

Rights keep fading away



SHANNON HALBROOK
COLUMNIST

The Supreme Court suffered a blatant burst of conservatism Monday — a burst during which the supposedly most learned and reasonable court in America stomped on the constitutional rights of all Americans to make the police's job easier.

Conservatives everywhere bemoan the loss of our freedom to Washington bureaucrats. But the loss of our freedom isn't coming from the liberal legislation of previous Congresses. Instead, it's now ironically being dictated by the black-robed conservatives on the Supreme Court.

At issue in the case of *Bennis vs. Michigan* was a 1977 Pontiac, owned jointly by Mr. and Mrs. Bennis of Detroit. One night Mr. Bennis took it out and used it to commit an immoral act — basically, he decided to try pulling a Hugh Grant. Like Grant, Bennis was caught with his britches down and arrested for public indecency. Although the \$800 car was owned by both Mr. and Mrs. Bennis — and although Mrs. Bennis knew nothing of her husband's activities — the car was impounded.

So Mrs. Bennis, because of her husband's illegal activities, was deprived of her property by the Detroit Police Department. Demanding payment for half the car (a mere \$300), she took the case to court, claiming that her constitutional rights of due process and ownership of property had been violated. The case reached the Michigan Supreme Court of Appeals, which found for the police department and stated that Mrs. Bennis had no right to her property, since it was involved in a crime.

On Monday the conservative Supreme Court affirmed the state court's decision. Chief Justice William Rehnquist wrote the majority opinion, which stank of political rhetoric and overconservative slop.

The state here sought to deter illegal activity that contributes to neighborhood deterioration and unsafe streets," Rehnquist said. "The Bennis auto, it is conceded, facilitated and was used in criminal activity."

Traditionally in America, a person's freedom and right to property have been deemed more important than punishment. Congress has spent the last 40 years or so passing legislation that has ensured the rights of the criminal. And when questionable, it has been considered better to let the accused keep his or her rights and remain free instead of facing possibly wrongful punishment.

But things are different now. Now we're concerned more with the rights of the police rather than the rights of the accused. We've started to get some kind of comfort out of throwing people behind bars or into the electric chair; it convinces us that the justice system is working. The frequency with which we use the death penalty shows we now hold some kind of a social belief that somebody must pay for a crime. Since we view strict enforcement of the law as the best way to fight crime, we think it's best to give the police broad powers.

We can't seem to strike a good balance between protecting society and preserving the rights of the accused. Both are important, but most people think that one or the other should be emphasized. The victims suffer when the suspects are given too many rights, and the suspects suffer when the victims get too many rights.

This is the logic behind the court's decision; Rehnquist apparently believes that it's more important to punish Mr. Bennis than to preserve Mrs. Bennis's rights. He states that the car "facilitated" Mr. Bennis's amorous activities and implies the car ought to be taken to protect the safety of our streets. This kind of overdramatization of the necessity of broad police power is ridiculous — and being so creative with the law is dangerous. The car was not a public menace. The car was not convicted of indecent exposure. The car did not facilitate the activity. Mrs. Bennis, faced with the loss of her transportation, deserves a more reasonable explanation.

By talking of "neighborhood deterioration" and "unsafe streets," Rehnquist sounds like an apocalyptic Republican presidential candidate. It sounds a little like he's blaming social deterioration on our right to own property and move freely. It's almost as though conservatives in our government — while boldly and vehemently defending our right to own guns — think that all our other freedoms are secondary to crime prevention and police control. The right to own a gun is in the Bill of Rights, but so is the right to own property. Our property is still ours — even if it was involved in a minor crime committed by someone else. It should never be denied to us.

Shannon Halbrook is a sophomore English major

Money may talk, but we shouldn't listen

If Louis Farrakhan has done anything significant in my life, it has been to confuse the hell out of me. He is a paradox personified. Islam — the religion he claims to represent — is based on a doctrine that espouses love and peace, yet Farrakhan's epithets are stained by hatred and increasingly advocate an all-out race war in America. Farrakhan says he wants to unite the black community, but his message is dividing that community along gender, economic and social lines — and it will continue to do so.

Yet in spite of his conspicuous hatred and clandestine motives, tens of thousands listen to his rhetoric. No matter where he speaks, Farrakhan's message is heard and reiterated loudly and clearly.

Late last month, Farrakhan delivered his message to the Middle East, the cradle of the Islamic faith. During his "peace mission," Farrakhan visited and talked with the leaders of Libya, Iran and Iraq. He accepted a donation of at least \$1 billion from Moammar Gadhafi, the Libyan dictator. Farrakhan claimed that the money will be used to increase the black community's political power in America.

Undoubtedly, Farrakhan's trip was not a symbolic gesture used to unite black America with the people of the Middle East. It is imperative that Americans — particularly the black community — see this for what it really is: a grandiose fund-raising scheme used to further the radical beliefs of Farrakhan's Nation of Islam.

Farrakhan's excursion — even more so than his Million Man March — is perhaps the biggest smokescreen in American history. Only time will reveal to us what danger lurks beyond.

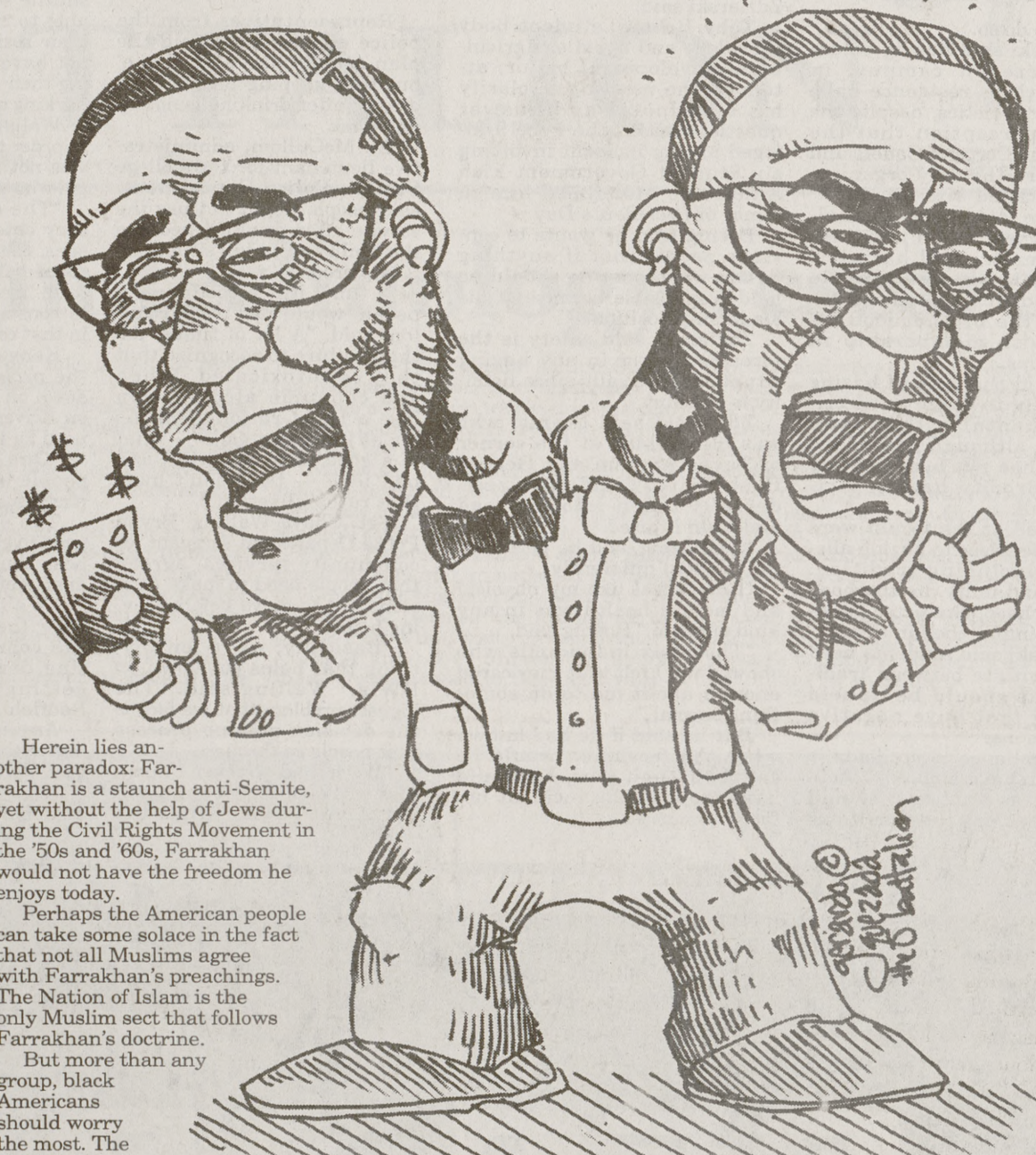
How does one pledge peace with murderous despots? The task is not insurmountable, but one would be correct in asserting that Farrakhan does not have the education or the expertise to do so.

What is even more bizarre is that Farrakhan, who is definitely not a leader of the black community, wants to associate the black community with Gadhafi and Saddam Hussein, two men who advocate terrorist activity and vehemently oppose peace with Israel.

But peace is fine with Farrakhan as long as the Jewish people are not included. At least this is how he sees it. Jews, in his mind's eye, have "wrapped their tentacles around the U.S. government."



H. L. BAXTER
COLUMNIST



Herein lies another paradox: Farrakhan is a staunch anti-Semite, yet without the help of Jews during the Civil Rights Movement in the '50s and '60s, Farrakhan would not have the freedom he enjoys today.

Perhaps the American people can take some solace in the fact that not all Muslims agree with Farrakhan's preachings. The Nation of Islam is the only Muslim sect that follows Farrakhan's doctrine.

But more than any group, black Americans should worry the most. The threat of Farrakhan must be taken seriously. If we defiantly proclaim that we do not want hate mongers leading us into the next century, then not only will the Louis Farrakhans of the world be forgotten, but the Pat Buchanans, Vladimir Zhirinovskys and Jesse Helmses of the world will also lose their cheering sections.

We must voice our concerns about these people assuming leadership roles; we can change nothing with

apathy. Farrakhan's beliefs and his methods of implementation do not reflect the black community as a whole.

But it would be a shame to have the world believe that they do.

H.L. Baxter is a junior geography major



MAIL CALL

Silver Taps ceremony demands respect

Silver Taps is a very solemn and serious time where we mourn the loss of a fellow Aggie and reflect on our own lives. The attitude of many of the people that gathered at the MSC before and after Silver Taps was anything but solemn. The loud talking and noise these people were creating made it seem as if they were attending a party, not Silver Taps. We must always remember that the people Silver Taps honors are real people, real Aggies, with real families and real friends who have come to honor them. The families of those who passed away are met and escorted to Silver Taps. I hope and pray that they didn't see or hear the spectacle outside the MSC. Unfortunately, many people are not taught about this tradition. All the lights are to be extinguished and nothing but the hymns from Albritton Tower should be heard throughout campus. The entire campus should remain silent before, during and after Silver Taps. It is not a time to stand on benches and watch the Ross Volunteers, but a time to look within ourselves and to heaven to gaze upon those we can no longer see.

fortunately, many people are not taught about this tradition. All the lights are to be extinguished and nothing but the hymns from Albritton Tower should be heard throughout campus. The entire campus should remain silent before, during and after Silver Taps. It is not a time to stand on benches and watch the Ross Volunteers, but a time to look within ourselves and to heaven to gaze upon those we can no longer see.

Marc Mulkey
Class of '96

I would like to recognize the insensitive and disrespectful individual who felt that it was so important to have pictures of Tuesday night's Silver Taps ceremony. From where I was standing, he seemed to have a good vantage point — perched on a bench with

his camera and tripod. I hope he got some good pictures of shots being fired or maybe some close-ups of family and friends who were mourning the loss of a loved one. Perhaps next time he can set up and get a few shots of the R.V.s as they march in. Better yet, why don't we just forget about the whole "lights out" thing and bring in television crews, maybe get some local stations out to do a live radio broadcast.

I did not know any of the people who were being honored at Silver Taps, but I have experienced some recent losses of friends in my life. Tuesday I was standing next to others who have experienced similar losses, and Silver Taps affected me deeper than it ever has. The sound of pictures being taken was not appreciated.

Aggies have not continued the Silver Taps tradition because it looks cool. We don't even do it for our own personal entertainment or amusement. We do it to honor those who once stood here with us.

To those people seeking entertainment during the next Silver Taps, I suggest they stay home and watch Letterman instead.

Jeff Wurzbach
Class of '96

THE BATTALION
Established in 1893

Editorials appearing in The Battalion reflect the views of the editorials board. They do not necessarily reflect the opinions of other Battalion staff members, the Texas A&M student body, regents, administration, faculty or staff. Columns, guest columns, cartoons and letters express the opinions of the authors. Contact the opinion editor for information on submitting guest columns.

EDITORIAL BOARD

Sterling Hayman
Editor in Chief

Stacy Stanton
Managing Editor

Michael Landauer
Opinion Editor

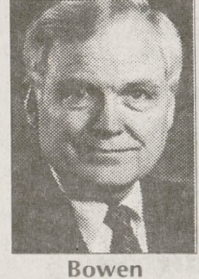
Jason Brown
Assistant Opinion Editor

EDITORIAL

FEE TALK

Open meetings for fee increases give students a voice.

After considering an idea that connected General Use Fee increases with state tuition increases, Texas A&M President Ray Bowen has properly rejected an illegal part of it. The bill would have automatically increased the GUF by the same amount as tuition increases without the holding public hearings to discuss proposed increases.



Bowen

Once fee increases are proposed, they are very difficult to stop. Without voices to argue their merits and flaws, fee increases can become nothing more than numbers on a piece of paper. Public hearings enable students to air their gripes with proposals, and they also enable the administrators to hear from the people their decisions are affecting.

Preventing students from attending public hearings and complaining about proposed increases buries a vital voice in the process. If the doors to these hearings were suddenly closed, students might find themselves victims of fee increases without

even knowing about it — until they appear on their fee slips.

Public hearings are not just a good idea; they are also required by law. Bowen made his decision after learning that such meetings are required by Texas Legislature House Bill 815. Had Bowen gone through with the bill, he would have been acting illegally.

In an age when people have become increasingly attentive of how much money the government extracts from their pockets — and where it goes — these hearings fulfill many vital needs. They give needy college students a vital say in whether their money will be taken from them. They enable administrators to hear the feelings of the people they're charging. And, if the fee increase proves to be a sound idea, students can see exactly where their money is spent and why increases are needed. Perhaps this kind of open, two-way communication is what academic and non-academic governments could use a lot more of.