

Click here for excuses

'Internet intoxication' defense does not hold water

Intoxication. The word itself brings to mind small, crowded spaces on Northgate, a sudden fear of police officers and a close relationship with a porcelain fixture in the bathroom. In short, one usually pictures this altered state in association with alcohol. Florida lawyer Ellis Rubin, however, associates it with something else — the Internet.



MELISSA JOHNSTON

Rubin is the lawyer for 18-year-old Michael Campbell of Cape Coral, Fla., who is awaiting trial on felony charges of knowingly transmitting a threatening message across state lines. Last December, as Campbell participated in an America Online chat room, he sent the message "I need to finish what begun and if you go I don't want your blood on my hands" to Columbine High School student Erin Walton, warning her not to attend school the next day. Campbell's warning implied that he was planning to add to the list of 13 murders that two Columbine students committed at the school in April.

Walton did not attend school the following day, and she was not the only one. Columbine officials shut down the high school two days early for winter break due to the threatening message. Campbell recently apologized, calling it a "stupid, stupid prank."

Ellis Rubin plans to use an affirmative defense he calls "Internet intoxication" to defend that "stupid, stupid prank." Rubin claims in Campbell's defense that the teen was so addicted to the Internet that he was operating out of a "virtual world" at the time he made the threat, and therefore could not be held responsible for his actions.

Creative defenses like this one show up previously in Rubin's repertoire. The first example was in 1977, when Rubin claimed "television intoxication" in defense of another Florida teen. Rubin said that 15-year-old Ronny Zamora had been warped by the violence he watched on television, causing him to murder his 82-year-old neighbor. Zamora was eventually convicted.

In 1991, Rubin represented a woman charged with prostitution, defending her with a claim that she was suffering from Prozac-induced nymphomania. He said that her prostitution was a form of therapy for her condition, as her husband was impotent. She eventually pled guilty to the charges.

With this latest case, Rubin has simply updated his "intoxication" defense for the 21st century. Under the influence of "Internet intoxication," Campbell became more than just a teenager causing trouble. Instead, he was drunk on the Internet. He was helpless in its grasp; ensnared in its trap.

More likely, Campbell was wrapped up in its invisibility.

The Internet continues to offer increasing latitude to those who wish to discard their physical identities and adopt an alternate personality (or personalities). In a chat room, no one can be sure of anyone's true identity. Lies are difficult to detect in the online world, as most human senses are numbed by the presence of only a screen name

Rubin and his client are claiming that the Internet is at fault for what amounts to a simple case of very poor judgement.

and a string of words that serve as conversation.

Campbell, like so many others who spend time chatting online, took advantage of this invisibility when he threatened Walton. Even if he was joking, he took his anonymity to an extreme—an extreme that cannot be tolerated. Role-playing on the Internet might be all fun and games for teens like Campbell, but it still carries the responsibility of respecting others and respecting the law. Do words mean something different on the Internet? It is an ethical question that begs an answer, and Rubin seems to think the answer is yes.

Rubin and his client are claiming that the Internet is at fault for what amounts to a simple case of very poor judgment. However, Rubin might run into a roadblock with this new creative defense.

Intoxication can be defined as either inebriation or an excited state of delirium. Campbell was not physically inebriated, and the only delirium he was suffering from was the idea that he could make such a threat without getting in trouble. Intoxication is going to be hard to justify.

In a Reuters article, former Denver prosecutor Craig Silverman said, "You'd have to say that his

computer slipped him a Mickey."

In addition, with a general intent crime like Campbell's, intoxication, even in the standard alcohol-related definition, cannot legally stand on its own as an affirmative defense.

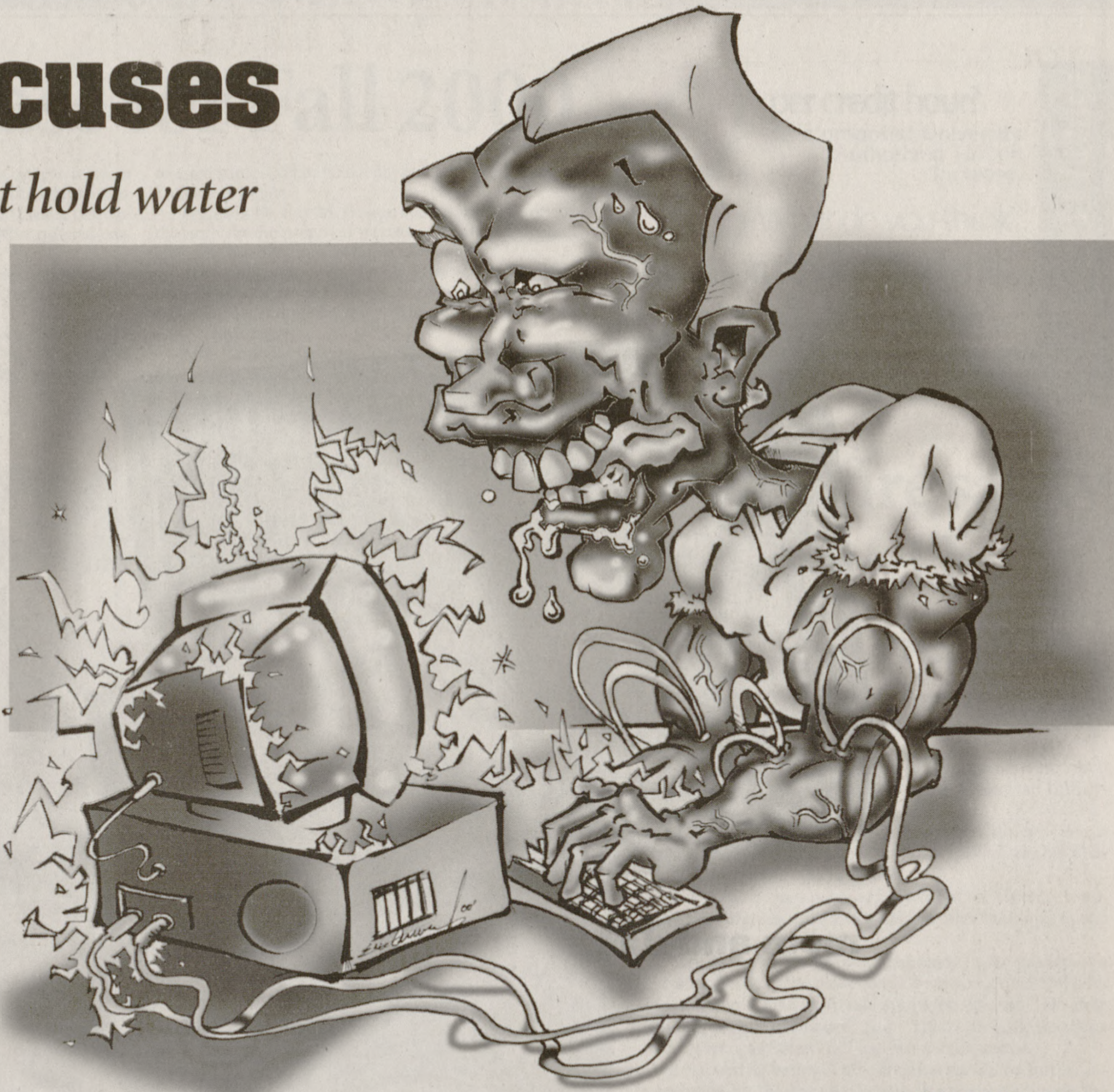
However, if Rubin uses the concept of "hypnosis" in combination with "intoxication," his defense may be more viable. If Rubin can prove that

Campbell was in a state of Internet-induced hypnosis, his suggested intoxication may be seen as involuntary. Campbell's defense would stand legitimate, and America's technology buffs would find themselves with a new catch-phrase.

In light of all this hype about the intoxicating Internet, maybe Northgate bars will start selling Internet instead of alcohol. Since there is no such

thing as an "Internet belly," the change could be quite popular. Then again, there used to be no such thing as "Internet intoxication," either. Guess the side effects could show up at any time.

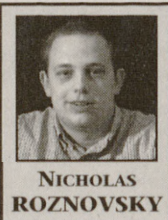
Melissa Johnston is a senior English major.



ERIC ANDRAOS/THE BATTALION

Putin's rise could bring the return of cold-war Russia

For the first time in the history of post-Soviet Russia, someone other than Boris Yeltsin is sitting behind the desk of power inside the Kremlin. Hand-chosen by Yeltsin as his successor, former Prime Minister Vladimir Putin assumed the office of Acting President of the Russian Federation on January 1, 2000. To many on both sides of the Russian border, Putin and his political ideologies are a complete question mark.



NICHOLAS ROZNOVSKY

Unlike Yeltsin, who had been a political force in Russia since the 1970s, Putin's rapidly rising political career has occurred exclusively after the death of the Soviet Union in 1991.

The official Kremlin biography of Putin contains just four lines of information and conspicuously leaves out his whereabouts from 1975 to 1996.

To put it mildly, Vladimir Putin is a real-life international man of mystery.

For the United States and other nations, Putin's new administration represents either an enormous opportunity for stronger ties or the beginning of Russia's retreat into the role of the confrontational giant it played so well during the Cold War. Before the United States assumes that the Putin-led Russia will be exactly like its Yeltsin-guided predecessor, America should consider its diplomatic options and think about giving Russia a bigger seat at the table of international affairs.

Because it constituted the bulk of the former Soviet Union, Russia was given its place in the international community by default. Unlike the Soviet Union, however, the new Russia is only a second-tier player in global affairs. Domestically crippled by economic and political instability, Russia has been forced by the West to surrender its international influence.

As the first non-socialist leader of the Russian people in over seven decades, Yeltsin felt his primary goals were to guide the former Soviet Union through the difficult growing pains of independence and insure the continued existence of the Russian Federation.

To keep the reins of power within his grasp, Yeltsin concentrated on Russia's internal troubles. As a result, the post-Cold War world has been dominated by the United States and its Western allies. Since 1998 alone, American-led alliances have bombed the streets of Baghdad and intervened in the Kosovo conflict, both in direct defiance of strenuous objection from the Russian government.

Last week, Vladimir Putin put the nations of the world on notice — Russia was no longer going to be a sideline observer in the game of international politics. In a completely unexpected move, Putin introduced Russia's first national security doctrine. Within its paragraphs, Russia abandoned its 1997 pledge never to consider using nuclear weapons in a first strike scenario.

To put it mildly, Vladimir Putin is a real-life international man of mystery.

Although the United States still has no reason to fear an imminent Russian attack, the news of Putin's announcement has rightfully scared many of Russia's neighbors. After the breakup of the Soviet Union, the other former Soviet republics were urged by the United States to relinquish their stockpiles of nuclear weapons. Now, Russia is the lone nuclear power among the former Soviet republics, leaving others such as Georgia and Latvia at an extreme disadvantage concerning border disputes.

Insurgent forces within Russia are alarmed as well. Whereas the rebels of Chechnya have so far been content to wage a guerrilla war on their own mountainous terrain, they now must consider the possibility that Putin could elect to end the conflict with a single massive strike on Grozny rather than continue to fight a long and costly campaign.

The most important reaction to the announcement has yet to come from the Russian public. Many Russians are still forming their opinions of Putin and his ability to lead the nation. Appointed prime minister by

Yeltsin just over four months ago, the 47-year old former KGB agent still has much to prove in the eyes of Russia's citizens before the next presidential election later this year. The Russian reaction to Putin's policies will determine whether his administration will dominate Russian politics for the next four years or a new regime will take its place.

With newfound success in the Chechnya campaign and last week's national security policy announcement, Putin has captured the faith of many Russians in his ability to lead Russia back to a position of power and international respect. To the people of Russia, Putin's apparent unwillingness to flinch in the face of Western might is a refreshing change from the West-appealing policies of the Yeltsin administration. With each passing day, Putin's young administration looks as if it may receive an extended lease on life from the Russian electorate.

Regardless of whether Putin remains in office or is replaced in the coming election, it is clear that Russia will be intent on reclaiming some of the international prestige it lost in the early 1990s. The United States and other NATO powers can ill afford to ignore the reemergence of Russia as a world power. If America cannot accept Russia as a legitimate player in international politics, then this nation may find the new Russia to be as bitter and confrontational as its Cold War predecessor.

Nicholas Roznovsky is a junior political science major.

The Battalion encourages letters to the editor. Letters must be 300 words or less and include the author's name, class and phone number.

The opinion editor reserves the right to edit letters for length, style, and accuracy. Letters may be submitted in person at 013 Reed McDonald with a valid student ID. Letters may also be mailed to:

The Battalion - Mail Call
013 Reed McDonald
Texas A&M University
College Station, TX
77843-1111

Campus Mail: 1111
Fax: (409) 845-2647
E-mail: battletters@hotmail.com

The most important reaction to the announcement has yet to come from the Russian public. Many Russians are still forming their opinions of Putin and his ability to lead the nation. Appointed prime minister by



Buchanan rehashes past mistakes

Pat Buchanan, Reform Party presidential candidate, has always been adept at masquerading ethnocentrism as patriotism.

But in a recent speech in Yorba Linda, Calif., Buchanan's true philosophy became especially transparent. It is now clearer than ever that his pride in Americans is fundamentally linked with a prejudice against non-Americans.

According to a Jan. 19 Associated Press report, Buchanan blamed excessive immigration for a splintering of American society. Whereas in recent years 700,000 to 800,000 legal immigrants have taken up permanent residence in America each year, he pledged to slash the number of new entry visas to between 250,000 and 300,000 per year if elected president.

This radical platform says much more about Buchanan than the simple fact that he will now be getting Atlanta Braves relief pitcher John Rocker's vote.

These proposals reveal that Buchanan is still stuck in a long defunct frame of mind. He claimed that immigration is responsible for depressed wages, high crime rates in regions with high-immigrant concentration and the Balkanization of American culture. Disunity would be prevented, he believes, if immigrants could more easily "be melded into the great American mainstream."

The great American mainstream? That buzz phrase alone calls Buchanan's bluff.

Very early in the 20th century, when unabashed racism was still an unfortunately pervasive reality, social scientists used to talk about things like an American mainstream.

Most of them subscribed to the then popular view that the best thing to do with immigrants was to conform them to conventional American life. In principle, that meant making them more like white Anglo-Saxon Protestants. In practice, that translated into exclusion, discrimination and harassment.

The great American mainstream? That buzz phrase alone calls Buchanan's bluff.

Therefore, assimilationism was, from its very inception, a theory deeply suspicious of immigration. This kind of sociological theory was in some ways directly responsible for the passage of 1924 laws to limit immigration from southern and eastern Europe.

Given this history, it should not be surprising that the favorite analogy of America for assimilationists was the idea that the United States was like a gigantic crucible, in which diverse ethnic groups must be melted down into one uniform group. The recipe for unity was to boil down foreign ingredients, leaving a product with a distinctly Western European flavor.

Despite the fact that this metaphor has long since been scorned by sociologists as overtly biased, Buchanan lamented that "in too many cases, the American melting pot has been reduced to a simmer."

Judging from his policy proposal, Buchanan means that the melting pot has failed to make immigrants more similar to indigenous Americans, not that it has been unsuccessful at reconciling disparate elements into a cohesive whole.

Buchanan's attempt to resuscitate long-dead ideas is especially dangerous because he knows how to make them sound attractive to people like himself. Even his small band of followers is disturbing evidence that his presentation still resonates with a sizable segment of the white working class.

Many of Buchanan's disciples share his anxiety about the perils of pluralism. They see ethnic differentiation as a green light for the erosion of common values, and homogeneity is a safe harbor for such easily frightened people.

However, Balkanization is not caused by the brute fact of diversity but by brutes like Buchanan. The mere presence of different groups does not necessarily entail disunity, but if diversity is coupled with those who insist on ethnic sameness, then hostile polarization is virtually unavoidable.

Besides being odious, Buchanan's hope for an iron-fenced America is wildly impractical. As religious activist Jim Wallis wrote last year, "Diversity is not an option for America, it is our reality. The issue about diversity as we prepare to enter a new century is whether we will see it as a strength to embrace or a problem to be solved."

By holding the latter view, Buchanan is revealing himself for what he is — a leftover from a time in America that is better off forgotten.

Caleb McDaniel is a junior History major.

LIE TURNER... performs a... then jumps... with the greatest... maneuvers.

st eru

and revisionist acad... if there is no evid... tians.

vilians at Nanjing... story at Tokyo's A...

said the atrocity... t. I say, that's not... l.

himoto and Takeh... mer soldiers stain... the occupation, de... they said other sold... cribing systematic... Neither man was e... ing.

survivors, some of... d to denounce the... television reported... represent the mass... y body, wounds on... "nat?" said Liu Xiny... ple holding lit white... ed: "VICTIMS 300... lay of partially un...

erts also gathered... Shenyang to expres... state-run Xinhua

Wholesale Mail

25 OFF

1663 S. Terry... in Calleson Plaza

Brazos Valley... Umpires Associat...

people to officiate... d adult softball... perience is not requ...

eh- clinic will be h... Friday January 22... clinic on Jamno... are 9-130 per game...

ore information call... ry Hix 693-2958... 76-5062 Tony Scazz...

Indian Restaura...

9 Buffet... w/ this coupon...

11:00 - 2:30, 5:00 - 10:00

01 Church St... lege Station, TX... 60-7475