

1990 Civil Rights bill supporter boos Bush's veto

President Bush's recent veto of the 1990 Civil Rights bill has evoked strong reactions from all quarters. Leading liberal and civil rights groups have termed it a step backwards, while conservative groups, terming the bill a "quota bill," have, in general, hailed the veto. Both sides present strong arguments in favor of their opinions. But the chief point in this controversy has been — was this a quota bill?

The origins of the controversy regarding some of the bill's provisions can be traced back to the landmark 1971 *Griggs vs. Duke Power* ruling. In this ruling, the Supreme Court declared that the historic 1964 Civil Rights Act covered not only instances of overt discrimination, but also business practices that resulted in favoring one group over another, i.e., indirect discrimination. The *Griggs* ruling also shifted the burden of justifying such a business practice to the employer. In other words, the employer, not the plaintiff, was required to prove that the business practice was necessary to the job under consideration.

Sarang Shidore
 Columnist

However, in 1989, the Supreme Court essentially reversed the *Griggs* ruling. In the *Wards Cove Packing vs. Atonio* case, the court allowed businesses the ground of "business necessity" in justifying hiring practices. Furthermore, it shifted to the plaintiff the burden of proof of proving that the business practice under consideration was "discriminatory."

Undoubtedly, the *Wards Cove* ruling was unfair. It is unreasonable to expect a victim of discrimination to prove that the business practice which resulted in a lower representation of minority groups was discriminatory. Not only are his or her financial resources meagre as compared to the employer, but, more importantly, it is almost impossible for such a person to obtain detailed information about the company's hiring

policies. Therefore, it is only reasonable to expect the employer to establish his argument by citing specific hiring statistics, or policy directives.

Another major objection to the *Wards Cove* ruling was that it incorporated the concept of "business necessity" for the purpose of justifying a hiring practice. Indeed, there are restrictions which employers must establish during the hiring process, such as those relating to technical expertise, or communication skills, as long as they directly pertain to the objectives of the job. Such restrictions are universally accepted as being valid. However, the ill-defined concept of "business necessity" is beyond the reasonable. Such a concept would, for example, justify airlines hiring only pretty stewardesses for inflight jobs.

The 1990 Civil Rights bill was designed precisely to restore the status quo which existed before *Wards Cove*, and in fact, explicitly states this in so many words. However, in opposing the bill, prominent White House

conservatives, such as Attorney General Dick Thornburgh, argued that it was a "quota bill," as it would have resulted in employers establishing hiring by quotas to avoid litigation that might result from an unfair business practice.

Such an argument falls flat when confronted with the fact that, in the 18 years that have passed since the *Griggs* ruling, there has been no evidence whatsoever that it resulted in quotas, a fact admitted by opponents of the bill themselves. In fact, during all the endless debating of the bill on the floor of the House, the bill's opponents could not cite even one such instance.

Liberal Democrats are not the only ones who contend that the proposed legislation was not a quota measure. In addition to the 55 Democrats in the Senate, 11 Republicans voted to override the veto.

Many prominent organizations opposed to quotas also supported this bill. For example the powerful Jewish group B'nai B'rith, which has vehemently opposed quotas in the past, strongly supported the bill.

An administration serious about civil rights would have fully supported this bill which directly affects more than half of all working Americans. An administration sensitive to the cause of social justice, would not have caved in pressure from the extreme right. Instead, this administration has chosen to turn the clock backwards on civil rights.

By vetoing the 1990 Civil Rights bill President Bush has earned the dubious distinction of being only the third president to have vetoed a civil rights measure. (In 1866, Andrew Johnson vetoed a bill guaranteeing protection for newly freed slaves, and in 1984, President Reagan vetoed the Civil Rights Restoration bill.)

Perhaps the president cast his veto out of ideological reasons. Perhaps he did it to shake of his image of indecisiveness. Whatever may be the reasons be, he has lost the support of the countless Americans who also have dream.

Sarang Shidore is a graduate student.

Garages don't insure dorm students' safety

A few weeks ago, a Battalion editorial advocated allowing off-campus students to park in the parking garage. The editorial addressed the issues of convenience and fairness, not, as subsequent letters to the editor pointed out, safety.

It's true, the safety of on-campus students who have to park in remote parking areas has to be addressed, but giving them priority in parking garages is not the best way to increase their safety.

The parking garage at Northgate was not designed to keep students safe, only cars. When the Northgate garage was opened, both on- and off-campus students were able to get spaces there.

If the garage had been designed for the safety of dorm students, it probably would look slightly different. The parking service officers' guardroom would probably be on the side of the garage nearest the residence halls where it would be easier to monitor the safety of students going to the halls, for example.

Maybe if it were really meant to keep on-campus students safe, it would have been built in an area closer to more halls. There are only two women's halls adjacent to the garage (and usually, when people worry about the safety of students, they are worrying about women) and one men's dorm.

Women who don't live in Hobby or Neeley Halls have to walk at least a block and a half to reach their hall, and the protection of the parking garage space ends pretty much as soon as you walk out the garage doors.

The new garage on the south side is in a central location to many women's halls, and therefore more safe for the students who park there. But there is a catch.

It's gonna cost money. If they've got to spend some money that's been earmarked for athletic facilities or something like that, who cares? It's the lives and health of students we're talking about here.

When you graduate from A&M, they give a little speech about how when you're out in the real world, Aggies take care of their own.

Why not take care of their own when they're still here?

Not everybody can afford that, right? And many of the people about whose



Ellen Hobbs
 Opinion Page Editor

safety we are most concerned, those who have jobs off-campus and may not be able to park until after dark, must work so they can afford school. They're exactly the sort of people who may not be able to afford the luxuries of garage parking and modular dorms.

That just sucks. We should be able to park and get to our cars safely no matter how much money we have.

Several semesters ago a woman was abducted from the fish lot, raped, stabbed and left for dead. All this happened in broad daylight. And the reaction from the rest of the students? They got scared.

These scared students wanted to be safe, so they asked for parking spaces closer to their dorms. And they were given some spaces — the parking garage spaces.

What they should have done was demand that action be taken immediately to stop crime in the remote parking areas, areas in which some dorm students will always have to park.

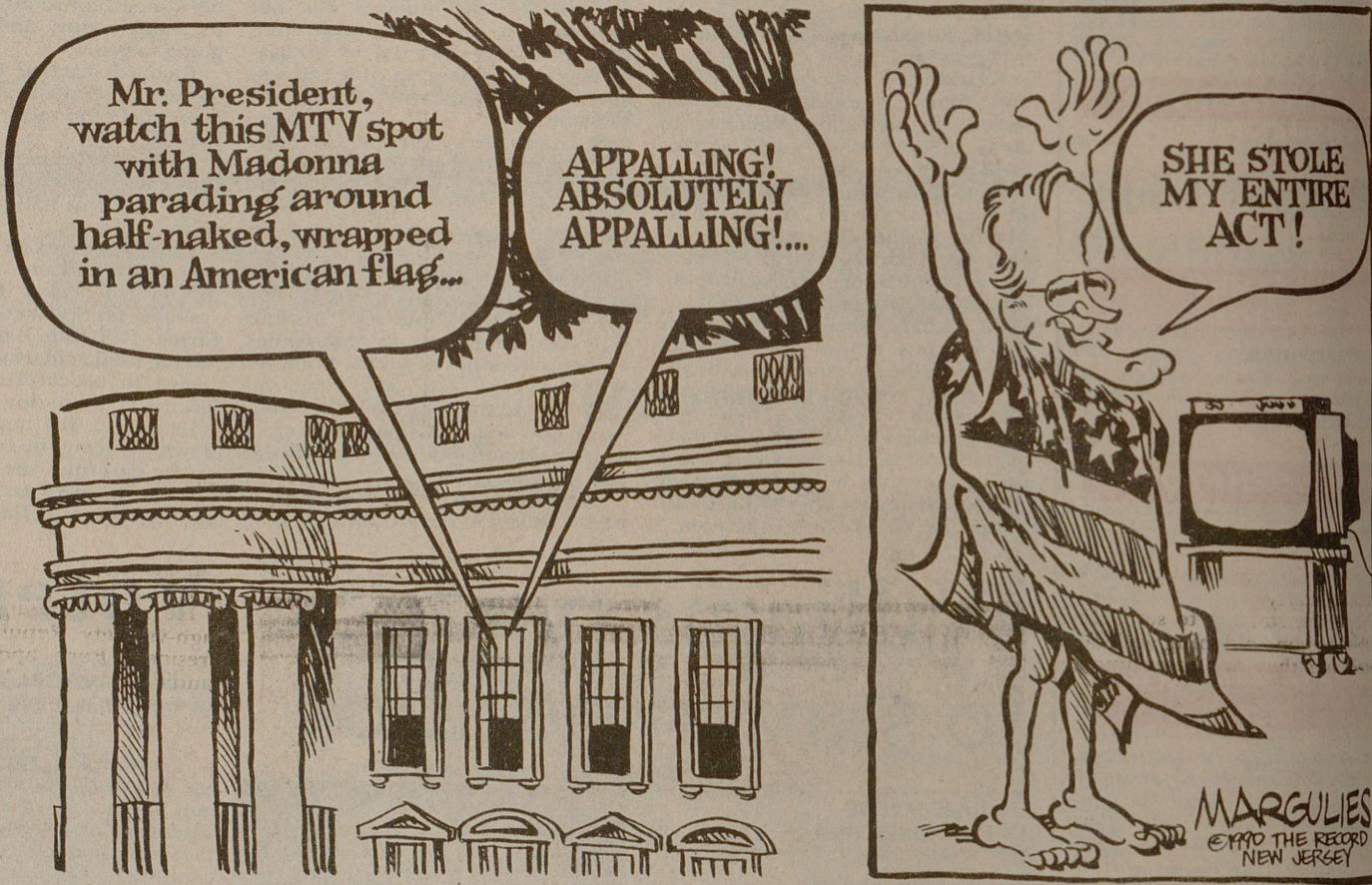
If you've been to an airport parking lot in an urban area you've probably seen the manned towers that guard the safety of parked cars and their passengers while they're in the parking lot. Texas A&M should have that type of system in its remote parking areas. And students should demand it.

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Why not take care of their own when they're still here?

Ellen Hobbs is a senior journalism major.



Mail Call

Shanty-bashers express beliefs

EDITOR:
 I walked past the wreckage of the symbolic shanty behind the Academic Building recently. After the initial disgust with the way the litter was cluttering my visual field of the campus, I was angered. Angered by the fact that anyone would seek to nullify the freedom of expression of those who had erected the shanty.

But then I had to stop myself. Wasn't the destruction a form of expression also? Maybe the so called "racists" are nothing more than realists. Maybe the reality is that it is noble, but surprisingly easy, to erect a symbolic shanty with nails and two-by-fours.

It is very easy to spray-paint signs which scream "stop oppression". And it is definitely easy to condemn apartheid in South Africa while standing in Brazos County. Maybe the realists realize that once South Africa chooses to shed its cloak of apartheid which leaves many out in the cold, maybe the activists will turn their efforts toward addressing inequalities here in the United States, Texas or even Bryan-College Station, as uncomfortably close to home that is.

On the other hand, maybe no one will mess with the status quo in Texas, precisely because it is uncomfortably close to home.

The public service announcement asks: "It's eight o'clock, do you know the plight of the destitute in South Africa?" The answer is "yes". But when the question is "It's eight o'clock, do you know the plight of the destitute in your back yard?", the answer is "no".

Condemning another country's bankrupt established social system is noble, even if morally imperialistic. Building a shanty is noble, even if comfortable. The overwhelming fact is that the forces of change within South Africa are likely to bring justice to that country, with or without our symbolic shanties. On the other hand, if we don't feed and clothe the poor in our community, then who will?

The question "Am I my brother's keeper?" has two answers. My South African brother, "yes". My Bryan-College Station brother, "no". How vulgar! How comfortable!

Tim Truesdale
 graduate student

Have an opinion? Express it!

Letters to the editor should not exceed 300 words in length. The editorial staff reserves the right to edit letters for style and length, but will make every effort to maintain the author's intent. There is no guarantee that letters submitted will be printed. Each letter must be signed and must include the classification, address and telephone number of the writer. All letters may be brought to 216 Reed McDonald, or sent to Campus Mail Stop 1111.

Adventures In Cartooning

by Don Atkinson Jr.



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By KEVIN M. Of The Battal

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