

TODAY: Mostly sunny; high mid-40s  
TUESDAY: Partly sunny; high 40

# The Daily Tar Heel

Serving the students and the University community since 1893

ENDING THE DROUGHT: Larry Mize, who came on with a 5-under-par 67 Sunday and scored his first victory since the 1987 Masters.  
Mize pulled away from a tightly bunched pack with a 10-foot birdie putt on the 15th hole at Tucson National and won the Northern Telecom Open by two strokes.

© 1993 DTH Publishing Corp. All rights reserved.

News/Sports/Arts 962-0245  
Business/Advertising 962-1163

Volume 100, Issue 130

Chapel Hill, North Carolina

## A decisive shove: BOT supports Ferguson

By Anna Griffin  
University Editor

After being pushed to the brink of contract termination for 15 months by UNC officials, Assistant Professor Paul Ferguson got a decisive shove in the opposite direction Friday as the Board of Trustees recommended that he be granted tenure without promotion.

"The most important thing about this is that I feel my name and reputation have been cleared," Ferguson said Sunday. "This is amazing."

Although the BOT recommendation does not mark the end of Ferguson's tenure fight, it is a giant step toward victory for the popular instructor. The

BOT recommendation now goes to Chancellor Paul Hardin, who has 30 days to rule on it. Pending Hardin's approval, the case goes to the Board of Governors for final approval.

Student supporters of Ferguson plan to meet with Hardin on Wednesday to discuss the case and the tenure process.

Martin Strobel, one of the organizers of Students for Dr. Paul Ferguson, the group that collected more than 3,700 signatures for Ferguson's effort, said he was confident Hardin would rule in Ferguson's favor. "I don't see how he can't," Strobel said.

Winner of the 1989 and 1992 Senior Class Favorite Teacher awards and the 1992 Undergraduate Teaching Award,

Ferguson contends that procedural irregularities in his case contributed to a UNC panel's decision to deny him tenure.

Ferguson filed for tenure four times. After his first tenure case, in which tenure was denied, he learned that William Balthrop, department chairman, and Beverly Long, former department chairwoman, had removed a positive review from his personnel file.

The review, by Northwestern Pro-

fessor Paul Edwards, explained the need for "creative" research in the study of speech communications, and, according to Ferguson, it was vital to his tenure hopes. Ferguson believes that a decision by Stephen Birdsall, dean of the College of Arts and Sciences, to allow Long and Balthrop to remain on his tenure-appeal panel and his refusal to explain the situation to the other panel members also hurt his case.

In the 13-page recommendation, the BOT states that the Faculty Hearings Committee, which ruled against Ferguson last December, erred in denying Ferguson's appeal on the grounds of procedural irregularities.

"The exclusion of solicited external

reviews from the materials prepared for a tenure application should not be tolerated," states the BOT decision. "The exclusion of the Edwards letter was a material and significant procedural irregularity which materially affected the final outcome of the review."

The BOT recommendation goes on to state that Ferguson's case does constitute "clearly extraordinary circumstances" — that his creative research does qualify him for tenure.

The decision was highly critical of Birdsall, citing his bias in the case. BOT members could have sent the case back to Birdsall before Hardin but did not in an effort to "avoid any further contamination of the process."

Ferguson would not comment on whether he thought UNC or UNC-system administrators should take any action regarding the three department officials. He did say his relationships with the three had been severely damaged.

Ferguson added that he hoped the decision would help mend some of the emotional wounds suffered throughout the department during the past 15 months. "There's been an extraordinary amount of tension in the department during this appeal and the entire process," he said. "I guess we can only wait and see how things go."

"I know one thing though — (Monday) is going to be a very interesting day to walk into Bingham Hall."



Paul Ferguson

### MONDAY IN THE NEWS

Top stories from state, nation and world

#### Helms hires assistant linked to Clinton probe

U.S. Sen. Jesse Helms, R-N.C., has hired one of the officials who lost his job over the State Department search of Bill Clinton's old passport files during the presidential campaign.

Steven Berry, the former acting assistant secretary of state for legislative affairs, begins work for Helms today. Berry will serve on Helms' Republican staff on the Foreign Relations Committee.

Among Berry's duties will be overseeing State Department requests for money.

"I think a big stink was made of (the passport search) because it was (George) Bush people," Helms told The Charlotte Observer.

"(Berry) would be a hero if it had been found that anybody connected to Clinton had gone over to the KGB," Helms said.

#### Bentsen: Clinton's tax promise hard to keep

WASHINGTON — Treasury Secretary Lloyd Bentsen said Sunday that higher deficit figures would make it "much harder" to have a middle-income tax cut and said the Clinton administration was considering a broad-based tax on energy consumption.

"Some tough choices will have to be made that haven't been faced up to in the past," Bentsen said on NBC-TV's "Meet the Press."

He said President Clinton's new economic plan to be proposed next month would achieve a "fair balance between cuts and expenditures and that of increase in revenues, and it will not be dominated by an increase in revenues."

Bentsen, noting his support for a middle-income tax cut as a senator, said "that was early in the spring, but the numbers have changed, the deficit increased, so it would be much harder to do that now."

Bentsen reiterated Clinton's claim that it could still be possible to trim \$145 billion from the deficit in four years, even if that would no longer halve it as he had pledged during the campaign.

#### Puerto Ricans oppose adopting English idiom

SAN JUAN, Puerto Rico — Tens of thousands of people marched Sunday to protest a bill that would make both English and Spanish this U.S. territory's official languages.

Spanish is currently Puerto Rico's only official language.

The bill threatens "Puerto Rican nationality," educator Jose Ferrer Canales told a crowd in front of the Capitol building.

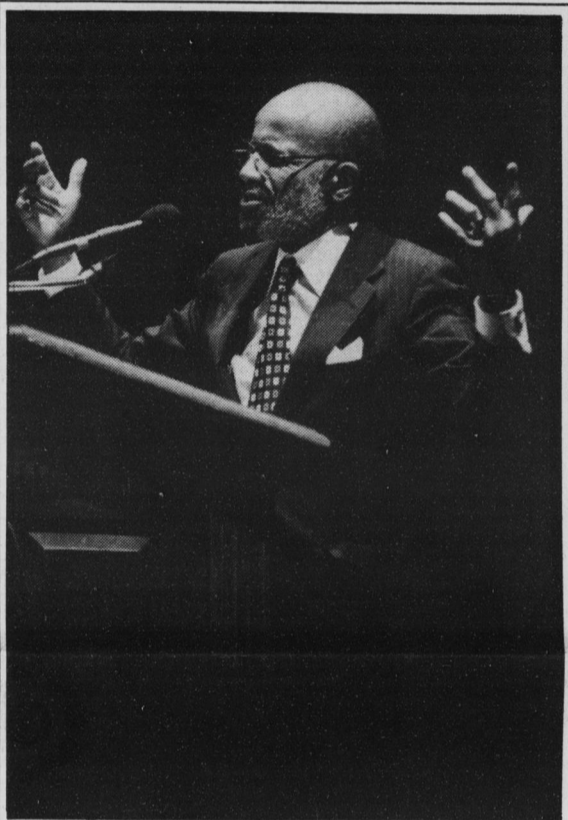
Police estimated the crowd to be 80,000 to 100,000.

Gov. Pedro Rossello, leader of the pro-statehood New Progressive Party, is sponsoring the bill. It is virtually assured of passage since the legislature is dominated by pro-statehood lawmakers.

Language and culture is a sensitive issue for Puerto Ricans, many of whom are uneasy about what they see as the Americanization of the island.

"Once again history calls on us to defend our integrity and to reaffirm that the only language that can represent us as a people is Spanish," said Canales, a professor emeritus at the University of Puerto Rico.

—The Associated Press



DTH/Justin Williams

Ebony Executive Editor Lerone Bennett calls for cooperation Friday

### Bennett: King's dream can be achieved in '90s

By James Lewis  
Staff Writer

Blacks must band together to combat problems plaguing the African-American community and destroying Martin Luther King Jr.'s dreams of brotherhood and peace, the executive editor of Ebony magazine told an audience of 800 Friday.

"(King) lived the greatest social and spiritual adventure of our times," said Lerone Bennett Jr., a noted black journalist who attended college with the slain civil rights leader. Bennett's speech Friday was the keynote address in the weeklong celebration

Harris wins MLK scholarship .....3  
marking King's birthday.

In his remarks, Bennett refuted members of an "academic conspiracy" who claimed the civil rights leader plagiarized in his speeches.

"He was an American original — nobody sounded like him, and we will never see his likes again."

Bennett focused on the present situation of King's dream and on the future of the civil rights struggle in America.

"The dream that King dreamed is

See BENNETT, page 2

### Seniors ring in fund raising with campus phone-a-thon

By Casella Foster  
Staff Writer

Students will take to the phones this week in hopes of encouraging seniors to pledge more than \$360,000 to aid the ailing UNC libraries.

The Senior Class Gift Committee is sponsoring a phone-a-thon to contact and encourage seniors to donate the money for an endowment to the libraries.

The phone-a-thon goal is set for \$360,500 and 60-percent class participation, said Ron Barnes, co-chairman of the gift committee.

Throughout this week, students will

call seniors and ask them to donate \$200 over a period of five years. The first payment of \$20 is due Feb. 26, with supplement payments increasing by \$5 due every September until 1997.

"The gift is badly needed at the library and will help them gain some of their financial stability," Barnes said.

Bob Paty, senior class president, said the endowment was earmarked for the purchase of all undergraduate material and carried virtually no stipulations.

"I could not feel more passionate about this class gift ... we're not just giving a plaque or a wall that just sits

See SENIORS, page 2

### Candidates — contact us now!

As Bill Clinton settles into the Oval Office and George and Barb get used to their new Houston digs, voters are faced once again with a difficult decision — who to elect as student body president, Carolina Athletic Association president, Residence Hall Association president and Senior Class president and vice president.

Candidates for campus office must

contact The Daily Tar Heel by 3 p.m. today to schedule an interview and photo session.

Drop by the DTH office in Suite 104 of the Carolina Union or call 962-0245. (In addition, candidates should read today's editorial page for more important information about campaign-related letters and editorials).

The voters are waiting.

## Retired Justice Marshall dies of heart failure at 84

The Associated Press

WASHINGTON — Retired Supreme Court Justice Thurgood Marshall, a civil rights champion who became the first black to serve on the nation's highest court, died Sunday of heart failure. He was 84.

Marshall, who had been in failing health for the past several years, died at 2 p.m. at Bethesda Naval Medical Center in suburban Maryland, according to Toni House, Supreme Court spokeswoman. Funeral arrangements were pending.

He left the court in July 1991.

Marshall had been scheduled to swear in Al Gore as vice president on Wednesday but was hospitalized. The duty went to Justice Byron White.

Marshall was active in judicial matters until a few months ago.

Last October, due to a viral infection, he canceled a trip to Baltimore to serve

on a three-judge appellate panel that was hearing some 20 cases.

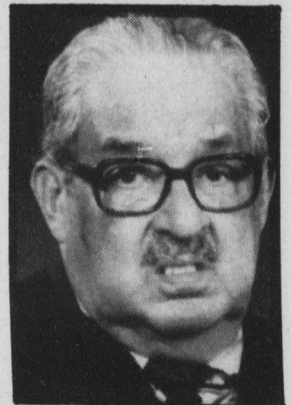
As a lawyer for the National Association for the Advancement of Colored People, Marshall argued and won the landmark Brown vs. Board of Education desegregation case before the court in 1954.

President Clinton said he was "deeply saddened" by Marshall's death.

"He was a giant in the quest for human rights and equal opportunity in the whole history of our country," Clinton said in a statement. "Every American should be grateful for the contributions he made as an advocate and as a justice of the United States Supreme Court."

"His victories went beyond those pertaining to race," said A. Leon Higginbotham, chief judge emeritus of

See MARSHALL, page 4



Thurgood Marshall

## Transit group considers gas tax

By Kelly Ryan  
Assistant City Editor

A two-cent gas tax hike is one option local government representatives from around the state are considering to maintain existing roads and improve local transit systems.

The Transit Cities Summit, a group of about 15 major municipalities with transit systems, will meet again next month to discuss the possible two-cent tax hike.

The group, which has met twice, formed late last fall to develop a strategy for securing state funds for transit.

The revenue from the tax would be channeled evenly both into local transportation systems and into existing roadways.

"We are trying to make the League of

Municipalities be more responsive to our transportation needs," Chapel Hill Town Council member Joe Herzenberg said.

"There has been a cutback the past 12 years, the Reagan-Bush years. The state is the natural source to turn to. We are determined to work for an increase in state revenue," he added.

Herzenberg said the revenue earned from the proposal could offset the town's \$900,000 budget shortfall. But he added that it was just a coincidence that the plan could be put into effect when the town was having financial troubles.

The state does not consider transportation one of its top priorities, Herzenberg said.

"North Carolina tradition likes to think of itself as a rural, small-town state and historically speaking there's

truth to that, so there's not that much interest in supporting transit," he said. "It's an urban phenomenon."

Town council member Joyce Brown said Chapel Hill had more money for capital transit costs than operational costs, so the town needed increased state funding to support the bus system. "It's been tradition that the major part of funding for transit is federal and the state has not been forthcoming," Brown said.

Herzenberg said the state tended to allocate more funds for building new roads rather than maintaining existing roads.

Herzenberg said he would spend the next month discussing the proposal with his colleagues to get a feel for whether

See TAX, page 2

## Tar Heels struggle, but still top The Hall

UNC	70
SETON HALL	66

By Bryan Strickland  
Senior Writer

EAST RUTHERFORD, N.J. — There's nothing quite like a non-conference road game against the nation's 10th-best team to break up the monotony of a long stretch of ACC games.

Third-ranked North Carolina enjoyed such a breather Sunday afternoon before 20,029 fans at the Brendan Byrne Arena, squeezing by Seton Hall 70-66 for the team's eighth-consecutive victory.

"That's what they call the ol' big-time basketball game," said Tar Heel head coach Dean Smith following his team's first non-conference game since Jan. 4.

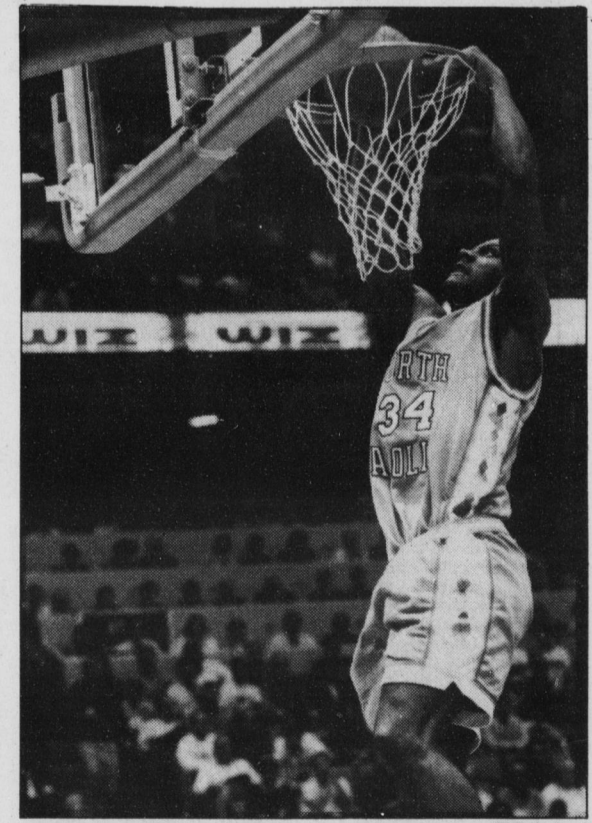
"I thought that was a real struggle and an interesting basketball game between two teams that wanted to win very much."

In a game that remained close throughout, the Tar Heels finally appeared to wrest control from the Pirates with 1:07 left to play. Tar Heel forward Brian Reese's free throw gave UNC its biggest lead of the contest, 68-61.

But Seton Hall refused to give up that easily. Two free-throw misses by UNC point guard Derrick Phelps allowed the Pirates to remain close. And when reserve forward John Leahy hit a 3-pointer with 28.5 seconds left, Seton Hall had pulled to within two points, 68-66.

But after a Seton Hall timeout, the game's final seconds fluttered away along with the Pirates' hopes for victory. On a play designed by Smith dur-

See SETON HALL, page 5



DTH/Debbie Stengel

Tar Heel forward George Lynch slams it in UNC's 70-66 win at Seton Hall Sunday

I don't know what legacy I left. It's up to the people. — Thurgood Marshall