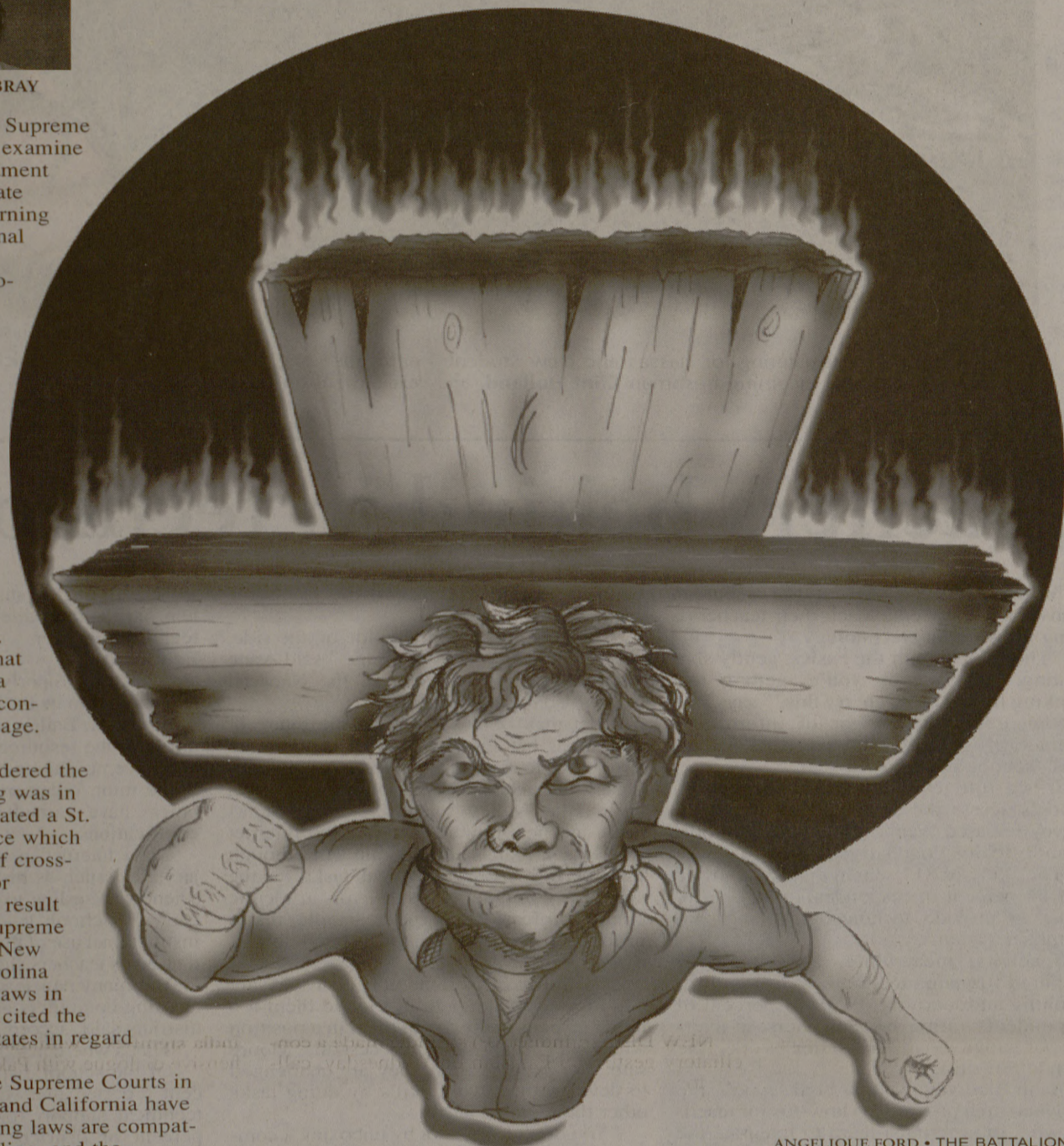


## A burning issue

### Cross burning should not be protected speech



RICHARD BRAY



ANGELIQUE FORD • THE BATTALION

Last Tuesday, the Supreme Court agreed to examine the First Amendment and decide whether state laws banning cross burning violate the constitutional guarantee of free speech. In order to provide, however, American citizens are free, the Supreme Court must uphold the state laws to United States domestic law in the case of *Nationality vs. Black*, the Virginia Supreme Court best and the state's 50-year old law banning cross burning in November. The court ruled 4-3 that the law criminalized a particular method of communication, a certain message. The first time the Supreme Court considered the issue of cross burning was in 1992, when it invalidated a St. Paul, Minn., ordinance which banned the burning of crosses in order to anger or frighten others. As a result of the ruling, state Supreme Courts in Maryland, New Jersey and South Carolina struck down similar laws in their states. Virginia cited the arguments of these states in regard to their decision.

However, the state Supreme Courts in Florida, Washington and California have said their cross burning laws are compatible with the 1992 ruling, and the Virginia case therefore gives the Supreme Court an opportunity to clarify the law. It is important for the Supreme Court to recognize that the burning of crosses is not intended to intimidate innocent people but should be among the limitations of free speech in this country. Just as yelling "fire" in a crowded theater is not protected speech, states should be able to prosecute those who burn crosses. The American Civil Liberties Union has argued that burning crosses should be considered protected speech because the burning of the cross contains a mes-

sage, thereby placing it under the protection of the First Amendment. However, the message it contains is one that promises violence. Historically, the burning of a cross has not been associated with minor forms of violence, but with lynching and murder. Just as it is illegal to threaten someone's life verbally, states should also be allowed to ban the same threat inherent in burning a cross. Throughout history, those in charge of this country's laws have recognized that there must be exceptions to the First Amendment. Journalists cannot know-

ingly spread lies through the media, and people cannot make bomb threats to schools or threaten the lives of others. Limitations such as these are present because they improve the society we live in. Although such speech contains a message, that message has been deemed so detrimental as to be made illegal. The symbolic burning of crosses deserves to be in that category.

*Richard Bray is a senior journalism major.*

## Poor behavior plagues Boulder



JENNIFER LOZANO

In a classic example of a few bad apples ruining it for all the others, students at the University of Colorado in Boulder living in a designated area will no longer be allowed to possess upholstered furniture on their porches or patios as of Aug. 1, 2002. According to *The New York Times*, if the ordinance is violated, students could face up to 90 days in jail and fines of up to \$1,000. This drastic law serves as a consequence of several small but destructive fires caused by highly inebriated students stealing and torching sofas at random. Authorities claim these perplexing acts of foolishness often occur as a means of celebrating a sporting event victory.

Although this solution may seem futile, it is the only option that students have given authorities who are committed to creating a safe and peaceful environment for both students and other residents of the community. In addition, students attending an institution of higher learning should respect themselves and their community enough to abstain from participating in destructive, barbaric behavior.

The university, where more than 100 couches have been torched since 1996, is not the first college town to implement an ordinance of this nature. According to *The New York Times*, the college towns of Fort Collins, Colo., Normal, Ill. and Blacksburg, Va. have enacted similar laws. In addition to this new ordinance, the Colorado legislature recently approved a bill that requires colleges and universities to suspend students convicted of any disturbance-related crimes for an entire year.

According to Jon Mies, the College Station fire marshal, College Station has an open storage ordinance that does not allow commodities or indoor furniture to be in public view. This ordinance was implemented because of the appearance and hindrance these items produce. Thus, College Station has seen limited couch-burning activity.

Those opposed to Colorado's new law stress that simply removing couches from porches would not keep students from getting drunk and rowdy. As Scott MacMaster, a 22-year-old recent business degree recipient from CU, said to *The New York Times*, "We're going to get drunk, we're going to party, we're going to do what we do — you can't stop it."

However, what young MacMaster failed to realize (maybe he was hung over during his business law class) is that his partying rituals involve arson, and authorities have every right to do their best to prevent crimes from occurring.

By removing the couches from the open air, the ante has been upped for the arsonists. They will either quit their immature behavior or they will move on to something of more value and danger and will be prosecuted.

Objectors claimed the new ordinance was discriminatory against those who cannot afford new lawn furniture. However, since eight disturbances have occurred in Boulder since 1997, dozens of arrests, and injuries of more than 20 officers have resulted, the new ordinance seems rightly implemented. At times it is necessary for a small portion of the population to endure unpleasant situations for the benefit of the greater whole.

The fact that authorities in Boulder and other college communities have had to turn to such an odd measure in order to prevent drunken students from torching flammable goods should serve as a wake up call to college students everywhere. The fine line between good, celebratory fun and ridiculous, dangerous behavior has always been difficult for some to distinguish, especially when it is blurred to almost nonexistence by drunken eyes. When it comes to torching stolen property, however, it should be almost certain the line has been crossed. Be it burning couches or unsightly garbage containers, college students need to set higher standards and respect themselves and their community by behaving in a considerate, intelligent manner, even after a few rounds at the bar.

*Jennifer Lozano is a senior english major.*

## Title IX hurts A&M soccer



MATTHEW MADDOX

A&M has the potential for a nationally competitive team is the women's team performance. Aggie women's soccer has been a consistent contender for the national title. In the last seven seasons, the team has finished in the top 10 each time. This year was no different, with the women reaching the "Elite Eight" and averaging 1,700 spectators a match.

Also, Southern Methodist University has dominated men's collegiate soccer, reaching the quarterfinals this year.

It would be unfair, however, to overlook the men's team that Texas A&M currently has. It is a dedicated group of young men who play for the love of sports and without the benefits bestowed on an NCAA Division I team. The Texas A&M Men's Soccer Club operates without the scholarships commonly used to attract top recruits or the funding needed for. Despite this, the club team has consistently outperformed its club competitors, and even the NCAA teams that occasionally practice against them. Club team president Gareth Glick is direct about what the team thinks of Title IX. "It has become a detrimental law," he said.

It would seem that A&M and other Big 12 schools would have to settle for non-NCAA teams for federal compliance, but there is no hope on the horizon.

"This is inherently unfair. A system that distributes benefits and burdens on the basis of an individual's sex is a system that curtails freedom of choice," said Gerald A. Reynolds, an attorney and Bush appointee slated to take over the reins of the federal agency responsible for enforcing Title IX.

Under Norma Cantu, Reynolds' predecessor, the Department of Education enforced a gender quota system called "proportionality" on college athletics. In the name of proportionality, hundreds of sports teams from track to gymnastics and baseball to swimming have been cut.

In a town where the football season becomes a nationally viewed reality TV series, funding for other men's sports is bleak. Title IX's stronghold on college athletics has meant no men's soccer for far too long.

*Matthew Maddox is a junior management major.*

### MAIL CALL

#### Coalition for Life did not write letter

*In response to Christy Ruth's June 5 column:*

Before she goes on to slam the Coalition for Life, Christy Ruth might have liked to know that the Coalition for Life did not submit the letter she referred to throughout her article. The letter was submitted to Dr. Ray Bowen, Dr. Southerland, *The Battalion*, Sen. Steve Ogden and Rep. Fred Brown by a number of students who were concerned about their representation and access to information through the Women's Center. These students were concerned about the Women's Center's failure to live up to its mission statement, which says, "The Women's Center at Texas A&M University serves as a symbol for the university's commitment to inclusion and equal access."

These students, along with the 300+ who signed the petition (mostly women), were concerned because despite their repeated efforts to have equal access, representation and a sense of inclusion, they were consistently denied and ignored. The Women's Center is run by

Brenda Bethman, a volunteer and staunch supporter of Planned Parenthood, who has brushed off the input of students concerned about chastity, morality and sexual health as extremist or religious opinions that have no place in a public school.

The Women's Center hosted at least two presentations last year that discussed abortion. One of the presentations was an opportunity for Planned Parenthood, the largest abortion provider in the United States, to exclusively advertise their abortion and non-abortion services.

The other presentation brought in speaker Marlene Fried. Marlene Fried, president of National Network of Abortion Funds, promoted abortion throughout her talk about building a reproductive rights movement.

Everyone is invited to read the letter that these students sent to the above mentioned individuals. The letter can be found on a link through the Aggies for Life webpage. The address is <http://stuact.tamu.edu/stuorgs/aggiesforlife>.

*Brandon Posvar  
Class of 2002*