

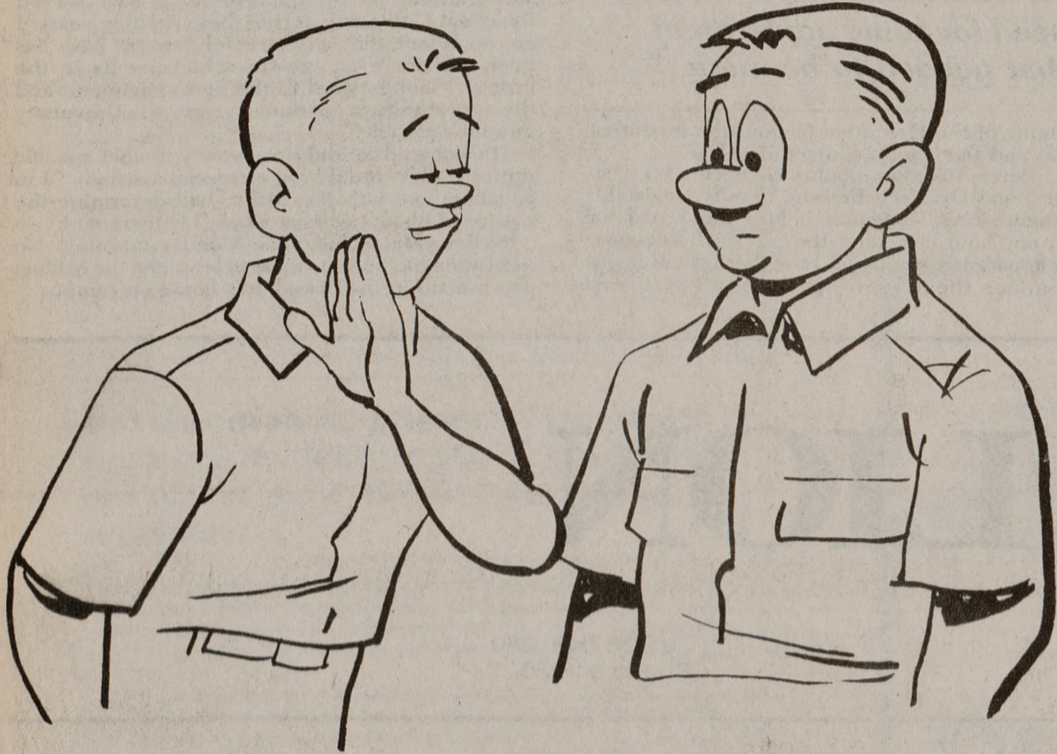
VIEWPOINT

THE BATTALION
TEXAS A&M UNIVERSITY

TUESDAY
JULY 15, 1980

Slouch

by Jim Earle



"Now mind you, I don't want the job, and I'm not campaigning for it, but if the party really needed me, I would accept the nomination as vice president for the Republican party."

New federal criminal code appears near

by ED ROGERS
United Press International

WASHINGTON — Congressional leaders believe their 14-year-old dream of replacing the present jumble of overlapping, inconsistent and outdated federal criminal laws with an organized code is about to be fulfilled.

Hopes of enacting a new code this year — possibly even this month — were raised last week when the House Judiciary Committee approved a draft of a subcommittee headed by Rep. Robert F. Drinan, D-Mass., had worked on since February 1979.

The committee expects to get a House vote in late July, about the time the Senate votes on a measure its Judiciary Committee approved last December.

To Drinan, the House bill culminates a five-term House career. A Jesuit priest, Drinan has yielded to a papal rule against clerics being in politics and will not seek re-election this fall. One reason Drinan is optimistic over passage is that the administration has given it high priority. But the House and Senate bill have differences that must be reconciled.

"I dream the Senate will accept the House Bill," Drinan said. But if it does not, Drinan sees little difficulty. He said the bills are 95 percent alike.

Kenneth Feinberg, general counsel of the Senate committee, pointed out both bills closely follow recommendations of an American Law Institute's model code and of a congressional criminal code commission. John Shattuck, director of the American Civil Liberties Union's Washington Office, is dissatisfied with the House version, but believes the Senate bill has even worse features that might get adopted in House-Senate compromises.

Shattuck criticized the bill's inclusion of the 1799 Logan Act, which forbids citizen dealings with foreign governments, its provisions for mandatory jail terms for certain crimes, and its adoption of court standards for obscenity. Drinan said political realities prevented inclusion

of some provisions he wanted, such as one dealing with entrapment. Both the Senate and House committees left the law as it is on matters too controversial to agree on. Drinan considers one of the House bill's greatest achievements is its provision for a federal sentence commission, and for guidelines to prevent the widely varying sentences different judges now impose for the same crime.

President Lyndon Johnson began the effort by proposing a criminal code commission, which Congress passed in 1966. Johnson appointed former California Gov. Edmund G. Brown Sr. as its chairman.

The Commission completed a code draft in 1971, and the Senate began work on bills that were regularly stalled in controversies over proposed changes in the law.

By 1971, Senate leaders decided they would have to skip controversial proposals if a new code was ever to pass. The House committee followed the same policy.

The chief purpose of the drafters was to put the array of criminal statutes in logical order so they can easily be found. The Senate committee staff pointed to some of the problems in a report drafted earlier this year. — Aircraft hijacking and espionage involving atomic weapons are now found hidden among obscure parts of regulatory provisions.

— Regulations such as prohibiting use of the likeness of "Smokey Bear" are thrust in the middle of statutes involving murder, kidnapping and rape.

— There are gaps. It is now a federal crime to rob a bank but not to extort money from a bank.

— Present federal law recognizes 79 different states of mind in which a crime may be committed. The House bill reduces the number to four.

The present law also includes outdated statutes, which enactment of a new code would wipe out. One such statute still makes it a crime to detain a U.S. government carrier pigeon.

Firing upsets student leaders

Statement by student leaders at Texas A&M concerning the board of regents' action regarding President Jarvis Miller.

Over the past three years, Dr. Jarvis Miller has dynamically guided the growth of Texas A&M University. During this time, annual expenditures for research have exceeded \$50 million, student enrollment has expanded to over 30,000 and the quality of education has improved in all areas.

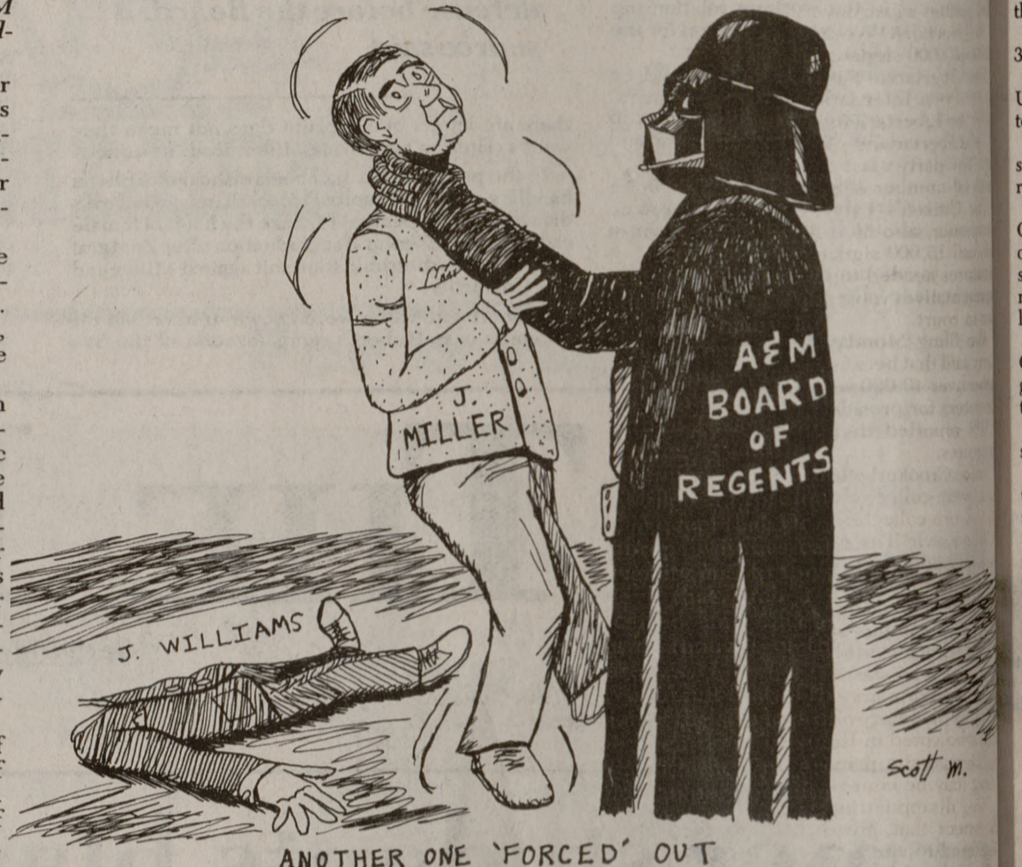
As student leaders of Texas A&M, we have been extremely fortunate to work with Dr. Miller and share in his goals for the University. Dr. Miller's leadership demonstrates discipline, honesty and integrity, which are all a part of the Texas A&M heritage.

It is obvious that Dr. Miller's prime concern is for Texas A&M, its students, and its continued development as a leader in the academic community. Dr. Miller brought with him to the presidency an open-door, student-oriented attitude reflected in all levels of his administration. The successfulness of this open-door administration was seen in many examples where students, faculty and staff pooled their resources to find answers to University problems. The loss of a leader who so well exemplified what A&M stands for is a tremendous blow to the students and to the progress of this University.

The nature of the action taken by the Board of Regents is in direct contrast to the type of leadership we have become accustomed to and expect from the men who set the standards of Texas A&M. The decision appears to have been hastily made, with most input coming from the System level, and little consultation with the people whom the decision directly affects — those within the University. If the Board of Regents had let it be known that they were receiving complaints about Dr. Miller's leadership, they would have received many times that number in statements of strong support.

The reasons given for removing Dr. Miller appear inconsistent with the action taken. It is difficult to understand the assignment of Dr. Miller to a position as special assistant to the chancellor whom the regents claimed Dr. Miller could not work with.

The student body at Texas A&M has supported the administration and has worked with the University in times when student groups at other universities worked against their administrations. We are proud to be enrolled at Texas A&M University, and share with the faculty, administration and former students the uniqueness of being an Aggie.



As students we care enough about this University to work 24-hour shifts on the Aggie Bonfire, to continue a Texas A&M symbol; we care enough to turn out 8,000 students at Muster, as a gesture of remembrance for those who died during the year.

We care enough to express our concern about the implications this action has for the future of our University.

We also care enough to express our displeasure at losing one of the finest leaders this University has ever seen, Dr. Jarvis E. Miller.

Signed,
Brad Smith
Student Body President

Ken Cross
Corps Commander

- Ernen Haby
MSC Council President
- Sherrie Balcar
Residence Hall Association President
- Paula Sorrell
Off-Campus Aggies President
- Paul Bettencourt
Judicial Board Chairman
- Greg Dew
Student Government Executive Vice President

Editor's note: This letter was signed by other student leaders from the above organizations.

Former students' statement

Statement by the Board of Directors of the Association of Former Students of Texas A&M University concerning the Board of Regents' reassignment of Dr. Jarvis E. Miller.

At all times the Board of Directors of the Association of Former Students of Texas A&M University has given its full and unqualified support, financially and personally to the continuing success of Texas A&M University and its goal for excellence in all fields of education. It is, and it will continue to be, the desire of this Board and the 90,000+ former students that we represent to lend all support of whatever nature to our beloved alma mater so that it may in every way continue the excellence in education for which our University is nationally and internationally recognized.

Individually and as a Board, we have not, at any time, supported or favored one individual over another in the administration of Texas A&M University, including the Chancellor or the President. Any statement to the contrary by anyone is a deliberate and intentional misstatement and falsehood. Moreover, we have not championed or pressured the cause of any individual official of Texas A&M University at any time, but we have championed and fully supported our goal for the continued excellence in the University's various fields of education and research.

The Board of Regents, in its wisdom, recognized and determined what it conceived to be the need to establish the separate offices of Chancellor and President. Accordingly, Dr. Jarvis E. Miller, an outstanding and renowned educator, was installed as President in 1977.

We regret and unqualifiedly disagree with the manner and method of the termination of Dr. Miller as President of Texas A&M University.

Two years later, in October 1979, Dr. Frank E. Hubert, then the Dean of the College of Education, who had announced his retirement, was elevated to the office of Chancellor. The Board of Regents made these appointments and had the unqualified right at all times to terminate either office or cause the removal or resignation of any official. We do not as a Board quarrel with or criticize that authority and responsibility, nor have we ever sought or attempted to usurp, infringe or interfere with that privilege which we totally respect. We absolutely recognize that those serving in an executive position do so only at the pleasure of the Board of Regents.

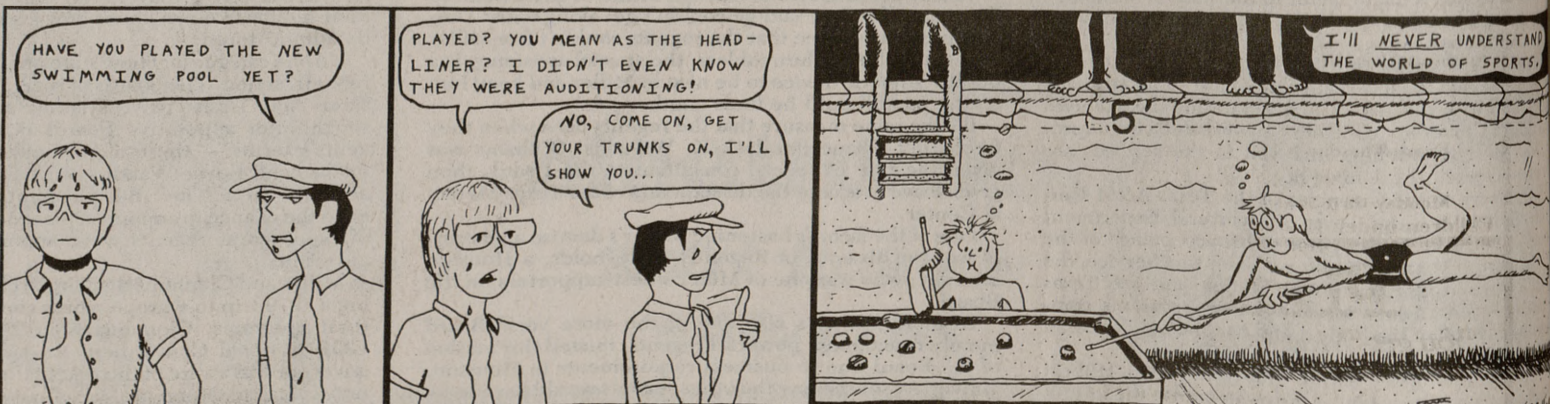
More than any one group or board, we are in continuous contact with the public and those citizens of this state and nation interested in the good and well-being of Texas A&M and its system. We are the ones who first hear any "com-

plaints" or who receive "critical" mail concerning the actions of any official of Texas A&M University. We have neither heard any complaints nor have we received any mail from President Jarvis E. Miller concerning his administration of Texas A&M University. We have heard many laudatory and complimentary statements of Dr. Miller's abilities in a superb manner in which he has discharged responsibilities and duties as President in the growth of Texas A&M.

We regret and unqualifiedly disagree with the manner and method of the termination of Dr. Miller as President of Texas A&M University. We feel that Dr. Miller's removal is an abrupt way has caused an injustice to the University and to the people of this state. We believe that such a step was ill-timed, conceived, and effectuated without any planning or thought of the consequences of the future.

We submit that, if there was cause for termination of the services of this fine man, it should have been done in such a manner that we not tarnish the University's image. Such action could hamper the future recruitment of qualified administrators and professors and otherwise harm the education, research, and services offered by the University. We regret the manner in which this matter was handled, the embarrassing publicity given caused to be given by the Board of Regents, misleading statements which have arisen in the media, and the resulting humiliation to Dr. Miller and his family. We apologize for and do not condone such summary action. To that we support Dr. Miller.

Warped



by Scott McCullum

THE BATTALION

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Columns and guest editorials are also welcome, and are not subject to the same length constraints as letters. Address all inquiries and correspondence to: Editor, The Battalion, 216 Reed McDonald, Texas A&M University, College Station, TX 77843.

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