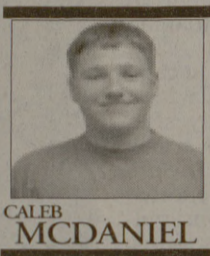


OPINION

The parent trap

Proposed parental liability laws circumvent justice, punish parents for crimes of children

Recent incidents of school violence have focused political attention on legislative proposals designed to prevent and punish juvenile crime. Some are now proposing laws that would make parents legally liable for the crimes of their children.



CALEB MCDANIEL

more accountable for the crimes of their children rather than punishing the children themselves, it would treat juvenile offenders as less than human. Because they are not adults, we are suggesting to them that they are hardly even rational, and that it is not they, but their parents, who are accountable for their actions.

This is true of young children who are barely accountable for controlling their bodily functions, but most juvenile offenders are of an older age at which they can appreciate the moral status of their actions.

In the *William and Mary Law Review*, Robert Batey has argued, "Adolescents are in most circumstances capable of making choices themselves. Experimental data support this conclusion."

Consequently, "the law should treat the choices of both adults and adolescents similarly," Batey said.

To do anything less than what Batey suggests would be injudicious. Different sentencing and trial procedures are in order when punishing juveniles, but to punish parents would convey to teenagers the dangerous implication that their delinquency is the fault of circumstances beyond their control.

Such a dissolution of juvenile responsibility not only taints the misdeeds of young criminals with an accent of normalcy, it also fails to give young offenders the basic respect they deserve as persons capable of choice.

As Herbert Morris concludes in his book, *On Guilt and Innocence*, society has an obligation "to respond to children in such a way as to maximize the chances of their becoming persons. This may well impose upon us the obligation to treat them as persons from a very early age, to respect their choices and to place upon them the responsibility for the choice to be made."

Apart from the philosophical pitfalls of parental liability laws, there is a second, more practical reason why such legislation should be abandoned. Laws punishing parents for the crimes of their kids would be impossible to aptly define.

Courts and lawmakers cannot hope to compose an exhaustive list of faults indicative of bad parenting, and yet, in the

absence of such a list, it would be terribly difficult to properly sentence the parents of offenders. Many parents of criminals have done everything society could hope them to do in discharging their parental duties.

As for the parents who may not have raised their children well, a legal line across which no good parent will cross could never be fairly drawn. Different parents have different philosophies for raising their children, but parental liability laws would ultimately require judging some philosophies as better than others.

And while certain parenting practices are better than others, detailing which ones are best is not the job of the state.

Under the kinds of laws being proposed, the government would have to

make such absurd decisions as whether or not to endorse spanking or grounding as the right form of punishment. In daring to define what makes a good parent, the government would become unbearably paternalistic itself.

It would simply be impossible for courts to distinguish bad parenting from the multitude of other factors contributing to juvenile crime. As Sol Rubin explains in his book *Crime and Juvenile Delinquency*, "Of the factors making for delinquency, parental inadequacy is only one of many; others are the high cost of living, poor standards of education, inadequate recreation and slums, to name only a few."

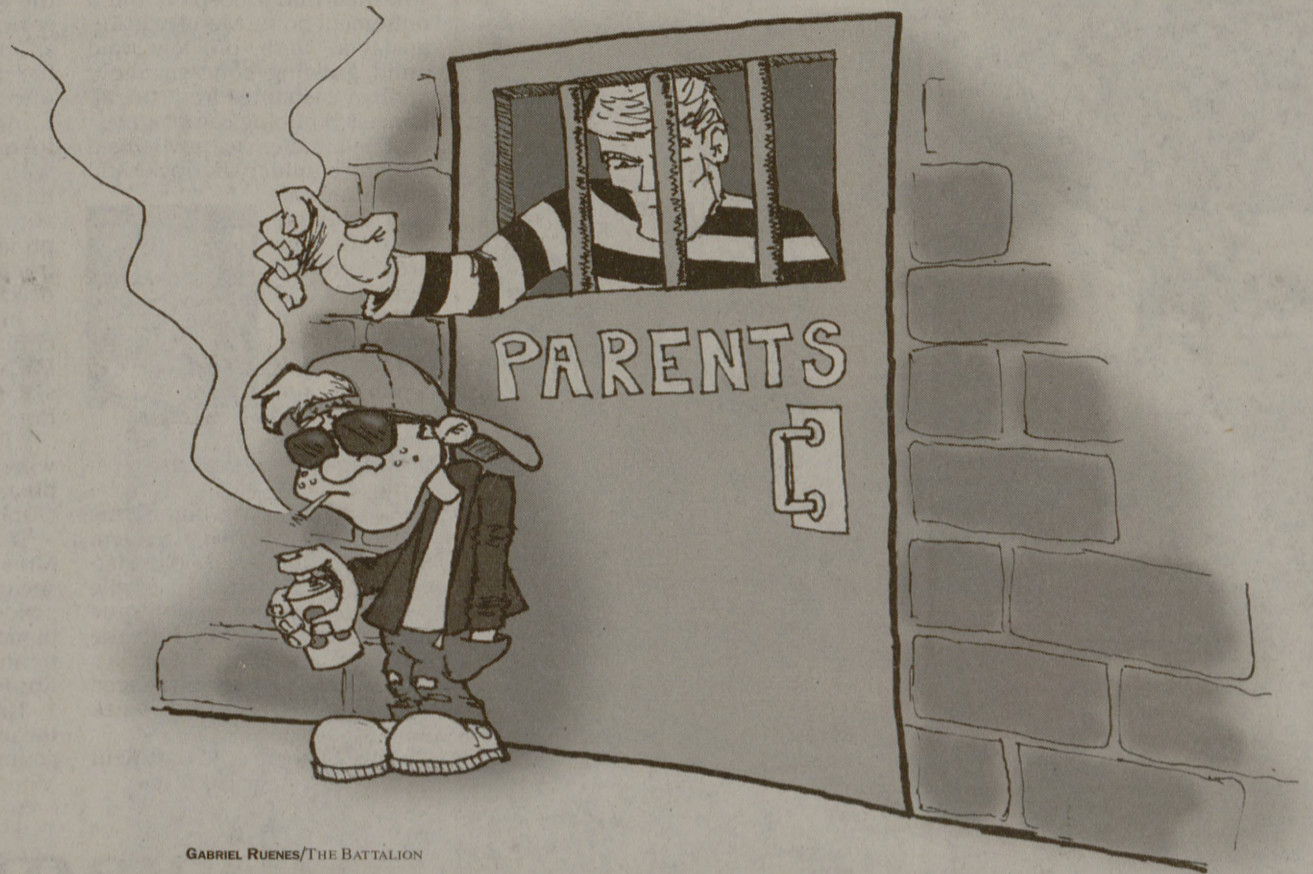
"We can no more correct [parents] by punishment than we can correct the con-

tributing social conditions by cursing them," he said.

Making parents pay for repairs when an energetic youth hurls a baseball through a neighbor's window is one thing. But making parents serve sentences when their teen steals a car or, God forbid, goes on a shooting spree is another thing entirely. In most cases, both in principle and in practice, it would be unjust to punish parents.

Hopefully, in America, "The son shall not bear the guilt of the father, nor the father bear the guilt of the son" (Ezekiel 15:20).

Caleb McDaniel is a junior history major.



GABRIEL RUENES/THE BATTALION

Professional sports players, executives sell out to commercial interests, greed

Recently, a plan was unveiled by Major League Baseball to introduce advertisements on the sleeves of the players' jerseys.



JEFF BECKER

At first, some observers questioned the validity of the move, but now people are starting to see the idea is not all that bad.

In fact, people will soon start to see the plan for what it is — a hit. This is such a great idea, it has the possibility of turning into a homerun for the game.

The problem is people are still envisioning baseball, and all professional sports for that matter, as the pure and simple sports that kids still play in parks and yards across America.

They foolishly believe that this innocent game played by children is the same one that is played by professional athletes.

The game is no longer played by the pros for the enjoyment and competitiveness of sport.

People must have a more enlightened understanding of what sports are really about.

The fierce competitiveness of Michael Jordan and the fiery desire to win that burned in him helped people to deny athletes' obsession with money, even though we see his sweating face every commercial break.

However, his flame has now burned out, its intensity only an afterglow. His departure will allow people to see more clearly that the pros do not play the same game as the kids around America.

Instead, all professional sports are molding themselves into one grotesque giant, all striving for the same goal, reaching for the same achievement.

The goal is simple, but new and complex terms are used to describe the new game that has taken hold of professional sports.

We hear phrases like corporate profits, net earnings, salary caps, revenue sharing and free agency.

These words may seem a bit confusing, but there is no question what this game is really about — money.

Certainly all the lockouts and strikes over the past few years have proven money is the

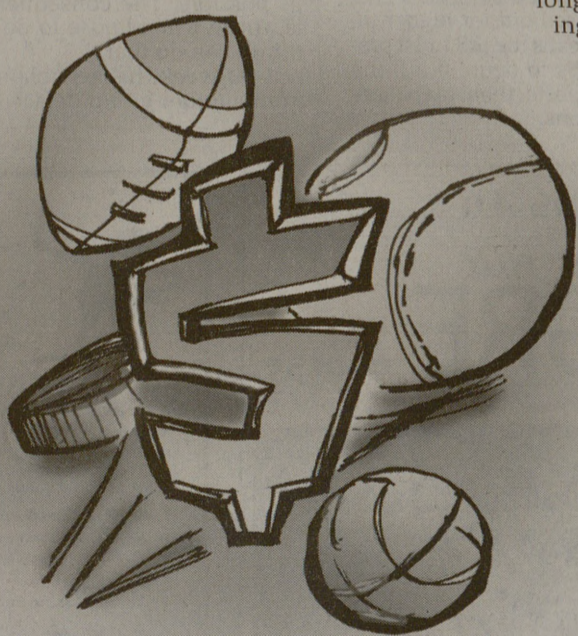
only thing that matters to these people anymore.

In light of this revelation, the idea about putting advertisements on sleeves is great; what better way to make money?

Getting excited about other people making money may be difficult, but that is what the game is about nowadays. Why cheer for the winner of the Super Bowl? We need to learn to cheer for the big moneymakers.

We have to support this sport of making money, for we are the ones who finance it.

Without the fans, the players and owners would not be able to bicker about their \$100 million contracts because they would not have an income.



Their actions have shown they have no regard for the fans and they have desecrated the sports we love by turning them into showcases for greed. But we should love them anyway. Why?

Well, how else is Shaq going to be able to drive those \$100,000 cars and live that Hollywood lifestyle?

Now that everyone knows what the game is really about, we should all be alarmed by the trend that has been occurring lately in pro-

fessional sports, with big name guys going to teams for less money.

Someone needs to remind these guys about the rules of the game: do not go to better teams for less money. Go to the lousy teams who can afford to blow a ton of money on a high salary.

And what are these guys' excuses for turning down the top dollar teams? They want to win a championship.

Well, Charles Barkley needs to know something: forget about winning the championship. He should play for some lousy team like the Clippers for one season and make some money for his retirement years.

Ah, yes, the retirement years — those long golf-filled days of wondering if following the other green was really worth it.

This is when the pro starts to realize no one is going to remember him or his money and all he has to show for his talents is that he was part of a money grubbing free-for-all that destroyed sports.

Those are some memories to have.

But do not tell the younger players that. They should not dwell upon how empty their millions will be when they realize what could have been.

They need to think that money is everything. The essence of what we know about sports is gone, but perhaps if someone really wanted to find it, they could. They would have to travel far from the extorted baseball stadiums and football fields of professional athletes.

They would have to look for the children in the playgrounds, alleys and parks of America who know nothing yet of corporate gains.

They would have to find the children who still do not realize that the game is no longer about enjoyment or even winning.

If you happen to travel to one of these places, please do not tell the children what the game is really about.

Jeff Becker is a sophomore computer science major.

MAIL CALL

Religion key to stopping violence

The shooting in Colorado should not be surprising to a nation that has forgotten God and refuses to obey him.

We are long past due in taking another look at separation of church and state, which in actuality has become separation of God and state, an idea totally alien to the foundation of our nation.

The solution to youth violence is in the Bible: "And all thy children shall be taught of the Lord; and great shall be the peace of thy children" (Isaiah 54:13).

David Mural
Austin, Texas

cancer, and if it is transferred by blood to the gonads, it can cause birth defects.

Possessing this knowledge, I absolutely cringe when I hear Madeline Albright talk about Serbian war crimes. Hypocrisy of this magnitude is unbearable.

Gary Sudborough
Bellflower, Calif.

New bill combats drunken driving

Too many Texans still die in drunken driving crashes. Sadly, in fact, Texas leads the nation in alcohol-related traffic fatalities.

Texas lawmakers have a chance to help turn the tide by adopting Senate Bill 1774, authored by state Sen. Judith Zaffirini of Laredo. The bill lengthens the suspension period for second offenders and for those who refuse a sobriety test.

A wide cross-section of organizations has thrown support behind the bill including Texas MADD and The Century Council, which is funded by America's leading distillers, and other groups committed to reducing the number of alcohol-related fatalities in Texas.

Texans want safer streets, and public opinion has swung firmly in favor of tougher laws to achieve them. Legislators have a great opportunity in SB 1774. The people of Texas deserve it.

John C. Lawn
Chairman and CEO,
The Century Council

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