


FORECAST

Thursday
Scattered Storms
High 85°



OPINION

"The condition of the underclass is an issue that particularly cannot be judged following a rigid set of standard liberal or conservative arguments."

— Matt McBurnett

page 2

SPORTS

Bye-bye Brooks

Sources say Aggie hoops star Brooks Thompson will transfer to Oklahoma State

page 5

INSIDE

We asked and you said ...

Do you approve of the new anti-harassment policy at A&M?

?

page 3

The Battalion

Vol. 90 No. 133 USPS 045360 10 Pages College Station, Texas "Serving Texas A&M since 1893" Wednesday, April 17, 1991

Family of late professor seeks reversal of civil rights ruling

By Julie Myers
The Battalion

Lawyers for the family of a former Texas A&M electrical engineering professor will seek review with the U.S. Supreme Court to overturn the decision of a federal judge who ruled against them in their attempt to prove civil rights violations by A&M.

Attorney Jim Hill said he submitted a writ of certiorari April 11 for the late Dr. Abdel K. Ayoub because he be-

lieves Judge E. Grady Jolly of the U.S. Fifth Circuit Court of Appeals made factual errors in his judgment.

The writ must be approved by a majority of the justices. If it fails, the decision of the lower court stands.

In an opinion dated March 29, Jolly said the professor's speech regarding salary disparity involved only his personal situation and was not protected as a matter of public concern.

"The judge said there was no evidence when there was clear evidence," Hill said. "Ayoub talked to Clinton Phillips (former dean of faculties) in

1984-85 about a pay system that discriminated against foreign-born professors."

Jolly's opinion upheld the ruling by the U.S. District Court of the Southern Region of Texas that stated the University had not violated Ayoub's rights.

Ayoub, a tenured professor who came to A&M in 1968 and died of a heart attack in 1988, claimed he was the victim of pay discrimination because he was born in Egypt.

According to court records, Ayoub began complaining about his salary after he discovered the unequal pay scale

in 1980. These objections disrupted the department.

In 1981, Ayoub filed a salary grievance with A&M and complained about the perceived salary disparity.

In 1985, Ayoub was moved from 214 Zachry to 216A Teague. Ayoub claimed he was moved to a less convenient location as punishment for his complaints.

In 1987, Ayoub sued Texas A&M and five administrators. His widow, Odessa Ayoub, continued the suit. Before the trial in the lower court, all of Ayoub's claims, except his First

Amendment retaliation claim, were dismissed.

During the lower-court trial, a jury returned a verdict in Ayoub's favor and awarded his estate more than \$600,000.

The lower court judge, however, rendered a verdict for A&M, noting that "Ayoub's speech was not protected and that the defendants were shielded by qualified immunity and the evidence did not support the verdict."

This decision was upheld by the higher court.

Speakers urge policy change

Gays attend forum in large numbers

By Mike Luman
The Battalion

An overwhelming homosexual attendance of Texas A&M students and faculty members turned an open forum on campus harassment and discrimination Tuesday into an emotional plea to recognize gay and lesbian rights.

The Committee for a Discrimination-Free Campus heard remarks in Rudder Tower, including opinions from 14 gay students and faculty.

All 19 speakers requested the University Statement on Harassment and Discrimination be changed to include sexual orientation.

None of the speakers, regardless of their sexual orientation, approved of A&M President William Mobley's decision to remove a list of protected groups from University policy.

Jim Mazzullo, an A&M associate professor of geology, fac-

ulty senator and organizer of the Gay and Lesbian Faculty Support Group, told the committee that discrimination against homosexuals is an "extraordinary" problem at A&M.

"What we need for these specific problems are explicit regulations against discrimination," Mazzullo said. "Discrimination is suffered across the board at this campus in hiring, promotion, tenure, treatment and job opportunities."

Terry Walker, president of A&M's Gay and Lesbian Student Services, presented a 575-name petition to the committee requesting "unclear" language in University policy be changed.

Dr. Larry Hickman, a faculty senator and adviser to GLSS, told the committee that students at A&M believe it is acceptable behavior to harass homosexuals.

"We need to do something to change that," Hickman said. "Teach them this intolerance is not civilized stuff."

See Gays/Page 10



KARL STOLLEIS/The Battalion

Speaking out

A concerned student addresses the University panel for a Discrimination-Free Campus Tuesday night in Rudder Tower. This was the third and final such forum presented by the Committee.

Minority leaders support University's revised discrimination policy

By Mike Luman
The Battalion

The same anti-harassment and discrimination policy that has angered gays and lesbians at Texas A&M has received support from many black, Hispanic and women leaders at the University.

The original Statement on Har-

assment and Discrimination spelled out protected groups. For example, the statement specified protection from discrimination based on gender, race, religion or sexual preference.

A&M President William Mobley removed the list of protected groups and substituted "any form of harassment or illegal

discrimination against any individual is inconsistent with the values and ideals of the University community."

Representatives of A&M's Gay and Lesbian Student Services repeatedly have said the new statement offers no protection to homosexuals.

Other campus groups have been relatively quiet about the

policy, however, such as the Black Awareness Committee, International Student Association and Committee for Awareness of Mexican-American Culture (CAMAC).

Georgette Lopez-Aguado, president of CAMAC, said she believes the new statement is more "inclusive" than the original policy.

"People are taking it too hard," Lopez-Aguado said. "I think you shouldn't have to have a list of protected groups. People should know you can't discriminate."

Lopez-Aguado, also a member of A&M's Committee for a Discrimination-Free Campus, said all individuals are protected from harassment and discrimi-

nation by the new policy. "If you are harassed, you need to prosecute to the full extent of the law," she said.

The new written policy is not a solution to prejudice, Aguado added. Words on a page will not defeat bigotry, hatred and racism, she said.

See Reaction/Page 10

Contract talks break up

Rail workers plan strike nationwide

WASHINGTON (AP) — Last-ditch contract talks between freight railroads and their unions broke up Monday evening, clearing the way for a coast-to-coast strike after midnight that could strand rail passengers and stop the flow of one-third of the nation's goods.

"I assume there was just no reason to go on," Jim Reiter, a spokesman for the Association of American Railroads, said about three hours before a federally imposed "cooling off" period was set to expire at midnight, Washington time.

The nation's 235,000 freight workers had vowed to go on strike early Wednesday if a settlement was not reached by the midnight deadline. Union offi-

cialists declined to immediately comment on the early breakdown of talks, but earlier they said a strike was set for 7 a.m. Wednesday, local time.

As the hours wound toward the deadline, Larry McFather, president of the Brotherhood of Locomotive Engineers, said "we feel we have no choice" but to strike. "Our people have been cut to the bone."

"We'll probably shut the whole system down," said William Fairchild of the Transportation Communication Workers' cermen's division.

Presidential spokesman Marlin Fitzwater said the Bush administration was prepared to work with Congress on speedy legislation "to impose a settlement and end the strike."

House Speaker Thomas Foley said there would be no action before a strike began. But congressional leaders, meeting behind closed doors, said that if a walk-out occurred, they would hurry

legislation to resolve the dispute.

"My feeling is that, given the nature of the economy, it is important to act in a timely fashion," said Sen. Edward M. Kennedy, D-Mass., chairman of the Senate Education and Labor Committee.

A House panel had already scheduled a hearing for early Wednesday, with both labor, management and Transportation Secretary Samuel Skinner set to testify on the impasse.

At issue is a three-year-old dispute over wages, work rules and health care costs.

Unions contend the railroads have not offered high enough pay increases to make up for wage freezes of the past. Management argues that railroad workers' salaries are already higher than most other industrial employees.

Work rules determining crew sizes and miles traveled in an 8-hour shift are other stumbling blocks.

Bush unveils plan for camps

Kurdish relief effort grows

SILUPI, Turkey (AP) — Bad weather grounded some relief helicopters Tuesday in a remote corner of southeast Turkey, but U.S. troops stepped up relief efforts, setting up a supply base to speed the flow of aid to desperate Kurds.



President Bush plans an "ambitious relief effort" to aid Kurds.

In a shift in policy that addressed the difficulty in getting aid to the refugees, President Bush announced that the United States, France and Britain were moving troops into northern Iraq to set up camps for the refugees.

The "greatly expanded and more ambitious relief effort" will direct food and shelter to areas with more favorable geography, Bush said. The mountainous Iraq-Turkey border region is inhospitable both for the refugees and the efforts to help them.

Turkey says there are 600,000 Iraqi refugees — most of them Kurds — on its border, 400,000 of them inside Turkey. Iran says close to 1 million of Iraq's 4 million Kurds crossed its border.

Relief workers and the State Department say up to 1,000 refugees may be dying of exposure, dehydration and dysentery each day along the Turkish border. In Silopi, the clank of hammers echoed across the flat, grassy plain as the Air Force's 36th Civil Engineering Squadron from Bitburg, Germany, began setting up the supply base.

But bad weather — one of the problems bringing misery to the uprooted Kurds and frustrating those who would help them —

kept the helicopters on the ground Tuesday. Six heavy-lift Sea Knight helicopters that took off with food and water had to turn back.

"We could barely see the cliffs 40 feet away," said Staff Sgt. Lee Tibbetts, the public affairs officer with the 24th Marine Expeditionary Unit.

The Ankara government reversed itself Monday and allowed refugees to move beyond the border region and deeper into Turkey. Turkey plans to move about 40,000 refugees to the lower-elevation camps, President Turgut Ozal said Tuesday.

Ozal, who reportedly spoke twice with Bush about the refugees Tuesday, made clear he doesn't want the Kurds to stay.

In the mountains of northern Iraq, the Kurdish rebels say they still hold considerable amounts of territory in their traditional homeland.