

# The Daily Tar Heel

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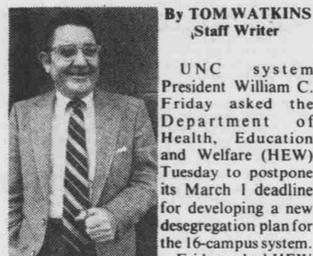
**Clearing tonight**  
Clearing tonight with only 20 per cent chance of precipitation. The high tomorrow will be in the mid to upper 60s. The low Friday night will be in the low 40s.

**All's Well**  
Shakespeare's "All's Well That Ends Well," with the setting moved up to the post World War I era, is now being presented by the Playmakers Repertory Company. See page 4.

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## Friday asks for delay in desegregation plan



By TOM WATKINS  
Staff Writer

UNC system President William C. Friday asked the Department of Health, Education and Welfare (HEW) Tuesday to postpone its March 1 deadline for developing a new desegregation plan for the 16-campus system.

Friday asked HEW General Counsel Peter Libassi to petition the U.S. District Court in Washington, D.C., for more time to formulate the plan.

The same court ruled Jan. 17 that the HEW-approved desegregation plans being implemented by the UNC system and five other state university systems were not strict enough. The ruling, stemming from a 1972 suit filed against HEW by the National Association for the Advancement of Colored People Legal Defense Fund, Inc. (LDF) ordered HEW and LDF to work together on a new plan to be submitted to the court March 1.

Friday said he wants the universities to have some input into the new plan, and it was for that reason that he requested the delay.

"The principal point is that the six states involved in the case would like input into the response that is to be made to the court," Friday said. "There has been none so far on our part, and March 1 is next week."

The five other states whose university systems are affected are Arkansas, Florida, Georgia, Oklahoma and Virginia.

Although UNC is not a party to the suit, Friday feels the University system should have an opportunity to present its case. He believes the present desegregation plan is a good one, and UNC has exceeded its requirements so far.

The new plan possibly could provide major changes in such areas as admissions policies and academic standards. One fear is that the new recommendations will force the University to assign student and faculty to

the 16 UNC campuses on the basis of race. Friday opposes this method of desegregation and wants to detail his reasons, he said.

An LDF spokesperson said he didn't believe Friday's request for input was a valid one because UNC is not a party to the suit.

Friday and several other university presidents were in Washington Tuesday for a meeting not directly related to the desegregation plans. The group met with HEW Secretary Joseph Califano to discuss ways in which universities can be more involved in policy decisions affecting them.

One of the major topics discussed was

funding for research universities.

"We spent time studying such things as graduate fellowships, research libraries and grants," Friday said. "The most important thing coming out of the meeting was an open free line of communication."

Although President Jimmy Carter recently approved a \$9 million addition to the proposed 1977 higher education budget, the educators expressed concern over an overall decrease in the budget from last year.

"Education came out well, but we still need a whole lot more," Friday said in reference to the budget.

## Heels 'break' Pack's back for 90-73 Carmichael rout

By GRANT VOSBURGH  
Sports Editor

Walter Davis triumphantly threw his arms over his head as his UNC teammates surrounded the Pineville senior Wednesday night in Carmichael Auditorium. It was the last game for Davis and he had just been taken out of the game.

What a way to go.

What it all boiled down to sports fans, was a good, ol' down-home, in-your-face, all-juke-no-jive Tar Heel blowout. Although the final score was 90-73, it was not even that close as the Heels held an 84-54 lead with 6:39 left.

The 8th-ranked Tar Heels, now 20-4 overall and tied for first in the Atlantic Coast Conference with an 8-3 mark, completely ran the Wolfpack ragged with an explosive fast break and a sticky defense that caused 24 turnovers. They also shot 61.8 per cent from the floor.

State took a 15-14 lead on a three-point play by forward Kenny Carr with 13:05 remaining in the first half. But Carolina then held the Pack in check for three minutes while proceeding to rattle off seven points for a 21-15 advantage. State tied it up, 23-23, with 8:25 showing on the clock, but from there on out it was all UNC.

The Tar Heels put it away early in the second half, outscoring the Wolfpack 10-0 for a 20-point lead.

For the Tar Heels, the rout was a fitting way to end the Carmichael careers of the five seniors (John Kuester, Woody Coley, Bruce Buckley, Tommy LaGarde and Davis). Without LaGarde's services, however, it meant a concerted effort by the frontcourt players to fill the void.

"Good teams rise to the occasion," Davis said. "I think we're a great team."

N.C. State Coach Norman Sloan might well agree. The usually fiery coach was somber following the game.

"This is the worst defeat we've had since I've been at North Carolina State," he said matter-of-factly. "We may have lost by more points before, but we've never been beaten as badly as we were tonight."

"No excuses for it; no explanations for it—all I can say is that we were embarrassed very badly," he added. "Things were so bad tonight, I'm just running over in my mind why it happened like that."

Ford led all scorers with 24 points while dishing out 14 assists. Davis added 14 points and 12 rebounds and seven assists. Mike O'Koren scored 14 points and had six rebounds, while Tom Zaliagiris came off the bench to score 10 points. Freshman center Rich Yonakor pulled down six rebounds.



Carolina's Mike O'Koren shoots over Kenny Carr of N.C. State during UNC's 90-73 romp over the visiting Wolfpack, Wednesday night. The win ups the Tar Heels' conference record to 8-3 and places them in a first-place tie with Wake Forest for the ACC lead.

## ERA foes cheer words of Sen. Sam

By TONI GILBERT  
and CHARLENE HAVNAER  
Staff Writers

RALEIGH—They came by the busloads from all over North Carolina, and the buttons, banners and balloons they flaunted left no question to why they were here.

"Please don't treat me like a man, Stop ERA," "Goodbye families if ERA makes it," "Rosalyn won't be voting in '78, we will" were but a few of the placards proclaiming their battle cry.

The mood in Dorton Arena was festive as more than 1,500 men and women rallied to publicize their cause—to stop the Equal Rights Amendment.

The zealous crowd cheered and applauded as their leaders appeared on stage to speak out against the controversial amendment. "Let the message go out today that the people of North Carolina are opposed to the so-called Equal Rights Amendment," said Sen. Edward Renfrow, D-Smithfield, master of ceremonies.

"We are opposed to adding loose words to the constitution without knowing the effects of them," he said.

When Phyllis Schlafly, national chairperson of STOP ERA, appealed to the crowd to make their wishes known to their senators, she received a standing ovation.

"When you go to the capital—the legislature—talk to your senators, call them, send them telegrams. It is essential that you do this immediately," she said.

Every voice joined with Schlafly in a pledge to support legislators who vote against ERA or vote for a statewide referendum on the bill.

"Because the Equal Rights Amendment would have a destructive effect on the moral values and the family, I promise to show my sincere appreciation to the senators and representatives who vote no on the ERA or who vote for a referendum by voting and working to reelect them."

And then the man they had all been waiting for, the real star of the show, former U.S. Sen. Sam Ervin, stepped up to the podium proclaiming, "I came here today simply because I love the people of North Carolina."

Please turn to page 4.



ERA Rally

An anti-ERA rally Tuesday drew persons from across North Carolina to Dorton Arena in Raleigh. Some came to flaunt their position, others just to sit and watch. See article above.

## Provision for rape not included

# Reinstatement of death penalty likely in N.C.

By JEFF COHEN  
Staff Writer

The N.C. General Assembly probably will reinstate capital punishment in the state by an overwhelming margin, Orange County Rep. Trish Hunt said Tuesday.

Hunt, a Democrat, said that most discussion in the assembly will center on the inclusion of a rape provision in the death penalty legislation. She said a law making first-degree murder punishable by death will pass in the House by at least a two-to-one margin, and possibly by as much as five to one.

There is also strong support for the death penalty in the N.C. Senate, with some estimates running as high as four to one in favor.

She said the General Assembly is very concerned with making sure that the newest version of the death penalty is beyond constitutional reproach.

Hunt explained that because the constitutionality of the death penalty as a punishment for rape is questionable, the North Carolina legislators probably will omit it from the final version of their capital punishment bill.

"The bill will get very narrow so that it will be constitutional," she said. "Therefore, we will see a drop in the number of people on death row and the number of times the death penalty is invoked."

Hunt said many legislators who support the death penalty feel it would act as a deterrent to capital crimes. Supporters also claim capital punishment would gain revenge for the relatives of victims and would cut prison expenses for the state, she said.

She said that the argument most often used in the state legislature by those opposing the death penalty is that there is a chance for a mistake in judgment, and any error which results in the execution of an innocent person is irreversible.

"Another argument often used is that the death penalty always falls on the poor," she said. Hunt explained that those who usually end up on death row are those who cannot afford a good lawyer.

"The bill has so much support because the people of North Carolina want it," Hunt said. "However, I am going to vote against it on moral grounds."

Joel Schwartz, UNC political science professor, said he disagrees with Hunt's stand on capital punishment but agrees that

the bill probably will not include a rape provision.

"I suspect that they will delete rape, because they are afraid it will not stand the constitutional test," Schwartz said. "However, I favor the death penalty but only in very limited cases."

Schwartz said he only favored the death penalty in cases in which rehabilitation is considered impossible.

The capital punishment bill is expected to pass from the House to the Senate in March.

## Prof supports concept of life imprisonment

By JEFF COHEN  
Staff Writer

Barry Nekeel, associate professor of law, spoke recently at a public hearing on the death penalty before the N.C. House of Representatives in an attempt to persuade the legislators that the death penalty was economically unsound.

Nekeel, who spoke last Thursday, said his main argument—that the cost of the entire capital punishment process is, in the long run, more expensive than life imprisonment—was well received.

"However, despite the efforts of Nekeel and others opposed to capital punishment, the death penalty is expected to pass by an overwhelming margin in both houses of the N.C. General Assembly."

Nekeel said he was trying to present a practical rationale against the death penalty to the lawmakers. "At one time it was cheaper to execute people than to keep them in prison for life," he explained.

"However, now the total procedure involved in capital punishment has become more expensive, in order to

comply with the 1976 Supreme Court decision regarding the death penalty."

According to the proposed capital punishment legislation, two trials, both requiring juries, will be necessary. The first trial will determine the guilt or innocence of the defendant while the second will pass the sentence.

Nekeel explained that although he personally regarded the ethical arguments to be more important than the monetary ones, he thought the financial arguments would have more of an impact.

# Udall tells jokes, pushes ecology at Spencer reception

By PETER HAPKE  
Staff Writer

"Go with Mo" the banners declared during the Democratic primaries last year. But Mo Udall always finished second (except in Massachusetts).

Many political columnists thought Udall lost because he wasn't mean enough—he stop talked and listened to anyone, unlike most of the other candidates, who were on tight schedules.

Speaking to an attentive crowd at a reception held at Spencer Dormitory Monday night, Udall displayed that same willingness to talk—about himself, his presidential bid, other politicians and the issues.

He explained his decision to seek the presidency. "Although it's a tradition that House members like myself don't run for president, once you hit the Senate—if you're under 65 and not under indictment—they want you to run."

"But I was asked to run by a large group of Congressmen. 1976 was a crazy year—the presidential race was wide open, and I assumed that I had one good chance. I cannot say right

now whether I'll run again, because in eight years I'll be eight years older."

Udall joked about his Secret Service protection during the campaign: "At the Democratic National Convention, I was informed that my Secret Service protection would expire at midnight on the day that Carter won the nomination. The agents stayed in a room next door to mine at the convention; so around midnight I peeped in and asked the man there if it was all right to go downstairs and have a drink with the Arizona delegation. The man replied, 'It's fine with me—I'm from the phone company. I'm dismantling the Secret Service phones.' Immediately I knew that my limo had changed into a pumpkin."

A former professional basketball center, the 6-foot-5 Udall was often kidded about his basketball ability during the campaign. He recalled that he was once introduced in Pennsylvania as a great basketball player. "Yet I was on a team that went broke and folded, lost 16 straight games—a pro record—and I was second string."

Udall loves to tell anecdotes about other

politicians as much as he does about himself.

*On Nelson Rockefeller*—There are two interpretations of Rockefeller's middle finger gesture toward those State University of New York-Binghamton students. Ford's Press Secretary Ron Nessen said it meant the administration was No. 1, while Washington comedian Mark Russell said "that's how the Chase Manhattan Bank tells you that you can't have a loan."

*On Richard Nixon and the Imperial Presidency*—Nixon always had his appointment secretary announce his arrival at staff meetings by saying, "Gentlemen, the President of the United States." Well, I can see the secretary announcing Nixon to his wife in their bedroom at night by saying, "Mrs. Nixon, your husband, the President of the United States."

*On LBJ*—After receiving a speech from one of his writers, Johnson returned it and snapped, "I want you bastards to rewrite this thing and put some goddamn humility into it."

*On Earl Butz*—that great authority on ethnic humor.

*On the first senator from Arizona*—After

arriving in Washington, our first senator felt compelled to make a speech in the Senate chamber. Well, he told the Senate that all we (Arizona) need are two things—good people and water. Suddenly, a Vermont senator interrupted and said, "If you'll excuse me, sir, that's all they need in hell."

*On Wayne Hays*—Hays was a strong supporter of the Vietnam War until the very end, but apparently he finally took the advice of the war protesters—"Make love, not war."

As former chairperson of the Interior Energy and Environmental subcommittee and presently Interior Committee Chairperson, Udall's thoughts are constantly preoccupied with solutions to America's energy and environmental problems. Chatting amiably with a group of students at his reception at Spencer Dorm Monday night, Udall emphasized the need to adopt small technologies into the American way of life.

"We think that because we are a big technology, we need big technologies to solve our problems—but we need small technologies, for example, we should use windmills to power

everyone's home in North Carolina.

"We must use our imagination to develop new technologies to solve the energy crisis. Probably 100 ideas come across my desk every day. 98 are crazy, but two will probably produce 5 per cent of our energy in several years."

Udall occasionally teased his reception audience. When a student said, "Hi, I'm a reporter from the DTH, the student newspaper," Udall paused and responded, "Let's see how many here trust the DTH." Then a student inquired, "What response do you have to the Teton Dam collapse?" Udall's reply: "I was against it."

Udall's words are, if anything, an understatement. An eloquent defender of the environment, he has fought hard over the years to stop many ill-conceived projects including the New River. As Interior Committee Chairperson, Udall has several environmental policy goals which he outlined for all concerned: a strip mining bill, legislation to double the size of the National Park System, more wilderness areas, a decision on plutonium use and a comprehensive land use bill.