

Viewpoint

The Battalion
Texas A&M University

Monday
October 24, 1977

Bakke case threatens Constitution

By BILL IRWIN

Editor's note: This is the first of two Reader's Forum commentaries exploring the Allen Bakke "reverse discrimination" case pending before the United States Supreme Court.

The recent century has seen rulings by the Supreme Court that have affected nearly every man, woman and child in the United States. Indeed, many times the power of these men seems so omnipotent that their supposed co-rulers — the legislative and presidential branches — seem punitive in comparison.

Now these new "Gods" of our society are preparing to ponder a case that surprisingly has received far less news coverage than it really merits — a case so staggering in its consequences that every student with thoughts of graduate school in mind, or even a person applying for a job or desiring a promotion should pay close heed to its serious ramifications.

The important case at stake involves settling the question of whether it is constitutional to preferentially admit a certain amount of minority students over a white student (Allen Bakke) at a California medical school, in order to equalize competitive educational opportunities. In other words, are quotas based on race a justifiable medical school admissions policy?

The question is truly troubling and sensitive. Superficially, the decision should be obvious: any preference based on race is of course unconstitutional — the Civil War settled that question. However the medical school seeks to justify its policy by arguing that "professional schools must not be blind to race if the nation is to remedy

past discrimination." By that I would assume they mean that in order to achieve racial equality in education, the majority (whites) must relinquish their Constitutional right to "Equal Protection" and in all fairness allow the preferential admission of minority students. This supposedly, will atone for past discriminatory acts committed by the white populace

In other words, his accomplishments, as high as they are, are not good enough, and on this basis and by virtue of his race he is to be rejected. Furthermore, we see that even the minority student's position is slandered. He begins to realize his accomplishments are not good enough and that he will need special help from the Government to enter medical school.

So on both sides accomplishments, merit and integrity are subverted. No one is able to compete for the good in question. Therefore on both sides discrimination results. Clearly, the Supreme Court must reverse its liberal trend and for once decide in favor of the majority.

The only aspect of the school's policy that is obviously justifiable is that admission of minorities on a quota basis clearly will alleviate the tragic shortage of doctors in minority communities. This factor, and this factor alone should persuade the Supreme Court in favor of minority quotas.

But the Constitution was written expressly and explicitly for everyone. Who are we to stretch this immortalized document to read that its "Equal Protection" clause may be ignored for the wants of the few? Certainly the end is noble but that does not justify the means.

The fair, logical and Constitutional answer is restructuring of admissions tests to evaluate an applicant's knowledge of minority language, customs and culture, which will then definitively predict who will and who won't practice sufficiently in a minority community. This knowledge then, will be used as a criterion for admission. Granted, this type of test will not only be difficult to compose, but will also be biased towards students raised in a

Readers' Forum

against the minority such as (again I'm assuming) segregation of education. Beside being inherently wrong, this position by its very nature injects even more discrimination into the already volatile confrontation.

This added discrimination can be explained by a quick historical examination. The famous 1954 *Brown vs Board of Education* ruling by the Supreme Court outlawed segregation of education because it was obvious that segregation invidiously stigmatized black children as "unfit." (The White folks schools were usually superior to Black schools and the children made associations to intelligence and social position accordingly.)

But doesn't the Reverse Discrimination issue produce exactly the same result? Who is to say that Allan Bakke won't be stigmatized as "unfit" if the Supreme Court decides that he can't enter medical school — even though his grades were higher than all of the accepted minority students?

"Any president who actually comes to grips with one or more problems is court-judging political disaster."
You mean people got sore about Carter's attack on the oil industry? I said.

The Lighter Side

"Heavens no! If there is anything more American than apple pie and sweeping problems under the rug, it's bad-mouthing the oil industry."

Then it must have been Carter's proposals for dealing with the energy problem that hurt his popularity.

The pollster shook his head.
"Not the proposals themselves. The reaction would have been the same to an

entirely different set of proposals. His big mistake was proposing anything at all."
What should he have done?

When a problem reaches the crisis stage, as the energy shortage has done, the first duty of a president is to impress the people with the seriousness of the situation.

A sense of urgency doesn't spring from measures to encourage conservation, as Carter has proposed, or from measures to encourage fuel development, as the Senate has approved.

What Carter should do to show people he is on top of the situation is appoint a presidential commission to study the problem.

I said, "Isn't that pretty drastic?"

It's a bold step, yes. But it's the only way to shake people up and make them

minority community and I can already visualize civil lawsuits to that effect.

However the Constitutionality of the case is settled because knowledge and not race will determine who qualifies. Everyone had the opportunity to gain that knowledge and the fact that minority applicants have had better access, in no way abrogates another person's civil rights.

Discrimination against the majority is just as unconstitutional as it is against the minority. Any kind of classification that gives preference to race is not "Equal Protection" under the Constitution and in reality, places a stigma on both the rejected majority student and the accepted minority student. We have reached a point in American history where almost every form of minority race discrimination has been eliminated.

Let us hope the Supreme Court does not attempt to disturb this status quo by ruling in favor of preferential admissions.

I sincerely hope that no one misinterprets the third paragraph to read that minority students are inferior to white students concerning intelligence. It so happened that in this particular case, Allen Bakke had higher test scores than all of the sixteen accepted minority students. Whether or not the standardized tests both Bakke and the minority students were evaluated on are indicative of intelligence, is another argument in itself. Recently, it has been the opinion of many distinguished educators and civil rights groups that standardized tests are definitely prejudiced.

Bill Irwin is a sophomore biology major.

Carter learning value of doing nothing

By DICK WEST
United Press International

WASHINGTON — President Carter is said to attribute his recent skid in the popularity polls to his attempts to do something about controversial, long-neglected problems.

He may be right.

Certainly, there are many people who look upon problem-solvers with suspicion, if not downright disfavor.

Sweeping problems under the rug is as American as apple pie," one public opinion expert told me. "This country was built on the principle that if you dilly-dally long enough, the problem may eventually go away."

Letters to the editor

Jogger's life getting tougher every day

Editor:

All right, I'll admit it. I'm one of them. There are a lot of us here, and new people are coming to our side in encouraging numbers.

We are joggers.

And by nature, we don't mean to bother or offend anyone, as most of us are basically happy and contented individuals.

Sure, most all of us have probably intimidated you a little bit as you drive by in your cars. Maybe we stepped off a curb or crossed the street when you were coming our way. Perhaps we ran around a hole or a mud puddle and temporarily violated your street space. For this and other transgressions of the road, we apologize.

Most all of us understand that even though the car may not always have the right-of-way, it always has the right-of-weight. We try to stay out of your path at all costs, because we know you will always win in an intersection shoot-out.

We also realize that you are proud of your big cars, and the power they give you. A new fast and sleek auto is certainly a better toy than an old pair of rundown jogging shoes.

Since you are the biggest and have the neatest toys of anyone, we will concede to you the status of "Big Kid on the Block, and promise never to bother you again.

Now that you can sit back and bask in your importance, we have a favor to ask: Please stop swerving your car towards us and stop throwing your beer cans at us. You can go ahead and yell, point, and laugh at us just like you always do, because this doesn't hurt us and it makes you look silly. Fine with us.

We hope that with your new title, you will no longer feel you have to prove yourself by swerving very close to us and then laughing wildly while we turn around to jog home to change our shorts. We also hope that you find a better place to put your beer cans than in the middle of our backs.

—Gregg Propps

Lowering heaven

Editor:

Madalyn O'Hair has been trying to have the words, "In God We Trust," removed from American currency. Apparently the woman feels left out because the slogan does not include her. I find it ironic that Ms. O'Hair still enjoys the use of the American dollar, even though God's name

is printed on it. I would like to suggest that Ms. O'Hair try using pesos or shillings next time she does her smart weekly shopping. At least these forms of currency don't have that certain, unmentionable name on them.

Of course, it is well known that Ms. O'Hair has every right to raise havoc about these four words which have been a unifying motto for so long. Certainly, Ms. O'Hair should try to destroy the key factor to America's becoming the greatest free-world power. The factor I am speaking of is our proud nation being started on the basis of freedom of religion to worship God in our own ways. If Ms. O'Hair does not agree that God is a unifying factor in the construction of America, then why does God's name appear in the Declaration of Independence, the pledge and, of course, our currency?

Ms. O'Hair is not only trying to raise Hell, she is trying to lower Heaven.

—Mark Mullin '81

Yell practice equality

Editor:

This letter concerns the yell practice Thursday night. The yell leader told the participants that they were the cream of the crop; the foundation of Aggieland.

Some of that foundation almost didn't get to participate in Thursday's yell practice.

When a group of students I was in arrived at the yell practice, all of the provided area was being reserved for the corps. This group has attended every yell practice this year. After being asked to move several times we finally found a place to stand. Even then, the nearby CTs were unhappy with our location.

Come on corps, lighten up. The corps is the cornerstone of spirit but there is a lot of foundation left. Let all of the foundation participate.

—C.S. '79, L.H. '78, R.K. '80, J.H. '81, K.H. '79

Bus driver terrible

Editor:

Believe it or not, I am not writing in complaint of the lack of punctuality of the shuttle buses. I am, however, concerned with the choice of shuttle bus employees.

As a result of being a full-time student at Texas A&M, I have encountered quite a variety of bus drivers. Some have been exceptionally friendly and willing to help when the need arises. Others, however, have proven to be somewhat less than amiable. One driver, in particular, is terribly ill-tempered. I have failed to mount the bus once without detecting a scowl on

her face.

Once, when picking up a student at a bus stop, the driver almost demanded to see her pass. When the girl replied that she didn't have it (she left her purse at home), the bus driver tartly replied that she couldn't ride without a pass. Even though she couldn't have made an exception, the woman could have displayed a bit more courtesy.

In addition, she lacks patience. One afternoon, she was picking up students at our apartment complex. After all the students mounted the bus, many seats were empty. Although the driver saw a few more students hurrying toward the bus, she drove away. The students wouldn't have taken a minute to get there so it seemed that the driver left deliberately.

I realize that everyone can't be constantly cheerful, but this person never appears to be nice. One who is so ill-humored should never work with the public. Why does she remain an employee when she perpetually exhibits such discourteousness? A polite and cheerful bus driver is so much more pleasant for weary students. Thank you.

—Karen Duran

Bonfire unique

The Student Body:

Listen up Ags! It's that time of year again when all Aggies come together to show their burning desire to Beat the Hell out of t.u. and the undying spirit that is Texas A&M.

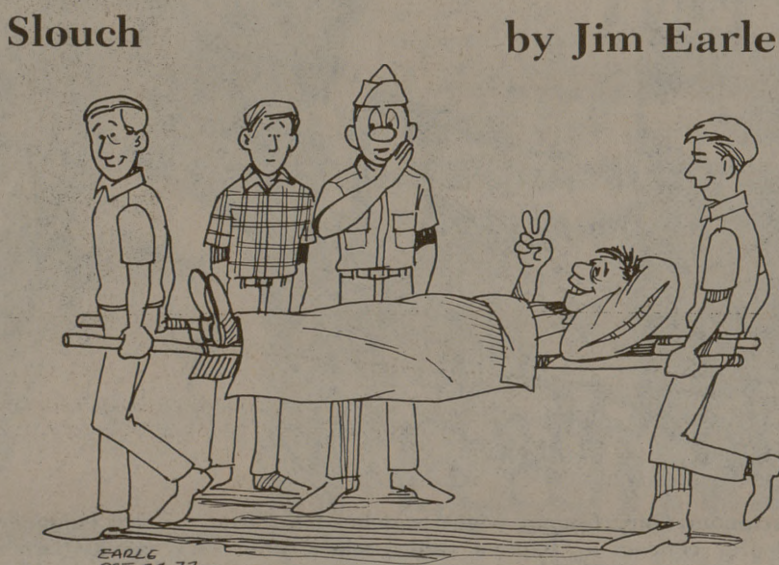
Let's face it Ags, A&M is a unique University in all facets of its outreach. We're attending the greatest institution in the United States. Bonfire is a unique "facet" of Texas A&M. It is one of the most important and meaningful of our many great traditions. All Aggies are encouraged to participate in its construction.

The future of Bonfire has been under fire in the past couple of years and by working to prevent injuries and for safety in general, these critics will have nothing on which to base their arguments and the future of Bonfire have will be greater than ever.

I encourage all Ags to actively participate in the building of Bonfire. It's your Bonfire! So together let's work to make this the greatest Bonfire A&M has ever witnessed!

BEAT THE HELL OUT OF T.U.!!

—Joe Reagan
Head Yell Leader



"HE'S THE CAPTAIN OF LEGGETT HALL TEAM THAT WON THE AGGIE BLOOD DRIVE CONTEST!"

Top of the News Board Campus

One-month book loans available

Retired Texas A&M faculty members may now get one-month loan privileges in University Libraries. Circulation Librarian Head Emma Perry said the extended loan privilege can be activated when the retiree applies for a new library card, renews an old card or renews a checkout.

New master's degrees approved

New master's degree programs in building construction and anthropology were authorized Friday for Texas A&M University by the Coordinating Board, Texas College and University System. Dr. J. M. Prescott, Texas A&M's vice president for academic affairs, said the new master of science degree in building construction will enable the university to serve a direct need for the building industry. "Anthropology is a discipline that we entered only recently but quite successfully," Dr. Prescott observed in commenting on the second addition, a master of arts degree.

State

No encounters on the border

Members of a Mexican-American group Sunday said in Crystal City they had no encounters with illegal aliens or Klu Klux Klan patrols during their first-night vigil along a 60-mile section of the Texas-Mexico border. Arturo Gonzalez, a leader of the Barrio Club and former mayor of Crystal City, said the group would be watching the border in reaction to plans by the Klan to stop incoming illegal aliens. Klan Grand Dragon Dave Duke had said his organization would arm and watch the border for incoming aliens in Texas, New Mexico, Arizona and California.

Former official criticizes Carter

William P. Clements Jr., a former high government defense official, has called President Carter's recent attack on the petroleum industry thoughtless, vindictive and dangerous. Clements resigned in January after four years as deputy defense secretary to resume chairmanship of the world's largest oil and gas drilling firm, the Dallas-based SFDICO. In an interview Saturday with the Dallas Times Herald, Clements said Carter's definition of the oil industry as potential perpetrators "of the biggest ripoff in history" could also hurt the economy and alienate foreign allies.

Prince visits Armstrong ranch

Prince Charles played polo, viewed a cattle roundup and relaxed in private on the ranch of the former U.S. Ambassador to Great Britain Sunday. The stay at the Tobin and Anne Armstrong ranch, 40 miles south of Kingsville, marked a break from the official schedule followed by the heir to the British throne on his goodwill tour of the U.S. Mrs. Armstrong was ambassador to Britain from 1976 to 1977. The Prince was to resume his public visit Monday with a tour of the Johnson Space Center at Houston.

Nation

'Anti-terrorists' train in Texas

Retired Lt. Col. Tom Hamrick of Mt. Pleasant, S.C., said in Washington that an elite American anti-terrorist strike force reportedly has staged at least two simulated commando raids in remote areas of West Texas as part of its training to combat terrorism at home and abroad. The former army colonel said one of the staged military exercises involved the storming of a desert compound near Ft. Bliss where three American diplomats had been taken prisoner. "Terrorists" had ringed the area with explosives and barbed wire.

'Farmers strike to stir attention'

Agriculture Secretary Bob Bergland Sunday said a threatened strike by farmers is only an attempt to call national attention to their serious economic problems. Field reports indicate winter wheat now is being planted on fallowed land as usual, Bergland said in an interview with U.S. News & World Report. He said warnings of a "strike" by farmers in the Midwest and other areas appear to be "just a threat—an attempt to call attention to the seriousness of the agricultural economic situation, particularly regarding producers who have had three and four years of financial losses in livestock and now a drop in grain prices."

World

London airline begins

British Caledonian Airways, Britain's leading, independent airline, today officially inaugurates Europe's first daily nonstop service between London and Houston. The airline said bookings for the service already exceeded 2,500 for November and December. Prince Charles, heir to the British throne, will unveil a plaque at Houston's Intercontinental Airport this afternoon to inaugurate the daily service.

Weather

Mostly cloudy and warm today and tomorrow. 50 per cent chance of scattered showers. High both days mid 80's. Low tonight lower 60's. Light variable winds.

The Battalion

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