

**EDITORIAL**

THE BATTALION  
 Established in 1893

**Editorials Board**

- Rachel Barry  
Editor in Chief
- Michael Landauer  
Executive Editor
- Tiffany Moore  
Managing Editor
- Alex Walters  
Opinion Editor

Editorials appearing in The Battalion reflect the views of the editorial board members. 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.

**JUDICIAL TWO-STEP**

*The Judicial board fails to step up and faithfully represent students*

Since the students voted last spring to have run-off elections for student leaders, no entity in Student Government has sought a way for runoffs to be implemented. The Judicial Board was the last branch to dodge the issue Thursday night when it ruled the Student Senate can place oxymoronic "nonbinding" referendums on the ballot for student elections.

Chris Williams, a senior political science and speech communications major, brought the issue to the j-board, arguing Student Government was bound by the referendum. The j-board looked toward the constitution and found a technicality. In referendums initiated by the senate, no one is bound to implement the results unless it is specifically stated. In other words, the Senate can use the ballot as a public opinion poll.

Although the j-board's decision can be supported by the exact words of the constitution, in principle, the system has failed. A referendum by definition is binding.

The Senate, when it voted to send this issue to referendum last spring, did so because it did not want to decide. In Thursday's hearing, speaker Chris Reed said, "We were afraid."

However, Reed joined Jason Herick and Matt Mayfield, two other senators at the time, in arguing the referendum was never meant to be anything more than a public-opinion poll. Repeatedly, Mayfield, who presented the arguments for Student Government, told the j-board everyone knew it was merely a poll.

This argument is nothing more than a silly attempt to keep the Senate from looking inept. If the referendum was considered by everyone to be nonbinding, then surely a few senators would have mentioned

this during the amendment process on the Senate floor. But the meeting's minutes show that no senator ever referred to it as a poll or as feedback. Several senators did, however, say things like "Let's let the students decide" and "Let's put it in their hands."

But despite such weak arguments, Mayfield still had the constitution on his side. When it comes down to it, the j-board cannot be blamed for finding excuses within the constitution to prevent them from implementing the results of the referendum. But the third branch — the Senate — has no excuse.

Last semester, when the Senate voted to not even consider a bill that would have implemented runoffs, it went beyond the political game of hot potato. It specifically told students it chose not to act even though it was the only entity which could have done what voters expected Student Government to do.

No referendum has ever received more support from the electorate. In fact, no Student Government official has ever received as many votes as the referendum. Even if it was nothing more than a poll, it was a plea from the student body to act, and all three branches of Student Government have ignored the plea.

Every two years the constitution must be approved by voters. Perhaps next spring when the constitution is placed on the ballot for approval, students will not automatically support its passage. This constitution and the people who have hidden behind it have failed the students. As a result, the students would be justified next spring in asking for a new system — one where things will still get done even when the Student Government leadership is "afraid."

**VOCAL MAJORITY**

*Students should sign referendum petition to protect student rights*

At most universities, an oppressive administration may stand in the way of the will of the students, but at Texas A&M, the Student Senate has filled that role. The Senate has earned this reputation by voting last semester not to consider a bill which would force yell-leader runoffs despite overwhelming support for the measure by the student body.

The constitution says students can bypass the Senate by getting a referendum on the ballot by means of a petition drive. If a referendum initiated in this manner passes, the student-body president is obligated to implement its results.

A group of students has initiated a petition drive which could force a referendum to consider implementing yell-leader runoffs. Unlike the referendum supported by more than 60 percent of the voters last spring, the results of a student-initiated referendum would automatically be implemented by the student-body president.

Signing the petition does not mean a student supports yell-leader runoffs. Instead, students who sign the petition are merely saying students have a right to decide on the issue. Because the Senate has decided not to consider the question, it is up to students to speak once and for all about runoffs.

There are three types of students who should sign the editorial. The first type is the student who is sick of not being represented by Student Government. Students who fit this de-

scription want to see a true majority speak on the issue rather than leaving things up to a Senate proven to be inattentive to the wishes of its constituency.

The second type of student thinks the system works well and the Senate is justified in its inaction. However, these students should sign the petition because it's simply another way to get something done in the system. It is not a means of protest, just a means of action.

The third type of student who should sign the petition is apathetic. Although a record-setting 10,000 students showed up to the polls in the last major election, over 30,000 students decided not to vote. These students say nothing Student Government does could affect their lives. Therefore, voting is pointless. But these students should sign the petition because it puts the power in the hands of those who actively try to be heard.

The only students who will not sign the petition are those so afraid of change that they think the only way to preserve the status quo is to avoid the possibility of changing it at all. These people are doing a great disservice to A&M, a dynamic school rich in tradition but willing to question change.

The Battalion supports this petition drive, not because it supports runoffs, but because it supports a healthy debate and the ability of students to decide if they want to affect change without relying on its Student Senate.

**PETITION UPDATE**

As of January 26, 1997, 1,300 students have signed a petition calling for a referendum on yell-leader runoffs. If 10 percent of all students sign the petition, the results of the referendum would be binding — possibly forcing run-off elections for yell leaders this spring.

SOURCE: Elliot Kerlin

**Speak Freely**

*"Freedom of speech" inspires hypocrisy*

Next time you have a minute, ask one of your fellow "Americans" how they feel about freedom of speech.

The typical response will include words like "Absolutely" and "I" and "do."

The response likely will be delivered with a rippling American flag reflecting from their glazed-over eyes.

But these warm feelings may disappear if you talk about "freedom of expression." It is a vague term. It's even more ambiguous than my resume (1989-present: did some stuff).

But specifics often test people's ideas about freedom of speech more than ambiguity.

For instance, should we control the speech of hate mongers like neo-Nazi's and Pat Robertson? What about placing limits on pornography, especially the hard-core explicitness not found on late-night Cinemax?

The answer to both of these questions is no, but lately it seems Americans have been saying yes.

Publishers have been saying yes to school boards who in turn have been saying yes to over-protective, misguided parents and religious fanatics who want textbooks altered.

Apparently, not only is the evolution theory a hoax, but if kids don't learn about condoms in health class, they won't have sex.

The television industry has said yes to pressure from legislators and instituted both a ratings system and the v-chip.

**Columnist**



Mason Jackson  
Senior Marketing major

The v-chip will allow a person to block out programs with certain levels of violence, sex or salty language. The ratings system has already been implemented. When a show first comes on, a small box containing its rating appears in the upper-right corner of the screen. The ratings (G, TV14) are similar to those used in movie theaters.

Unfortunately, these legislators seem to be speaking accurately for a surprisingly large portion of our presently prude population.

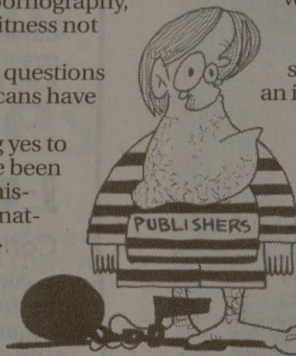
What has happened? Why are the same people who wax poetic (or at least grunt positively) about freedom, so eager to see it infringed upon in certain circumstances?

I smell something that rhymes with hypocrite.

When many people think about freedom of speech, they envision an individual bold enough to stand up and say, "Hey, you know what? I think the old U.S. of A. is a pretty darn good country, and if those commie, pinko, long-haired hippies don't like it, the Atlantic Ocean runs both ways."

But the First Amendment was not created to defend popular sentiment, which by definition needs no defense.

It was meant to protect people with unpopular views, like the Aggies United to Extend Slocum's Contract.



This should include those whose ideas serve no apparent purpose, or even an unworthy purpose.

Why? Because if exceptions to the rule are made, before long, there will be no rule.

In a speech, A. Whitney Griswold said, "Books won't stay banned. Ideas won't go to jail. The only sure weapon against bad ideas is better ideas."

But what about pornography? Doesn't it morally corrupt our youth and hence deserve censorship?

No. Rather it might be the Judeo-Christian view of sex, in art and literature as taboo, that formed a repressed society which reacts bizarrely to erotic stimuli.

Therefore, supermarkets refuse to carry "dirty" magazines. Wal-Mart even pulled Cosmopolitan from its shelves, apparently concerned its "35 Ways to Please Your Lover without Messing up Your Hair" article would corrupt the youth.

Yet, as was stated in the film *The People vs. Larry Flynt*, we applaud the artistic merit of pictures of war, murder and mutilation — pictures which have graced the covers of America's more prominent magazines, such as Time and Newsweek.

It appears hypocrisy is deeply implanted in our cultural psyche. We should recognize this weakness and come to the understanding that we cannot always tell the good from the bad, at least not immediately. If we want to protect the good ideas, we're going to have to protect all ideas.

**Marijuana laws leave room for improvement**

Give me a dime bag. Better yet, make it a quarter. Well, now that I think about it, give me a pound.

I would be saying these things often if I was suffering from cancer, AIDS, glaucoma, Multiple Sclerosis, epilepsy or chronic pain.

Millions of Americans infected with these ailments are denied access to marijuana which has been medically proven to benefit people suffering from these diseases according to the National Academy of Sciences, the California Medical Association, the Federation of American Scientists, and the American Public Health Association to name a few.

If psychiatrists can prescribe Ritalin, a methamphetamine, to people diagnosed with Attention Deficit Disorder, then oncologists (physicians specializing in treating cancer patients) should have the option of treating their patients with marijuana.

Marijuana can treat four significant medical conditions: nausea and increase of appetite, intraocular pressure, muscle spasms, and mild to moderate chronic pain.

Cancer patients can gain from marijuana because it alleviates nausea, vomiting, and loss of appetite caused by chemotherapy.

Marijuana benefits AIDS patients in the same way, relieving symptoms caused by the disease and the side effects caused by AZT,

**Columnist**



Brandon Hausenfluck  
Senior Journalism major

a medicine used to treat AIDS.

Glaucoma, which damages vision by gradually increasing eye pressure over time, is the leading cause of blindness in the United States. Marijuana relieves the pain by reducing inner eye pressure. It also slows and can stop the progress of the disease.

Marijuana reduces muscle pain and spasms caused by Multiple Sclerosis, the leading cause of neurological disability among young and middle-aged adults in the United States. It can also relieve tremors and unsteadiness of gait, and it has been proven to help some patients with bladder control.

In some cases, marijuana can prevent epileptic seizures.

Studies also have shown marijuana is an effective treatment for arthritis, migraine headaches, menstrual cramps, alcohol and opiate addiction and depression.

At one time, all of these uses have been recognized as beneficial by government organizations, courts, and scientific agencies throughout the United States.

In 1937, the Marijuana Tax Act established the federal prohibition of marijuana, putting an end to the production of marijuana for industrial, recreational and medicinal purposes in the United States. It was argued by Dr. William Woodward of the American Medical Association that the prohibition of the drug

would prevent any medicinal use of marijuana, thereby debilitating physicians' ability to treat certain sicknesses.

The Controlled Substances Act of 1970 created five "schedules" into which all prescription and illegal drugs are categorized. Marijuana was placed in Schedule I, labeling it as a substance "having a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use under medical supervision."

It's ironic how in a nation plagued with alcoholism and drug abuse, our governing body is stubborn enough not to realize where the problems exist.

Obviously, abusing any drug can adversely affect one's health. But people should realize that someone fighting cancer or AIDS is not going to spend their days getting stoned to watch *Apocalypse Now* or *Cheech and Chong* movies.

One would be crazy to think marijuana cannot be bought easily on the street. But the problem is most people are not willing to go above the law to try something labeled with a high potential for abuse. Obtaining marijuana illegally has its drawbacks.

If an AIDS patient is convinced

marijuana will make his or her life a little easier then he or she can buy marijuana on the street. But it could be impure, contaminated, or chemically altered. The person could also be arrested, fined, or thrown in jail for making the purchase.

Sep. 6, 1988, Judge Francis Young, DEA chief administrative law judge ruled that "Marijuana, in its natural form, is one of the safest therapeutically active substances known. It would be unreasonable, arbitrary and capricious for DEA to continue to stand between those suffering and the benefits of this substance," Young said.

Judge Young has his head on straight, but unfortunately the DEA refused his request to make marijuana a Schedule II drug, which would allow doctors to prescribe it.

The only thing preventing marijuana from becoming available as a medicine is ignorance on the part of American policy makers.

Granted, marijuana can be abused but so can tobacco and alcohol.

I have seen loved ones suffer from cancer. If marijuana can relieve an ounce of the pain they experienced then, by God, it should be legal for them to use it.

Since it is evident that marijuana has multiple positive effects on the human body, there should be no barriers preventing doctors from prescribing it.

**Marijuana, in its natural form, is one of the safest therapeutically active substances known.**

**Changes in tax laws could benefit Texas**

New York. The city that never sleeps. In fact, it even keeps other people awake: those who shop and those who work for the New York State Treasurer.

Last week, New York City repealed its 4-percent sales tax and local tax on clothing — but only for a week. The repeal was designed to keep shoppers in New York and prevent them from spending money in New Jersey, where there's no sales tax.

The price tag for this experiment is about \$20 million.

Bloomingdale's general manager David Fisher says it has been a success.

"For the two days combined, Saturday and Sunday, we ended up doing almost double the amount of business that we did last year," Fisher said in a CNN report.

Early in the week, shoppers swarmed New York City stores to cash in on the bargain.

Hailed as a success from both business and political standpoints, the question of whether other states will follow suit has arisen.

This experiment has shown that lowering taxes provides a huge economic stimulus.

Some states have their heart in the right place by charging no sales tax, but their income

**Columnist**



Stephen Llano  
Senior History major

tax is staggering. To provide for the operation of government and common defense, taxes are good when issued in modest and fair amounts. In an age where Washington, D.C., is seen as the place to solve everyone's problems, people have lost touch with the idea of how the money they've earned is for themselves, not the government's.

In Austin, Gov. George Bush, Jr. has the right idea about taxes. His charge to the legislature to lower property taxes would be beneficial.

Lowering the property tax would help the state economy in the realm of property sales, lifting the burden for property holders. But money from property taxes supports our public schools. It seems there is no way to run a state in a financially responsible way, while allowing the people to enjoy hard-earned money and provide a system of public needs.

According to the State Sales and Use Tax Analysis Reports for the second quarter of 1996, Bryan-College Station had about \$247.9 million in taxable sales. The state rate for sales tax, still at 6.25 percent, means about \$15.4 million will flow into the state coffers from the twin cities.

That \$15 million doesn't sound too signifi-

cant as far as state economics go. It's really only \$1 million away from being David Letterman's paycheck.

But on a statewide scale, the economic impact of a sales-tax reduction could be enormous. Without a sales tax, people would spend more money on goods and services. That \$15 million more going into Bryan-College Station businesses would mean more business. More business, on a state scale, means more jobs.

Still, the traditional method of funding state public services would suffer. The first step would be to re-assign lottery revenues to pay for only public education and lottery administration.

It's also about time Texas enacted a modest, flat income tax.

An income tax is indeed terrifying to Texans. But if enacted as a flat tax, it could mean a reduction in sales tax, and Bush's property-tax reduction. The lost revenue from sales tax would be replaced with the income tax from all the new jobs. And reducing two regressive taxes that hurt the economy and install one flat, fair progressive tax is a good tax reduction, no matter how you slice it.

Texas voters should learn from the economic experiment of New York. Re-assessing the lottery, coupled with an income tax, could mean economic growth and success for the people of Texas.