

The Daily Tar Heel

95th year of editorial freedom

JILL GERBER, Editor
 AMY HAMILTON, Managing Editor
 SALLY PEARSALL, News Editor
 JEAN LUTES, University Editor
 DONNA LEINWAND, State and National Editor
 JEANNIE FARIS, City Editor
 JAMES SUROWIECKI, Sports Editor
 FELISA NEURINGER, Business Editor
 JULIE BRASWELL, Features Editor
 ELIZABETH ELLEN, Arts Editor
 CHARLOTTE CANNON, Photography Editor
 KATHY PETERS, Omnibus Editor

Editorials

Laws and forgotten laws

Under American law, a person is innocent until proven guilty, but apparently University Police and Student Stores have forgotten.

A Chapel Hill citizen, whose name police won't release, complained earlier this month to University Police that someone was verbally harassing women in Porthole Alley. When police arrived, they found someone who looked like the person described by the caller. The person was an employee of Student Stores, and officials there were notified. The employee, whose name wasn't released, received some sort of "disciplinary action" by Student Stores officials.

At first, this may seem like a wonderful example of people working within the system to prevent future verbal harassment, and at the same time preventing someone's arrest. There's just one problem:

None of the people who supposedly were harassed called the police.

If the incident occurred, the harassed people certainly have the right to be offended, and they should have called the police. But they didn't. Student Stores' disciplinary action was based solely on University Police's report of an incident in which none of the supposedly "offended" people

board opinion

complained. That action presumes guilt.

Regardless of whether the employee actually harassed anyone, basing a disciplinary action on circumstantial evidence without a formal hearing process violates the Fifth Amendment of the U.S. Constitution. Censuring an employee for what may or may not have happened, whether that censure is a verbal slap on the hand or firing people from their jobs, is the duty of a court of law, not private officials.

Most importantly, by informing Student Stores officials of the circumstantial evidence that may or may not indict one of their employees, University Police are deciding that person's guilt. If the employee were presumed innocent, no call would have been made. Moreover, communicating that information to another person constitutes slander. Police, after all, are sworn to uphold the law, and that means they also should obey it.

In the future, University Police would do well not to presume a suspect's guilt. Such presumptions could snowball; it could become commonplace for professors to shave a few points from a student's final exam for actions which University Police alone have deemed unacceptable.

Look both ways, then cross

If North Carolina's Senate is not careful, it may actually drag the state's liability law from antiquity well into the 20th century. Under the provisions of a bill in the state Senate, North Carolina would join most states in adopting the doctrine of comparative fault in liability cases. The bill has already passed the House, but has been languishing in the Senate since coming out of committee March 13.

Under present law, North Carolina accident liability is determined by a legal doctrine known as contributory negligence. According to contributory negligence, if an accident victim is to any degree responsible for his or her accident, the victim receives no compensation.

Comparative fault determines the percentage of fault lying with both the victim and the defendant and assigns compensation based on that judgment.

Although instituting comparative fault would make the system more complicated, it would also make the system just. Contributory negligence is too simple a procedure to deal with accident victims. For example, if a pedestrian crossing the street fails to

look before crossing and is hit by a speeding car, the pedestrian receives no damages.

Henson Barnes, D-Wayne, sponsor of the bill and chairman of the state Senate Judiciary 1 committee, has yet to submit the bill to the Senate for a full vote because an informal head count reveals the bill is one vote shy of approval. Barnes is offering a modified version of the bill. Passage of this bill would make accident liability more equitable in North Carolina by improving victim's rights. The modifications to the bill involve the concept of joint and several defendants. Under the joint and several provision, if a defendant is insolvent, other defendants in the case can be held liable for the entire judgment, regardless of their own degree of responsibility.

The modified version of the bill will eliminate joint and several defendants in cases where both victim and defendant are at fault, and retain joint and several defendants in cases where the victim is not at fault. The time is long past for North Carolina to adopt the doctrine of comparative fault. — C.C.

non sequitur

Heady experience with the Dead

The following scene was reported from the last Grateful Dead concert in Hampton, Va.:

Non Sequiturian, who thought he was going to an indoor boat show, suddenly found himself bobbing up and down in a turbulent sea of tie-dye. Loud music was playing and there was smoke in the air.

"Excuse me, sir," Non yelled to the bobbing body beside him, "but why are those hairy people in the distance yelling at us?"

"Dead Head," the man replied. Non looked at him, puzzled. This seemed to be no answer to his question.

"Not 'sir.' You called me 'sir' just now." "I'm sorry, Mr. Head, I didn't know."

"Well you didn't bother to ask, did you?" Non looked at Mr. Head's shirt, which depicted a single file of marching skeletons. Above the boney figures were the words "Grateful Dead" written in black letters. Mr. Head returned the stare, eyeing Non's sport slacks and knit tennis shirt.

"Bug out heavily, caveman. No longer assault my buzz."

Rejected, Non turned away. Suddenly, over the loud speaker, Non heard that there

had been some trouble ahead on a train that was being driven by one Mr. Casey Jones.

"I must get to a telephone to call for help," he said. "There might still be time to save him." With that, Non ripped off his shirt and threw himself into the crowd, stepping on heads and over shoulders, screaming all the way, "I'm coming to save you, Mr. Jones!"

According to the report, Non created such a scene that the music stopped and then the bearded leader of the band dusted off an ancient copy of "The Holy Manual of Dead Etiquette." He extended his arms into the air and quoted from Chapter 2, Book 3:

"Thou shalt not float with a bad trip, kid. It's only rock 'n' roll."

Non shook his head and then looked down at his shirt, which was a blue and red tie-dye. He sighed a breath of relief, tipped the exalted leader a "V" and slapped Mr. Head on the back. The band eased into "Truckin'."

Non started to bob. "What a long, strange trip it's been."

Readers' Forum

NCAA finals celebration was well-planned

To the editor:

In response to the editorial of March 23, "Inform Students of Plans," the DTH was correct in stating that, "The administration should be commended for trying to help students celebrate a cause they feel very strongly about." However, the DTH was incorrect in assuming a number of points.

First, the plans for a NCAA finals celebration were not initiated by "University officials." The Carolina Athletic Association, anticipating a possible UNC advancement in the tournament, thought that an all-campus celebration would be a much-needed and appreciated effort for the students as a whole and a means to show our support of our basketball team. We, the CAA, went to Dean Frederic Schroeder and Dr. Donald Boulton with our ideas for their permission and assistance in executing them. Having discussed the possible ideas with them, we decided that it was too big a project for just the CAA and the administration to handle. Therefore, in order to get help with

the plans, we thought it best to involve not "a few students," as the DTH states, but to involve student body elected leaders to take part in the planning. With this in mind, we set up a meeting of student leaders, town officials, administrative officials and related departments to begin making these plans for a celebration, initiated by students and focused for students.

The possible celebration was not to be a small-scale pep rally. It involved intricate details, major companies, bands, food, etc. It was a celebration that in order to come off, out of necessity, had to be planned weeks in advance, not two days, as the DTH suggested. In doing all this, the "team's welfare" was not a "valid concern," as the editorial states, but the *only* concern. We support our team, and we know that all students here support the team and want to celebrate their accomplishments. But, none of us had the right to put more pressure on them than already existed. That was the concern of the student leaders and admin-

istration officials, not trying to keep the secret from the students.

This is a perfect example of students elected by the student body initiating the wishes of the student body in a most cooperative and exciting way. It is not a "prime example of good intentions executed badly." There should be nothing but praise for this school's elected officers for acting properly and responsibly on this issue. We regret this issue coming up. The only thing that should be said is congratulations to a fantastic team for a fantastic year. We appreciate all of your hard work.

CAROL GEER
 Sophomore
 History
 CAA President

ROBERT TEMPLE
 Junior
 History/Political Science

Where's the dash?

To the editor:

As someone who follows The Daily Tar Heel fairly closely, I have been plagued by one question about the paper all year: where the hell is your dash? You know, that little horizontal line used as a mark of punctuation to set off words or phrases in a sentence to indicate an abrupt breaking off, to mark omissions of letters or words, etc.? Perhaps you haven't noticed, but you've got none. Only on the best days does the trace outline of a dash appear in the paper. This must, of course, make some people happy. Those who were told by Mom to fill in the O's in the church bulletin during sermon to keep quiet, for example. It no doubt gives them something to do other than the crossword puzzle during class. For others, however, including myself, the lack of a dash leaves a large, gaping hole that is at the very least annoyingly distracting.

Is there any way you can fix whatever dash-making mechanism is necessary to plug this abyss, or perhaps encourage your staff writers to rearrange sentences grammatically so that one is not needed? It would help the DTH look more like a real newspaper and less like something slapped together by a bunch of college students.

KAREN YOUNGBLOOD
 Senior
 Journalism

You gotta love 'em

To the editor:

Scott Fowler's indictment of the men's basketball team ("Heels Left Longing Again," March 23) was an incredible display of callousness and inconsideration. The finger-pointing and lack of appreciation demonstrate a level of maturity (or lack thereof) seldom seen outside of elementary playgrounds.

As a graduate of an oftentimes opposing ACC university, I can safely say that this is a team that any university would be proud of. Their actions and accomplishments both on and off the court have always epitomized the words "class" and "winners." Rather than minimizing the efforts and achievements of this team, the University should show some appreciation to a fine group of athletes who gave the best of themselves through many high-pressure games (UVA in the ACC tournament and Notre Dame in the NCAA's), provided many exciting moments, and always displayed great poise. So let us applaud their many achievements and not succumb to the



First of all, is it truly necessary to point fingers? Obviously, no one wanted to win more than the players themselves. I honestly feel that all of the players gave their best effort, not only against Syracuse, but against all their previous opponents as well. In giving their best effort they represented excellently the University of North Carolina, the state of North Carolina, the ACC, and lastly, the student athletes themselves.

As a graduate of an oftentimes opposing ACC university, I can safely say that this is a team that any university would be proud of. Their actions and accomplishments both on and off the court have always epitomized the words "class" and "winners." Rather than minimizing the efforts and achievements of this team, the University should show some appreciation to a fine group of athletes who gave the best of themselves through many high-pressure games (UVA in the ACC tournament and Notre Dame in the NCAA's), provided many exciting moments, and always displayed great poise. So let us applaud their many achievements and not succumb to the

common fickleness of the fair-weather fan.

JON PINDER
 Graduate
 Business

Three cheers for Friars

To the editor:

No jazz, no Bourbon Street, no Cajun cooking — and worst of all, there is no Carolina in the Heel's dome away from dome.

Instead, Dean's troops were squeezed out of the East Regionals by a Big East team whose mascot is a bulbous valencia blessed with appendages. What's a diehard ACC fan to do?

We must band together and pull for the underdog, the Friars of Providence College. Yes, it's true that their nickname represents an overweight padre wrapped in swaddling clothes, hailing from Nottingham, who can be found doing TV spots for Xerox. But this team has character.

If you like a scrappy, three-point bombing team led by a feisty coach, Providence is for you. They are a force to be reckoned with. Just ask Geor-

getown coach John Thompson — the Friars gave his Hoyas fits all day last Saturday en route to a remarkable 88-73 upset.

If the talent of the team doesn't put you in their corner, perhaps a solid kick to the midsection will. They're playing Syracuse on Saturday. Need more to be said, bitter Tar Heel fans? Besides, I don't know how much more walking citrus the public can endure.

In all seriousness, Syracuse is a talented, quality ballclub, and they simply outplayed Carolina on Saturday. But whether or not they're worthy of the Final Four is irrelevant. What is relevant is that there is still cause for excitement for those of us wishing a different set of teams were in New Orleans.

They're the Providence Friars, and this weekend the eyes of college basketball fans will be watching this unheralded squad's every move.

You know, if you ignore the black on their uniforms and pretend it's light blue, they look an awful lot like — aw, never mind.

MIKE HILL
 Freshman
 RTVMP

'Quick flash' not intended to blind reader

To the editor:

Once again, the theory that you can read anything into a few sentences has been proved. Recent criticism of Tom Camp's "Quick flash leaves lasting burn" has read a racial bias into his description of a sexual encounter between a "trashy looking white girl" and a "black man." I kept the adjectives to modify the individuals because I don't want to deviate from the substance of the lines. But that's as far as it should go.

Any more analysis undermines what Camp was describing, a "quick flash." Each of us experiences quick flashes that are something we've never seen before, and it bothers us, because it shocks us and we remember it for a while afterward, the "lasting burn." When we experience these quick flashes, we don't think of the social implications involved, nor do we intend any social upheaval when we mention it to others.

When we experience quick flashes, we try to remember (or forget) as much of the detail

surrounding the incident. Camp included the skin color. And, indeed, that may have been part of what was shocking to him. But what may have been just as equally shocking was the brief, perverse nature of the sexual encounter. The (trashy looking) white girl apparently fell out of the van as the door opened, was hyperventilating and appeared to be sick. She could have been sick from disgust realizing what she had just been through. And she ran from the scene quickly, trying to escape. I draw all this out to show you what else someone may have read into the article. And I will submit that my reading into the article is a far cry less speculative than the racial issue that has erupted.

Instead, there have been letters to the editor telling us what he did say. They tell us that by his mere inclusion of skin color in describing the individuals, he has intended a racial bias or has promoted sexist and racial behavior. He did nothing of the sort. Those who are racist or sexist don't have anything to hide; they will say it explicitly

and in clear, plain language.

It has been suggested that the DTH in the future edit such work for style. I wonder if the writer who suggested this also opposes censorship. I know I do. Any article that might offend someone somewhere might have to be edited if such policy were strictly applied. And that's wrong. What Camp was offering was a journalistic observation to be shared with others. He may have hoped that others feel some of the "burn" from reading about the "flash."

It's not a bad thing, it's an artistic capture and expression. But, instead, it's made out to be a bad thing because of too many adjectives. Those who make it out to be a bad thing will look for such offenses elsewhere and find them wherever they can. They'll look, read, and seek to purge, even if the offenses aren't intended to be there to begin with.

DAVID GILPIN
 Graduate
 Law

North Carolina language bill justified

To the editor:

From the opening phrase of the editorial, "English bill is doublespeak" (March 24), I found myself in disagreement. The recently approved bill making English the official language of North Carolina cannot be so offhandedly judged as simply an attempt to pull North Carolina immigrants into the mainstream; it is a piece of legislation that attempts to address an issue of increasing concern in the United States — linguistic division. More accurately, the purpose of the bill is to set a precedent so that North Carolina will have a frame of reference with which to face this problem which has already disrupted certain areas of this nation.

While I agree with the author's points on

the importance of educational opportunities for non English-speaking immigrants, the idea that encouraging the socialization of American citizens into a common, established language medium constitutes xenophobia is preposterous. Having lived in Montreal, Quebec through the 1970s, I can attest to the destructive power that ethnolinguistic divisions in a society can have. The social, economic, administrative and political havoc that is wrought by two culturally/linguistically different populations coexisting in the same environment is difficult for most Americans to imagine. And yet, little is being done to socialize large groups of immigrants arriving in the United States today, as was done with the immigrants of

the past (i.e., my ancestors).

By no means do I wish to make North Carolina an unattractive state for immigrants. However, I don't feel that establishing an official state language necessarily has to either infringe on anyone's rights or be interpreted as an attempt to retain a home-grown, "good ol' boy" image for the state. If anything, the bill shows a certain degree of foresight for taking a clear stand on what language is and will be considered the standard mode of communication from a legal as well as a customary viewpoint.

ROBIN BOLANDE
 Freshman
 International Studies