

The Battalion

"Serving Texas A&M Since 1893"

Monday, January 25, 1993

Vol. 92 No. 79 (8 pages)

Former Justice Thurgood Marshall dies

THE ASSOCIATED PRESS

WASHINGTON — Retired Supreme Court Justice Thurgood Marshall died Sunday of heart failure. He was 85.

Marshall died at 2 p.m. at Bethesda Naval Hospital in Washington. He was a former U.S. attorney general, a civil rights lawyer, and a Supreme Court justice. He had been in failing health for the past several years and cited this as the reason for his retirement from the court, House said, reading a hospital statement.



Marshall

He left the court in July 1991. Funeral arrangements were pending.

Marshall, the first black justice of the Supreme Court, made his mark as a champion of civil liberties for all.

Marshall was appointed to the court on June 13, 1967, by President Lyndon B. Johnson, climaxing a career as a civil rights lawyer, appeals court judge and U.S. solicitor general.

He quickly found a philosophical home with the court's liberal activists under then-Chief Justice Earl Warren. But the liberals became outnumbered and remained outnumbered as the appointees of

Supreme Court's first black Justice noted for achievements in civil rights

presidents Richard M. Nixon and Ronald Reagan gave the court a conservative cast.

A gregarious, quick-to-laugh man before he was named to the court, Marshall became considerably more solemn in public. His natural optimism displayed as the nation's most successful civil rights lawyer appeared to fade.

Among some of the more important decisions written by Marshall for the high court were those saying that shopping center owners' rights to restrict demonstrations were limited; that a teacher cannot be fired for speaking out

truthfully on public issues; that possessing obscene material within the privacy of one's own home cannot be made a crime.

By the early 1970s, he was more often in the minority. In 1974, he dissented sharply from a ruling invalidating a plan for busing pupils across school district lines to achieve racial integration.

He called the ruling a "giant step backward" from the court's 1954 decision striking down school segregation, which he had won as a lawyer for the National Association for the Advancement of Colored People.

He was again in the minority in 1986 when the court voted 6-3 to permit Norfolk, Va., to end the cross-town busing of elementary school students to achieve racial segregation.

One of his sharpest dissents came in 1977 when the court ruled that states were under no legal obligation to pay for "non-therapeutic" abortions for women on welfare.

"I am appalled at the ethical bankruptcy of those who preach a right to life that means, under present social policies, a bare existence in utter misery for so many poor women and their children," he said.

He again dissented in 1980 when the court ruled that Congress could severely restrict Medi-

icaid spending for most abortions sought by poor women.

In a 5-4 decision in 1972 which struck down capital punishment laws then on the books, Marshall was one of two justices who went all the way and declared that the death penalty was unconstitutional under any circumstances.

The court reinstated capital punishment in 1976 and Marshall often spoke in opposition. In a 1984 speech at the New York University law school, he said the death penalty was being imposed with "startling unfairness."

"The most glaring of the inequities in the administration of the death penalty concerns the race of victims and defendants,"

See Marshall/Page 4

Conference delivers advice

By KEVIN LINDSTROM

The Battalion

Young African-American leaders need to remember that they owe the advantages they now enjoy in education to the African-American leaders who went before them, said artist and poet Nikki Giovanni at the Fifth Annual Southwest Black Leadership Conference at Texas A&M University Friday night.

"I would be remiss not to remind you that we have fought hard to get you here," said Giovanni, an English professor at Virginia State University. "You must fight hard to get out."

Joseph Gourrier, president of the student chapter of the NAACP, agreed.

"We need to use all of the resources available to us," Gourrier said. "That is how everyone functions, no matter their background."

Dr. Marilyn Kern-Foxworth, A&M professor of journalism, remembers her difficulties when she attended college.

"I had so many different emotions," Kern-Foxworth said. "Today's students don't have to see the 'colored only' signs."

Giovanni said, "Some of us, who are too old to do anything else but hope for you, are working very hard to open doors for you. If someone can help you, accept it graciously." Independent filmmaker Spike Lee has abused these advantages by misrepresenting African-American women and civil rights leader Malcolm X in his movies, Giovanni said.

"Spike has held black women in the lowest possible evidence," she said. "It couldn't have been an accident that the only scene in the whole damn movie [Malcolm X] that showed a black woman doing anything, she was picked up by a white man and went down the corner."

"I thought what Spike did to Malcolm was despicable and disgraceful," Giovanni said. "If you want to show what affected Malcolm X, show something real."

"Spike Lee does not have a historical sense, he has a pop sense," she said.

Kern-Foxworth, who will be moderating a forum with Lee during Texas A&M's Texas Film Festi-



Nikki Giovanni speaks at the Fifth Annual Southwest Black Leadership Conference.

tival on Feb. 24, said there are going to be artistic differences.

"I don't think you can please everyone," Kern-Foxworth said. "She is an artist, and she offers a different perspective. She didn't mention any of the positive por-

trays of women in Spike's films such as Dr. Betty Shabazz, Malcolm's widow. I think it is a case of looking at a glass as half empty or half full."

Giovanni, making a special plea to African-American males, said that college is better than the other options available to them. "It beats prison," Giovanni said. "It beats jail. It beats you running around saying to yourself, 'I'm bad,' and knowing inside that you are not maximizing your potential or your possibilities."

France B. Brown, Jr., a workshop instructor for the conference and former A&M student, said Giovanni's comments were insulting to him as an African-American male. He said Giovanni implied that every African-American male not in college would commit crimes.

"The sweeping indictments she made were uncalled for," Brown said. "And they were unbecoming of Nikki Giovanni."

Speaker urges blacks to promote equality

By JEFF GOSMANO

The Battalion

If African-American students take an active leadership role, they can promote equality in the future, Dr. Patricia Russell-McCloud said Saturday at the Southwestern Black Student Leadership Conference banquet in Duncan Dining Hall.

Russell-McCloud, an attorney and professional motivational speaker, said African-Americans need people who will encourage change and not simply wait for others to react to racial injustices.

"We don't need too many more thermometers," she said. "We don't need people to just register the situation. We need leaders who are going to be thermostats who will affect the change."

The African-American leaders must be confident in themselves and the changes they strive to make, she said.

"We will need a leadership that will not be restrained or harassed by self-doubt," she said.



Dr. Patricia Russell-McCloud speaks on leadership at the conference last Friday.

See Speaker/Page 4



JEN LOCKARD/The Battalion

Chinese Student Association President Tai-Fang Wu (left), Yao-Hsien Tsai (right), Chung-Yuan Lu (back left) and Eddie Chang participate in the Lion Dance as part of the Chinese Lunar New Year held Saturday in the MSC. The students commemorated the Year of the Rooster, 1993, celebration with a Chinese food buffet and cultural events.

Faculty recalls Stark's deeds

Former MSC director remembered for accomplishments

By CHERYL HELLER

The Battalion

Those who worked closely with J. Wayne Stark said he did more for students than perhaps any other faculty member in the history of Texas A&M University.

Stark, who served 33 years as MSC director, died Jan. 18 in Bryan at the age of 77. He came to Texas A&M in 1947 to oversee the construction of the MSC.



Stark

"I considered him a valued counsel, adviser and friend," President William Mobley said. "He is not replaceable, and A&M was fortunate to have him for so long. His legacy will be long-lasting."

Stark retired as MSC director in 1980, but he continued to serve the University as special assistant to President Mobley for development of cultural programs.

Jim Reynolds, current MSC director, said Stark had great foresight for what students could gain from the University.

"Over the years, he had some unique visions about what Texas A&M students needed, and would take advantage of, if opportunities were offered to them," Reynolds said. "His vision of the

Memorial Student Center worked out absolutely on target."

Stark had a tremendous interest in international travel, said MSC Administrative Assistant Jane Bailey.

"He always devoted a lot of time to students, encouraging them to travel and learn about other cultures," Bailey said. "He arranged jobs and internships overseas so that they could learn about the world firsthand."

In 1959 Stark became the Texas A&M sponsor for Experiment in International Living, which along with related programs, has enabled approximately 400 Aggies to travel overseas to live and work.

Stark, a retired lieutenant

See Stark/Page 4

Rally for Life draws crowd of 60

By CYNTHIA TREVIZO

The Battalion

Aggies for Life protested the 20th anniversary of Roe v. Wade, the Supreme Court decision that legalized abortion, by informing students of abortion alternatives Friday at the Rally for Life.

"After 20 years of legalized abortion, I think, and I want you to remember, that a whole part of a generation has been destroyed," said Diane Sarver from Brazos Valley Life and Family Advocates. "Never to love, never to laugh and never to experience life."

Sarver said society "offers failure, suicide and self-destruction" and stressed that the crowd of 60 people by Rudder Fountain were "survivors" of abortions

which never occurred.

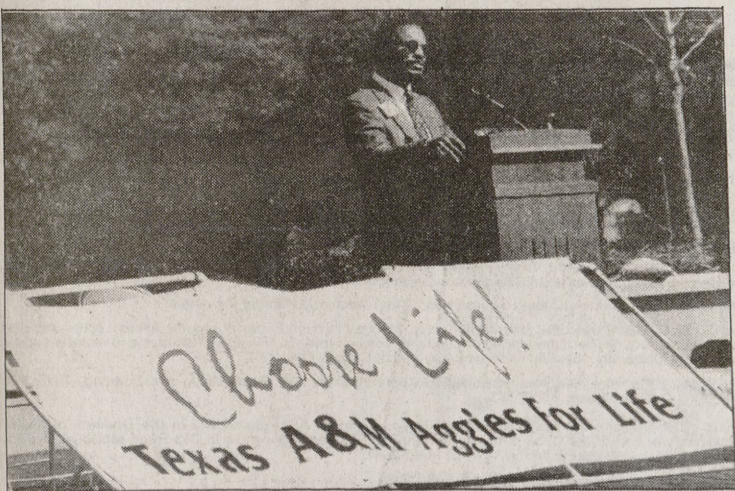
The rally began with the singing of Whitney Houston's "Miracle" by Shawn Sharp and highlighted speakers who gave personal testimonies.

"For the next five years I carried that guilt with me," said Martha Curtis who had an abortion.

She said her pain was eased when she gave her life to Christ and was "called" to establish Heritage House, a women's Christian maternity home in the Bryan-College Station area.

Dr. Haywood Robinson, board chairman for the Brazos Valley Crisis Pregnancy Service (BVCPS), was also directly involved in the abortion issue until

See Rally/Page 4



DARRIN HILL/The Battalion

Dr. Haywood J. Robinson discusses pro-life issues before a crowd of about 20 people at Rudder Fountain on Friday.

Aspin plans for 'revolt'

Secretary readies to fight military ban

THE ASSOCIATED PRESS

WASHINGTON — Defense Secretary Les Aspin said Sunday he wants to head off a potential "revolt" in Congress and among the Joint Chiefs of Staff over President Clinton's plan to lift the ban on homosexuals in the military.

As Clinton prepared for a meeting Monday with the joint chiefs of the armed services, Aspin said "they and the military... have to understand that the president is deeply committed to... end discrimination against homosexuals in the military."

"My argument to the military is sooner or later, the courts are going to come at you on this issue," Aspin said on CBS-TV's "Face the Nation."

"You can object and stonewall... but one of these days we're going to have, like it happened in Canada, where the court suddenly comes in and says, 'You have to — that this is unconstitutional,'" Aspin added.

Clinton should give the defense secretary six months to draft an executive order lifting the ban, according to a Jan. 18 draft of a memo from Aspin to the president.

That time lag would "avoid an immediate debate in the Congress — a debate that is likely to be against this position," states the memo.



Aspin