

**weather**  
 TODAY: 30% chance of rain; high mid-50s  
 SATURDAY: Early rain; high near 50

**on campus**  
 • Alpha Phi Alpha to show "The Jesse Owens Story" and "Paul Robeson: The Tallest Tree in the Forest" at 10 a.m. in the BCC.

**city / page 3**  
**ATTENTION SHOPPERS**  
 Local merchants experiencing more success this holiday season than last year

**sports / page 5**  
**BAD MEMORIES**  
 When UNC met South Carolina two years ago, the Gamecocks pulled off the upset

**Q vs C**

**sportsline**  
**AWARDED:** Track star Butch Reynolds, \$27.3 million by a federal judge after a two-year legal battle with the International Amateur Athletic Federation. The IAAF had banned the 400-meter record holder from competition after Reynolds tested positive for anabolic steroids, which he denied taking.  
**VICTORIOUS:** The N.C. State basketball team, downing UNC-Asheville 72-69 Thursday night at Reynolds Coliseum. State evened its record at 1-1.

# The Daily Tar Heel

Serving the students and the University community since 1893

100th Year of Editorial Freedom  
 Est. 1893

Volume 100, Issue 114

Friday, December 4, 1992

Chapel Hill, North Carolina

© 1992 DTH Publishing Corp.  
 All rights reserved.

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

## Ferguson: Chairman destroyed evidence

By Anna Griffin  
 University Editor

Speech communication Assistant Professor Paul Ferguson broke his year-long silence this week after another loss in his battle for tenure, the most recent in a series of setbacks he blames on unethical conduct in his department and within the University administration.

The popular and award-winning speech communication instructor contends that Speech Communication Department Chairman William Balthrop and Professor Beverly Long, former chairwoman of the department, took his

personnel file and removed and destroyed a review that could have helped him get tenure.

In a hearing Monday before the Faculty Hearings Committee, Balthrop admitted to destroying the documents, Ferguson said.

Both Balthrop and Long served on the Speech Communication Advisory Committee that reports to College of Arts and Sciences Dean Stephen Birdsall.

Ferguson says that the absence of this 14-page review—written by Northwestern University Professor Paul Edwards, a nationally renowned per-

formance art scholar, and obtained by The Daily Tar Heel—was a deciding factor in the Speech Communication Advisory Committee's 7-0 vote to deny him tenure last January.

Ferguson also argues that Birdsall did nothing to correct the problem by allowing Balthrop and Long to remain on the committee that again voted on Ferguson's tenure request after an appeal. Ferguson said Birdsall refused to tell the other Speech Communication Advisory Committee members why they had to vote again.

"I do not understand why they did what they did," Ferguson said. "My

counsel said ... there's obviously some personal malice involved."

In Ferguson's first tenure hearing, held in November 1991, the assistant professor was denied tenure by a vote of 7-0. He said he thought the decision "invalidated his work," until he went back and reviewed his personnel file.

After reviewing his file and noticing the absence of Edwards' review, Ferguson said he confronted Balthrop, who admitted the removal and explained he "didn't like something in the tone of the review."

Ferguson contacted Edwards, who told him that Balthrop had written him

a letter thanking him for the review and promising that it would be included in Ferguson's file. Balthrop's letter to Edwards, obtained Thursday by the DTH, thanks the Northwestern professor and assures him that his comments were reviewed by the UNC committee. Balthrop did not inform Edwards that his review had been destroyed.

Although Ferguson did have five positive reviews in his personnel file, the Edwards letter was the only one that made a case for creative research being an important part of speech communication instruction.

"When I was hired, my contract stipu-

lated that a majority of my work would involve major projects or other forms of creative research," Ferguson said. "The Edwards review was the only one that really addressed the merits of creative research and its importance."

Ferguson took the case to Birdsall, Balthrop's superior, and requested another hearing and a new committee. Birdsall granted the second tenure hearing but didn't change the advisory committee, which still included Balthrop and Long.

"I felt like I was being put back

See FERGUSON, page 2



Posters of Adam and Eve catalog models hang inside the PHE Inc. warehouse in Carrboro

## Raid on erotic mail-order business unfair, owner says

By Maile Carpenter  
 Staff Writer

The owner of a local erotic mail order business said Tuesday's raid by federal postal inspectors was just the latest in a series of unfair attacks on his profession.

"My first reaction was that this clearly constitutes another step in a six-year-long program (of raids)," PHE Inc. owner Phil Harvey said.

Alabama postal officials ordered the Tuesday raid of PHE Inc. of Carrboro, which operates Adam and Eve, and forced the business to provide all the names of customers in middle Alabama.

Middle Alabama postal inspector J.W. Holland said he had received complaints the business was violating laws banning obscenities in the mail.

Holland could not be reached for comment Thursday.

The company has about 6,000 customers in Alabama and about 1 million nationwide.

The mail-order company, located

west of Carrboro on N.C. 54, has been raided by state officials from Utah, Alabama, Kentucky and North Carolina during the past six years, Harvey said.

Authorities from Alamance County participated in the first raid on Harvey's business in 1986. Authorities seized adult tapes and books sold by the firm that year, although the company later was acquitted of obscenity charges.

Customers may order merchandise such as condoms, lubricants and vibrators through the Adam and Eve mail-order catalog. Adult magazines and videos also are sold through the catalog.

Carrboro Mayor Eleanor Kinnaird said the Alabama officials unfairly harassed Harvey's company. "It's very disturbing to me," she said. "It is a business that operates under the law."

Kinnaird said Harvey was a philanthropist who did not deserve the obscenity accusations.

"The owner gives most profit to family planning throughout the world," she said.

Harvey said that his company maintained a confidentiality pledge to its

customers but that Alabama officials forced him to release the names of customers from central Alabama.

"We simply don't ever reveal the identity of our customers unless we're at the point of a gun—which we have had to do in the case of these raids," Harvey said.

The company had no protection from the raids, Harvey said.

"It isn't really a matter of responsibility," he said. "It's a matter of force. They're the ones holding the guns."

Mailing obscene matter is a violation of federal law under Chapter 71, Section 1461, according to Dean St. Dennis, of the U.S. Department of Justice's Criminal Division.

But Harvey said state and federal raids violated free expression. "The obscenity laws are a violation of First Amendment rights," he said.

The company isn't the only target of federal and state raids, Harvey said.

"The federal government has closed down seven businesses and mail-order companies without even going to trial," he said.

## Fired Quail Roost director to file retaliation grievance

By Anna Griffin  
 University Editor

The former manager of the University-owned Quail Roost Conference Center, who was fired late last month because she held a wedding reception for her daughter at the facility, will file a Step 4 grievance against the University today.

Betty Bradsher, who lived on the 90-acre conference center and had served as its manager since 1988, was fired Nov. 20 after UNC administrators decided that she had violated the terms of her contract by holding her daughter's wedding reception on the site. The center, located east of Carrboro, was given to the University in 1962.

University officials contend that

Bradsher improperly used Quail Roost facilities for her daughter's Jan. 4 reception, had Quail Roost employees prepare and serve food and clean up afterward, and failed to notify UNC officials when she used the facilities.

Bradsher served as the full-time manager and was required to be on call 24 hours a day. She lived on the site and, up until this spring, was entitled to use of Quail Roost grounds for personal reasons "within reason," according to her contract.

Bradsher also kept several cows and horses on the site, located in Durham County just north of the Orange County border, but earlier this year UNC administrators told her to move the animals.

Bradsher contends that, according to

the contract she signed in 1988, she was allowed to use the property for her daughter's reception. She said that she didn't do anything wrong and that even if UNC officials objected to the use, she did not try to hide the reception from them.

"Quail Roost was my home," she said. "The Quail Roost kitchen was my kitchen. It was my home and my daughter's home."

Last March, Susan Anderson, manager of small enterprises for the Department of Auxiliary Services and Bradsher's direct superior, authored a revised management policy for Quail Roost. According to the new policy, Bradsher was denied use of Quail Roost

See GRIEVANCE, page 4

## Carey encourages black students to remain involved in government

By Kelly Ryan  
 Assistant City Editor

It was difficult to imagine the smiling man leaning back in his chair in the Sonja H. Stone Black Cultural Center becoming angry.

But he said that it was anger 12 years ago that propelled him toward politics.

Orange County Board of Commissioners Chairman Moses Carey stepped back from his role as a public official Thursday night to convince his audience of about 15 black male students that they could play important roles in the future of American government.

The talk was scheduled as part of a celebration commemorating the founding of the University's Mu Zeta chapter of Alpha Phi Alpha fraternity. Carey was one of the founders of the Mu Zeta chapter on campus.

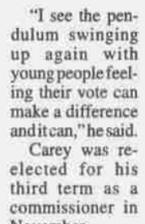
Carey encouraged the participation of blacks in politics because the recent elections revealed a trend toward greater black representation in government at the national, state and local levels.

"You've got a lot at stake for the next 50 years, so I encourage you to stay involved," he said. "You can. You have in the past."

The November elections were decisive in securing political and economic progress for blacks, Carey said.

"I'm real impressed and excited about the future of politics in our country," he said.

Young people had a profound impact on national and local elections, he said, adding that he thought the activism of the 1960s was returning.



Moses Carey

"I see the pendulum swinging up again with young people feeling their vote can make a difference and it can," he said.

Carey was re-elected for his third term as a commissioner in November.

"I'm acutely aware of the fact that when I run for Orange County commissioner ... (I'm) standing on the shoulders of people who've risked—some their lives—for me to be where I am today," Carey said.

Carey added that he thought he attracted a broad group of voters because he understood the county's tendency toward degree-consciousness. He said he thought his law degree and his long-standing county residency were important qualifications in voters' eyes.

Carey said he began his political campaigns long before other candidates to learn about the voters and to understand what appealed to them.

"Whites can jump in a race at the last minute and get elected," he said. "Blacks can not jump in the race at the last minute and get elected."

Carey said he had to attract all voters in his campaigns for county office because out of a county population of about 94,000, only about 12,000 residents were black.

"I couldn't get elected without a whole lot of white votes," he said. "I firmly believe it has helped me to be a

black candidate in this county, but that's not the case everywhere in the state."

Future leaders cannot compromise their beliefs to get elected even though appealing to a wide range of voters sometimes is necessary, he said.

"You can't forsake what appeals to (the black community) for the larger community," Carey said.

Carey added that it was crucial for leaders to try to build consensus by merging the disparity of opinions between blacks and whites.

"One thing I've realized is this community and in other communities in the South in the 1970s ... we're caught up in striving for civil rights and integration, and that galvanized people to strive for a common goal," Carey said.

"And then something changed. Some people who were involved thought we had arrived. We have not yet learned to live with what we strived to get. I don't think we've arrived yet. Political power is fleeting," he added.

Black participation in politics has only represented a "short blip" in political history, he said.

"We've been at this political thing for 30 years," Carey said. "That's really only one generation."

Carey said that when he was elected as the chairman county commissioners, the only other county in North Carolina with a black chairman was Durham County. About 10 percent of the state's counties now have black chairmen.

"This whole country is changing," Carey said. "I think white candidates, not only black candidates, are going to have to change their strategies."

## BCC director pleased with progress of center plans

By Thanassis Cambanis  
 Staff Writer

The success of talks between the BCC Advisory Board and Chancellor Paul Hardin's blue-ribbon working group has made BCC Director Margo Crawford confident that the proposed center will be built and, more importantly, that it will be a success.

In an interview Wednesday, Crawford said the joint panel had been making plans with an unexpectedly high level of energy and cooperation.

"It seems like there has been little tension and much enthusiasm about what the BCC is on the part of everyone involved in the process," she said.

Crawford said what had surprised

her the most was people's willingness to accept a black cultural center once they learned more about its purpose.

"What's most exciting to me is I realize there were so many misunderstandings about what the BCC was," she said. "When people realize what it is, the enthusiasm goes off the charts it's so high."

"I didn't realize people in general knew so little about the function of the cultural center."



Margo Crawford

She said members of the chancellor's working group, designed to come up with a concrete plan for a new or expanded BCC, were very willing to listen and learn about what the existing center really does and what a new, free-standing center would do.

"When members of the distinguished group understood these things and the high quality of (our) work, they were ready to go," she said.

She cited Community and the Cross-Cultural Communication Institute as two successful BCC programs. Few people are aware that the BCC was involved in multicultural training for the Executive Principals Program, a University program established to train school principals, Crawford said.

"When people realize the high quality of work the BCC does, it sells itself," she said.

The BCC released the first issue of its literary magazine, "sauti mpya," Wednesday.

When the chancellor's working group invited the BCC Advisory Board to help plan a new cultural center, some proponents of a free-standing BCC questioned how effective the cooperative effort would be.

Crawford credited Richard McCormick, provost and working-group chairman, and members of the two groups for the establishment of a harmonious working relationship.

See CREWFORD, page 4

## Indian Circle members vow to continue struggle

By James Lewis  
 Staff Writer

Members of the Carolina Indian Circle said at a Thursday meeting that they would consider protesting if the University did not make progress toward hiring a Native-American faculty member by mid-February.

About 25 Carolina Indian Circle members crowded into a small campus lounge Thursday night to discuss recent talks with Provost Richard McCormick about recruiting Native-American faculty members.

Carolina Indian Circle President

Kenric Maynor, a junior from Lumberton, and member Glenn Locklear, a junior from Laurinburg, met with McCormick Tuesday to discuss Native-American concerns at the University. The group has requested that the University hire a Native-American faculty member.

Maynor said that the meeting was helpful but that the group would have to be persistent to persuade the administration to hire more Native-Americans.

"Glenn and I feel better because we

See INDIANS, page 7

Reality, the dream of a mad philosopher. — Ambrose Bierce