

Opinion

Better than tents

Texas Department of Corrections Chairman Al Hughes' proposal to use "pre-release centers" to cut down on prison overcrowding makes much more sense than previous suggestions for solving the problem.

Hughes says he will push for at least four pre-released centers, designed for housing inmates serving the last six to 12 months of their sentences or low-risk offenders such as drug abusers. The centers would have industrial operations and possibly work-release programs.

Hughes hopes to make a formal presentation to the Texas Legislature during its next session.

Pre-release centers are a more effective solution to overcrowding than releasing prisoners before their sentences have been served completely or housing them in tents. The 500-inmate units would ensure prisoners do not have years trimmed off their sentences merely because of lack of cell space. But the centers also would meet prison reform requirements. The industrial operations and work-release programs would tie in with current rehabilitative programs offered by the TDC.

The total cost for the construction and land acquisition would be between \$8.5 million and \$10 million, Hughes says. But the TDC chairman plans to compare the cost of a state-built facility with private bids. Private construction would take some of the financial burden off the state, making the proposal all the more appealing in these times of declining oil revenues. In addition, profits from the industrial operations would be returned to prison-system funds.

The four proposed units could be a much-needed release valve for the rising overcrowding pressures which currently plague Texas prisons.

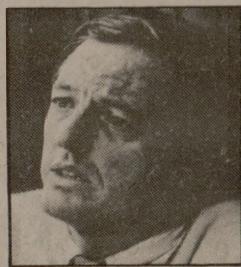
While the proposed facilities may not be the ideal solution to the prison problem, they certainly make previous suggestions seem pleasantly ridiculous by comparison. After all, justice based on cell vacancy is not only ineffective, it's embarrassing.

The Battalion Editorial Board



The new discrimination: affirmative action quotas

One sympathizes with the Supreme Court's ruling against the sheet metal workers union in New York City because the union had flagrantly discriminated against minorities. But the court's sanction of the lower court's remedy introduces us to the surrealism of the court's logic.



William F. Buckley Jr.

By Aug. 31, 1987, the union in question is supposed to have in its work force 29.23 percent black or Hispanic. The figure itself is a metaphorical reproach of the kind of logic the court has permitted itself to engage in. I doubt that Einstein would have specified 29.23 parts uranium in an atom bomb with any confidence, and certainly Maxim's would not specify 29.23 minutes in the oven for a Baked Alaska. The idea of U.S. courts spending their time measuring in hemidemiquavers compliance with anti-discrimination statutes gets to the shaky empirical question, and we are still left with the moral question.

Daniel Oren, a fairly recent graduate of Yale University, has written a book, *Joining the Club*, documenting what everyone knew, not about discrimination against blacks and Hispanics by Yale (and by other Ivy League colleges), but against Jews. It was only after World War II that, in most faculty departments at these nerve centers of liberalism, a Jew could get a tenured appointment. There were implicit quotas limiting Jewish and Catholic students.

We do not have the current figures, but it is unlikely that anyone would charge that there is anti-Semitic discrimination at Yale today, either at the faculty or at the student level. Quite the contrary would certainly appear to be the case in the student body: 3 percent of Americans are Jewish, and probably 25 percent of the student body of Harvard and Yale are Jewish.

Now what are we to conclude from this, if we fix attention only to the reasoning of the Supreme Court? At what chronological point can a white Anglo-Saxon Protestant protest a pattern of discrimination against him? If it is said to him that it is simple as that he was less well-qualified than the Jewish applicant, he has recourse — doesn't he? — to the argument that subjective criteria are relied on heavily in any situation in which there are eight or 10 applicants for any single opening, and individual qualifications tend to become redundant. Will the courts be asked to regulate school admissions policies, given that at the same time the New York sheet metal workers union was discriminating against blacks and Hispanics, Yale was discriminating against Jews?

The Supreme Court appears to have sanctioned a promotion schedule in Cleveland by firefighters that provides for promoting a white on Monday, a black or Hispanic on Tuesday, a white on Wednesday, a B/H on Thursday — the idea being to undertake, in the name of affirmative action, something on the order of quotas that represent demographic distribution. In voting with the majority, Justice Sandra Day O'Connor was visibly unhappy. "I write separately to emphasize that the court's

holding is a narrow one. . . . A minority employee therefore remains free to challenge the race-conscious measures contemplated by a proposed consent decree as violative of their rights under Sec. 703 or the 14th Amendment. Even if non-minority employees do not object to the consent decree, a court should not approve a consent decree that on its face promotes racially preferential treatment which would clearly violate Sec. 703 of the 14th Amendment."

That is what one might call a concurrent opinion, but it expresses reservations held by many who on one hand wish to stamp out discrimination and on the other the road taken by the Supreme Court in its fights discrimination with the weapon of discrimination.

The majority of Americans have been very docile, submitting to the motion of the Supreme Court. You can almost anything to the Christian right — take away their right to pray in schools, tell them they can't keep their children off the neighborhood news — direct them to send their children to schools ten miles away. But the eye is going to go on one of these when an American who has never been gaged in discrimination discovers he can get promoted only by permission of a federal judge. The New York Cleveland rulings of the court are fragile but their rotters make them to be. Affirmative action is not safe institutionalized as the new instrument of discrimination. Somewhere along the line there may be another court case: *White vs. Board of Education*.

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Reagan's press limits

The Reagan White House, whose managers prefer decorum to the sometimes unruliness of a free — and sometimes free-wheeling — press, is more and more off-limits to reporters.

Michael Putzel
News Analysis

They're small steps, to be sure, each one by itself hardly worth mentioning outside the grounds. But as they are added one after another, they begin to form a pattern of exclusion.

Item: The Secret Service, ostensibly for reasons of security, begins barring the small "pool" of reporters and photographers that usually accompanies the president from following him into and through hotels and places where he goes to make speeches. As a result, news people no longer can get close enough to the president to talk to him when he is traveling.

Item: Still photographers, once accompanied by reporters and television crews whenever they took pictures of the president, are quietly escorted into some meetings without their inquisitive colleagues along. Begun on an experimental basis, purportedly to increase opportunities for candid photos of Reagan, these "stills only" events are now

frequent substitutes for the larger sessions that customarily include reporters. Item: The president, who once entered the East Room through the main door to address assembled guests, now slips in through a side entrance beyond the reach — and questions — of reporters covering such events.

None of these steps would be cause for concern if there were regular access to President Reagan and his top lieutenants. But for years members of the news media have been prohibited from walking unescorted through the working areas of the White House and generally see the president only at his pleasure or the inclination of his staff.

Reagan, in particular, exhibits little desire for informal or unrehearsed meetings with reporters. And as a practical matter, no other outside observers have regular opportunities to question him about his policies or issues of national concern.

The president's business is, after all, the public's business. And while most would acknowledge he has the privilege of conducting much of his work behind closed doors, there will continue to be demands for open scrutiny of his thoughts, his decisions and his policies.

Michael Putzel is a White House correspondent for The Associated Press.

Problems of the farmers also plague Farm Aid

When the editors determined that I was to cover Farm Aid II, most of the staff was envious. I was thrilled at the chance to get to hang out with Willie Nelson and friends and get paid for it to boot.



Karl Pallmeyer

I should have realized there might be problems when it took Willie's people six hours to get the press passes ready and I was required to make a \$50 "donation" before I could pick up passes for me and *Battalion* photographer Tom Ownbey.

When we arrived at Farm Aid II we were told by "Those in Charge" that we couldn't go anywhere but the press tent and the audience. They also told us that they would try to organize groups to take up to the photographers' platform just below the stage so that we could get pictures. It took forever for "Those in Charge" to organize these groups, so we took our chances with the crowd.

After we got some shots of the crowd, we went back to the press tent and waited around for the stars who just got

off stage and were supposed to come back and talk to the press. None of the currently popular stars made it back, but Roger McGuinn, one of the founding members of the Byrds, and John Prine did. I enjoyed talking to Prine and McGuinn, but I couldn't get much that would be of interest to the MTV generation of today. I would much rather spend the afternoon talking to McGuinn than John Cougar Mellencamp but I, and about 100 other reporters, was sent to get a story of today's music, not the music of 20 years ago.

Right before John Cougar Mellencamp hit the stage, "Those in Charge" decided that photographers couldn't go up on stage because we were not following the rules they had made up. Apparently, they decided it would be a lot less work on them if they would refuse to cooperate with the press and claim that someone else was responsible.

After much arguing with "Those in Charge," they finally agreed to take us on stage so that we could get some pictures. They said we could have only 10 minutes, but we would have to wait until some "hardcore professionals" were through shooting.

Those "hardcore professionals" were about 13 years old and were taking pictures with Polaroids and Kodak Disc

Cameras. For some reason there were tons of the 13-year-olds that had full run of the concert because their passes said "Willie's friends." Passes that said "Media" were pretty much useless.

We got up on stage just in time for Neil Young's set. I was a good little journalist, got some shots of Neil and, when my time was up, got off the stage and waited to be led back to the press tent. "Those in Charge" who led us up to the stage were no where to be seen. One of "Those in Charge" at the stage looked at me in confusion and thought the best way to deal with the problem was to send me back on stage. I didn't mind.

After Stevie Ray Vaughan played we decided to call it quits and grab a bus back to the hotel. We had had enough of the heat, the dust, the crowd, the music and the hassels of trying to get a story.

The problems of Farm Aid II and the problems of the farmers are somewhat similar. Farm Aid II was a disorganized mess — they weren't even sure where it was going to be held until a week before the concert. Press problems were the result of poor planning, lack of cooperation and special interests getting in the way of the greater objective. No one was sure of what needed to be done or how to do it. The music was fantastic but the show brought in only \$1.4 million for

the farmers and some of that money will have to go to pay for the concert. The biggest benefit from the Farm Aid concert is not the money they bring in but the publicity given to the farm problem.

Many farmers are losing the farms because they can no longer afford to keep them running and make enough money to keep themselves alive. Although the farm industry is vital to this nation's economy few people seem to realize that farmers are in trouble. Even fewer people are aware that they need to do something to help the farmers.

Part of the farmers' problems stem from the fact that most recent government legislation has favored big business over small businesses such as farms. Big businessmen have a powerful lobby and are able to get almost anything they want out of their senators and congressmen. The biggest and most powerful lobby of farmers is the tobacco farmers. Most other farmers aren't rich enough to buy food and clothing for their families, much less buy a congressman to put in their pockets.

Farmers need to get organized. They need to work together to get programs that will benefit all farmers and not just specific groups. You can't feed a nation tobacco.

Farm owners also need to work together to make the rest of the country

understand the problem so that people in the cities will help farmers. Our country won't be able to survive without them.

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