

Court hears discrimination orals

WASHINGTON — Allan Bakke's lawyer told the Supreme Court Wednesday the University of California violated the Constitution in denying him admission to its medical school, discriminating against him because he is white.

But Archibald Cox, the university's lawyer, and Solicitor General Wade McCree, presenting the federal government's side in the closely watched "reverse discrimination case," argued that professional schools must not be blind to race if the nation is to remedy past discrimination.

Cox and McCree, disagreed sharply — McCree declaring that "to be blind to race today is to be blind to reality."

Attorney Reynold Colvin, representing the 37-year-old twice-rejected white candidate for the University of California's Medical School at Davis, said the university was wrong in setting aside 16 of 100 admissions slots for members of minorities.

Colvin, a lawyer from San Francisco, said the university was indulging in "broad generalizations" when it set aside the 16 spots for minority students. It is not true, he said, that all members of a given race have the same economic and educational disadvantages.

Justice Thurgood Marshall, the court's only black, asked Colvin if he would be making the same argument if only one slot had been reserved.

"Numbers are unimportant," Colvin said.

"You are arguing about keeping somebody out and the other side is talking about getting somebody in. It depends on how you look at it," Marshall remarked.

Colvin told the court the factual circumstances of the case are vitally important.

"Normally, if we have a goal we select a standard and above that standard we admit people," he said. "It is precisely the opposite here. Here the number is chosen and the number is filled regardless of the standard."

Justice John Paul Stevens asked Colvin if he disagreed with the university that all 16 minority students were qualified to proceed with a medical education.

"We simply say there is nothing to say they were qualified," Colvin replied. "Taking the university's own standard (of a grade average of 2.5 or above) they didn't measure up."

Civil rights and other groups have demonstrated in the nation's capital in opposition to Bakke's contentions, but only a handful showed up outside the court building Wednesday.

They were far outnumbered by the curious who stood in a long line for a chance to get inside briefly during the arguments which ran for nearly two hours.

The justices will weigh the arguments and decide the case by written opinion some time before the court term ends in June.

Colvin told the justices the university "has been quota happy."

Justice William Rehnquist inquired, "What if the university said 'We just want to increase the number of minority doctors?'"

"To the extent that the preference is based on race, we believe it is unconstitutional," Colvin replied.

McCree told the court the interest of the United States stems from the many programs of Congress and the executive branch that take race into account or encourage its consideration in voluntary programs.

Chief Justice Warren Burger asked McCree if the record showed

the university had engaged in any discriminatory conduct.

McCree said it did not, but that the justices must be aware of much discrimination in California — for instance in the schools of Los Angeles, Pasadena and San Francisco.

He said possibly 40 percent of the black students in California spent part of their growing years in states where segregation was required by

law before the high court's 1954 school desegregation decision.

"Do you include conditions outside the state of California?" Burger asked.

"I would include conduct in the entire nation," McCree replied.

"We suggest that it is not enough to look at visible wounds . . ." he told the justices, "because the very identification by race itself a handicap."

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Service for freshman held Friday

Services for 18-year-old Claudia Kay Cunningham, freshman biology major at Texas A&M University, will be held Friday Oct. 14 at First United Methodist Church in Arlington. She died Tuesday in Houston Methodist Hospital from injuries received in a local traffic accident Oct. 2. Cunningham is the second student fatality of the new academic year. She was the daughter of Mr. and Mrs. J. M. Cunningham.

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Free U-Algebra, 5:30 p.m., 402 Rudder
Free U-How to Live On Less, 5:30 p.m., 404 Rudder
Water Ski Club, 7 p.m., 301 Rudder
Pasadena Area Hometown Club, 7 p.m., 302 Rudder
Outdoor Recreation-First Aid, 7 p.m., 504 Rudder
Crafts-Sand Terrariums, 7 p.m., 137 MSC
Crafts-Hammocks, 7 p.m., 137A MSC
Crafts-Pot Slings B, 7 p.m., 140 MSC
Circle K, 7 p.m., 140A MSC
TAMU Nursing Society, 7 p.m., 145 MSC
Pan American Roundtable, 7 p.m., University Lutheran Student Center
TAMU Sailing Team, 7:30 p.m., 308 Rudder
Great Issues Committee Meeting, 7:30 p.m., 410 Rudder
Association of Students from Mexico, 7:30 p.m., 510 Rudder
Yell Practice, 7:30 p.m., Grove
TAMU Collegiate 4-H, 7:30 p.m., 139 MSC
El Paso Hometown Club, 7:30 p.m., 141 MSC
Arts Committee, 7:30 p.m., 206 MSC

Friday
Snow Ski Club, 7:30 p.m., 226 MSC
Political Forum, Barry Goldwater Jr., 8 p.m., Rudder Theater
Cepheid Variable, Dante's Inferno, 8 and 10 p.m., 701 Rudder
Political Forum, reception, 9 p.m., 205 MSC
Saturday
Intervarsity Christian Fellowship Faculty Conference, 8 a.m., 701 Rudder
College of Vet Medicine Convocation, 1:30 p.m., Rudder Theater
Iranian Student Association, 7:30 p.m., 504 Rudder
Aggie Cinema, Rocky, 8 and 10 p.m., Rudder Theater
Sunday
Intervarsity Christian Fellowship Faculty Conference, 8 a.m., 601 Rudder
College of Vet Medicine Symposium, 8 a.m., 701 Rudder
Humane Society of Brazos County, benefit horse show at Pleasant Acres on Turkey Creek Road, 9 a.m.
Chess Committee, 12 noon, 308 Rudder
SOTA, 6 p.m., 145 MSC
Society of Iranian Students, 7 p.m., 141 MSC
Aggie Cinema, 8 p.m., Rudder Theater
Sunday
Gromets, 12 noon, 137 MSC
Muslim Student Association, 1:30 p.m., 410 Rudder
Chess Committee, 6 p.m., 302 MSC
Young Life, 7 p.m., 301 Rudder

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Bridal Lives
The Folklore Institute of Indiana University has recently researched some superstitions about love and marriage. And since wedding preparations sometimes get long and serious, we at Lucille's Bridal Shoppe would like to pass on these few gems of folk wisdom in the hopes that they'll brighten your day with a little laughter.
According to one legend, a girl should never eat chicken gizzards because they'll surely make her lips turn blue and un-kissable. But she should eat everything else on her plate, because the husband of a bride who cleans her plate will never leave her. Another way to insure constancy, it seems, is to avoid stepping on railroad tracks. And if, despite all these precautions, you still wonder if your love is returned, superstition commands you to light a kitchen match and hold it before your face. If the flame bends toward you, it means your choice feels the same about you.
Good luck, young brides — and, don't exhale!

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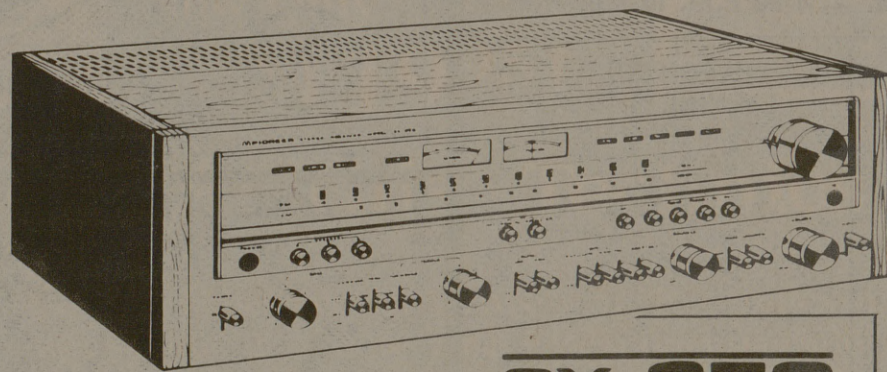
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