# Viewpoint

The Battalion **Texas A&M University**  Monday August 8, 1977

# Tipping the balance of freedom

The balance between freedom of press and responsibility of government shifted a bit this last week. But that shift could amount to more problems for free press

in Texas and the United States in months to come. The 5th U.S. Circuit Court of Appeals in New Orleans has reversed a January decision by a federal district court judge in Dallas to permit the televising of executions in Texas, The Dallas judge, William M. Taylor Jr., had issued the original decision saying that television cameramen were being discriminated against by restrictions which excluded them from executions when newspaper reporters were not

But the New Orleans appeals court decided that television and newspaper reporters are treated equally now, without allowing televised executions.

"We hold that the protection which the First

Amendment provides to the news gathering process does not extend to matters not accessible to the public

generally, such as filming of executions in Texas state

risons, "the appeals court said.

Note the italicized passage in that statement. It says that what the public can't find out on its own, it shouldn't have access to through the press. Yes, that's taken out of context, but that's how loopholes in the

State officials have already said the decision could permit closing state executions to all members of the press — newspaper reporters as well as television cameramen. Persons could then be executed in Texas without the public scrutiny that reporters now provide

Much has been said about the morality of televising executions. State Attorney General John Hill argued in the appeals case against television coverage, saying it would be a return to public executions. But the odds are very slim that any television station would ever broadcast an execution. The press in general is more responsible than that.

Members of the media don't have some ghoulish yen to show hopeless criminal sizzled in an electric chair or "put to sleep" by injection. But we do have a very real concern that when the State does take action, such as an execution, against a citizen, the public should have

representatives — reporters watching.

The danger is that the State may apply the restriction on television cameramen to all reporters. That would open the possibility of an entirely new realm of government control over newspaper and other non-

broadcast media.

Through the Federal Communications Commission, the federal government regulates and exerts considerable control over television and radio broadcasters and stations. If a legal connection can be made between government-regulated broadcast media and the basically free print media there exists a very real danger of greater government control over freedom of the

#### Campaign financing bill under fire

# Who should pay for election politics?

By DAVID S. BRODER

WASHINGTON — A filibuster has two purposes: to delay a vote and to permit longer, more serious public examination of the merits and demerits of a proposal. The filibuster Senate Republicans have been conducting against the Democratic bill, backed by President Carter, for public financing of congressional recent has lic financing of congressional races has achieved both purposes, but not quite in the way its organizers intended.

The debate has not persuaded this ob-

server that this is a wicked, pernicious bill. Rather, it has shown the bill to be a substantial improvement over previous legislation in this field, but still lacking solutions to some of public financing severe constitutional and political problems.

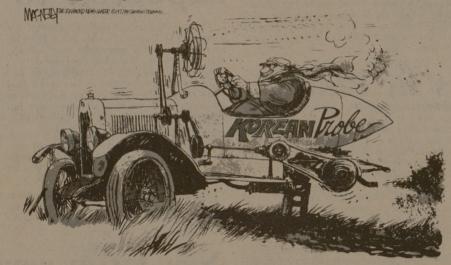
The Senate bill has several advantages over the 1974 law under which the last campaign was conducted. It preserves a role for private contributions in the genwas done in the Ford-Carter campaign last fall. eral election, rather than banning them as

It deals more equitably with minor-party and independent candidates than did the 1974 law. Unlike its predecessor, it has several provisions strengthening the

role of political parties in campaigns.

It proposes an ingenious solution to the problem, created by the Supreme Court ruling on the 1974 law, of the wealthy congressional candidate who spends lavishly of his own funds to gain office. The court ruled that such personal expenditures could not be controlled.

But the Senate bill requires candidates to declare in advance whether they intend to exceed the spending limits, thus making that fact a campaign issue. It also would increase the public subsidy and the



facing such a wealthy and uninhibited

Generally speaking, the Senate bill strikes me as being less pro-incumbent than the companion bill now awaiting action in the House. The spending limits for various states are more reasonably related to the actual cost of a successful challenge than is the \$150,000-per-district ceiling proposed in the House bill for House

In at least one respect, the Senate bill is clearly pro-challenger and pro-competition. It guarantees both majorparty candidates, upon nomination, a public subsidy of 25 per cent of the allowable spending. That would give some Republican challengers in one-party southern ever enjoyed before. Proof of this fact is supplied by bitter complaints against this provision from Sen. Russell B. Long (D-La.), who is accustomed to penniless op-

However, there is still a serious question of principle in whether current members of Congress should be setting spending ceilings for the next campaign. As Sen. Bob Dole (R-Kan.) said: "Public financing makes candidates dependent on the public till and puts incumbent congressmen in

control of the purse strings."

There are other major shortcomings in this bill. The omission of primaries done simply to improve chances of passage — creates a very strange anomaly. As Sen. William B. Roth (R-Del.), said: "Money

much. . .influence as that given in a general election." Anyone who doubts that should remember Carter's cargopreference decision and the maritime unions' contribution to his primary cam-

Finally, the Republicans are right in pointing out that this bill does nothing about the huge loophole in the law the Supreme Court opened when it permitted no limit on independent organizational expenditures for or against federal candi-

In 1976, according to Michael Malbin of the National Journal, when private contributions to the presidential general election campaign were banned, organized labor nonetheless legally spent over \$11 million on behalf of the Democratic ticket.

Business organizations, lacking mass

memberships, are not organized for remotely comparable expenditures on behalf of Republicans. That creates a serious partisan imbalance in how the existing law effects the two parties. And the Senate bill would, if anything, make it worse by limiting candidate spending. Republicans are

right to complain that this provision of the law would hurt them — and badly.

That provision also raises danger, as Sen. Bob Packwood (R-Ore.), asserted, that "the amount of money that a candidate could spend under public financing would be dwarfed by the narrowly targeted massive spending of organiza-tions dedicated to the defeat of a candidate" who had opposed their particular

viewpoint on a single issue.

The Senate bill is an improvement over previous public finance laws. But it leaves or creates — as many problems as it

solves. (c) 1977, The Washington Post Company

# West Europe, Carter clash on reactors

By ALAIN RAYMOND International Writers Service

PARIS — A few weeks ago, at about the same time President Carter's nuclear policies were suffering a setback in Congress, the nations of Western Europe also dealt him a blow on the same subject. In Washington, the legislature shelved

Carter's efforts to block the Clinch River nuclear breeder reactor project. On the other side of the Atlantic, the challenge appeared in cooperative accords by France, West Germany and other West European countries to boost the construction of breeder reactors and to introduce them to world energy markets within the

President Carter opposes breeder reactors on the grounds that they use plutonium, a fuel that can also be employed in the production of nuclear weapons. Since the breeder creates more plutonium than it burns, it could contribute of the proliferation of atomic arsenals.

But the nations of Western Europe,

which must import most of their oil and coal to meet present energy needs, favor the breeder because they are short of uranium, an alternative nuclear fuel.

The European agreements, which were signed in early July, may lend support to groups in the United States that are seeking to promote nuclear energy

In recent months, a number of American scientists have been urging their French and West German colleagues to further the research and development of reactors which use a mixture of uranium oxide and plutonium oxide. These scientists, who presumably represent U.S. energy companies, evidently hope to benefit from European technology.

But another effect of the agreements could be renewed tensions between the Carter administration and the West European governments involved in the cooperative agreement.

The Carter administration has already clashed with West Germany over its deal to provide Brazil with nuclear reprocessing equipment, which could be used to produce plutonium. The West Germans have refused to break the \$5 million con-

tract with Brazil.
In defying Carter, the West Europeans argue that breeders are vital, since they are the countries most vulnerable to shortages of oil, coal and uranium. They contend that the President can afford to oppose breeders because the United States is in a less precarious position regarding these resources.

The Europeans also feel that they are technologically ahead of the United States in this field. They want to maintain their lead, since they believe that American firms will eventually build breeder reactors and rival them in the export market.

As for Carter's concerns about nuclear proliferation, the West Europeans point out that the recent agreements contain adequate safeguards. For example, no reactors will be sold abroad without the approval of the signatory governments

The accords, which are the result of talks between France and West Germany that began in February 1976, call for two separate but interrelated arrangements. One will consist of a joint Franco-

German research and development program, backed by both governments, to evolve over a period of 20 years. Under this program, French and German scientists will work together and share their

The agreement also creates a private company, known as Serena, comprising French, West German, Dutch, Belgian and Italian interests. Its function will be to market breeder reactors. It remains to be seen, however, whether the commercial side of the accord holds.

According to the understanding, the initial seven reactors will be built in France and sold abroad by a West German firm called Interatom, a subsidiary of Siemens. There is some apprehension in France, however, that the Germans will ultimately try to monopolize the business

The French are out in front at the technological level. They first constructed a 40-megawatt prototype a decade ago. A 250-megawatt reactor, Phoenix, which has been furnishing electricity since the end of 1973, is again operating after being closed down for nine months with technical prob-

Based on this experience, the French are currently building their first commercial reactor, Super-Phoenix, which will generate 1200 megawatts. Other breeder reactors are going up elsewhere in Wester

The West Germans, Dutch and Belgians are building a 300-megawatt experimental breeder that is due to begin functioning in 1982. Briatin has two research breeders working in Scotland. The United State does not have a single breeder reactor, even though it has the capacity to construct several.

Actual progress in fulfilling the recent agreements could be hindered for economic reasons, since the cost of building breeders will reach several billion dollars and Western Europe has not quite emerged from its recent recession.

In addition, the program could be impeded by protesters, who have made a good deal of headway in West Germany in hobbling plans to develop reactors. Op-position to the Super-Phoenix project in France is beginning to take shape.

And there could be a measure of conflict

with the Carter administration. So the future for nuclear breeder reactors in France, while filled with opportunities, may also be hazardous.

(Raymond writes on science for the Agence France-Presse, the French news

# Top of the New

### Local

#### Summer session ends Friday

Second summer session classes meet for the last time Thursday Texas A&M University. Final exams are scheduled Thursday ever and Friday, Registrar Robert A. Lacey said. Summer comme and commissioning, with Houston Post Columnist Lynn Ashb speaker, will be at 9:00 a.m. Saturday in G. Rollie White Colise

#### Clipper arrives at Corpus Chris

Some 200 Texas A&M University Moody College students about the training ship "Texas Clipper" arrived in Corpus Christi Fish. The students have spent seven weeks at sea and visited foreign per seven weeks at seven weeks at seven weeks at seven weeks at seven we were seven we were seven were during the 12,000 mile summer cruise

#### State

#### Jury selected in telephone suit

A \$29 million suit against the Southwestern Bell Telephone ( scheduled to begin in San Antonio Monday with jury selection. Jan Ashley, a former Bell executive, and the family of T. O. Gravitt Bell executive who committed suicide, contend in the libel-sland suit that they were harassed by Bell for wanting to stop alleged ille campaign contributions by the company.

#### Hill urges Olympics for Texas

Attorney General John Hill says if individual cities in the Unit States are unable to attract the 1988 Olympics to this country, an should be extended from the entire state of Texas. Hill said if Tex bid for the games was successful the participants could be lodged in several cities and use existing, though scattered, facilities for comp

#### Johnson 'would have won anyway

An attorney hoping to dispell doubts concerning the validity Lyndon Johnson's 1948 Senate election says Johnson legitimal won the race, no matter what the results were in Jim Wells Count Former Johnson campaign official J. Edward Johnson, no relation the late President, said irregularities in Brown County voting that

### Explosion destroys three tanks

Explosions triggered by a ruptured pipeline at the General American Tank Corporation plant during the weekend destroyed that petroleum storage tanks at a ship channel near Houston and cause an estimated \$2 million to \$3 million in damage. Four firemen as two news reporters covering the blaze were injured.

### **Nation**

#### Governors meet today

A Midwestern Governors Conference task force on energy at natural resources Sunday recommended deregulation of new natu gas and periodic increases in domestic oil prices until they reacht world price. The task force praised the conservation aspects of Ceter's program, but said it "lacks sufficient attention to production energy for the nation, which cannot solve its energy shortage through conservation alone

### Bank foreclosure inevitable

The New Orleans Times-Picayune said the U.S. Comptroller Currency's office told the defunct Republic National Bank in Januar that foreclosure was inevitable if more money failed to be deposited in the bank. Republic officials have filed a federal suit challenging the Federal Deposit Insurance Corporation's action two weeks ago it closing the bank, claiming the FDIC failed to give them notice of the claiming

#### World

#### Archbishop Makarios praised

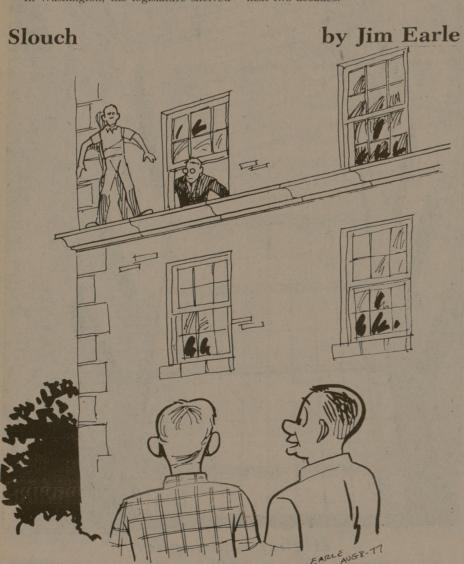
Greek Cypriot political leaders praised Archbishop Makarios, died Wednesday, as "a Hercules of Cyprus' freedom and rights" ampledged to "fight Makarios' struggle" for an independent Cyprus. The leaders spoke at a special session of the congress while thousands Greek Cypriots stood in line to see Makarios' body and pay final control of the congress while thousands of the congress while the congress while the congress of the congress while the congress of t

#### Vance offers assistance to Lebanon

Secretary of State Cyrus Vance has offered Lebanon up to \$100 million in military assistance over a three-year period to help restor the national army following the country's devastating civil war.

#### The Battalion

#### LETTERS POLICY



"I'VE NEVER SEEN A GUY TRY SO HARD FOR AN A - AND

IT MIGHT WORK!