.

by Nathan Burgess
Editor in Chief

Whereas, the NSUSGA Constitution currently in effect is not ratified by the students, and

Whereas, the NSUSGA Constitution last properly ratified (the NCSGA) has not been in practice for over 14 moons, and

Whereas, the NSUSGA Constitution allows for unequal Senate representation by the

distribution of Senate seats to certain constituencies, and

Whereas, in the elections of the last two years, at least, there have, at most, two actual elections taking place, with every other candidate running unopposed, and

Whereas, apathy in government is at a near high, when the converse should be true, and

Whereas, dictatorial governments seem inevitable, and

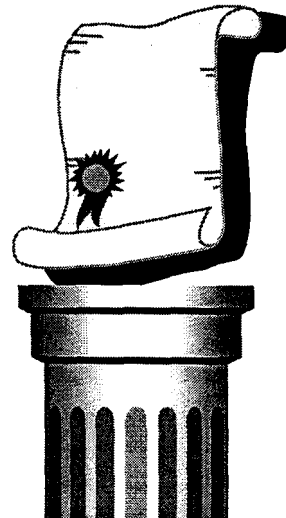
Whereas, Justice is being obscured,

Be it resolved that a true Senate, one vote per activity fee paying student of all present members, be made into the official Student Government of the Farquhar Center for Undergraduate Studies.

Let it further be resolved, that a single presiding officer voted on at the first meeting of the Senate shall be the presiding officer until the following year, he/she resigns, or is recalled by a 2/3 vote of the Senate.

Let it further be resolved, that any positions the Presiding Officer finds necessary to the running of the aforementioned Government shall be made and appointed at the discretion and approval of the Senate, with a vote of more than 50% of the Senate.

Let it further be resolved, that meetings shall be held on different days each week to allow those with scheduling difficulties to attend the meetings, which shall be weekly, except as stated by the Presiding Officer, and approved by a vote of more than 50% of the Senate.



The Dark Ages of Student Government.

by **Angel Sanchez**
Associate Editor

On Friday, January 25, 1998 the Executive Board of Student Government defended themselves in front of SGA's High Court of Impeachment after being charged with violating the Student Government Constitution and abusing their powers. These charges came about after the Executive Board removed a parking sign as a form of protest against the new parking policy. This action was taken after the Executive Board had voted unanimously on December 2, 1997.

The court hearing turned out to be a mockery of the judicial system. For beginners, the court was held in the green room, located on the second floor of the Rosenthal Bldg. adjacent to the Flight Deck. Being that it was a Friday, the Flight Deck had their customary T.G.I.F. Thus the loud music and voices disrupted the concentration of the people inside the green room. Moreover, the sound of "I want to !@# you like an animal" from a Nine Inch Nail's song did not provide for the respectful and quiet atmosphere of a court hearing.

Furthermore, the hearing was based on a Constitution that has not been voted on by the student body. We are more than half way through this school year and I can't find an explanation as to why this Constitution has been used without the consent of the student body. Although it was approved by the administration, the Constitution is not official until the student body, sole constituency of the "Student Government Association," approves it.

Aside from all this, different versions of the constitution slowed the proceedings.

This lack of communication between all parties involved showed a lack of professionalism by Student Government and its affiliates. Thus how can you explain having different copies or parts missing from some copies during such an important process.

Another issue at hand is that the Senate, some elected others appointed, has not brought these problems to the students they represent. I have not seen any senator approaching students and asking for their opinion on the matter.

In addition 7 Senate seats out of 16 remain open, either because the incumbent resigned or because the seat was never filled to begin with.

The key question is how can a Senate, missing 7 out of 16 members, composed of many appointees, in good conscience impeach executives chosen by the student body? This question becomes even more pressing when one considers that these senators are proceeding under the provisions of an unratified constitution.

I see this court hearing as a power struggle between the Executive Board, Senate, and some involved third parties. I think that these organizations should take a hard look at themselves and realize that they are not doing their jobs as representatives of the student body. Moreover, the so called "Constitution" should be voted on by the student body or should be drafted and then voted in.

Last but not least, how can the Student Government vote on an Amendment that will become retro-active and allow for the dismissal of the executive board? If the Constitution of the United States, and any other for that matter, had such an advantage, then it would not be a Democracy but instead a Monarchy or Dictatorship.



Open Letter To Senators

27 January 1998
Nathan Burgess
3625 College Ave
Davie, FL 33314

Dear Senators Curran and Shapiro,

As you may or may not know, I fall into your constituency. I am a resident student and a member of the IOC.

It has come to my attention that the members of the Executive Board are being impeached with charges of abuse of authority, malfeasance, and "behavior unbecoming..." due to an incident on 2 December 1997.

As I have learned from the hearing on 25 January 1998, the Senate charges the executive board did not have the authority to do what they did as they did not represent the voice of the student body. As well they performed "conduct or actions unbecoming of such person[s] holding such office or position in the NSUSGA."

Being an active member of the student body, I have never been approached by anyone regarding the actions in December, that includes the executive board, any member of the Senate, including my own representatives, Curran and Shapiro.

My opinion is that the the board should not be tried on these charges.

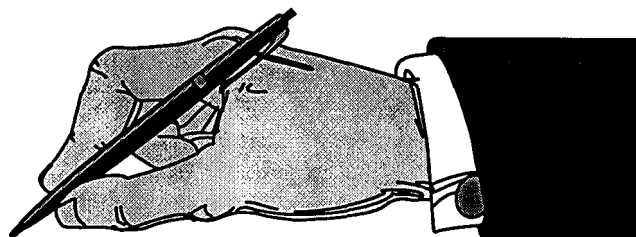
As far as I know, the Senate asked none of my peers for their opinion. Therefore, the Senate has no grounds for stating that the Executive Board did not act as a voice of the students. Ergo, the Senate itself is not acting as the voice of the students in the course of these proceedings.

As for the "behavior unbecoming" charge this is based highly upon the first charge. If the act of removing the sign is viewed as a criminal action then Public Safety, Davie Police Department, or the Broward County Sheriff's office should have become involved. But, as the sign is still in perfect condition, this action would be ridiculous and not in the spirit in which it was removed: an act of simple civil disobedience.

Other than this incident, I have found your behavior this term exemplary. I do hope you keep up the good work. On this subject, however, I feel the need to voice my opinion.

Sincerely,

Nathan S. Burgess
IOC Member
Resident Student
International Student



Justice Lost in SGA

by Nathan Burgess
Editor in Chief

Something's rotten in the Rosenthal Student Center, and it's not the stale beer, they have no stale beer. It's the proceedings that occurred on 25 January 1998 regarding the impeachment of nearly the entire executive board of the NSUSGA.

What was so bad about the proceedings that allows the stench to remain, you may ask. Well let's start at the beginning.

The Charges: "We all have the power to do harm." — Lucius Annaeus Seneca

The charges brought about by the Organizational Standards Board to the respondents are somewhat ridiculous. The first charge against the board is that of "Abuse of Authority." The role of the Student Government, as a whole, is to act as the voice of the Undergraduate Student Body. They acted in good faith. No one member forced another one to vote a certain way in the unanimous decision and they required that no one else participate. What authority did they abuse? When someone abuses authority s/he takes advantage of those who do not have such power. For example, sexual harrasment cases in which one person is required to perform sexual acts on another or lose their job, is one of an abuse of authority. The Executive Board has no such power. They did not use their status to gain favors, or deeds from anyone or anything.

The second charge, Malfeasance, is defined by The New American Webster Dictionary, as "performance of wrongful acts." This charge

strikes at the heart of the issue. One thing needs to be determined, however. Was the removal, storage, and return of a parking sign within 24 hours a wrongful act. The only charge it could be is vandalism, but vandalism, in the aforementioned dictionary is defined as "wanton destruction." Was the destruction wanton? Assuming that the Executive Board was acting in good faith that their actions represented the voice of the students then "No!" This was a simple act of civil disobedience. Being National Black History Month, this topic should be well known to everyone.

The third charge of "conduct or actions unbecoming of such person holding such office or position in the

NSUSGA." So, basically, this is the same charge as the second charge. But this charge is also loaded down with obvious subjectivity. Is representing the student voice "unbecoming" for a member of a government? Of course not.

The Senators: "I believe I'm turning into a god." — Gaius Suetonius Tranquillus

I have no problems with the senators in and of themselves. My only problem is that they themselves conducted their business in the way the Executive Board did. The Senate claims that the Executive Board, simply put, stepped on their toes, in acting this way by not consulting with the Senate or taking this issue to the students for a vote. I am represented by two Senators. I did not receive any notification from them of the hearing, nor of my opinion in the matter. They are Senators to represent me, and the rest of my peers. After in-depth inquiry of other mem-



bers of the same constituency, I have found no one had their opinion asked.

I must say that it seems the Senators have fallen into the same trap as the Executive Board. They came to bat with their own agendas, not representing the student voice.

I feel the need to remind everyone, at this point, that according to the latest version of the Constitution, unless I missed it, which is possible as it has metamorphosized greatly since my last close examination, it is impossible for a group of students to begin impeachment proceedings. A group of five students can begin impeachment proceedings on a member of the Executive Board, however.

But I ask you, the student. When was the last time you had a meeting with your Senator? As stated in Article II, Section 3, Part B, "All Senators should meet regularly with their appropriate constituents (at least one meeting per semester), and report back to the Student Senate any problems or concerns brought up by those constituents."

The Constitution: "Unless the vessel is clean, everything you pour into it turns sour."
— **Quintus Horatius Flaccus**

There is no other way to say this: The Constitution is not fit to line my hypothetical birdcage. Inconsistencies, Abuse of Authority (Why is Honor Court still included in the NSUSGA Constitution, almost a full year after it was brought up for the first time that this was inappropriate, by many members of the Court?), and briches too big to fit into (see next paragraph) plague the document.

Do you realize that we are missing 44% of

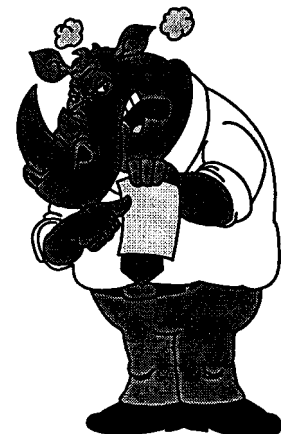
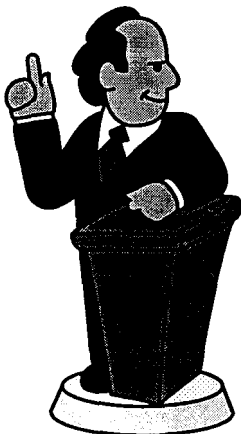
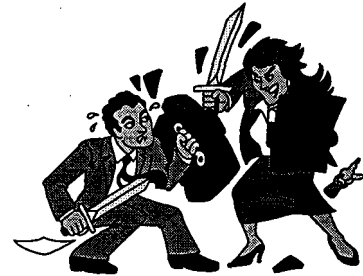
a Senate? We only have nine of 16 Senators. Nine! Just over half. Imagine any real government operating like this. International, Non-traditional, Fraternity, and Sorority students are not represented in the Senate, except as Commuter or Residents, and commuters are missing 2 of their Senators.

Just to bring up another small problem, one raised at the hearing, Article III, Section 2, Part H states, "The Executive Board has no voting power in NSUSGA matters with the exception of..." Since when is the Executive Board not a part of the NSUSGA? In Article I, Section 1 we are told that the name of the entire organization "shall be the Nova South-eastern University Undergraduate Student Government Association (NSUSGA)," including the Executive Board.

The Proceedings: "A liar should have a good memory." — **Marcus Fabius Quntilianus**

First of all, besides my own recording of the proceedings, there was no one assigned to take a record of the hearing as far as I could tell. This belief was further corroborated when I was asked, by a member of this 13 Ring Circus, for a copy of the tape I made for newspaper purposes. I am more than happy to provide this, but had I not been there, would there have been a record of testimony?

Second of all, I expected more from the OSB. The respondents were asked, in most cases, as their



third question something along the lines of: Do you understand that by making this decision you were violating duties? Proof that any duties were violated had not been proven in the proceeding. The



question might better have been phrased, "Do you feel you were violating your duties?" In a court of law, I believe this would be called something along the lines of assuming facts not yet in evidence and is a leading question since if it is answered in either the affirmative or negative it forces the respondent to admit that they were violating their duties. These are also known as loaded questions.

As well, the presentation of witnesses was quite misleading. In the agenda it states witnesses can be, among others, "...Students wishing to speak their concern." To me this implies that any student at the end of the proceeding can speak their mind. Rather as it

was carried out these students had to be called by the prosecution or defense. The open forum I pictured did not exist.



The Verdict: "Fire tests gold, misfortune brave men." — Lucius Annaeus Seneca

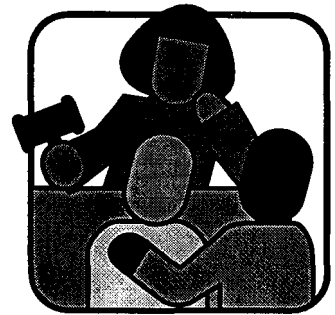
There is no verdict as of Wednesday, 28 January 1998. The Senate tabled the issue until the following Sunday and then decided to try and pass an amendment to allow for more choices in punishment.

However, according to the NSUSGA Constitution, "Upon completion of the presentation of all testimony and evidence, and all

arguments and final debate in a trial, a vote shall be taken on each Article presented..."

In a conversation with Brad Williams, Director of Student Life, in the near three hours of deliberation not a single vote was taken. A vote was required as stated in the Constitution. The argument over a new Amendment should only have been presented when a decision could not be made. Actually, in reality, in the section dealing with Verdict and Judgement (IX, 3, I) there is no provision for debate and discussion. It merely states the vote should be taken and a verdict rendered.

Closing Remarks: "The bravest man is he who is prepared both to cope with present dangers and to await a better time." — Marcus Annaeus Lucanus



The issues presented here are merely a sample of those that exist. Issues such as Ex Post Facto (after the fact — passing a new rule after a crime has been done), knowledgeable officers, and the absence of vital witnesses (A representative from Public Safety to corroborate testimony regarding the parking program and contact between the NSUSGA and Public Safety would have been helpful to show whether communication about the program existed) haven't even been touched upon.

These issues need to be addressed and students need to address their representatives.

The absence of names of students in this editorial has been intentional. I find no reason to personally offend anyone or point any fingers at any person or persons. Actions should be criticized, not their originators.





"DON'T THROW
AWAY THAT
OLD
CONSTITUTION

--

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