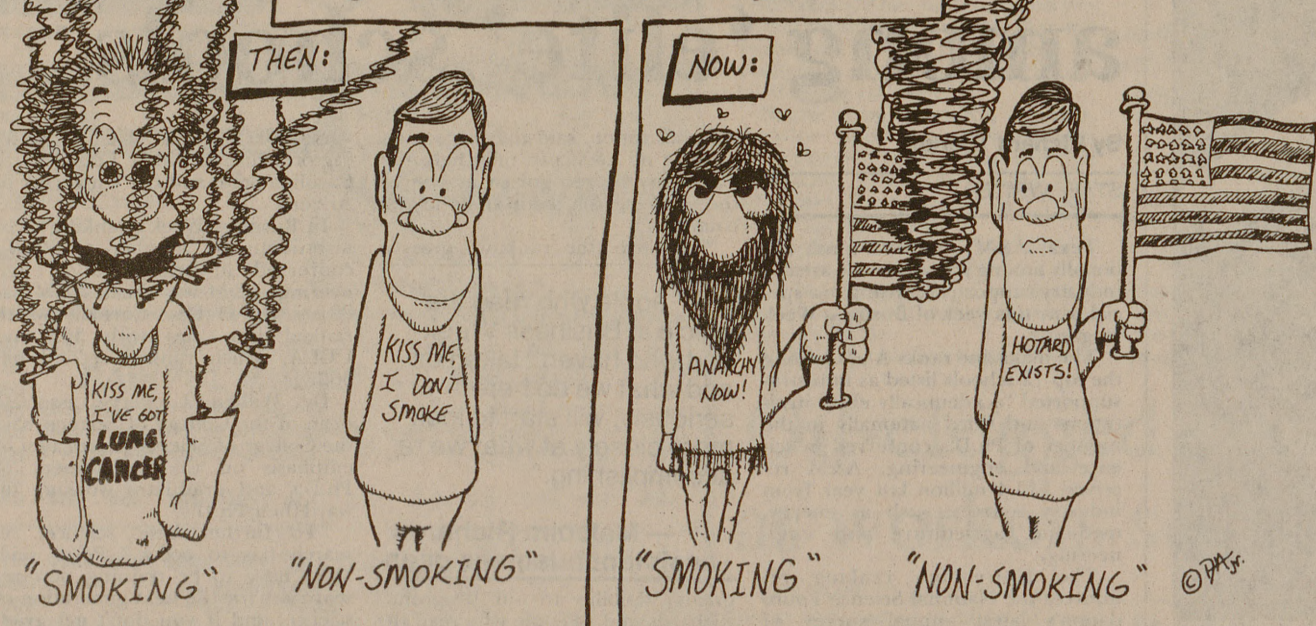


## THE SUPREME COURT'S GUIDE TO NEW MEANINGS FOR CURRENT TERMS:



## Supreme Court justified in decision to protect ideals

I recently received a letter from the TRUMPET mailing list on our computer network condemning the Supreme Court decision overturning the conviction of the man convicted of flag-burning (a.k.a. desecration of a venerated object) under the Texas Penal Code. This subject is getting an awful lot of airplay, and I'm nearly convinced that in many people's minds, the emotional issue and the constitutional issue are being impractically and unnecessarily yoked together.

Some of you may construe that to mean that every person who disagrees with me on this is letting his emotions overrun him. That is not what I mean to suggest at all; I realize that just as nine Supreme Court justices could not come to a consensus on the issue, neither should I expect that all reasonable citizens should see eye-to-eye on it. But the evidence is overwhelming that many are confusing the emotional and legal facets of the flag-burning brouhaha.

One of my good friends, a policeman in Dallas, has a brother on the force who was watching from only a few feet away when the flag was burned in 1984. His brother remembers seeing an 80-year old veteran walking up to the pile of ashes, with tears streaming down his cheeks, scooping them up, and taking them to be buried. I don't know if he was stopped so that the ashes could be used as material evidence or not. I doubt it, as eyewitness accounts probably sufficed to put the guy away under Texas law.

That policeman friend of mine could not believe that the Supreme Court could issue such a decision. After all, he said, it is Texas state law, and the fellow was obviously in violation of that law!

I sometimes shake my head in disbelief when I hear statements like that, because it demonstrates a certain lack of understanding about just exactly what a Supreme Court decision is for. We have among us patriotic citizens who would fight for freedom if called upon. Many put their lives in jeopardy daily on our

**Brent Walter Auvermann**  
Guest Columnist

city streets to protect us (or to give us parking tickets), yet they do not understand that state laws are not sovereign, and that the Supreme Court has the power to nullify any federal or state law that conflicts with Constitutional principles.

Secondly, (and this is more in line with my initial premise) the illustration of the broken-spirited veteran with the tear-stained clothes seems more to aggravate the emotional reaction to the act than to address the legality or the morality of the Supreme Court decision. The statements I've heard are, "that flag was paid for with men's blood, but now the Supreme Court has given the godless commies and immigrant ingrates free rein to spit upon it, burn it or trample it in front of thousands and millions who serve or served in our Armed Forces." Yes, that is true, and it is a gut-wrenching sight to most of us who are citizens of this "great nation." But the use of this illustration to deride the Supreme Court decision really suggests, then, that the justices are somehow un-American, disloyal slob who have no respect for the flag or for the ideals it represents. This is patently unfair, both to justices, and to ourselves.

The other side, the one that agrees with the Supreme Court decision, has often claimed that the flag "is nothing but colored cloth, anyway..." The left-wing justice who served in the US Navy, the one that defected from the fold of his left-wing counterparts by dissenting, would probably not agree with that statement, and I feel fairly confident in suggesting that if a poll were taken of people who were born and raised in the United States, the majority would disagree, as well. It is not necessary for us to deprive the flag of its honor in order to justify the Court's decision. The issue goes much deeper than that.

The Supreme Court justices have not hypocritically washed their hands of bloodstains in the way that Pilate did at Jesus' trial (or, insert your own analogy, if you don't care for that one). They have confirmed, however, that to venerate objects over ideals amounts to empty idolatry; to honor the flag over the ideals it represents is exactly that kind of vanity. The American heroes of past wars gave their lives, not for the flag, but for freedom; to suggest otherwise is to belittle their sacrifices.

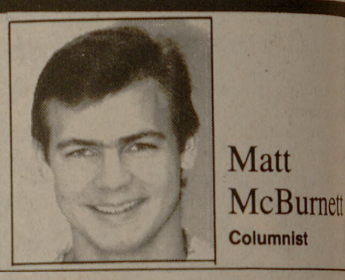
Take a rose and dry it sometime. Then take it in your hands and crush it. Is not its aroma more fragrant and beautiful when it is "dishonored?" Just as the flag represents freedom when it waves proudly over our military bases, our stadiums, and our neighborhoods, it represents freedom even more boldly when it is burned in protest.

Let us not be drawn into the trap of emotionally exalting objects over the ideals they represent, and let us not impugn the motives and patriotism of the five justices who, in the face of intense criticism, boldly sought to preserve those ideals in our Constitution.

*As with all columns, opinions expressed by Guest Columnists are not necessarily those of The Battalion. Persons interested in submitting guest columns should contact the Opinion Page Editor at 845-3314.*

## Judge is Rose's ace in the hole

It's two out in the bottom of the ninth and Pete Rose is at bat. The score is tied, Baseball 2 and Gamblers 2. Here's Bart Giamatti with the wind-up, and the pitcher... strike one! — Rose is accused by bookmaker Ronald Peters of placing over \$1 million in bets over a two-year period. The second pitch... strike two! — The FBI acquires betting sheets from Rose's house ready equipped with fingerprints. Rose is in the hole 0 and 2. Giamatti's pitch... ball one — Rose takes Giamatti to court. Wait! What's happening? The umpire, Norbert Nadel, has postponed the game for 14 days?



**Matt McBurnett**  
Columnist

I'd be willing to bet that most of you are aware of Pete Rose's problem. For those who are not, the former baseball great and current Cincinnati Reds manager has been accused of gambling by some quite reliable sources. At stake, and the stakes are high I must say, is Rose's association with baseball, since gambling is strictly forbidden.

Rose, baseball's all-time hit leader, is now batting against a formidable foe in Major League Baseball Commissioner A. Bartlett Giamatti.

In the past, the Commissioner's power was unquestionable. The first Commissioner of Baseball, Kenesaw Mountain Landis, handed down life suspensions to eight Chicago White Sox players after a wagering scandal in 1919. A more poignant example of the Commissioner's power may be that two of the greatest baseball players in history, Willie Mays and Mickey Mantle, were banned for life for dealings with a casino. (They were later reinstated by a different Commissioner.)

Essentially, Baseball law gives the Commissioner absolute power to regulate disputes "in the best interests of the game." Every player, manager and team owner knows and respects this. It has worked for years.

So what the heck is Judge Norbert A. Nadel doing?

Pete Rose filed suit in Nadel's court against Commissioner Giamatti. In his suit, Rose charged that Giamatti had prejudged him about his gambling. Rose's motive was to block a scheduled hearing on his conduct which Giamatti was to have held on Monday. Nadel said no dice to Giamatti and issued a 14 day restraining order on the Commissioner's hearing.

First of all, this court case is absolutely ridiculous. Suits such as Rose's have become major thorns in the side of our judicial system. Isn't this the same court system with a backlog so large that many criminals aren't even brought to trial? As for lawsuits it is a free-for-all.

In the good old days, if a first grader brought home a lousy grade, he could be grounded. The kid have apparently changed. The kid now hire an attorney, if he thinks his parents have prejudged him, and the court system determine his grade. Obviously this is ridiculous, but so is the court system for even accepting a case such as the one involving Pete and Nadel. Under this system, the courts could decide the fate of any employee of a company who was to be fired, or student who received a low grade. (O.K. had ample.)

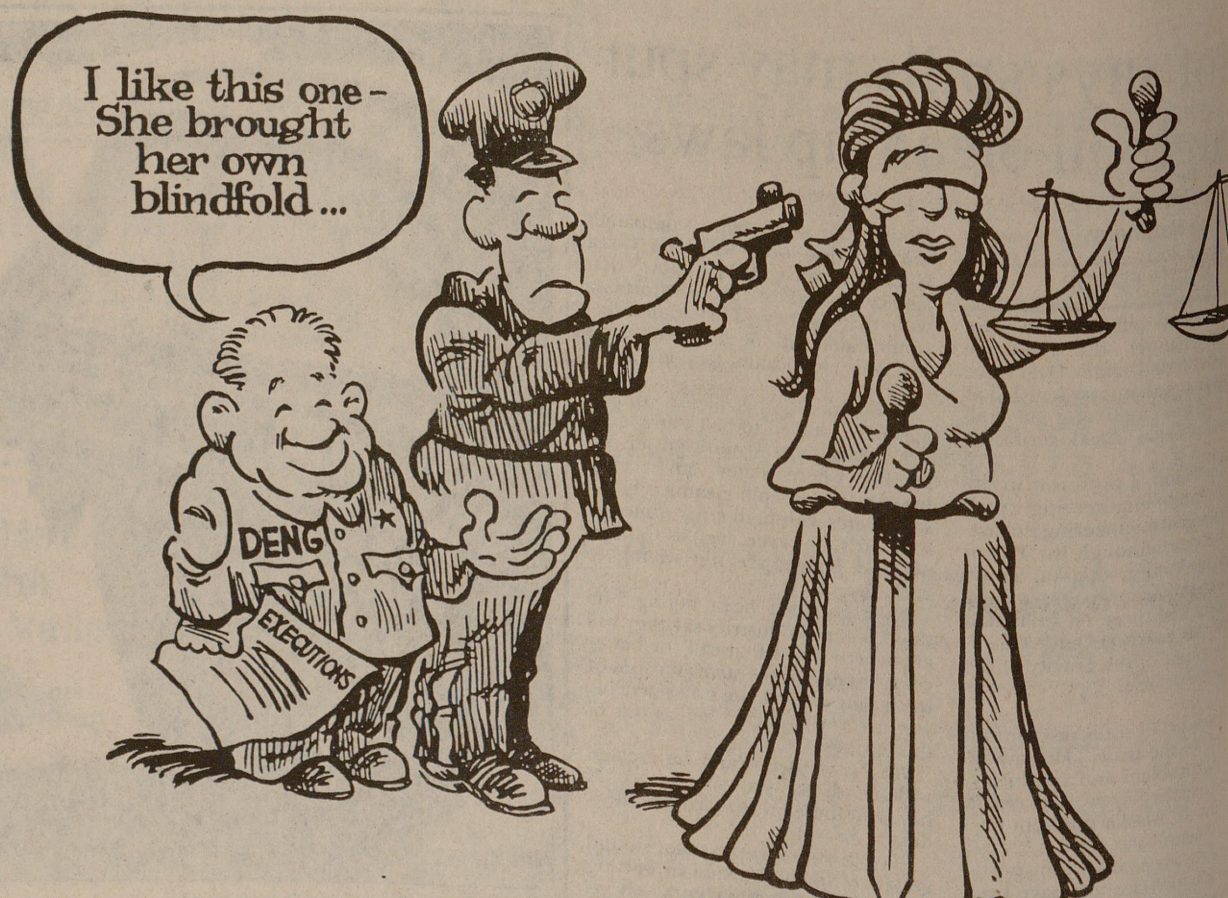
Second, if Rose's case wasn't ridiculous enough, Judge Nadel's decision may make the books so to speak, as being a landmark case of injustice. Judge Nadel thrust the courts into baseball like a quarter into a slot-machine. The Commissioner is not allowed to take action in the next two weeks. On July 1, Nadel will consider a motion for a preliminary injunction, which would further delay baseball's case while Nadel decides who should determine Rose's guilt.

My main gripe is not whether or not Rose gambled. It is his money. I don't care. It would be slightly upsetting to bet on his own team, especially if he picked them to lose, but that is not a major problem either. My complaint is that baseball and the courts mix about as well as happiness and season tickets at the Atlanta Braves. This is almost as bad as our government's boycotting the Olympics.

If Pete is found guilty of betting on games other than ones involving the Reds, he could be suspended for a year without wagers oops I mean wages. Of course if he did bet on the Reds, he gets the boot for life.

Since the courts are involved, no one knows when this thing will be resolved. I doubt that Rose can convince Giamatti that he is not guilty. If he has to go to a jury? I doubt it. In fact, I'll bet someone Mr. Rose and three juries. Any takers? Oh sit down, Pete.

*Matt McBurnett is a junior electrical engineering major and a columnist for The Battalion.*



**The Battalion**  
(USPS 045 360)  
Member of  
Texas Press Association  
Southwest Journalism Conference  
**The Battalion Editorial Board**  
Ellen Hobbs,  
Editor  
Juliette Rizzo,  
Opinion Page Editor  
Fiona Soltes,  
City Editor  
Drew Leder, Chuck Squatriglia,  
News Editors  
Steven Merritt,  
Sports Editor  
Kathy Haveman,  
Art Director  
Hal Hammons,  
Makeup Editor

**Editorial Policy**  
The Battalion is a non-profit, self-supporting newspaper operated as a community service to Texas A&M and Bryan-College Station.  
Opinions expressed in The Battalion are those of the editorial board or the author, and do not necessarily represent the opinions of Texas A&M administrators, faculty or the Board of Regents.  
The Battalion also serves as a laboratory newspaper for students in reporting, editing and photography classes within the Department of Journalism.  
The Battalion is published Monday through Friday during Texas A&M regular semesters, except for holiday and examination periods.  
Mail subscriptions are \$17.44 per semester, \$34.62 per school year and \$36.44 per full year. Advertising rates furnished on request.  
Our address: The Battalion, 230 Reed McDonald, Texas A&M University, College Station, TX 77843-1111.  
Second class postage paid at College Station, TX 77843.  
POSTMASTER: Send address changes to The Battalion, 216 Reed McDonald, Texas A&M University, College Station TX 77843-4111.

**MARGULIES**  
© 1989 HOUSTON POST

The Battalion  
25  
Wednesday,  
Alli  
HOUSTON (A girl swept into a flowing water from Allison spent 15 side an under nel before she authorities said. "She spent city's major sev that flood water and hardly had Fire Department Warnke said. "It's just a mi still be alive," he Laticia Reese her south Hous p.m. Monday cousin saw her the fast-moving into a nearby gu She was retri Tuesday by two ers who remov near the spot peared, Warnke "We used a little figure abo street," said T construction wo the drain Tuesa pitch dark and  
Univ dies  
STAFF AND WI  
The man v Texas A&M U Monday in Au Frank H. V established sch houses at the and the Unive lina. He served 1978. During lishing caree publication o books, about University wo Wardlaw o serving as fo the Universit 24 years. Bo  
G  
this s the  
\$50  
IBM and delivery  
BUNDLE memory, (1.44Mb), DOS 4.0, M Software  
BUNDLE ory, an 80 30Mb fixe 8513 Col and hDC  
BUNDLE ory, an 80 60Mb fixe 8513 Col and hDC  
Prices quo  
"THE FINE P not available Texas A&M Corporation. Microsoft Co