

## No bad sports allowed

### Court decision on golfer Martin goes along with Disabilities Act



BRIENNE PORTER

owners of public places, which includes golf courses, must make reasonable accommodations for people with disabilities provided that the modifications do not seriously alter the nature of the activity.

Allowing Martin to use a cart to travel the course does not fundamentally alter the game. The game is not about walking; it is about the skill of hitting the ball.

"From early on, the essence of the game has been shot making," wrote Justice John Paul Stevens. The ruling does not allow for everyone to use a cart, but only those with medically qualified, permanent disabilities.

In the majority opinion, Justice Stevens went on to say that Martin's claim is different from others because he does not have the capacity to walk the course, while others have the capacity but find it difficult or uncomfortable. This language makes the standard for applying for a cart more restrictive.

In its arguments, the PGA said "that the walking rule served the purpose of injecting the element of fatigue into the competition," according to the *New York Times*. Martin used this argument in his favor

when the previous trial court found that he would have at least as much fatigue riding in a cart as the other players did walking. The court agreed with this finding and used it when deciding the case.

Some golfers say that back injuries or knee surgeries may allow others to apply for a golf cart. Yet, the language of the ruling is specific, stating that the disability must be permanent and that the applicant must not have the physical capacity to walk the approximately five miles of the course. In other words, just because someone has some difficulty or gets uncomfortable walking does not mean the person will be able to use a cart.

"The court stressed the need to evaluate each case on an individual basis," according to the *Times*. This decision is not a blanket ruling, and leaves it up to other courts and the PGA to decide how it will impact the game of golf.

Although the ruling opens the door for many more court battles, it was still a fair decision, based on the ADA.

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ADRIAN CALCANEO/THE BATTALION

## Teenage drivers need training, not restrictions



JESSICA CRUTCHER

The Texas legislature recently passed another bill affecting teenage drivers. According to the guidelines, 16- and 17-year-olds will be prohibited from driving between midnight and 5 a.m., except to and from a job, for work on a family farm, for school-related activities or for medical emergencies. In addition, teenagers under the age of 18 would not be allowed to drive with more than one passenger under 21, except for their brothers and sisters with their parents' permission. The new graduated driver's license bill is designed to reduce teenage accidents,

Although statistics may suggest this is a potential solution to the accident problem, it does nothing except take away the few freedoms still allowed to minors.

Although the ban on driving between midnight and 5 a.m. is misguided, it is not the biggest problem with the bill. Most teens will still be able to drive at will by the time they are 17. However, not allowing minors to drive with more than one passenger is ridiculous. This will put a hardship on environmentally-conscious high school students wishing to carpool to school, work or the movies. In addition, high school students in rural areas often ride to school together because it is a long drive, and they cannot all afford gas money.

However, it will present the largest problem for young college students. There is an increasing number of students who graduate from high school at age 16 or 17, meaning they will not turn 18 until late in their freshman year of college. Attending college this young is enough of a hardship. Lawmakers should not put an additional burden on these students by telling them they are not allowed to drive when going out with a group of friends. This seems to be a particularly large mistake since chances are, a person that young will probably be the first nominee for designated driver.

All hardships aside, the bill is still not well thought out. There is no need to put further restrictions on licensed, physically capable drivers.

Teenagers are not likely to suffer from age-related failing eyesight and are just as able to see at night as everyone else. In addition, licensed teenagers should be just as able to operate a vehicle as the next person — if not, they should not have been issued a driver's license in the first place. That is why driver's education classes and learner's permits exist — to teach teens how to drive and allow them to work the kinks out of their performance before being issued a real license.

If teenagers are more likely to have an accident, it is because they were not trained and tested properly.

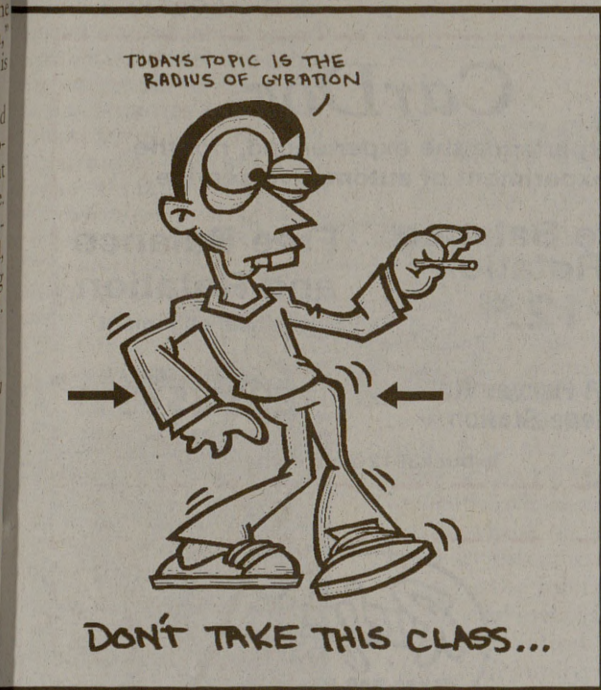
Instead of putting restrictions on teens, the government should take steps to make driver's education courses, and the driving test itself, more rig-

orous. Many driving tests involve nothing more than driving slowly down an empty road, putting the car into reverse, and driving back to the testing site. This is hardly a measure of whether the person can cope in heavy traffic. It is no surprise that a person with limited experience driving in normal traffic is more likely to have a wreck than an experienced commuter.

Instead of penalizing teenagers for their lack of knowledge, they should be taught how to drive, correctly and thoroughly, the first time. Then, not only would there be less wrecks, but teens would be able to keep their freedom as well.

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### CARTOON OF THE DAY



THE UN-CARTOONIST ©

## Moderates are American majority

(U-Wire) — The rumors swirled through the marble stairwells of the Senate and the ornate gardens of the Capitol. Whispers of shock met scoffs of disbelief at every office's water cooler. Barely anyone dared utter the word — "independent."

It was almost too incredible to be true. And yet just like the removal of a single card from a card house, Jim Jeffords single-handedly brought the entire Republican Senate crashing to the ground.

The Jeffords story is a perfect example of what happens when the moderates in any political party are stifled, not because the party disrespects their views but because the party's ambitions become too great. Moderates are the gears in the complex machinery of successful lawmaking and Jeffords' departure should serve as a warning to both parties about the penalties of political arrogance.

Jeffords did not leave the Republican Party because the party's politics had lurching to the right. He left because they had taken him for granted. Responsible policy-making is usually done over months of discussion, and sometimes years of debate.

But President Bush's tax cut could not wait. It was bad enough that a few conservative Democrats would have to be courted in order to prevent those ugly party-line votes and the appearance of uncompassionate conservatism. But there was no room for tolerating the demands of liberal Republicans, the "weak sisters," as some Republicans call them.

It was not so much the idea of a tax bill that bothered Jim Jeffords, but rather the way they went about passing it. At first they refused to compromise altogether. Then, when it was clear that they had no choice but to compromise, Jeffords' complicity in the deal made him a marked man. After a debate over what essentially boils down to a \$250 billion difference (\$1.6 trillion versus \$1.35 trillion), the Republican Party threatened to punish Jeffords simply for a difference of opinion. Some conservative Republicans may now be thinking, "What's a couple billion when we had the entire Senate on the line?"

Forcing the tax cut was not the only reason that Jeffords had to leave. With regard to the Bush agenda, it was not a matter

of policy disagreements, but rather the way the party dealt with those disagreements.

For the first time in 50 years, Republicans had the opportunity to enact a thoroughly conservative agenda, and, like kids in a candy store, none of them wanted to listen to Jeffords who pleaded with them to slow down and make changes in moderation.

For the past six months, the Bush White House has been digging out the GOP's grand old policies, some of which have not been discussed by anyone other than Washington's stand-up comedians for two decades or more. But the real problem is that he has presented these policies as if his several hundred Florida voters had turned into an overwhelming mandate for a Republican agenda, thanks to fairy godfather Jim Baker's magic wand.

Bush does not have the support of a mandate from the people. He has been pursuing his agenda with only token compromise rather than acknowledging the closeness of the 2000 election.

Jeffords could no longer stay with the Republican Party be-

cause the GOP had forgotten that moderates' opinions deserve recognition — not because they appear bipartisan, but because moderates' opinions represent the vast majority of Americans' opinions.

Moderates help legislation become something that is both relevant and acceptable to the largest number of voters.

Should moderates be allowed to make all the decisions? Absolutely not, or we would end up with wishy-washy policies that accomplish almost nothing. But when moderates are shut out, or, even worse, kept quiet through subtle threats, a political party risks the marginalization of the American people.

In the wake of the Jeffords departure, John McCain called on his party to "grow up." But one of the great things about children is that their opinions and philosophies are not yet etched in stone. Maybe both parties need a bit of a refresher course in one of those elementary school lessons: the one that teaches respect.

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