

President correct in veto of 'civil rights' act

There is nothing like a little senseless political rhetoric to liven a day.

"The president's actions demonstrate that he is more interested in appeasing the extremists in his own party than in providing simple justice for the millions of working women and minorities," cried Sen. Edward M. Kennedy.

This quote was in reaction to President Bush's veto of the Civil Rights Act of 1990. The whole liberal establishment is moaning over this "setback" in civil rights.

This bill deserved to die. Though it sported the politically savvy words "civil rights" in its title (Who is against civil rights?), this bill has little relationship to stronger civil rights. A more appropriate title would have been the "Quota Installment and Lawyers Bonanza Act of 1990".

The chief supporters of the bill were attempting to remedy the perceived injuries to the civil rights cause perpetrated by the recent rulings by the Supreme Court. The case in question was *Wards Cove Packing Co. v. Atonio*.

The plaintiffs in *Wards Cove* charged that the management had been discriminating against Filipinos, Eskimos and Aleuts. They tried to prove this by showing that the aforementioned groups worked mostly in the cannery positions, while most of the management, non-cannery jobs were held by whites.

The justices were not convinced. The Supreme Court held that statistical imbalances between employment representation and the overall population did not constitute proof of



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discrimination. Employees had to show which specific actions of the company discriminated against a group's representation in the firm.

The so-called civil rights activists were furious at the decision. If the courts would not push the liberal agenda, then Congress would have to circumvent the courts.

The Civil Rights Act of 1990 tries to reverse the *Wards* decision and make it easier to win discrimination lawsuits. This bill enables plaintiffs to simply show that employer hiring practices in general had resulted in a "disparate impact" on a certain minority or gender class. It would not matter that no discrimination was intended, the employer would have to show that these practices were "required by business necessity."

A plaintiff need not even have to show which specific actions are discriminatory. All they have to show is the firm does not have the right amount of a certain group.

Writing in opposition to the bill, Sen. Orrin Hatch described the ramifications of the bill:

"Rather than shift to the employer the burden of producing evidence

explaining its employment practices, with the plaintiff retaining the ultimate burden of persuasion, a burden of persuasion shifts to the employer, i.e., the employer must prove an affirmative defense.

"This seemingly technical change is highly significant: it makes racial, ethnic, and gender imbalance alone illegal. Unless every job is virtually a perfect match with the appropriate outside labor market, the employer is guilty of discrimination."

The net result of the legislation would be for companies to protect themselves from potential lawsuits by installing quotas. Sen. Kennedy claims otherwise, but businesses are a better judge of their own actions.

President Bush should be commended for vetoing the bill. It takes political courage to veto a bill with the words "civil rights" in the title. He knew that the bill would not establish stronger civil rights or create more economic opportunities. Instead, lawyers would reap huge awards from punitive damage awards, and companies would weigh non-job-related factors such as gender and race over job qualifications.

The goal of a non-racist/sexist society is to eliminate such characteristics as criteria for economic decision making. Yet, civil rights activists constantly are trying to force individuals to downplay merit and emphasize ethnicity. Then, qualified minorities who earned their positions have to live with the stigma that they did not really earn their way. They would always be having to prove that they were not just a quota

fulfillment.

That is what the Civil Rights Act of 1990 would have accomplished: defensive females and minorities, and bitter white males who feel they were cheated out of a job. Is this how we want our society to develop? A look at the situation in India would show how quotas can polarize society and result in

racial violence.

Let's take heed to Rev. Martin Luther King's immortal words and judge people "not by the color of our skin but by the content of our character." Bush's veto leads us one step closer to this vision.

Andrew Matthews is a senior economics major.

Mail Call

Matthews needs history lesson

EDITOR:

After reading Andrew Matthews' article in the October 9th issue of *The Battalion*, it seems that he needs a lesson in economic history.

According to Matthews, increased tax rates will result in lower economic activity thus lower tax revenues. If this argument is true, lower tax rates will increase tax revenues.

One need only to look at the early 80s and see that this belief doesn't work. Under the Reagan Administration, the supply-side economists convinced Reagan that decreased tax rates would loosen up investment, increase net tax revenue and decrease the deficit in the process. Now in the 90s, we are faced with a record budget deficit and a Congress that is failing to meet this deficit head on.

Matthews' proposal for a balanced budget amendment would magnify the effects on the business cycle. In times of economic decline, government revenues would decline due to a decrease in consumption, income and business expenditures. This constitutional hindrance would force the government to cut spending, including public works projects, defense and other programs employing thousands of people. The net result would be a multiplying effect throughout the economy making the decline even worse. In times of recession, the government should be increasing spending to counter the effects of decreased business activity; even at the cost of having a deficit. Likewise, the opposite would be true for times of economic growth.

Matthew J. Nelson '91

Rick Perry: Best choice for Ag Commissioner

The Texas Agriculture Commissioner's race offers one of the clearest choices between two distinctive candidates of any election being held this fall. As is often the case, the underdog challenger, Rick Perry, is by far the most qualified candidate.

Jim Hightower, the Democratic incumbent, is a liberal's liberal. He has used what was traditionally an unnoticed elected position as a springboard for higher political ambitions — a U.S. Senate seat. Hightower has paraded around the



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country for the past eight years dressed like a drugstore cowboy, promoting his leftist social agenda at Farm Aid concerts and rallies around the nation.

Rick Perry, the Republican challenger, is everything that Hightower isn't. As a staunchly conservative farmer and rancher from Haskell, in west Texas, Perry is in touch with the agriculturalists of our state.

Perry is a fifth-generation farmer and rancher. He is a 1972 graduate of Texas A&M, where he received a degree in animal science and served as a yell leader. After a stint as a pilot in the Air Force, he came back home to serve three terms in the Texas House of Representatives, where he was named

one of the ten most effective legislators in 1989 by the *Dallas Morning News*.

In his eight years in office, Jim Hightower has completely alienated himself from the farmers and ranchers of the state. A journalist by training, he has called innumerable press conferences to help promote his liberal agenda, while putting the states' farmers and ranchers on the back burner.

Let's look at some of his brighter moments. In 1988, Hightower was the first statewide elected official in the South to endorse Jesse Jackson for the presidency (Mike Dukakis was too conservative?). A year later, he fasted with Caesar Chavez to protest pesticides and migrant farm worker rights.

When European politicians erected trade barriers to American beef, Hightower went behind the backs of the federal government and the U.S. Department of Agriculture in siding with the Europeans.

He touts himself as the "people's Ag Commissioner," but after calling President Bush "the hind end of a horse" and saying it was "stupid for us to make a big fuss about" people who burn the American flag, it's unlikely that his views are the populist ponderings which he makes them out to be.

During his tenure in office, Hightower has stressed exotic crops such as Belgian endive and Chinese cabbage, to the exclusion of the traditional cash crops. Perry wants to return the focus of the Texas Department of Agriculture to basic farming such as cattle, cotton, and feed crops — 99.9 percent of the \$30 billion a year which agriculture contributes to the Texas economy. He intends to put his emphasis on farm production rather than political gain.

Given his behavior, it's no wonder that Hightower isn't popular with farmers and ranchers. That's why every

major agricultural group in the state is backing Perry, from the Farm Bureau to the Texas and Southwestern Cattle Raisers to citrus and vegetable growers to cotton growers to pork producers.

Hightower has played on the public fear of chemicals by railing against the "chemical interests" which he claims dominate state agriculture and control the ag economy. It's easy to tell the urban masses what they want to hear in order to get their vote, but the fact remains that chemicals and pesticides are necessary to provide the stable, cheap food supply to which they are accustomed. Integrated management practices and minimal chemical use are certainly prudent steps, but pinning the Bogey-man label on the chemical companies in order to win votes is flawed and deceptive.

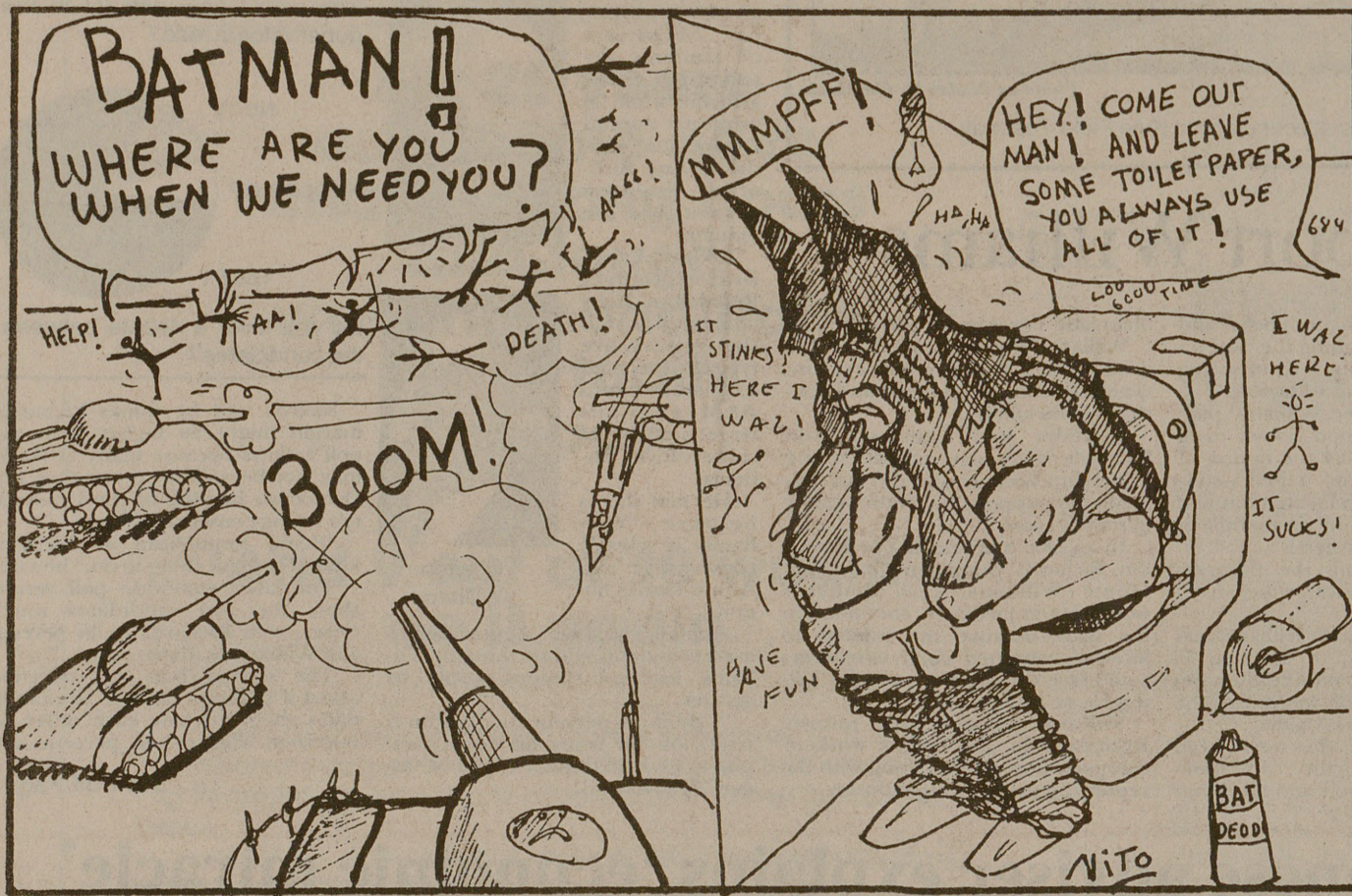
Perry is a realist. He wants to expand exports and process Texas products in Texas. He also wants to re-establish ties with national organizations and federal agencies which have been strained or severed under Hightower's abusive reign.

In its endorsement of Rick Perry last week, the *Houston Chronicle* pointed out that a working farmer or rancher hasn't held the Ag Commissioner's job for 40 years. That's way too long.

Jim Hightower is simply an ambitious liberal Democratic politician who is waiting for Lloyd Bentsen to step down in 1994 so that he can step into his shoes. He has no farm background, absolutely no idea what a pair of work boots are used for.

Considering the troubles which agriculture and the family farmer have faced during the decade of the 80s, do them a favor. Put a working rancher in charge of their futures' direction, not a career politician.

Vote for Rick Perry for Ag Commissioner on November 6. Larry Cox is a graduate student in range science.



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