

OPINION

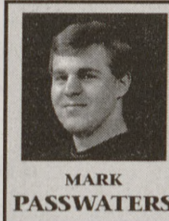
THE BATTALION

Taking protests by the horns

UT decisions go against university's liberal tradition



RUBEN DELUNA/THE BATTALION



MARK PASSWATERS

College campuses have been considered bastions of free speech. The University of Texas-Austin has been one of the foremost places that have taken advantage of the First Amendment, often to the annoyance of the Texas A&M community. Recent events on the campus may suggest, however, that times are changing.

It appears at first blush that members of the administration and student body are more interested in keeping the rest of the university community quiet than in letting them engage in any sort of political debate. If this is indeed the case, UT is doing more than turning its back on a tradition of political activism. It is also helping to set a precedent that will limit the rights of students on other campuses.

Last month, former Secretary of State Henry Kissinger was scheduled to give a speech on the UT campus. After several campus organizations threatened to protest Kissinger's appearance, University President Larry Faulkner and Kissinger decided to cancel the appearance, citing fears that the protest would be of "sufficient magnitude to pose a threat to public safety." But this would not be the first time that protests have been avoided at the liberal Austin school.

In 1984, another appearance on the UT campus led to the arrests of four dozen students, yet no violent acts were committed. The idea that Longhorns would burn down the campus — or worse, disrupt traffic on Interstate 35 — over an appearance by a

man who has not been Secretary of State in a quarter century, seems far-fetched at best. A protest could, however, generate negative publicity for the school, which may have led President Faulkner to vow the installation of "new and appropriate steps" to stop possible future protests. Maybe Faulkner should invest in a good lawyer because such steps may well violate the First Amendment to the U.S. Constitution.

If members of the student body feel the tremendous urge to protest President Nixon's policies in Vietnam and American involvement in East Timor in 1976, they do have the right to assemble and speak their minds. It is perfectly justified for Faulkner — or anyone, for that matter — to tell these students to get a life and worry about something that affects their lives now. It is not justified, however, to take away their avenue to express their opinions.

People who do not think along the lines of conventional wisdom at UT seem to find themselves discriminated against. The university is certainly taking a 180-degree turn from its history of tolerance and inclusion. This disease even penetrated the esteemed ranks of *The Daily Texan*, which finds members of its staff accused of political bigotry.

This past summer, a writer at *The Texan* was fired after a dispute with the editor-in-chief. The writer, a self-proclaimed conservative, said that political disagreements caused the editorial staff to remove several of his columns. One of the columns that did run criticized the management of the UT radio station, KVRX. In the article, the writer criticized Faulkner for his involvement in the issue. Shortly thereafter, the writer found himself without a job.

The Texan should be ashamed of itself. A news-

paper is obligated, by design, to report the facts to its readership. The facts may include information some people find distasteful but should be run nonetheless. The editorial staff of *The Texan* accused *The Battalion*, in print, of lacking journalistic integrity for not reporting allegations of sexual harassment in the Corps of Cadets. The incidents that *The Texan* referred to happened in March, and investigations by UPD and the Corps itself found the allegations to be lacking in truth. In spite of that, *The Texan* pulled out its soapbox and lectured its Aggie counterpart on how to do its job. If the staff of *The Texan* condemned other publications for ethical lapses, and then fired one of its own writers over a political dispute, it is guilty of hypocrisy of the highest magnitude.

For many years, the UT community has spoken its mind freely and without fear of retaliation (except possibly from Aggies who heard their jokes one time too many).

Unfortunately, some people on the UT campus have decided that having a homo-homogenous campus that thinks the same is more desirable than having one where people exercise their right to speak openly whenever they like. The First Amendment is one of the most amazing concepts in the annals of humanity, and UT has often taken full advantage of it. Whether one likes the Longhorns or not, it would be a terrible shame for the nation as a whole if they distance themselves from this tradition.

Austin's FM talk station, 98.9 KJFK, uses the motto, "The First Amendment at its best." They may want to keep quiet with that motto, or someone at the University of Texas might come after them for being a bunch of rabble rousers.

Mark Passwaters is a senior electrical engineering major.

'One Florida' plan would benefit minorities

One of the most striking features of the South's collective psyche is its guilt about slavery. It seems a white politician can only be either genuinely repentant or prejudiced. There is little wonder then, that Florida Governor Jeb Bush's "One Florida Initiative" plan has earned him praise as a progressive and contempt as a racist.



CHRIS HUFFINES

"One Florida," in effect, completely removes race-based preferences and quotas from university admissions and state contracting decisions. Bush and his independently elected cabinet's plan replaces the race-based factors with a mandate that the top 20 percent of graduating seniors from each Florida high school gain automatic admission. In addition, "One Florida" increases financial aid and makes it easier for minority businesses to be certified. Despite how it may appear at first glance — that Bush's plan is anti-minority — his plan is actually, in the long run, good for the minorities of Florida.

Understandably, many leaders in the community were put out by this plan. They feel that the removal of affirmative action will have a negative impact on the ethnic and racial minorities in the state. Rep. Corrine Brown, D-Fla., said, "Well, Bush has made good on his promise to do nothing for African-Americans, Hispanics, Native Americans, Haitian-Americans, women and all other minorities in the state of Florida."

Bush's spokesperson Justin Sayfie said to CNN, "The governor has proposed the Florida initiative in the hopes it can unite Floridians in diversity and fairness."

The question appears to be whether unity is more important than the progress of a part of the community. Any reasonable person who has paid attention in history class knows that very question was at the heart of the slavery debates of the 1800s. As was decided then, rather forcefully, the answer is and must be that unity is worthless if it is gained

on the backs of minorities. It would be a step forward accompanied by several dozen steps back.

However, as Bush knows, the unity he seeks can be accomplished without forcing minorities to suffer. Despite every prediction to the contrary, the University of Texas-Austin, only four years after the Hopwood decision came down, has overcome a momentary dip and achieved the same level of minority enrollment as before it was required to eliminate race-based admissions. Affirmative action was irrelevant to the minority enrollment at UT, and it is irrelevant to university admissions in Florida.

Will "One Florida" help minorities, though? After all, if the initiative does not lead to any benefit to minorities, all it does is rile everybody up for no reason. The answer is that "One Florida" will not lead to any immediate benefit. But in the long term, "One Florida" is exactly what is needed. It will help minorities who are still afflicted with the effects of prejudice and racism without using a racial bias to do it.

The problem most whites have with affirmative action is that it is extremely coercive. Affirmative action is a very big stick. Only recently has there been any thought that it should be anything else. In the '60s, when it was enacted, affirmative action fought fire with fire. Whites were discriminating against blacks, so the federal government made it illegal to discriminate and backed up that order with a system of preferential hiring and admissions. This preference had the dual purpose of eliminating discrimination by removing employers' hiring choice and by rectifying some of the damage centuries of slavery and more than 90 years of

segregation had done. It did this with coercion.

It has to be remembered affirmative action is no more effective than a stick. It punishes the prejudiced for acting on their prejudices. While that approach was fine for the '60s, the advances in race relations (yes, there have been advances) call for a significantly more subtle approach.

What is needed is not a stick but a carrot — something that is neither coercive nor retroactive. This country requires a system that compensates for racial bias without using its own racial bias. The biggest problem with affirmative action now is that while it does effectively eliminate racism, it does so by rolling dice loaded in favor of minorities. That is not equality; it is racism. In years past, pro-minority racism for a good cause was

entirely justified, but there will come a time when fighting fire with fire will only get everyone burned. Bush and Florida are getting out before their fingers get singed and attempting to enact a plan that will address the problems of racism without itself being racist.

Bush's plan is unpopular with some. However, if "One Florida" is given a chance to work as it is intended, with the support of the minority communities, then it will further the cause of minorities in Florida. If it is undercut, the chance is good that "One Florida" will fail and cause nothing but problems for everyone in the state. Without support, the program will never achieve its potential. There is obviously a better route. It only remains to see if it will be taken.

Chris Huffines is a senior speech communication major.

Despite every prediction to the contrary, the University of Texas, only four years after the Hopwood decision came down, has achieved the same level of minority enrollment as before.



Drug test results for hospital's eyes only

The Supreme Court recently agreed to hear a case questioning whether the Constitutional rights of expectant mothers were violated by a hospital drug test. A Charleston, S.C. hospital tested the women for drugs and then gave the results to law enforcement officials without the mothers' consent. The policy began in 1989, when crack cocaine mainly affected low-income communities. Only women suspected of drug use were tested. Of the 10 women that tested positive for cocaine use, nine black women were arrested; the lone white woman was not. All 10 women are suing the city, police and hospital administrators on the grounds that their Fourth Amendment rights were violated. The policy was suspended in 1993 because of the lawsuit.



JESSICA CRUTCHER

The Medical University of South Carolina Medical Center's policy is fundamentally flawed. The hospital's first mistake was not testing all patients; its second was notifying law enforcement. By picking and choosing who it tested, the hospital left itself open to accusations of racial discrimination. Such a policy also works to destroy clients' trust in their doctors, therefore discouraging people from seeking needed medical care. The policy also leaves the door open for more broadly encompassing searches in the future.

Testing all pregnant clients for illegal drug use is justifiable in the interests of the unborn child. Using drugs is undeniably harmful to a fetus. In addition, someone who regularly uses illegal drugs is not an ideal role model. But notifying the police was an inexcusable breach of both patient-doctor privilege and the women's Fourth Amendment rights.

If pregnant women are to be subjected to drug tests, all pregnant women should be tested — not only a few "suspicious" individuals. Crack cocaine users are often stereotyped as poor African-Americans, which unfairly makes them the subjects of drug tests. The women involved in the lawsuit have

made accusations that the drug policy was racially motivated, noting only the African-American women who tested positive for cocaine were arrested. In addition, the only hospital to implement the questionable drug policy served a predominantly African-American population. Whether or not the policy was racially motivated, the reality is that so-called random drug testing could be used in a discriminatory manner.

In their zeal for looking for "obvious" drug users, hospital officials could also overlook less obvious offenders. If administrators are really that concerned about children's welfare, they should test everyone.

Charleston claims its policy of notifying law enforcement is justifiable because it is trying to protect the health of pregnant women and the unborn. Although this argument rings true for basic drug testing, it falls flat when applied to informing legal authorities. If pregnant women are worried about being turned in to the police, they will not go to the doctor at all. The Charleston policy simultaneously works to scare drug-using mothers away from medical treatment and to weaken the patient-doctor privilege. The children of drug-using mothers will be worse off with no prenatal care at all than with the care the doctors can reasonably provide without infringing on their patients' rights.

The hospital's policy also opens the door for many other infringements on privacy. What if American citizens could be randomly tested or searched for any substance, under the guise of "looking after their welfare?" There are more effective ways to help pregnant women addicted to drugs than telling the police. Counseling and support programs would be much more helpful for recovering mothers and their infants than separating the pair to throw the mother in jail.

There are no easy answers to the problem at hand. There is a delicate balance between endangering children and violating human rights. But in the future hospitals should think more carefully before tossing aside time-honored legal traditions.

Jessica Crutcher is a sophomore journalism major.

Substance-free housing is positive

In response to Jill Riley's March 2 column.

I feel Riley's column on the substance-free housing failed to look at both sides of the issue at hand.

First, I'd like to point out that only 4 floors out of 30 dorms will be made substance-free. That is a very small percentage. Not only that, but we should remember that students will be able to choose to live in a substance-free environment. No one will be placed there who is unwilling to cooperate and unaware of what he or she is getting into.

Riley speaks of trying to build more unified campus and cites how separating users from non-users serves against that purpose. It is my opinion that those who are completely separate things; no one is being excluded because of their race or ethnic background, for example, which

are things a person has no control over. However choosing to use or not use substances is just that: an individual choice.

And just as those who choose to consume alcohol, cigarettes and the like should be able to do so, then what is so wrong about those who choose not to participate in such activities?

The substance-free housing will provide them with a safe haven and friends who share in their choice. I commend Texas A&M in this decision and will hope for its success.

Lucy Rochetti
Class of '01

Bush exemplifies Republican party

In response to Nicholas Roznovsky's March 3 column.

I recently read in Roznovsky's editorial that "... the November election will be a matter of who

has greater numbers, not who has the better platform," simply because the bulk of the Republican Party does not want to support John McCain despite the fact that he probably has a better chance of defeating Al Gore than George W. Bush does. I find this kind of thinking rather counter to the way the system is set up.

The Republican Party does not simply want to find a candidate who can beat the opposing Democrat, they want to find a Presidential candidate that they can trust and believe in who they feel embodies the majority of their political views.

To most Republican Party members, the person who best exemplifies the standards, principles, and morals of the Republican Party is George W. Bush, not John McCain.

The Republican Presidential candidate should represent the Republican Party, not simply be a "Republican" who can beat the Democratic Presidential candidate. The Republicans of America should not have to "settle" on

a candidate and pick between the "lesser of two Democratic evils," but should be able to vote for a candidate they feel truly and honestly represents the Party.

If McCain was to win the Republican nomination for President, I would find it impossible to vote in the election with either confidence in my choice or a clear conscience.

Shea Trantham
Class of '02

The Battalion encourages letters to the editor. Letters must be 300 words or less and include the author's name, class and phone number. The opinion editor reserves the right to edit letters for length, style, and accuracy. Letters may be submitted in person at 013 Reed McDonald with a valid student ID. Letters may also be mailed to:

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