

Peak Tanning Days

Sunny and breezy today with highs in the 60s, but falling to a chilly 30-degree low tonight. Mostly sunny Saturday with high near 68.

# The Daily Tar Heel

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Playing longball

Devy Bell's ninth-inning homerun gave UNC's diamond boys a rough win over Connecticut on Thursday afternoon. For the whole story, see page 6.

Volume 93, Issue 14

Friday, March 15, 1985

Chapel Hill, North Carolina

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

## UNC wins by 19 but Hale is out

By FRANK KENNEDY  
Staff Writer

SOUTH BEND, Ind. It wasn't North Carolina's less-than-impressive floorplay that had the Tar Heels glum after they were victorious Thursday night in the first round of the NCAA tournament.

UNC used its distinct height advantage to pull away from a stubborn Middle Tennessee State team, 76-57, and advance to Saturday's second round, but in the process lost guard Steve Hale for the rest of the season, dimming the team's chances of reaching the Final Four.

Hale went out of the game with a separated shoulder with 4:40 remaining after a collision with MTSU's forward Terry Hammonds while driving for the basket. Hammonds, who had no chance of stopping Hale on the fast break, delivered a stiff-arm to Hale's upper body, sending Hale flying against the supports beneath the basket.

Senior Buzz Peterson will start in Hale's place Saturday as the Tar Heels, 25-8, face Notre Dame in the Notre Dame Athletic and Convocation Center.

"This puts a damper on our enthusiasm from a victory over a very good team," UNC coach Dean Smith said. "I know they didn't want to give Steve a layup but I thought it was a hard foul."

"This hurts our chances. With Hale we're a very good basketball team, capable of going all the way," Smith noted, however, that UNC was not without experience on the bench and the key for any team to reach the Final Four would be rebounding.

"If you can rebound you have a

chance," Smith said. "There won't be a team in the Final Four that isn't a good rebounding team."

And it was the strength of rebounding (11 each by Joe Wolf and Brad Daugherty), shot-blocking (six by Warren Martin) and six second-half assists by Kenny Smith that enabled UNC to pull away after a 31-all halftime score. Smith raised his season assists total to 219, breaking Phil Ford's school-record of 217.

The Tar Heels were strong on the defensive boards in the first half but continued to plague themselves with turnovers, while the Blue Raiders were hitting long-range jumpers.

MTSU led 23-17 with 7:32 left in the first half behind the strong shooting and offensive rebounding of Kim Cooksey and James Johnson.

North Carolina executed more efficiently in the second half, but could not pull away until after a key UNC timeout with 11:23 to play and MTSU ahead, 45-44. The Tar Heels scored six quick points, forced a pair of Blue Raider turnovers and were never seriously challenged again.

UNC spent most of the final minutes on the free throw line or connecting with its big men while operating the 4-C offense.

Daugherty, who had 25 points and two blocked shots to go with his rebounds, said the Tar Heels probably weren't as motivated as the Blue Raiders early on, but UNC wasn't taking the opposition lightly.

"We realized it was a 40-minute game and you couldn't go out and win it in the first two to three minutes," he said.

See MTSU page 3

## UNC leaders oppose increased tuition costs

By SCOTT LARSEN  
Staff Writer

Governor Jim Martin's proposal to raise UNC tuition 10 percent has campus administrators up in arms about the effects of such an increase.

"The increase would hit economically disadvantaged students, both black and white," said UNC Chancellor Christopher C. Fordham III.

Martin's proposal comes on the heels of President Reagan's proposed cutbacks in federal aid to students.

"It's hitting student support from two sides — raising tuition and cutting back on the amount of funds available," Fordham said.

Fordham said he would like to see tuition kept as low as possible. North Carolina's goal has always been to provide quality educational opportunities at first-rate universities for the lowest possible price, he said.

"I don't want to see that ideal compromised. As long as tuition is low, the whole ideal can be realized to the fullest," he said.

UNC President William C. Friday agreed, saying, "I have always stood for low tuition costs because North Carolina still has many highly qualified and talented young people of all races who are economically disadvantaged."

Friday said Reagan's proposals for student aid would substantially reduce the amount of financial aid available and would place a cap of \$4,000 on the total amount a student might borrow or receive as a grant. Costs at Carolina for residents is already over \$4,500 a year, he said.

Chancellor Fordham said that according to UNC projections, approximately 650 students whose families earned \$25,000 a year or less would lose \$877,500 in federal funds. In additional federal cuts, students could stand to lose

\$4.4 million in aid money, he said. A tuition increase coupled with these large federal aid cuts would adversely affect student enrollment at UNC.

"This set of circumstances, if fulfilled, means that more young people qualified to attend will not be able to enroll simply because economic factors, not academic ability or personal motivation, have become the controlling element in gaining access to our institutions," Friday said.

"There is certainly not a pool of money that we have access to that can make up that amount (\$4.4 million)," said Eleanor Morris, UNC director of student aid.

Morris said a 10 percent tuition increase by itself would not appear that large, but when it was joined with federal cuts and increased housing costs, such an increase would make a significant dent in the students' ability to pay.

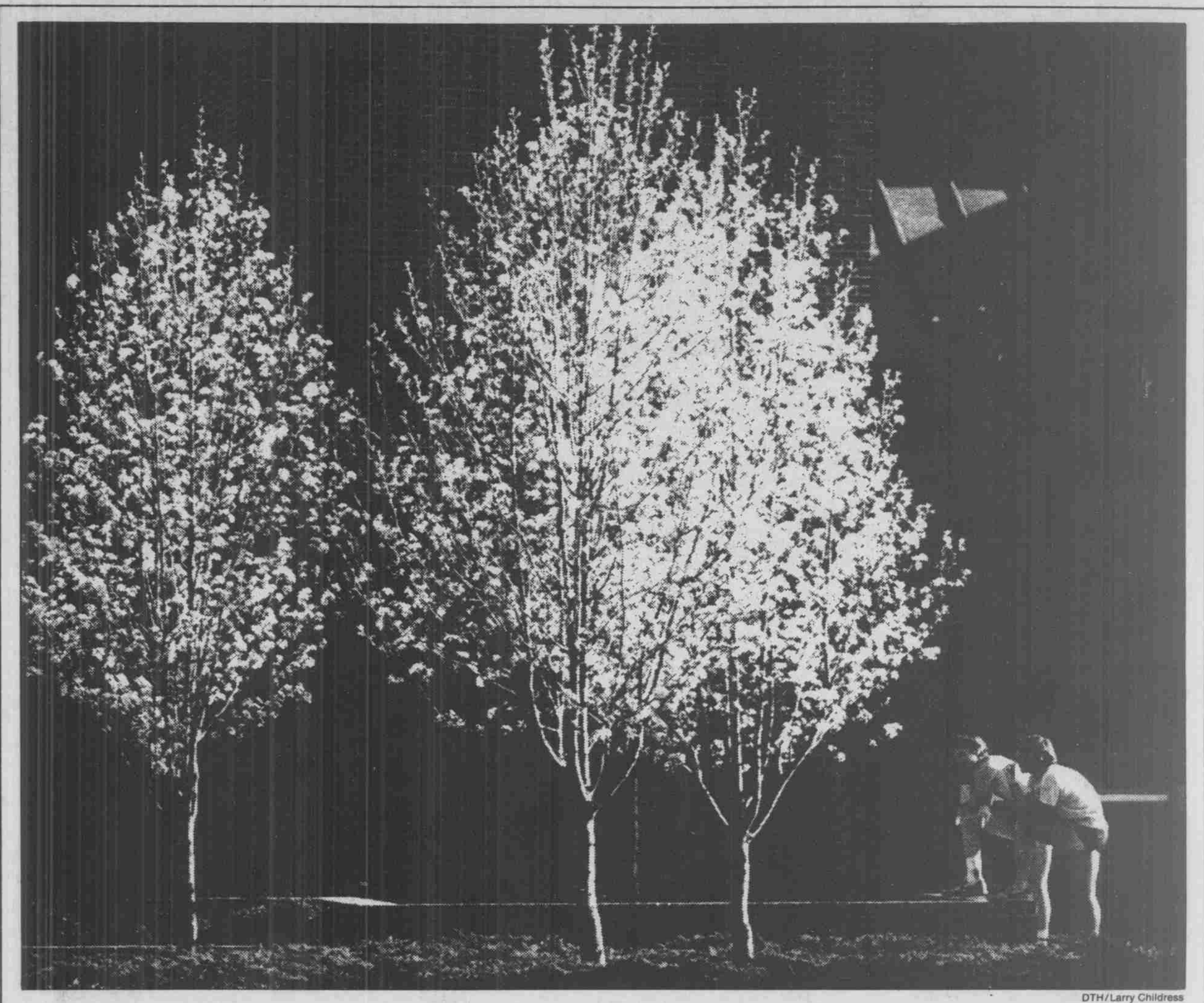
Tuition at UNC for in-state, on-campus students is \$480 a year; a 10 percent increase would add \$48 to that sum and push tuition up to \$528 a year, she said. For out-of-state students, tuition is \$3,100 a year. With the increase, out-of-state students would find themselves paying an additional \$310 a year, or \$3,410, Morris said.

In-state tuition has been raised 25 percent since 1981 while out-of-state tuition has increased 35 percent since 1983, according to Friday.

Fordham said that UNC would like to educate based on ability rather than family status, but he added that a tuition increase would hinder many out-of-state students from attending UNC.

"With money as the determining factor, this institution will continue to attract out-of-state students but mainly those with greater affluence," he said.

See TUITION page 4



Takin' it easy

These speedsters put the brakes on for a much needed rest after a late-afternoon jog on Wednesday.

The blossoming trees in front of Fetzer gym offer proof of the week's warm weather.

DTH/Larry Childers

## Winstead says summons is invalid

By RUTHIE PIPKIN  
Staff Writer

Although scheduled to appear before the Honor Court at 6 p.m. Thursday, Frank Winstead did not show up. Winstead, who allegedly made obscene phone calls to an Area Director at Hinton James, said his summons was not valid because it had not been signed.

"I have not received a valid summons to go to the Honor Court," Winstead said Thursday afternoon. "The attorney general or his delegate did not sign it, (so it is not valid)."

The Student Code states: "Formal charges following investigation shall be served on the defendant(s) by summons signed by the Student Attorney General or a member of his staff."

Winstead said his summons was not signed by Student Attorney General Mary Evans or staff member David Savage, who delivered it.

"I have not been summoned," Winstead said. "What can I do?"

Although Evans would not say what would happen if Winstead did not show up, she did say the hearing would not be held without the defendant. Stressing that she was speaking in general terms, Evans said it was possible for a student to receive additional charges for missing his hearing.

The Student Code states the following as an individual violation of the code of student conduct: "Disregard for the Honor Code or the judicial procedures provided by this Instrument...the refusal to appear before University officials or disciplinary boards when directed to do so..."

Evans said there were numerous reasons why a student might miss his hearing. "In certain situations, people are additionally charged..." she said. "In other situations, there are mitigating circumstances that prevent their appearance... Sometimes there are additional charges and sometimes the hearings are just rescheduled."

If given additional charges, the student would face

these and his original charges at the same hearing, Evans said.

Although Evans did not comment why the summons was unsigned, Winstead said he thought it may not have been an oversight. "I believe the possibility exists that the summons was not signed on purpose," he said. "The possibility exists that they needed more time to prepare their case and they thought I would notice this and seek postponement."

Whether Winstead will have an open hearing will not be decided until it begins. "The request (for openness) is made at the beginning of the hearing by the defendant and either granted or refused by the court chair," Evans said.

Evans said the decision would be based on the need to maintain fairness. "The concern always lies with giving the defendant the fairest hearing possible," she said. "If there's anything we feel won't be conducive to a fair hearing, we'll (close it)." Evans said she could not remember a hearing being open since she'd been at UNC.

## Discussion of abortion provokes heated exchanges

By TOM CONLON  
Staff Writer

Bickering broke out between panelists and the crowd at a panel discussion on abortion that followed the showing of the 25-minute film "Silent Scream" in Hamilton Hall Thursday night.

The film and discussion, sponsored by Students For America, sought to educate the audience on abortion and answered questions. The film showed an abortion being performed through use of ultrasound image and urged people to consider alternatives to abortion. About 160 people attended

the forum.

Fourth District U.S. Rep. Bill Cobey, was one of the panelists. Others were: Rev. Stephen Crofts, Christ Church Mission of Burlington; Mary Lou Brown, a representative of Chapel Hill's Pregnancy Support Services; and Claudia Toomim, a pro-choice graduate student in the UNC department of anatomy.

Cobey and Crofts said adoption was the alternative to abortion and would guarantee constitutional rights to the child. Sharp words were exchanged during a discussion of how to provide

for millions of black and minority babies who are frequently not chosen for adoption.

Cobey said human life should be protected at all costs, regardless of race. In response, Toomim told Cobey, "I think you have a beautiful, blue-eyed, white-skinned little boy." Cobey has an 8-year-old adopted son, whom he told to stand before the audience to help make his point about adoption as an alternative to abortion.

Outbreak over control of women's bodies sparked heated responses from panel members and the crowd. A

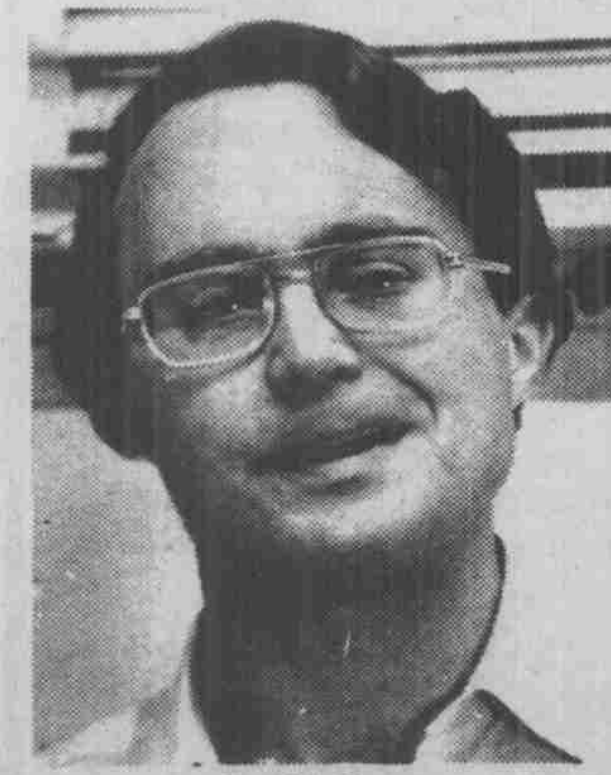
question favoring a woman's right to control her body drew a sharp response from SFA Chairman Jimmy Hopkins.

"I think the control comes before we get pregnant." But Toomim said, "My husband would be upset if I denied him sex, and not all birth control methods are 100 percent effective."

Toomim said the film distorted facts and said a 12-week fetus does not feel pain since brain centers are not yet fully developed. She added that nearly all abortions were performed before that

See COBEY page 2

## After 2 years and many appeals, life goes on for Garrow



David Garrow

By GRANT PARSONS  
Staff Writer

In March 1983 a panel of political science department professors voted 10-9 to dismiss Assistant Professor David Garrow. But Garrow was determined to fight for his job.

Garrow didn't know that two years later, he'd be more than 500 miles away from Chapel Hill teaching the same course he taught at UNC.

Garrow, who teaches constitutional law and civil liberties, charged his colleagues with making that decision for reasons other than those stipulated by tenure document guidelines. He decided to appeal the decision, beginning an 18-month struggle.

The tenure document states that a professor cannot be dismissed for exercising freedom of speech, or because of discrimination or personal malice.

Garrow said the panel based its decision on his criticism of the University's policies and certain issues raised by political science department Chairman James Prothro.

Prothro's report said Garrow's work "does not

represent a sufficiently high level of scholarship" and that it was not in the subfield of public law.

Garrow has written two books on the life of Martin Luther King Jr. His first, *Protest at Selma: Martin Luther King Jr. and the Voting Rights Act of 1965*, won the 1978 Chastain award of the Southern Political Science Association for best book on politics, government or public administration. He also wrote *The FBI and Martin Luther King Jr.: From Soho to Memphis*. Prothro has said Garrow's books are "closer to investigative journalism than to basic scholarship."

Garrow appealed to David Moreau, then-acting dean of the College of Arts and Sciences, but Moreau agreed with the panel's decision and denied Garrow tenure.

Because Garrow was a popular teacher, a student group protested his dismissal, collecting over 500 signatures. Coretta Scott King, Martin Luther King's widow, also wrote a two-page letter to the University supporting Garrow.

All of this fell on deaf ears. His appeal to the Faculty Hearings Committee, a panel of five

professors, was denied.

Garrow didn't lose faith. Believing the University would finally render a favorable decision, he appealed to the Board of Trustees, but was denied again.

In July 1984, defended by lawyers from the American Civil Liberties Union, Garrow filed his final appeal with the UNC Board of Governors. After an eight-month wait, he received the BOG's decision — no.

David Garrow had taken his appeal as high as he could within the University, and he refused to sue the University in a court of law. He had played David to the University's Goliath and lost.

Today, if Garrow did not benefit from his struggle with UNC, he at least did not suffer from it. He now lives in a four-story brownstone apartment in Manhattan, four blocks from City College of New York, where he is an associate professor of political science.

"I'm teaching the exact same course I taught at Carolina," Garrow said in a recent telephone interview. "My normal course load is two sections of Civil Liberties."

Garrow said his classes were smaller at City College, which has an enrollment of about 10,000, and the students were much easier to teach.

"Students here come from a generally lower economic background," he said, "and that seems to make their motivation and their sense of purpose much stronger. I get more questions — more quality questions (than at UNC)."

"There is just a more active, more motivated stance among the students here. I would much rather teach here (at City College)."

Garrow is continuing his research, and his new book, *Bearing the Cross: Martin Luther King Jr. and the Southern Christian Leadership Conference, 1955-1968* is to be published in the spring of 1986.

When asked if his work is now "a sufficiently high level of scholarship," he laughed and said "most definitely." He said he would be reviewed for tenure in two years.

"I still have a lot of affection for Chapel Hill as a town and for scores of people in and around

See GARROW page 2

... a salesman has got to dream, boys. — Arthur Miller