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The Daily Tar Heel

86th year of editorial freedom

Death penalty: the real-life choice of life or death

A Gallup poll in 1976 showed 65 percent of the nation in favor of the death penalty, more than a 20 percent increase in a decade in the number of people who considered capital punishment constitutional. Despite a majority in favor of the death penalty in the 1976 poll, laws making the death penalty mandatory for persons convicted of first-degree murder or rape were struck down the same year as unconstitutional by the U.S. Supreme Court.

With an upsurge in public sentiment favoring capital punishment, N.C. legislators wrote a new law last year that they felt met the U.S. Supreme Court's prescription for constitutionality in capital punishment — that it be imposed more precisely than in the past and limited to unusually cold-blooded cases.

Under the new law, which replaced the one struck down in 1976, a trial involving the death penalty is held in two parts. First, a jury hears the evidence and decides guilt or innocence. If a defendant is found guilty of first-degree murder, for example, then the same jury or a new one would deliberate to return a recommendation for punishment.

Before the second deliberation, the jury must consider arguments from state and defense attorneys about any mitigating circumstances, hear arguments for and against the death sentence, and finally return a verdict of either death or life imprisonment.

Before the old law was declared unconstitutional, a jury heard all the evidence and then decided guilt or innocence. Guilt carried with it a mandatory death sentence and North Carolina had the longest Death Row of any state in the union.

Two workouts

The two-part trial got its first workout in two northwest counties earlier this month, and details of the trials of defendants charged with the capital crime of first-degree murder suggest that many North Carolinians are unwilling to accept the burden the new law places on them to rule on life versus death.

The Ashe County Superior Court, in its search in early April for a jury to try three people charged with first-degree murder, excused 78 potential jurors because of expressed opposition to capital punishment. Because the defendants pleaded guilty to second-degree murder before the trial, a jury selection was never completed, but the district attorney in Ashe County said it probably would be difficult to assemble a jury there willing to impose capital punishment.

In Winston-Salem two weeks ago, a jury was selected with less difficulty to try a man charged with first-degree murder, but the 12 jurors seemed to dodge the question of capital punishment altogether by finding the accused guilty of second-degree murder to which the death penalty does not apply.

The Forsyth County district attorney claims the jury heard a clear-cut case of first-degree murder — a man charged with stabbing a woman more than 33 times — but granted second-degree murder contrary to the facts.

In all its force

Legislators who passed the death-penalty legislation effective last June 1 may have relied too heavily on public-opinion polls and not enough on the deepest sentiments of the populace. Granted, some of the prospective jurors in Ashe and Forsyth counties may have voiced reservations to the death sentence to avoid the hassles of jury duty, but it is even more likely that most, when finally faced with the question in all its force, could not bring themselves to an endorsement of the penalty.

If the first applications of the law are any indication, the legislation will make jury selection more difficult in North Carolina. Otherwise, its actual effects on sentencing will be minimal.

When faced with the real-life choice of life or death, prospective jurors will have second thoughts about their cavalier answers to hypothetical questions on surveys. When the fates are ultimately in their hands, most jurors will avoid the challenge altogether by refusing jury duty or by returning verdicts, perhaps lesser than deserved, that result in life imprisonment rather than death.

letters to the editor

Black nursing schools need money, not panels

To the editor:
RE: "Black Nursing Schools Told To Improve or Close — Board" (DTH, April 11).

Jeanne McNally stated that she was not certain why the predominantly white program at Chapel Hill has significantly greater numbers of graduates passing the state test. I suggest that this associate vice president take her head out of the sand and ask the following questions:

- Has anyone compared the budget appropriation (over the past ten years) of the nursing school at UNC-CH with that of A&T?
- How do the physical facilities at A&T compare with the UNC-CH facilities?
- How long has the UNC-CH nursing school received the bulk of the financial support?

The black nursing schools don't need panels and/or committees to decide what should be done. What they need is money and the same amount of time it took to build the UNC-CH nursing school into a first class facility. It is asinine to think that the black nursing schools can meet the 1981 and 1983 deadlines established by the UNC Board of Governors. The sad part of this whole fiasco is that the three black institutions involved will probably agree to the timetable. Maybe Jeanne McNally is not the only one with her head in the sand.

H. B. Renwick
Associate Dean
College of Arts and Sciences

NCSL clarification

To the editor:
One point regarding the DTH's article on the North Carolina Student Legislature ("UNC-sponsored school bill vetoed by NCSL governor," April 13) should be cleared up.

NCSL is a statewide, incorporated, non-profit education organization. As such, we are not a lobbyist group in any manner, nor are we registered as such. NCSL is a mock legislative assembly. We therefore consider and pass legislation which is presented to members of the General Assembly, and other interested persons, for their consideration. We believe that we are generally representative of college students in the state and their opinions. We do not claim to represent their interests directly.

Governor Saubers' veto of the Chapel Hill education bill is interesting because it underscores the value of NCSL beyond being a mere educational opportunity for its members. Despite the veto, which prevents the bill from being represented as an official position of the North Carolina Student Legislature, members of state government have already expressed an interest in it. A member of the House Education Committee and a member of the state school board in particular have asked for copies. Thus, the work of the Chapel Hill delegation is not going down the drain.

The Liaison Committee of statewide NCSL will, through the year, present all bills passed by this year's session to members of the General Assembly, including Chapel Hill's other bill. We hope these receive as warm a reception as our education bill already has.

Dwight Ferguson
North Carolina Student Legislature



STUDY ONE: FEDERAL EMPLOYEE AT WORK BEFORE CARTER ANNOUNCEMENT OF CEILING ON FEDERAL WORKER PAY RAISES.

STUDY TWO: INFURIATED FEDERAL EMPLOYEE GOING SLOW IN PROTEST RESPONSE TO CARTER ANNOUNCEMENT.

Thanks, Springfest

To the editor:

Springfest went big time this year and we think we speak for hundreds of people when we say it was an all-time success. The bands, the weather and especially the crowd were the greatest. Due to the scale of this success, we feel that credit must be given to the people behind it all.

For a start, Lisa Taylor, Henderson Residence College's Social Lt. Governor, made arrangements with the bands and the Carolina Union, and worst of all, remained answerable to everything. Other HRC members that should be noted are Residence Director Ron Wilson, Joe Burns for his help with bands and set up, Evelyn Westarp for publicity, and Denise Chatman for finance.

The other half of Springfest was the Carolina Union. Harry Simmons, assistant director and promotions head (in his fourth Springfest), handled all aspects of the technical set and public relations and spent the whole weekend on the site. The Carolina Union also provided the stage, the lights, much of the advertising and talent like Page Wilson, Toulouse T'Rec and Arragonne.

Springfest was the culmination of some true professionals. We can't wait until next year.

Bill Steigerwald
Ana McClanahan

ACC Frisbee?

To the editor:

A group of students and I are forming a

Frisbee Club, which next fall will be I.F.A. (International Frisbee Association). We will be competing in ultimate Frisbee, guts, Frisbee golf, freestyle throwing and distance throwing. If you wish further information, contact me at NCSU.

Basketball, football, baseball, swimming and track are annual competitions which everyone expects and which offer little new except in players. Frisbee, on the other hand, has been around as long as these in the North and is continuing to change. It is a year-round sport, not a seasonal one. We feel it would make excellent ACC competition.

There are very few schools in the South that are interested; even fewer have teams. One that has had a team of I.F.A. caliber for the past two years is UNC-Greensboro. We are hoping that you shall be interested enough to start a club also.

John E. Truitt
Soph., NCSU

Maryland fans praise Ford talent, conduct

To the editor:

To Coach Dean Smith, UNC's basketball team and the student body of the University of North Carolina: Even though we're avid student supporters of the University of Maryland, we fully believe that Phil Ford lost the recognition that he so dearly deserved. This pertains to the fact that he was not named "College Player of the Year" (AP poll). It should be clear to those who have seen him play (not only in the ACC) that he was the top performer in college basketball in the '77-'78 season.



DTH/Allen Jernigan

Due to his leadership, he helped mature a very young team and was a very big factor in sending them into post-season play. His statistics, even though they were very good, did not reflect his all-around court leadership. He was a gentleman on the court and a representative of whom all of UNC could be proud. For a man who was everything on a basketball court, we feel he was shafted by not receiving this honor.

Even though the opposing teams in the ACC will breathe a little easier now that Phil Ford has graduated, we all will lose not only a fine basketball player, but a fine individual as well.

Scott Einfeldt
Junior, U. of Md.
Greg Paytas
Junior, U. of Md.

Christian evidence

To the editor:

I was glad to read Glen Loev's letter ("Many religions," April 13) regarding my April 7 letter ("Where's ECK's validity?") in the DTH. Anything is better than apathy.

I can fully document my statements. I used to be like Glen, but I eventually began to want a faith that I could relate to reality.

Buddha, Mohammed, Zoroaster and other non-Christian founders are all in their tomb. Jesus is alive. There is no rational way to explain the empty tomb without invoking prejudice. Intellectuals have been trying for hundreds of years, in vain.

The New Testament has better manuscript authority than any other piece of ancient literature. (See F. F. Bruce's *The New Testament Documents: Are They Reliable?*, Intervarsity Press, Downers Grove, Ill. 60515, 1964). We have ample reason to consider the events in the New Testament as history.

I have been looking into this subject for about two years now. I do not consider myself a "bigot." I am ready to hear other views, but I would prefer that they be accompanied by logical argument and documentation.

A person who examines the evidence for a past event and draws the most logical conclusions is not using "circular reasoning." Judges do it every day. Glen's statement, in this regard, shows that he has lumped all religions together as one phenomenon, involving merely "devotion" and "ethics." Christianity, however, teaches that good deeds and devotion are not the route to God. Christ is the route. (John 14:6, "I am the Way, and the Truth, and the Life; no man comes to the Father except through me.")

My motive in writing to the DTH was to show readers that there is ample reason to consider Christianity as unique in an objective sense. If readers themselves will look into the evidence for the Christian faith and compare it to that of other religions, they will not be able to avoid the conclusion that the deity of Christ is overwhelmingly supported by the evidence. Ask not "Which is better?" but "Which is true?"

I have absolutely no compunction in sharing my beliefs and why I have them. If a person cannot explain why he believes as he does, he cannot show the world anything that looks any different than a mere personal philosophy.

I suggest that any reader who would like to find out why I am so sure of myself should get a copy of McDowell's *Evidence that Demands a Verdict* (Campus Crusade for Christ, 1972). Compare the case McDowell presents with the so-called "support" Glen seems to think that the other major world faiths and religions have. Think independently. Don't take my word for it, or Glen's.

Be aware, though, that becoming a Christian does not mean accepting a body of evidence. It involves as exercise of the will in yielding one's life to Christ. Then the ethics and devotion are all out of gratitude, and not out of a need to balance the bad with the good in some great celestial scales.

In closing, let me define a bigot as a person who is unwilling to hear other views, and who presents his own view as unique without backing it up with reasons.

Mike Gibson
1-1 Yum Yum Apts.



THE Daily Crossword by William Lutwiniak

ACROSS

1 Bring to light

8 Poet-singers

13 Lively; mus.

14 French artist

19 British — nous

20 — nous

21 Neighbor of Belg.

22 Orderly

23 Building locations

24 Fleshy berry

25 French holy one; abbr.

26 Past the peak

27 Lens

28 — nothing

29 Fish nets

30 French queen

34 Anointed, Yesterdays' Puzzle Solved.

35 Lots of land

36 Mail events

37 Faults

38 Jan. and Feb.

41 Stepped

42 Onetime Russian leader

43 Titled lady

44 Govt. reg. outfit

45 Aged

46 Was meddlesome

47 French statesman

50 Straight man

51 Causing more din

52 Moved with caution

53 Aptitudes

54 Of course, if you fail to follow the rules, you'll be in the doghouse! Good luck, Frisbee!

55 Hey! That's for employees only!

56 We put in a minute.

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