

The Daily Tar Heel

In its seventieth year of editorial freedom, unhampered by restrictions from either the University administration or the student body.

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Lord Bertrand Russell: An Abdication Of Responsibility

The noted British philosopher Bertrand Russell has injected his controversial person and ideas into the current Cuban crisis several times. Lord Russell, a Nobel Prize winner, is widely respected as an eloquent spokesman for pacifists and others concerned with the growth of nuclear weapons and the dangers of world-wide war with these weapons.

This respect for his views has been justly earned by the great volume of passionate, meaningful words he has spoken and written with genuine concern for man's future. The respect has been earned, too, by the detached, non-political view which he has taken. He has not been a spokesman for either the Communists or the West. Thus he has been able to command attentive hearings on both sides of the Iron Curtain—a most valuable ability in a time when the risks of world destruction are intense and the need for constructive communication at a premium.

However, in this latest tense situation, the Cuban crisis, Lord Russell has done himself and the many people who respect him a grave disservice. He has abdicated his position as an intellectual statesman above the brutal arena of national interests.

This was not the case at the start. When the Cuban situation first arose, Lord Russell addressed himself to both Premier Khrushchev and President Kennedy in a plea that they both work to avert war. Khrushchev replied to Russell that he would avoid "rash action."

Certainly Russell's contribution at this time was worthwhile. While some petty Americans, as usual, raised the carping cry of "Pinko," others could see in this first action a legitimate plea for peace, at a time when such a plea was sorely needed. And the plea was answered.

This first plea was quite in keeping with the role Russell has carved for himself in the past. His second statement was not.

He said, after Khrushchev agreed to dismantle the missile bases in Cuba, "Man kind owes Premier Khrushchev a profound debt for his courage and his determination to prevent war due to American imperialism." That the world does owe the Russian leader gratitude for avoiding war is quite true; that this

threat arose because of "American imperialism" is patently false.

Lord Russell himself has, on several occasions, said that one of the most important reasons for and responsibilities of a government is to protect its citizens. President Kennedy's action to prevent the missile buildup in Cuba was a legitimate and necessary expression of that very responsibility. Kennedy's action did unfortunately involve the risk of war, but this was a necessary risk which he was forced to take.

"Imperialism" it was not. America did not attempt to take any territory, control any government, run any economy.

In a 1959 interview Russell stated, "It is not proper to commit aggression. If nobody committed aggression the occasion for resisting aggression would not arise. But I do think resisting aggression is quite a proper thing to do." The presence of Russian missile bases in Cuba is obviously aggressive. The United States, in Russell's own words, was "quite proper" in resisting this aggression. Furthermore, the United States did so in the most peaceful way available to her: by merely stopping the instruments of aggression. We did not invade the island or bomb the bases as we might have.

And yet Lord Russell speaks of "imperialism." His words are used by the Communist press and radio to justify Russian aggression in Cuba.

Many Americans, ourselves included, have in the past looked to Lord Russell for wisdom on grave matters. We have seen in him a politically detached and very fine man deeply concerned with man's future. This vision has been damaged.

When a man attains the eminence Lord Russell has, and when he deals, as Lord Russell has, with matters which affect all of humanity, he must take to himself a great responsibility—a responsibility to be true to himself and to his cause, to remain above the pettiness which can so impair his position of respect and worth.

We look to the time when Lord Russell will reassume this responsibility. Until then we are disheartened.

—Bill Hobbs

Alligator

With a degree of unprecedented cooperation and school spirit, the

President of the Student Body and a co-Editor of the student newspaper have pooled resources for the purchase and training of one baby alligator.

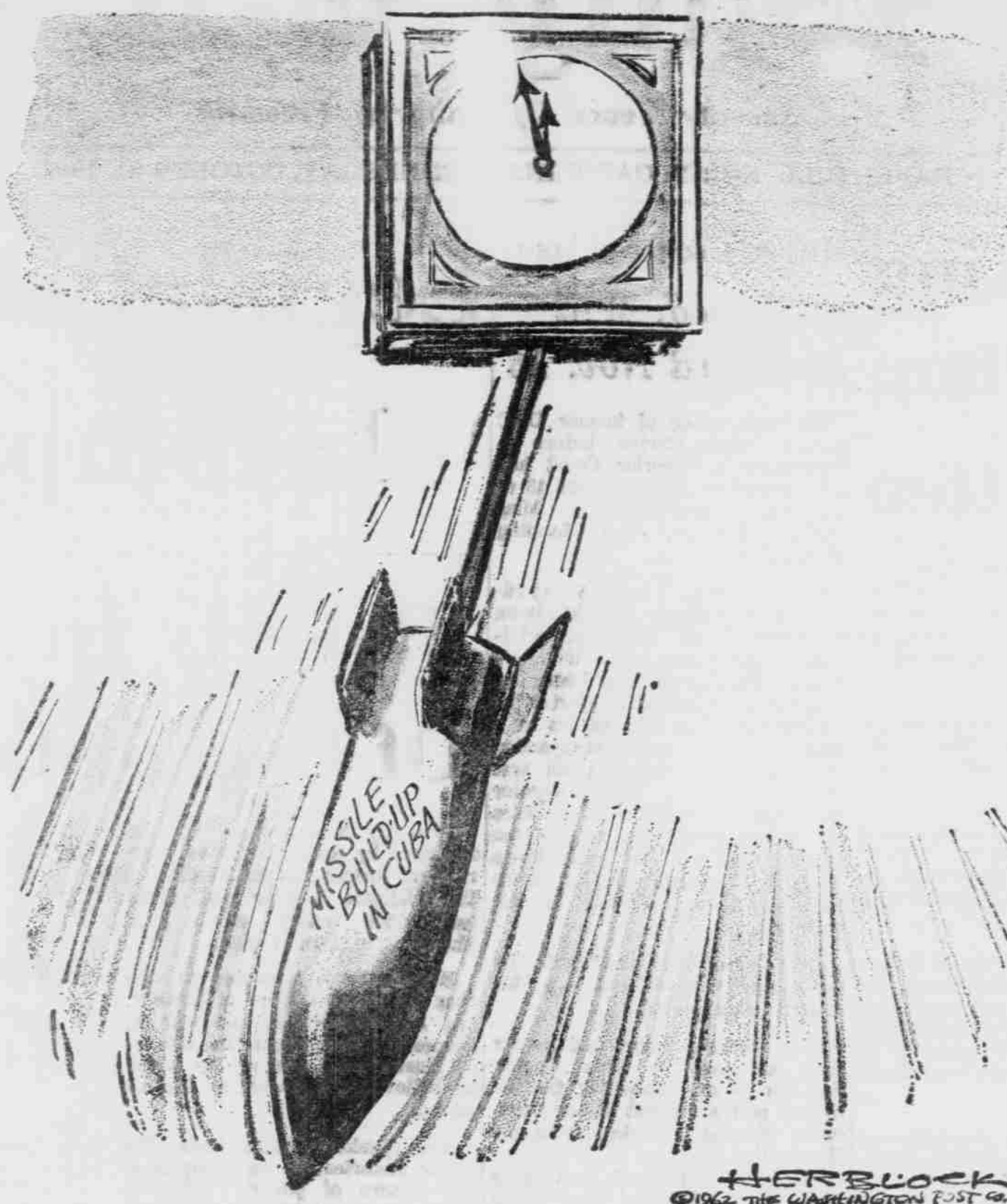
The alligator will represent the student body of the University as a participant in the First National Collegiate Baby Alligator Races, to be held December 5, on the campus of Bakersfield College.

Desiring to see UNC represented in all NCAA sporting events the two backers of said alligator mailed in the required fee after lengthy high-level deliberations.

Contributions for the care and training of UNC's first baby alligator (not to run less than five dollars each) are being readily accepted by the DTH and Student Government, in the person of the President and co-Editor.

Mail in your contributions. Support the University's endeavor to train the fastest baby alligator in the United States. (CW)

Tick—Tock—Tick—



Letters

On Capital Punishment, N. C. Court Reform

Death Sentence— Evil Of The State

To the Editors,

Michael McGee asserted on the editorial page of the Daily Tar Heel of October 16, 1962 that the "... injustices committed in another day do not equate capital punishment with injustice" and believes that "We should not punish every criminal, no matter how petty, with death; but on the other hand we should not let the most scurrilous go free." However, it should seem patent to even the most casual observer that the "fine art of capital punishment" as practiced in this country at this very time all too often is mercilessly and deliberately inflicted upon the (racially) blackest, upon persons of least influence (owing to a lack either of education or sufficient financial means), or almost exclusively upon members of the virile sex while only comparatively rarely upon women convicted of identical crimes. These people have been and continue to be "the most scurrilous" singled out for the executioner. It's common knowledge that Negroes always receive severer penalties than whites, if not the most severe prescribed by law, when convicted of identical offenses. Perhaps the most blatant injustice in this connection is the crime of miscegenated rape in states below the Mason-Dixon line where, to my knowledge, only one white man has ever been officially executed for raping a Negro while the number of Negroes who have paid the supreme penalty for raping white women is legion. But this is just one of many crimes for which Negroes generally pay the highest or a higher penalty than whites.

"It's hard to put a million dollars in jail." This is often heard upon the lips of convicts and exconvicts in and out of prison and, alarmingly enough, there is much more truth in this statement than we citizens of America would like to admit, where, supposedly, the right of trial with counsel is vouchsafed all citizens, rich or poor. Yet statistics have proven that wealthy, influential people, when convicted of capital crimes, rarely receive the death sentence thanks to assiduous and highly competent criminal lawyers, whose fees for defending accused murderers are insanely high and who, needless to say, are completely out of reach of paupers or persons of average income very often being able to afford no lawyer of their own but having to make do with court-appointed counsel. When accused of contempt of court, whom did Governor Ross Barnett hire in federal court pleading his case? Only a former president of the American Bar Association as a member of a team of illustrious and successful defense lawyers. To illustrate my point further that rich, influential people tend to be less susceptible and more immune to judicial processes by virtue of their wealth and influence, we need only to assume for a moment that Barnett had been (or perhaps will be) convicted of contempt of court he could easily pay the fine out of his own salary or, if that were too honorable a course for the governor, take up a collection among his loyal segregationists in Mississippi in order to avoid a jail sentence.

While more men are criminals than women, of those women who commit crimes like first-degree murder, ridiculously few are ever executed as a result of strong patriarchal tendencies in this country and of a sentimental tradition that women are somehow special and ipso facto should not be executed despite the nature of their crimes. I once read of a man in Texas who killed his wife in a fit of passion, admitted his crime in sobs of genuine remorse but was ruthlessly electrocuted while a woman calmly admitted coldbloodedly poisoning eight men (either husbands or paramours) but was spared the death chair because there is a fine, time-honored tradition in Texas that no woman has ever received capital punishment (as far as I know still preserved to this day). One can see that women have been emancipated to the extent that they enjoy more freedom than men, even varying degrees of legal immunity which is not freedom but a reprehensible abuse of freedom.

So, Mr. McGee, while it is most definitely true that "injustices committed in another day do not equate capital punishment with injustice", the above-mentioned injustices committed in our day do most certainly equate capital punishment (as practiced in modern-day America) with injustice.

But the above-mentioned reasons in themselves do not justify the abolition of the death penalty as death penalty but only until that time when Negroes receive full civil rights and are no longer second-class citizens, (at which time America will become the first universal democracy, i. e. one in which all persons born in this country are first-class citizens to the last man unlike the democracy of Athens which did not recognize slaves as citizens), only until that time when rich and poor alike receive truly equal treatment in court regardless of their financial position, only until that time when women are considered capable of bearing as much moral responsibility for crime as men.

However, I now intend to adduce

several reasons for universally abolishing the death penalty as death penalty. The most cogent reason for doing so, in my opinion, is an epistemological one, i. e., we humans generally and the judge specifically just cannot know in every case who is guilty and who innocent with a sufficiently high degree of certainty requisite for the employment of a penalty of the nature of death. If we stop to think about the nature of the perfect judge who would deal out perfect justice, we would immediately realize that the very attribute that would make him a perfect judge would be omniscience. Our omniscient judge would not only know without a shadow of doubt who was actually guilty and who not, but also whether the criminal would repent of his crime and respond favorably to rehabilitation, if given a chance, and would therefore be able to deal out the most suitable penalty. But, unfortunately no human is omniscient. Therefore we must be content with a situation that is a far cry from the ideal. I am no idealist and must therefore, however regretfully, agree with Mr. McGee and admit that "Justice can never be perfect. Wrong judgments will be given out no matter what the method of sentencing is". However, I take most vehement exception to his statement that "This is not a part of reasoned debate on capital punishment" and dogmatically assert that the possibility of mistaken and erroneous judgments arising from human fallibility is the most relevant and most crucial point in any reasoned debate on capital punishment. For the death penalty is of its nature irrevocable; when once the head has rolled, nothing more can be done. When once the state has executed (I might just as well say murdered) an innocent man, nothing in the world can be done to make up such a loss to his family and to society, whereas, if the same man were instead sent to prison, if new evidence should be found proving his innocence, the loss, great as it is, could still be partially recuperated. Personally, I would rather have a prison full of unheeded murderers (perhaps even deserving death) and there with the assurance that no innocent man was ever ruthlessly and premeditatedly murdered by the state just because she was stubborn enough to insist that a certain number of men die than to have to face the bleak and ever-present possibility that an innocent man may die tonight.

There are still other reasons against capital punishment that could be adduced, if there were time and space, for example, the professed rehabilitative nature of our penal system, inherent shortcomings in the jury system, the validity of much testimony and questionable value of

How You Become A Non-Conformist

There are several sure ways to gain recognition as a non-conformist in your community. Only a few of them endanger your life.

The sure way to non-conformity is to limit all your dinner guests and serve dinner promptly at 8:00 p.m. Your guests won't be as disappointed as you think: anyone who insists he can't get drunk before serving him Duck Bearnaise or Charcot Garnee is bound to exercise a powerful hold on the imagination. They will know themselves in the presence of a powerful, aggressive and perhaps hostile personality, but eat on time they will. Of course, it is possible they may show up at a party fortified at home with a few, but the true non-conformist is a man who enforces whole new rituals.

A second way to gain stature as a non-conformist is by taking walks. The less sidewalks in the suburbs, the better. A pedestrian outside of a city is a shock to any motorist and there are motorists untold who do not yet know how to pass a pedestrian on a country road. Admittedly, this is a dangerous way to non-conformity but heroism after all is distinctly related to risk.

Not going to church isn't what it used to be in some communities, but not sending your kids to a Sunday or Sabbath school is. A fellow who won't send his kids to Sunday school positively depresses reality values in some areas. Keeping kids at home on Sundays is as sure a way to non-conformity as not buying them a World of Britannica Encyclopedia, or limiting their telephone calls to three minutes.

One of the absolute ways to non-conformity is eating in a restaurant on Thanksgiving or Christmas instead of with your wife's family. But to "touch the superlative" of non-conformity, as Chief Justice

Oliver Wendell Holmes used to say, is to write letters to the editor and sign them.

Harry Golden

In The Carolina Israelite

GOP Supports Court Reform Amendments

(Eds' Note: Following is a copy from former gubernatorial candidate Robert L. Gavin, currently state GOP Executive Committee Chairman, to Judge J. Will Pless of North Carolina's 29th Judicial District expressing Republican support for the proposed Court Improvement amendments. It was submitted to the TAR HEEL by the student committee for Court Improvement.)

Dear Judge Pless
Thank you for your letter . . . concerning the constitutional amendment for Court Reform.

The Republican Party State Executive Committee in June of this year endorsed this constitutional amendment, and I have stated to the News and Observer that I likewise favor the amendment. I know that there is not, and never should be, any partisan approach to this question, and when the opportunity presents itself I will have no hesitancy in acting for and in behalf of the amendment.

With highest regards, I am

Very truly yours,

Robert L. Gavin

witnesses, and also, if I may say so, very laudable humanitarian reasons adducing the latter I shall especially eschew lest I be stigmatized as a sentimentalist.

As a final note, I suggest that Mr. McGee read Aristotle's *Nicomachean Ethics*, Book II, chapter 6, sections 18 and 19 (on page 97 in H. Rackham's edition) where he says, "Not every action or emotion, however, admits of the observance of a due mean. Indeed the very names of some directly imply evil . . . of actions, adultery, theft, murder." If one inclines to the view, as I tend to, that capital punishment is an evil being nothing other than retaliatory murder by the state of human beings, criminals though they be, the above quotation would be most relevant.

—Virgil S. Crisafulli

Ct. Improvement Efforts Praised

To the Editors:

I am delighted to learn that an active campaign has been started by the students of the University of North Carolina to encourage passage of the Constitutional Amendment to improve our court system in this state. This indicates what I have always contended—that our college and university students deserve the plaudits of a grateful public.

North Carolina badly needs a modern, uniform and efficient court system. The amendment on the ballot November 6th gives the General Assembly a mandate to accomplish this task. I hope all North Carolinians will support the amendment, to the end that we may reach that point when justice will apply equally and fairly to all our citizens, regardless of where they live or their station in life.

Again, may I express my thanks to all those at the University who have shown their concern over this vital matter.

Cutler Moore, Chairman
North Carolina Citizens
Committee for Improved
Courts

Fencers Should Have Varsity OK

To The Editors:

Thursday's Tar Heel carried an

article on the UNC Fencing Club's bid for recognition as a varsity sport. The article touched quickly and frequently on the rather negative attitude of athletic director Erickson, but failed to mention several points leading us to believe that the fencing team here needs and deserves recognition as a varsity sport.

Perhaps most important, varsity recognition for the fencing team would not cost Mr. Erickson gobs of money, as he seems to think. The Athletic Association is now (and has been) paying for all the activities of the team. All the equipment—weapons, uniforms, masks, mats, electronic equipment—is paid for by the CAA. Ditto for gas, food, and lodging on the teams' trips. And the trips are made in University station wagons. There would be no change in these expenses if the team were given varsity recognition.

Varsity recognition for the fencing team would mean that coach Pebley Barrow could attract and keep more interested team members, because he could promise them several added attractions: more exciting matches with bigger and better teams, greater prestige for the teams' efforts and a letter for their own hours of practice.

The team now is working hard. There are matches scheduled this year with many different schools, many of whom recognize fencing as a varsity sport. This year's schedule includes matches with VMI, the Citadel, Clemson, Pfeiffer College, University of Detroit, Ohio State, Duke, Winston-Salem, and Johns Hopkins. If Mr. Erickson feels that there isn't enough interest in fencing in the south, he has little idea of the effort that team members put into long hours of practice, and the organizational effort involved from coach Barrow.

Two years ago, for a four way meet here with VMI, Clemson, and Pfeiffer College, a large crowd showed up at Woolen Gym although the event had not been publicized. Many UNC students could learn to enjoy good fencing competition just as they have learned to enjoy lacrosse, swimming, soccer, wrestling, and other "smaller" but still popular sports.

Varsity recognition for the fencing team here would cost the Athletic Association nothing but a nod of the head, and it would mean a great deal to team members, to increased competition in the South, and toward another goal Erickson professes interest in: the spreading of Carolina's name over wider areas of the nation through a well-balanced variety of sports.

—Jon Weber

—Chris Farran

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