

Opinion

The Battalion

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The Battalion is a non-profit, self-supporting newspaper operated as a community service to Texas A&M and Bryan-College Station.

Opinions expressed in The Battalion are those of the editorial board or the author, and do not necessarily represent the opinions of Texas A&M administrators, faculty or the Board of Regents.

The Battalion also serves as a laboratory newspaper for students in reporting, editing and photography classes within the Department of Journalism.

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What an encore

Like Gov. Bill Clements, *The Battalion* Editorial Board reserves the right to change its position. In the case of Clements, however, we have decided not to change our thinking.

Before Clements was elected, we felt that the Governor-to-be wasn't looking at the state's economic situation realistically — or at least his public presentation of Texas' future didn't mirror reality.

Clements was making slap-happy campaign promises in an effort to maximize Mark White's unpopularity and slither into office. His tactics worked, and here he is — doing just what he so obviously intended to do all along.

In the first "state of the state" speech of his new administration Wednesday, Clements virtually repeated the campaign promises that so handily won him the governor's seat.

Two weeks into his term, Clements told Texas, "I reserve the right to change my position. I can't be in granite in a changing panorama; that's just not possible. I'm trying to be responsive to the facts as they exist."

If only Clements had been as responsible and responsive to the existing facts during his campaign, he wouldn't be eating the words that certainly will prove taxing to his credibility during his new term.

Instead, Clements promised Texans there would be no tax increases during his reign. In the completely mortal words of Clements on Feb. 3, 1986, "I have the know-how and the commitment to tell Texas that I will veto any and all tax or fee increases. Bill Clements stands absolutely firm on this."

On Wednesday — one year later — Clements asked the Legislature to adopt an additional \$2.9 billion in taxes beginning Sept. 1 and said he would sign it.

The proposed increase in sales and motor fuels taxes is a continuation of the temporary taxes passed by the Legislature under Mark White's administration.

Though Clements admitted he asked the Legislature to approve the continuation of the revenue generated from the taxes, he is justifying his action by stating that the tax was instituted by White. "It's not my tax; it's his tax," Clements said.

And now the state of Texas isn't White's or Clements' problem; it's our problem.

THESE CONDITIONS
ARE CLEARLY
UNCONSTITUTIONAL!
THERE ARE 3 MEN
TO A CELL, AND
THOSE BUILDING
TENDERS HAVE BEEN
KNOWN TO BEAT UP
ON PEOPLE!



THERE...
THAT'S
BETTER!



Insurance companies put a premium on tort reform

State Sen. Kent Caperton, D-Bryan, is right on when he says Rep. Richard Smith, R-Bryan, is "way off base" on tort reform. Does Smith really think tort-reform legislation will help combat high insurance costs?



Jo Streit

Think again, Smith. Insurance companies across the nation are blaming huge jury awards for the high rates now charged for many types of liability coverage. These rates have forced many professionals, such as doctors, chemical manufacturers, corporate officers and even governmental entities to quit buying insurance.

A more objective analysis suggests the "crisis" is of the insurance industry's

own making. A Washington state task force concluded last year that the crisis "is mostly a result of poor management practices by the (insurance) companies." In New York, a report of the Governor's Advisory Commission on Liability Insurance said "the industry's poor recent financial condition largely reflects self-inflicted wounds."

Insurance companies have two major sources of money to cover claims and make profits — the premiums policy holders pay, and the interest the companies can earn on money that isn't immediately needed to pay claims. When interest rates are high, insurance companies try to gain as many customers as possible to bring in premium dollars for investment. The "crisis" came when interest rates dropped, slowing the rise of investment income.

To right itself, the industry has taken two major steps. First,

it has jacked up rates for all liability-insurance to levels that not only cover current costs but, some critics charge, recoup losses from mismanagement in previous years. Second, companies have dropped lines of business designated as high risk such as doctors, day-care centers and chemical manufacturers.

Of course, the insurance companies would rather have the public believe the blame for its financial problems lies with juries, lawyers and the people who were injured. Not only do they want the public and elected officials to buy this, the insurance industry has launched a \$6.5 million advertising campaign and intense lobbying to make sure it does. Looks like Smith is buying it.

The huge jury awards that the industry claims are given to injured parties (the industry says the average award in product-liability cases is now more than \$1 million) is a misleading statement because the statistics they use are raw data on initial awards by juries, but that's usually not the last word on litigation.

Cases are appealed, some parties out of court, trial judges reduce awards and, most importantly, the tactics used by the insurance industry include only the verdicts in favor of plaintiff. Cases the defendant wins those resulting in no award are counted.

Smith and other proponents of reform legislation favor limiting punitive damages to \$100,000. Punitive damages are damages paid by the defendant for acting irresponsibly or with regard for safety. Unfortunately, we live in a perfect world where people put the well-being of others ahead of their own profit. Punitive damages act as a deterrent to irresponsible behavior.

Smith also favors elimination of liability which transfers the burden of payment to other parties found

if one defendant cannot pay. Presently, Smith thinks it's fair to make a wealthy defendant pay all the damages, especially if the defendant bears 10 percent of the responsibility. It's fair to shift the burden to the defendant leaving them out compensated.

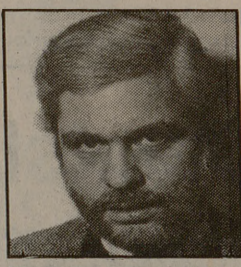
Nonetheless, Smith is in good company. It seems President Reagan is misinformed. His administration is advocating much of the same tort-reform legislation, but these measures solve the insurance crisis. Similar measures in other states have failed even the insurance companies in states admit tort-reform laws will result in lower insurance rates or making insurance more readily available.

If Smith believes a change is needed then he should look at regulating the insurance industry instead of enacting legislation that will rob injured parties of just compensation.

Jo Streit is a senior journalist and a columnist for *The Battalion*.

What do experts know about AIDS?

Annie, all looks and no personality, is a kept woman. She is kept, in fact, by the local fire department which uses her to practice mouth-to-mouth resuscitation. Mannequin that she is, she hardly cares who puts their lips to hers. But that is not true of the firemen. The care very much. Suspecting one of their number might have died of AIDS, they have refused to put their lips to Annie's. She was said to have had a brief intimate relationship with the deceased.



Richard Cohen

Thomas Tibbett, an officer of the firefighter's union, was quick to offer an explanation: "A lot of it is education and fear of the unknown. That's a hell of a risk you're asking people to take when there seems to be daily changes in the medical community about what they know about the disease." Tibbett was one for two. Education and fear of the unknown probably had little to do with the boycott-Annie movement. Firefighters, unlike the object of their immediate fear, are no dummies. They know quite a bit about AIDS.

The firefighters' real objection was better stated in the second of Tibbett's sentences: They don't trust the experts, even though the experts have been remarkably consistent when it comes to AIDS. They have said all along that AIDS is only spread by sexual contact, contaminated needles or infected blood products. Annie — lifeless, sexless and habitless — is the safest kiss you can find outside of Debbie Boone.

The question I put to you is this: Would you have kissed Annie? My answer is I might have — but not, as with entering a "haunted house," without some hesitation and fear. Like the firemen, I know how AIDS is spread, and

like the firemen I'm not sure that what I know is necessarily true. The older I get and the more I know (the two sometimes go together), the more I distrust experts. They are sometimes not so expert.

My own childhood is instructive. When I was a kid, the experts decreed that sneakers were bad for your feet. As opposed to shoes (especially ugly Boy Scout shoes), sneakers were said to lack support. They could, with constant wear, give you something called flat feet. Not only would that keep you out of the Army, but it would in some way cripple you. The only thing worse was that other invisible plague of my childhood years, lockjaw. What that was, nobody seemed to know. But we all imagined that if you got it, you walked around with your mouth half open — frozen forever in a kind of exclamation.

For some reason, none of the experts noticed that poor kids, who invariably wore sneakers, seemed to walk just fine. In fact, some of them were the best athletes around. Flat feet or not, they could run like the wind. Now, of course, kids wear nothing but sneakers. They seem to run right from the playground to the Army, miraculously bypassing flat feet. (Whatever happened to lockjaw is anybody's guess.) I suppose a whole new generation of experts have ruled sneakers safe at any speed, including cowboy boots which once were, as I recall, even worse for your feet.

Other examples of experts being wrong abound. Nuclear reactors, once proclaimed so safe are, after Chernobyl, being scrutinized. Pesticides have gone from boon to menace. A world that the experts said was running out of oil, now seems awash in it. The danger of overpopulation, always just over the horizon, still remains over the horizon and ulcer diets which limited my father (and therefore me) to foods colored white and tasting like paste, are now thought to be useless, and maybe harmful.

Chocolate and peanuts no longer

cause pimples. The cure for them, I bet, will soon be discovered to be exactly what my grandmother always said it was — a good exchange of pheromones with a tramp of the opposite sex. And when it comes to sex, the insistence of some experts that boys and girls are not made of different things is now being challenged by different experts. It does seem to be a matter of snakes and snails and puppy dog tails as opposed to sugar and spice and everything nice. Grandma was right once again.

The firemen who spurned Annie got something of a bum rap from many people. They were not reacting out of ignorance, but out of the basis for all wisdom — skepticism. They knew about AIDS, but they also knew something about the people who said they knew about AIDS: The one thing they don't know is what they don't know. Let a dummy kiss the dummy.

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Mail Call

Truth of tradition

EDITOR:

This letter is in reply to the numerous letters of Feb. 3.

The main reason one attends a university, A&M included, is to receive an education. This entails not only academics, but also knowledge gained outside the classroom — chiefly from social interaction and open-minded observation. We defend ourselves against the entrenchment of dogma in the classroom. Why do we not recognize and eliminate dogma outside the classroom?

Traditions have been mindlessly defended as a way of life at A&M — the sole reason for choosing A&M over another school. They are indeed a valuable asset which makes A&M a unique institution, but that's only because they offer enormous opportunity for student interaction which provides a sense of belonging. They have no inherent value in themselves. They are nothing but

continuations of past events to which we assign any meaning we wish. When one defends a tradition, or anything for that matter, as a reflex action, and not for some value it possesses, one loses the feeling of volunteering which makes participation so enriching.

We have an excellent environment for learning at A&M, but without students who are willing to open their minds and think and question, we cannot realize our goal of making A&M the finest university in the world.

As for Miss Gordon and the unenlightened few, up a map! All highways run two ways!

Louis J. Needleman '87

Letters to the editor should not exceed 300 words in length. The editor reserves the right to edit letters for style and length, but will make every effort to retain the author's intent. Each letter must be signed and must include the author's name, address and telephone number of the writer.