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Waikiki besieged by Tar Heels

Carolina fans soak up basketball, sunshine

By ED RANKIN

HONOLULU — At first glance, the scene is normal enough. It's late December, and you're in an arena with about 6,000 other people watching the Tar Heels romp to yet another victory in a Christmas basketball tournament.

But then you wince from the sunburn on your back, or stroll into the balmy outdoor "concessions" area for a Mai Tai or perhaps begin to chuckle as you start to count the number of UNC fans decked out in their new, wildly floral "aloha" shirts. Now you realize that not only are you 5,500 miles away from home, but you're watching Carolina play basketball on a tropical island in the middle of the Pacific Ocean. It's not Blue Heaven, but, baby, it ain't bad.

Few of the more than 500 UNC alumni and friends who journeyed to Honolulu for the Rainbow Classic to soak up Tar Heel basketball and sunshine would argue with that assessment. Nor would they deny that the trip would furnish them with nothing but pleasant memories during the long, cold winters remaining in their lives. Oh sure, there was that unexpected five-hour layover at L.A. International for the charter from the Charlotte area (for reasons too long to enumerate here). But some persons on this plane found solace in catching a glimpse of the Captain and Tenille in the airport and can at least claim firsthand knowledge that, yes, it can rain in Southern California. The Raleigh charter got right in the swing of things by singing Carolina fight songs and consuming gallons of liquor provided by an open bar. These people definitely were easing themselves into the aloha spirit.

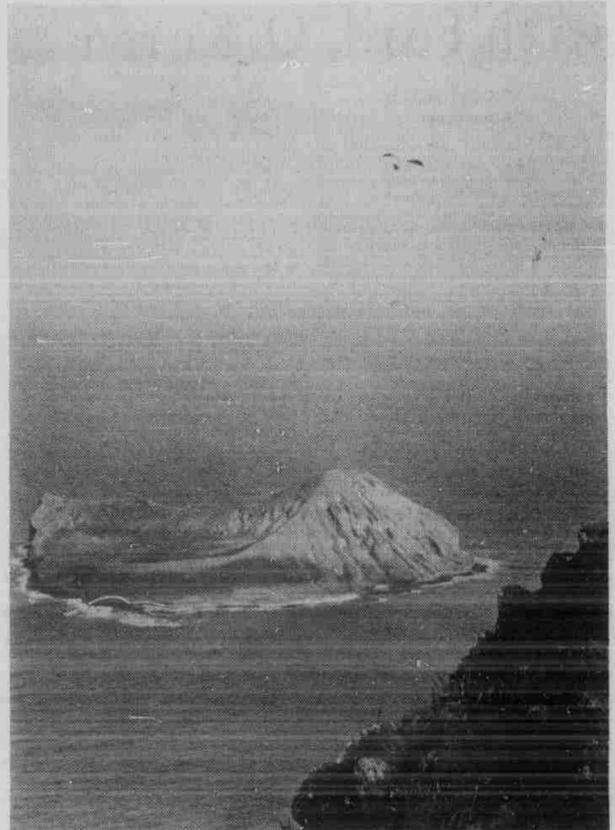
Hawaiians have a phrase to describe their laid-back outlook of life — "hang loose." And it seemed most Carolina people had little trouble adapting to a way of life that has two speeds, slow and

very slow. Hawaiians disdain the hustle-bustle of the Mainland. You go their speed or you don't go at all, but your arm doesn't exactly have to be twisted. Most UNC alums had downshifted noticeably after only a day. Of course, most of these were seen armed with drinks like Blue Hawaii, Mai Tais, Chee Chees and Tropical Itches to speed their metamorphosis.

Someone, however, forgot to pass the word to the basketball team to "hang loose." The Heels jumped to big leads in all three games of the Classic and never were seriously threatened. Not that the Carolina fans there expected anything different. Any fears about the strength of the tournament's field were quashed by a Hawaiian escort on the bus from the airport to the hotel two days before the Rainbow Classic began. "Yeah, I guess you will be celebrating pretty big on Friday night (championship round). Everyone knows you have this thing wrapped up." It's the kind of line that would make Dean Smith cringe but was music to the ears of weary travelers who didn't fly twelve hours to see their Tar Heels lose in the first round.

Everyone found different ways to amuse themselves during the day. Some visited the other islands, others just sprawled on Waikiki and many sat around pool bars and imbibed. One alumnus, Hugh Morton, opted against the mundane and for the spectacular. The former *Daily Tar Heel* photographer owns Grandfather Mountain and promotes many of the hang gliding events there. Morton decided that his first hang gliding experience would not be off his own mountain but from the top of a 6,000-foot peak on Oahu's East Shore. He flew tandem for 40 breathtaking minutes before coming to a soft landing on the white beach below. Never say that UNC alums are not hardy souls.

Most of the group chortled with glee about North Carolina's frigid weather



UNC alumnus Hugh Morton took time off from the Rainbow Classic to go hang gliding off Oahu's East Shore. Photo by Gene Upchurch.

as they basked in a warm Hawaiian sun. But it was over too soon. It is always that way in paradise. Tar Heel travelers now grappled with the disagreeable thought of sipping Primo beer or eating their air-shaped pineapples as the only ways to relieve that aloha spirit. And,

unfortunately, that is simply not the next best thing to being there.

Ed Rankin, a senior history major from Concord, N.C., is associate editor for the *Daily Tar Heel*.

'Goodbye Dooley': UNC coach lured by security

No one should be surprised that Bill Dooley last week decided to leave Carolina to become football coach and athletic director elsewhere.

Dooley, 43, has reached the point in his life where he must want security in an occupation in which longevity is related directly to the performance of youngsters less than half his age. Dooley's contract at Virginia Tech is for five years as football coach and athletic director, renewable for five additional years as athletic director. His job as football coach will be reviewed after the first five years. If he's successful with the football program and progress is substantial within the athletic department, he'll no doubt



Bill Dooley

receive an extended contract after the first ten years. Should he continue only as athletic director after the first five years, he'll be able to hire and fire football coaches for the Gobblers without constantly feeling the ax against his neck.

Dooley still hears echoes of the clear cries for his resignation during a 3-7-1 season two years ago, a season during which fans thought his team should have done better. The "Goodbye Dooley" cheers subsided with more successful seasons, but the coach probably could imagine more of the same, particularly if he had a bad season with good talent. Where would he be if he were forced out?

Dooley now is the boss — a position he wanted for years. When Homer Rice left the UNC athletic director post in January 1976 to become football coach and athletic director at Rice University, Dooley wanted the job. But it meant giving up his Carolina football position, a sacrifice he didn't want to make.

Dooley leaves Carolina's program with young talent and a chance for considerable success in the coming years, but he has done something for which he must be commended. He has taken a step toward securing himself in a field where the end of a career is just a losing season away.

Court shatters meetings law

A recent N.C. Supreme Court decision allowing closed meetings of the UNC law faculty shatters the spirit of the state's Open Meetings Law. That legislation was passed to promote and insure cooperation between public servants and those they serve.

The high court ruled against six UNC law students — members of the Student Bar Association — who argued that the school was covered by the Open Meetings Law prohibiting governmental bodies from meeting behind closed doors. The students filed a lawsuit in April 1976 after they were barred from a faculty meeting by Robert G. Byrd, law school dean.

The N.C. Superior Court and the Court of Appeals agreed with the students and ordered the meetings open to the public. The lower courts said the faculty was a governing body, citing its authority to make policy decisions such as the establishment of curricula, scholastic standards, admission requirements and law school size.

But the majority opinion of the Supreme Court, written by Justice I. Beverly Lake, ignores these responsibilities and simply labels the faculty as a group of employees of the UNC Board of Governors.

Lake does not mention that many of the faculty's decisions largely determine how and where money taken from the pockets of the state's taxpayers is spent.

In the minority opinion, the sole dissenter — Justice James Exum — expounds clearly on this point: "These decisions by the faculty, we must remember, are made regarding a school supported by tax dollars. Clearly in making them the law school faculty is conducting the public's business, making decisions which affect the public interest and, in short, acting as a body politic."

Lake also suggests that any group whose decisions are reviewed by a higher authority are exempted from the Open Meetings Law. But, as Exum notes, no recommendation made by the law school faculty has been reversed since 1963. In effect, the faculty has become a group of important lawmakers who now can conduct its business under a veil of secrecy.

The Open Meetings Law has been limited dangerously by the decision made by Lake and the other five justices who ruled against the students. It should send the General Assembly scurrying to design a new piece of legislation that can escape the tamperings of the Supreme Court and maintain an atmosphere of trust between the governing and the governed. Meanwhile, officials such as Dean Byrd can promote trust and cooperation by keeping their meetings open.

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Capital punishment:

A method of self-destruction for the deranged criminal?

By JAMES SPAULDING

With the recent upsurge in public sentiment favoring the death penalty, a growing number of critics are going on the counteroffensive with a claim that capital punishment may in fact be an invitation to murder.

William C. Bailey, a sociologist at Cleveland State University, has surveyed crime statistics in 42 states and found that, on the average, more people kill each other in states that have the death penalty than in states without it. This is true, he says, even allowing for regional, cultural and other differences.

For instance, in 1968 those states which had abolished the death penalty experienced an average of 0.21 first-degree murders per 100,000 population. States with capital punishment saw nearly three times as many first-degree murders — 0.58 per 100,000.

Roughly the same statistical spread holds up for second-degree murder, homicides and total murders.

The explanation, say Bailey and others, is that capital punishment offers certain types of deranged personalities an acceptable means of suicide.

The death penalty "becomes a promise, a contract, a covenant between society and certain...warped mentalities who are moved to kill as part of a self-destructive urge," says Dr. Louis Jolyon West, head of the department of psychiatry at UCLA.

West claims that capital punishment "breeds more murder than it deters."

"These murders," he says, "are discovered by the psychiatric examiner to be — consciously or unconsciously — an attempt to commit suicide by committing homicide. It only works if the perpetrator believes he will be executed for his crime."

West says he knows of cases in which "the murdered left an abolitionist (non-death penalty) state deliberately to commit a meaningless murder in an executionist state, in the hope of forcing society to destroy him."

Gary Mark Gilmore, who was executed Jan. 17, 1977 by a firing squad in Utah, is often cited as an obvious example. Some of his prison psychiatrists said Gilmore sought out his own death by murdering two young men in senseless, execution-style slayings. Following his conviction, Gilmore demanded the death penalty be carried out despite the many objections of his attorneys.

West cites other examples:

• In 1965, a Texas farmer walked into a roadside cafe with a shotgun and blasted to death an Oklahoma truck driver he had never seen before. He said later, "I was just tired of living."

• In 1964, a lifer in an Oklahoma prison escaped and went on a spree of violence. After he was recaptured he petitioned the court to have himself electrocuted, complaining that the state had gone back on its word three years before when he pleaded guilty to a murder but was spared.

• In 1958, James French killed a motorist who gave him a ride in Oklahoma. He asked for the death penalty, but his public defender successfully pleaded for a life sentence. Later, in state prison, he deliberately strangled his cellmate.

According to West, "During a psychiatric examination in 1965 French admitted to me that he had seriously attempted suicide several times in the past but always 'chickened out' at the last minute." (Gilmore also attempted suicide while in prison, apparently afraid his execution would be further delayed.)

"French's basic motive in murdering his inoffensive cellmate," West said, "was to force the state to deliver to him the electrocution to which he felt entitled and which he deeply desired."

In 1966, French became the only person to be executed in the United States that year.

Many psychiatrists have long observed the intimate relationship between murder and suicide. West said

that in England nearly half of all murders are followed by suicide attempts, of which two-thirds succeed. Thus, about one-third of all murderers in England kill themselves.

In Denmark, some 40 percent of murderers kill themselves.

Dr. Bernard L. Diamond, a psychiatrist at the University of California at Berkeley, says the relationship has been known to exist for at least 200 years.

He cites a Danish law dating from 1767 that provides there should be no capital punishment for "melancholy and other dismal persons" who murder "for the exclusive purpose of losing their lives."

Diamond said that a man he examined at San Quentin Prison in 1959 the day before his execution confessed, finally, that the reason he murdered three women was "for the express purpose of dying by legal execution."

The same convict told a state investigator that he had twice tried suicide before the murders, "but lacked the guts." He agreed to talk to Diamond the day before the execution only on the condition that the execution be carried out.

"It took three murders and an attempted fourth to complete his suicidal mission," Diamond later wrote in a psychiatry journal.

"I asked him what he would have done," Diamond said, "if California had had no capital punishment. He answered, 'I would have had to go to another state where they did have capital punishment and do it all there.'"

Diamond concedes that if capital punishment is eliminated, such people still might seek death in other ways, such as a shoot-out with police. For them, he says, suicide is difficult, if not impossible.

Despite the statistics, advocates of the death penalty remain convinced that it is an effective deterrent. California state Sen. H. L. Richardson, founder of Gun Owners of America and a leading advocate of the death penalty, says that "to deny the deterrence of the death penalty is to deny all cause and effect."

"Every man has a right to his own mental aberrations, and these psychologists and sociologists are no different than anybody else," Richardson says.

But Diamond and his colleagues counter that for every murder that might be prevented by capital punishment, at least as many more will be incited.

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