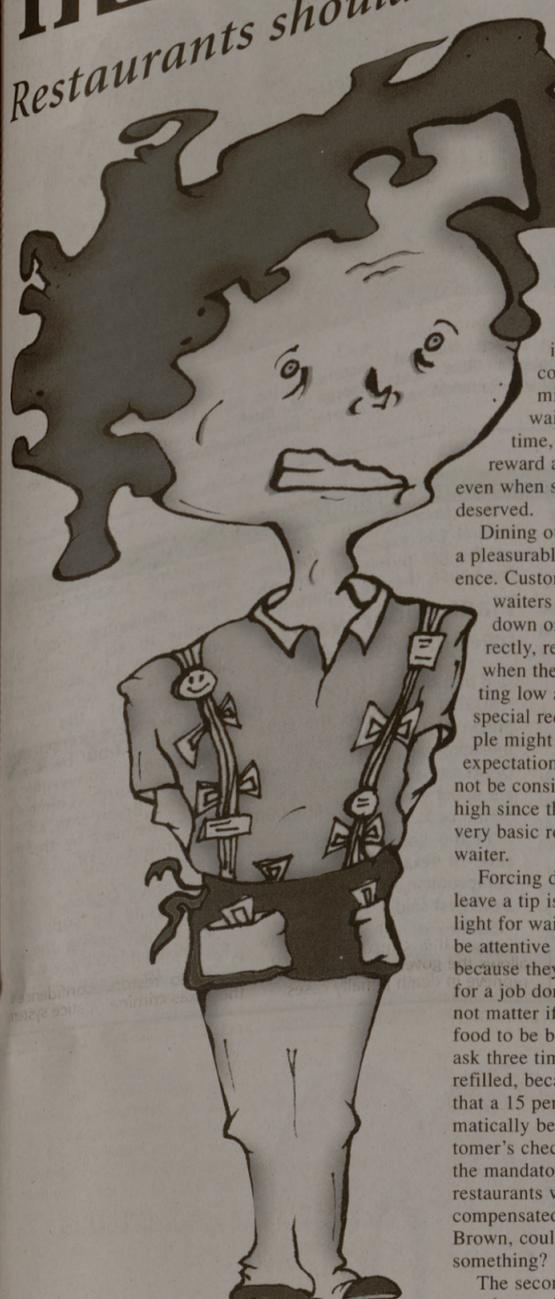


## THE TIPPING PROBLEM

*Restaurants should not add mandatory gratuity fee*



Maybe it's old-fashioned, but a tip is something that should be earned, not simply received. Ray Brown, general manager of a Baltimore, Md. Bannigan's, disagrees. At this particular franchise, a 15 percent tip is added to every check after 9 p.m., regardless of the party's size and the quality of service, according to a Washington Post column. This practice undermines the work ethic of a waiter, while at the same time, obligates the diner to reward a restaurant and its staff even when such recognition is not deserved.

Dining out should be a pleasurable experience. Customers expect waiters to write down orders correctly, refill drinks when they are getting low and fill any special requests people might have. Such expectations should not be considered too high since these are the very basic roles of a waiter.

Forcing diners to leave a tip is a green light for waiters to no longer have to be attentive to their customers, because they will still be compensated for a job done poorly. It suddenly does not matter if it takes twice as long for food to be brought out, or if one must ask three times to have a drink refilled, because the wait staff knows that a 15 percent gratuity will automatically be factored into their customer's check. Brown said he believes the mandatory tip is a good idea for restaurants whose staff is "not getting compensated for its work." Gee Mr. Brown, could that be a reflection of something?

The second foolish thing about this mandatory tip policy is that it goes

into effect after 9 p.m. Families have come and gone by this time, and what you have at the bar and scattered throughout the restaurant are drinkers. True, there are a few people who come in for a late bite, but mostly you have drinkers. And drinkers like to run up a tab and, paraphrasing Levey from his column, it usually runs generosity in the same direction. No mandatory tip and the wait staff will make sure your beer is in front of you in no time. A mandatory tip means they will get to you when they get to you, and you still have to reward your server. Of course, at this point, you also have the option to leave.



MELISSA FRIED

**"Forcing diners to leave a tip is a green light for waiters to no longer have to be attentive to their customers, because they will still be compensated for a job done poorly."**

And really, when you think about it, tipping has become such an involuntary-voluntary action these days that many people leave the obligatory 15 percent tip just to keep from being remembered as the "jerk who doesn't tip." Call it America's neuroticism — people do not like to feel guilty about being served so they leave a little something behind to say thanks.

So if this is a problem, there has to be an answer.

Maybe if American restaurant associations would not lobby to continue underpaying their employees, tips would not be sought as often as they are. Tipped employees do not get paid the normal minimum wage. In fact, the federal minimum for tipped employees is \$2.13 per hour — assuming that tips will make up the difference in salary.

To tip, or not to tip, that is the diner's question. Except in Baltimore.

*Melissa Fried is a sophomore international studies major. Graphic by Leigh Richardson.*

## Killing the death penalty

In the early months of 1994, as Robert Nelson Drew resided in Death Row after being convicted of capital murder, a man came forward and signed an affidavit in which he confessed to the murder for which Drew was scheduled to be executed. The state of Texas, however, refused Drew a new hearing and on Aug. 2, 1994, the 30-year-old man was executed by lethal injection. This is just one of too many unforgivable flaws of administering the death penalty.



JOHN DAVID BLAKLEY

When the life of a human being is cut short, not by disease, old age, or accident, but done so deliberately and when otherwise the life would continue, it is murder. Whether such an action is sanctioned by the government and is executed with the greatest possible consideration does not change the fact that it is murder.

According to the St. Anthony Messenger, Pope John Paul II has asked America and its states to "end the death penalty, which is both cruel and unnecessary." The pope said, "modern society has the means of protecting itself, without definitively denying criminals the chance to reform." After all, reform and rehabilitation are the purposes and goals of the prison system, not revenge. No government can place a value on a person's life, soul, or ability to reform, no matter what experiences or crimes are in that person's past.

Even if done in the most humane way, murder under any circumstance is cruel and barbaric. If it was not endorsed by the state, would strapping a human being into a gurney and counting down the seconds until injecting sodium pentathol, pancuronium bromide and potassium chloride into his veins be considered humane or anything but cruel? The American people must not forget the Eighth Amendment and must interpret it in as modern a fashion as possible. More importantly, they must not forget the Sixth Commandment and the creeds of all worldwide religions which condemn murder, in any form, either by an individual or by a group such as a state.

Maintaining the prison system is a significant tax burden for citizens of all states, and Texas is no exception. It is a common belief that executing prisoners costs less than incarcerating them. However, according to the National Coalition to Abolish the Death Penalty, various state governments estimate that a single death penalty case, from the point of arrest to execution, ranges from \$1 million to \$3 million, while cases resulting in life imprisonment average around \$500,000 each, including the cost of incarceration.

The death penalty has failed to deter crime in America. According to the National Coalition to Abolish the Death Penalty, governments that have enacted the death penalty still have higher murder rates than governments that do not. In addition, 67 percent of all law enforcement officers feel that capital punishment does not decrease the rate of homicides. It makes no sense to have a policy that is not only barbaric, but does not even work.

Capital punishment also produces trends that are nothing short of appalling in a modern society. According to the Cornell Law School's Web site, the Supreme Court has ruled that the execution of children as young as 16 is not cruel or unusual, and has been silent about the execution of children under 16. Since 1975, more than 160 children have been put to death in the United States. The imposition of the death penalty has also been proven to be racially biased. Despite the fact that non-whites make up more than half of all homicide victims, more than 80 percent of persons executed were convicted of killing whites. These are trends the U.S. government cannot continue to support and at the same time call other countries brutal and malicious.

A prevalent explanation given by people who support the death penalty is that one must consider how he would feel if a loved one was murdered — if a loved one's life was taken without reason by another human being. However, no one close to a murder victim, in all their anger and grief, can be considered a rational judge of how punishment should be dealt. Of course mothers and fathers, husbands and wives, and brothers and sisters will want an immediate resolution and closure to such a traumatic experience, but one death can never erase another. Rev. Carroll Pickett, who is the retired death house chaplain for the Huntsville Prison Unit, and spoke at Texas A&M last semester on the fallacies of the death penalty, stressed that another death can do nothing but create another family of victims. It only guarantees that more parents, siblings, spouses and children will forever be unable to see their loved one alive again.

So why do Texas juries continue to opt for a penalty that is cruel and biased, results in higher costs than the alternative, falls short of having an effect and that is deemed uncivilized by much of Europe? Because the state does not provide another penalty which guarantees criminals of capital crimes will never be able to commit another offense. Currently, there is no punishment for capital murder in Texas that sends murderers to prison without the opportunity to receive parole. This unfairly leaves jurors with an altogether unpleasant decision: End a stranger's life or give life to the possibility that 30 or 40 years from now, this criminal may murder another innocent victim. A third party should not have to live with either of these decisions on his conscience.

Texas must give juries the option of sentencing capital murderers to life in prison with no chance of parole. It is the only way to assure every citizen that his neighborhood will be safe, and at the same time end an outdated practice that should no longer have a place in the modern world.

*John David Blakley is a freshman political science major.*

*Tim Schmiedwind is a graduate environmental engineering major.*

## Testing not standardized

There is a new trend appearing on America's standardized tests.

Testing organizations are removing traditional multiple choice sections and replacing them with writing sections. The GRE, a test that prospective graduate students take, added a writing section this October to replace its "Analytical" section. The granddaddy of standardized tests, the SAT, is adding a writing section beginning in 2005.

Adding a writing section is merely the beginning of the process of coming up with non-traditional measurements of aptitude for a number of testing organizations, a trend many don't want to see.

Certainly, things such as artistic ability, creativity, and writing skills are important. However, testing organizations are kidding themselves if they think they are going to be able to measure any of these skills in a "standardized" way.

The first problem with adding a writing section is that it will be scored. This simple principle is at odds with the essence of writing. It is impossible to put a universally accepted score on writing. At its core, writing is communication and depends on both a writer and a reader.

Each GRE essay will have two readers. They will assign a score between zero and six, and if there is a discrepancy greater than one point, a third reader will "arbitrate" the scoring dispute. With hundreds of thousands potentially taking the GRE every year, and two essay questions in the writing section, more than a million essay readings will be required each year. If you think that this article is boring, imagine having to read a million just like it. Obviously, this will require a large group of graders decreasing the likelihood of uniformity in the grading process. Getting such a large group of graders together will be a hard task logistically. Testing organizations have put in a lot of work getting the system ready, but it is still a large undertaking. The magnitude of the task could very well detract from the quality of the grading.

Students will have the option of writing or typing their essays. The standardized testing environment can be stressful for some, and many students will be rushing to get their thoughts down.



TIM SCHMIEDWIND

Many have handwriting that is barely legible in perfect conditions, much less when produced by sweaty hands holding a number 2 pencil. The graders will be human, and things such as handwriting will undoubtedly influence them. If essays are typed, then this will disadvantage those who are not used to working with computers. In either case, the method of inputting the essay will affect the final grade, and that is unfortunate.

The list of potential topics that a student could receive on the GRE is lengthy, and the topics are wide-ranging. Almost anyone could find some questions that he could write passionately about, while at the same time, he might pick out questions where even a paragraph would be outside the range of interest and expertise.

Unfortunately for students, they will have only two options to choose from. Already there have been complaints that the reading material on some tests may be of greater interest to some groups than others. Interest in a topic is even more important when writing, so the topics themselves will introduce randomness to the test.

The topics would make for interesting discussion in an English class. However, they are broad, vague topics. This means that there is almost no framework for a student to work with. Students will be forced to abandon conciseness and attempt to demonstrate to GRE graders their mastery of vague, analytical writing skills. Open-ended topics may mean too many possible "right" answers for anything to be incorrect.

One must feel sorry for the generation of students that will be judged by this random and arbitrary process masquerading as a standardized form of measuring writing ability. As society continues to place more emphasis on higher education, this is not the time to take a step back in evaluating prospective students. Say what you want about multiple-choice questions, but at least there is a relatively clear idea of correct and incorrect. The admissions process is always going to be largely arbitrary, but standardized tests do not have to be. Leave the grading in the hands of the machines.

*Tim Schmiedwind is a graduate environmental engineering major.*

### MAIL CALL

#### Legislation clarified

I would like to take a moment to clarify the legislation proposed in the Student Senate on tuition deregulation so that it may be clear for all readers. The legislation is opposed to a tuition deregulation plan that would give unfettered discretion to the Board of Regents to set the rate of tuition. The legislation argues that the Texas Legislature must be true to its role of establishing an affordable price for higher education, and at the very least, it must maintain some restraint upon increasing the cost of tuition. The legislation supports granting the Board of Regents greater control over money the University receives from the state so that it can be more efficiently managed, thus keeping the cost to students down.

The legislation is desperately trying to keep the cost to the students as low as possible, and if the State would simply fund the University's appropriations request, there would be no need for this complicated debate. In this case, the Battalion Editorial Board does not take into account the various forms of deregulation and their different impacts on students. Instead, they share the same position as the SGA of the University of Texas in roundly and irresponsibly condemning all forms of tuition deregulation. There is little doubt such uninformed comments would be immediately discarded by the State Legislature leaving the students of Texas A&M without the benefit of student input in the State Capitol on this important issue. This legislation does not blindly follow the University of Texas and The Battalion in making such a mistake.

*Kevin Capps  
Class of 2004*

#### Student athletes privileged

Potential headline change for the Feb. 18 top story: from "Slocum pleads no contest to misdemeanors" to "Sports Stars 1, Legal System 0: Fame affects court decision once again."

*Justin Decker  
Class of 2005*

NATION

THE BATTALION

examine  
losion

's discarded theories back  
table is "a combination  
ng thorough and being  
ndent," said NASA's  
Nesbitt, who is tem-  
ly serving as the board  
man.

10-member board —  
o gain a new member or  
— is being scrutinized for  
of independence because  
chosen by NASA.

"The board  
wants to make sure  
every base is covered,"  
Nesbitt said  
Wednesday.  
"They're not going  
to take NASA's  
word that every-  
thing is OK in a par-  
ticular area."

After first con-  
sidering damage to  
Columbia's heat-  
protecting tiles by  
the foam insulation  
falling off the fuel  
airing launch, shuttle  
premanager Ron Dittmore  
ruled it out: "It just does  
not make sense to us that a piece  
of debris would be the root  
for the loss of Columbia's  
crew," said Dittmore.  
"It's got to be another rea-  
son later softened that. But  
with the board members in  
place, the foam appears to be a  
focus."

F  
governor of the state of  
ought to at least have the  
to prevent a person from  
executed when he or she  
is it prudent," Ellis said.  
must be sure that when  
executes someone it is  
e that person is guilty and  
to be executed.  
said the legislation would  
fundamental reform nec-  
to restore confidence in  
as criminal justice system.

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