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Supreme Court decision could lead to new trial for North

WASHINGTON (AP) — Oliver North's Iran-Contra prosecutors suffered a Supreme Court setback Tuesday that could lead to a new trial for North or even dismissal of his convictions.

The court, without comment, let stand a ruling that the former White House aide might have been denied a fair trial.

The U.S. Circuit Court of Appeals here ruled that North's conviction cannot stand if independent counsel Lawrence Walsh and his staff used testimony North gave to Congress under a grant of immunity.

Now that the Supreme Court has

denied Walsh's appeal, a federal trial judge will conduct new hearings to determine whether testimony against North was influenced by his televised appearances before congressional committees.

The conviction of former National Security Adviser John Poindexter, North's ex-boss, also could be in jeopardy. Poindexter also is appealing on grounds that his prosecution was illegally tainted by the use of his immunized congressional testimony.

The appeals court ruled in North's case that a new trial must be held — or the criminal charges dismissed — if any of the evidence was tainted.

"We are of course disappointed that the Supreme Court would not take the North case at this time," Walsh said Tuesday.

He said his office was ready to go ahead with the "item by item" review of evidence ordered by the appeals court. That hearing will be conducted by U.S. District Judge Gerhard A. Gesell, who presided over North's trial.

David Zornow, a member of the North prosecution team who now practices law in New York City, said he is confident North's convictions will be reinstated after Gesell reviews the testimony.

"We felt from the beginning that the

prosecution wasn't tainted and that that can be demonstrated," Zornow said.

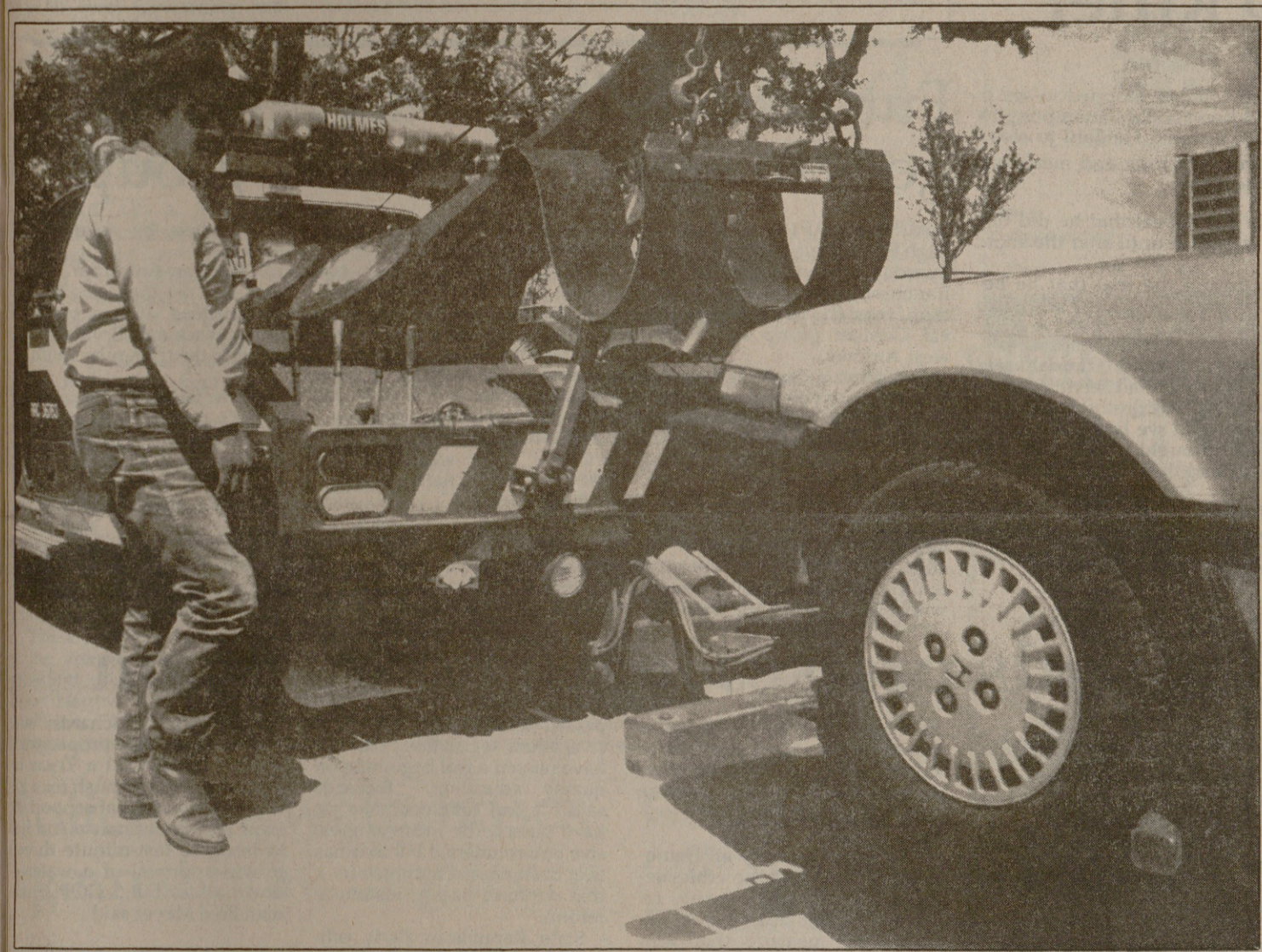
The justices Tuesday also rejected, without comment, an appeal by North challenging his prosecution on other grounds.

In other action, the high court:

- Made it easier for prosecutors to exclude Hispanics, and anyone else who is bilingual, from juries in criminal cases.
- The 6-3 ruling upheld an attempted murder conviction against a New York City Hispanic who said Hispanics were excluded unlawfully from the jury. Prosecutors said bilingual jurors might

not trust English translations of testimony given in Spanish.

- Unanimously threw out the murder conviction of a South Carolina death row inmate charged in the killing of a woman in a robbery. It was the second time the justices have ruled against the conviction.
- ed the scope of federal antitrust law, ruling 5-4 that an eye surgeon who was denied staff privileges at a Los Angeles hospital may have been the victim of an anti-competitive business scheme.
- Left intact a Georgia law that limits access by children to sexually explicit material in bookstores.



Take it away
 Steve Alvarado of A-1 Wrecker Service picks up a car to be moved from Old Main Drive. Cars were moved so workers could paint bicycle lanes.
 RICHARD S. JAMES/The Battalion

Regents could face legal action

Discussing harassment, discrimination policy in private could violate state law

By Chris Vaughn
The Battalion

Texas A&M University System's Board of Regents could face legal problems because of a possible violation of the Texas Open Meetings Act, in which the board discussed a harassment and discrimination policy in executive session two weeks ago.

The Board, which met May 16 and 17, discussed a System-wide statement on harassment and discrimination during a closed executive session. The measure was approved later.

Executive session is for specific personnel matters, litigation or real estate matters, according to the Texas Open Meetings Act.

An official with the Freedom of Information Foundation said Tuesday that he believed the regents had violated the law by acting on the policy.

A violation of the Texas Open Meetings Act constitutes a misdemeanor punishable by one month to six months in jail and a \$100 to \$500 fine. A court also can void a policy if it is enacted in violation of the act.

Chairman of the Board Ross Margraves and A&M's General Counsel James Bond did not return phone calls to The Battalion

Tuesday.

Dr. Larry Hickman, faculty adviser for A&M's Gay and Lesbian Student Services, said he is not an attorney and was not completely familiar with the act, but he did question it based on the law's wording.

When Hickman was asked if anyone planned on challenging the regents' move, Hickman said "there were some parties very interested in the recent events." Hickman did not elaborate further on any possible legal action.

The new System statement virtually mirrors a statement issued earlier this year by University President William Mobley.

The statement, which in general terms forbids harassment and discrimination and makes no mention of specific groups, received a unanimous vote from the Board and was supported by the eight university presidents in the System.

The System statement now reads: "Faculty, staff and students should be aware that any form of harassment and any form of illegal discrimination against any individual is inconsistent with the values and ideals of the Texas A&M University System community."

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Insurgents capture Ethiopian capital

ADDIS ABABA, Ethiopia (AP) — Rebels seized the Ethiopian capital in fierce but brief fighting Tuesday, then moved on to the monumental task of temporarily governing a country wrecked by 30 years of civil war and stalked by famine.

The takeover came a week after Ethiopia's longtime ruler, Mengistu Haile Mariam, resigned as president and fled the nation, and one day after the United States gave the rebels its blessing to move into Addis Ababa to restore order.

Official casualty lists were not issued, but reporters counted at least three government soldiers killed at the presidential palace. A worker at Emperor Zewditu Hospital said at least three civilians killed by gunfire were brought there along with "many" wounded. He spoke on condition of anonymity.

The Red Cross said up to 750 civilians were injured in the capital in recent days, including perhaps 250 in an ammunition dump explosion Tuesday. It said its surgical teams in Asmara, Bahr Dahr and Dessie reported "a considerable increase" in wounded recently. No casualty figures were available for civilians, rebels or government troops, but the Red Cross said up to 750 civilians had been hurt in the capital in recent days.

Millions of Ethiopians are imperiled by drought and famine, and the fighting has hampered efforts to get aid to them.

But experts said the rebel victory might

help get relief efforts back on track.

When the rebels moved into Addis Ababa, the stiffest resistance came at the presidential palace on the city's north side.

Rebels struck at the first light of dawn, slamming the palace with the fire from tanks, multiple rocket launchers, machine guns and automatic rifles.

They seized the complex after about three hours.

Light, scattered fighting continued for several hours in other parts of the city. By dusk, the gunfire had tapered off and the capital's streets were empty.

A rebel leader, Meles Zenawi, said in London that "peace and order has now been reestablished in Addis Ababa."

The rebels seized most key government installations and buildings without opposition.

Diplomats said many offices had been ransacked and looted by their occupants before they fled.

Most residents stayed indoors during the heaviest fighting and the rebels appeared to have avoided most residential areas.

Government soldiers at the Ethiopian Ground Forces headquarters, on the southwestern edge of the city, were overwhelmed in a firefight that lasted only about half an hour.

"The soldiers, they make me feel sorry," said Gebre Hiwot, 25, an 8-year veteran of the rebel army. "They were only forced to

fight. They were taken from the street, the office, the farm. I have no anger with them."

The relentless three-month rebel offensive had devastated government forces, triggering mass desertion of conscripts and defection of officers.

On Monday, on the eve of the assault, the government had told its troops to lay down their arms.

A political officer with the insurgents said the whereabouts of acting President Lt. Gen. Tesfaye Gebre-Kidan were unknown. But it became clear that the collapsed government would have little to say about the country's future.

In London, the Ethiopian prime minister and his delegation boycotted the peace talks, but the U.S. mediator, Herman Cohen, said that mattered little because the rebels were the ones who would determine the makeup of the new transition government.

Cohen, who is assistant secretary of state for African affairs, said the largest rebel group, the Ethiopian People's Revolutionary Democratic Front, would assume "state responsibility" until the transition government could be set up.

That government, in turn, was to organize democratic elections within 12 months.

Leaders of the three main rebel groups agreed to hold talks no later than July 1 on the new government.

North Korea will apply to join United Nations

SEOUL, South Korea (AP) — In a major diplomatic turnabout, Communist North Korea said Tuesday it would apply to join the United Nations simultaneously with longtime rival South Korea.

The surprise announcement is a breakthrough in four decades of bitterly hostile relations between the two Koreas and could push forward dialogue on easing political and military tensions.

The statement from the North Korean foreign ministry is seen as North Korea's first major initiative toward expanding relations and opening its closed, reclusive society to the world.

Observers see the North's opening as essential to securing lasting peace and security in the North Pacific.

Applications on U.N. membership could be submitted as early as June and will be coordinated through the two Korea's offices in New York, officials said.

The Korean peninsula is the most heavily militarized area of Asia and the two Koreas are on a war-footing with more than 1.5 million armed troops on either side of a tightly sealed border. North Korea is believed to have capability to manufacture nuclear arms by the mid-1990s.

South Korean Assistant Foreign Minister Lee Jung-bin called the announcement "a significant milestone in consolidating peace and stability in north-east Asia as well as the Korean peninsula."

Battalion summer circulation begins Tuesday