Scout's Honor?

Boy scouts correct to exclude atheist member

LEANN BICKFORD

Nineteen-year-old Washington Eagle Scout and atheist Darrell Lambert was expelled from the Boy Scouts of America (BSA) last week after refusing to acknowledge his belief in God. The decision to remove Lambert, made by the Chief Seattle Council, deserves national applause.

Discriminatory indignation aside, there is no question of the legality of his dismissal. Under the First Amendment, a private organization is entitled to be as selective in its membership as it is narrow-minded in its creed.

Nonetheless, the gay membership ban in 2000 and now the atheist controversy aren't winning the BSA any new friends — the price paid in this country for taking a moral stand. Emphasis on political correctness in the United States has eroded the core values of organization after organization to a homogeneous mainstream — political parties and the national defense serve as prime examples.

The BSA is one of the few organizations that has refused to compromise its beliefs, however "anti-progressive" or "intolerant"they are labeled for the sake of lukewarm public appeal.

My question to the American press, who is quick to illustrate Lambert as a virtuous citizen of exemplary moral character, is this: just how impressed should the public be with Lambert's 37 merit badges if they were earned not only under false pretenses, but also in defiance of "Scout honor?"

Intentional or not, Lambert has been deceptive about his atheistic beliefs, maneuvering his way through the ranks. Numerous times over the years he has recited the Scout Oath, including its promise to do his "duty to God and country." While believing in God is hardly a measure of a person's worth, to the BSA, it is a valid measurement of its members.

Lambert had no respect for any this.

He is a liar who has misled his troop. The fact that Lambert and his supporters have the nerve to appeal his expulsion only reinforces the reason he was expelled — the values of the BSA aren't up for negotiation.

The ban on homosexual membership should be example enough for Lambert. Does anyone really expect the Scouts not to go to the time, effort and expense to take its case all the way to the Supreme Court? It happened in 2000 and it will likely happen again.

In the words of Chuck Egar, president of the Gulf Stream Council, "if we espouse to a system of values that we will change at the least bit of pressure, then what good are those values?"

If Lambert is reinstated, it would only undermine the freedom of association of any non-profit organization or church in the nation.

Even if a ruling is issued in his favor, the organization itself would teem with resentment. If Lambert has half as much respect for the BSA as he claims, it is curious to know why is he placing his personal agenda above the organization's agenda.

The organization he so desperately wants to be a member of would not remain the same if it compromised its values. Lambert will undoubtedly have countless organizations seeking his membership — the Seattle Times reports that Lambert has already been in contact with the ACLU (American Civil Liberties Union).

When Lambert attended a training session and the discussion turned to faith last fall, Lambert admitted to being an atheist. He got into an argument with the leader of the training session as to whether the faithless should be allowed in the BSA. Angered, Lambert stormed out of the room.

LEIGH RICHARDSON • THE BATTALION

Lambert's lack of faith was reported to Scout executives. In the words of BSA National Spokesman Gregg Shields, "since we were founded, we have taught traditional family values. We don't feel an avowed atheist is a role model for those values."

Sadly, the participation of President Bush as ex-officio head and signer of Eagle Scout certificates must now come into play, lest this be establishment of religion. It can be expected that other governmental ties with the organization will be closely examined as well.

It must be distinguished that this is hardly a case of unconstitutional religious intolerance.

Lambert should take his 37 merit badges and run with them.

Leann Bickford is a freshman business administration major.

Drug makers should test for child safety

(U-WIRE) SAN LUIS OBISPO, Calif. — Let's do it for the children. How many times have we heard judges and politicians singing that tune? What, exactly, are they doing for the children?

Last month, a Federal District Court struck down the Food and Drug Administration's 1998 Pediatric Rule, saying that the agency did not have the authority to require drug makers to test some of their medicines for childhood use.

I assume they want doctors to use guesswork and estimation when prescribing children drugs that may be life threatening. The Pediatric Rule was designed to provide health care professionals with the information necessary to prescribe medications more safely for children age 16-and-under when treated with drugs that are primarily tested in adults.

The web site parenting.com asserts that the vast majority of prescription drugs currently on the market still lack information about appropriate use in children, and further clinical trials are necessary. While the thought of testing medicines on children may be discomforting, it is extremely important. Nearly 75 percent of medicines used to treat children are not FDA-approved for them. Without controlled studies, doctors often lack accurate information about how large or small a dose to give.

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Drug companies generally test prospective products on adults and seek approval from the FDA to market them for adults. But once a drug is on the market, doctors are free to prescribe it for anyone they please. When they want to give a drug to children, they typically cut the dose and assume that it will work well and safely.

But the doctors may guess wrong. They may prescribe too small a dose to be effective or too large a dose, causing harm. There also may be unexpected side effects in children. Take the case of 10-year-old Shaina Dunkle, for example - she had been taking the psychiatric drug Norpramin for her attention-deficit/hyperactivity disorder, when she suddenly fell and had a seizure. She died within minutes in the arms of her mother. Shaina's autopsy revealed Norpramin as the cause of death. Norpamin is just one of many drugs that received FDA approval for treatment of an adult condition - in this case depression - but were then used on a child.

In the ruling by the U.S. District Court striking down the pediatric rule, Judge Henry H. Kennedy Jr. wrote "This court does not pass judgment on the merits of the FDA's regulatory scheme, the Pediatric Rule may well be a better policy tool than the one enacted by Congress; it might reflect the most thoughtful, reasoned, balanced solution to a vexing public health problem ... The issue is the rule's statutory authority, and it is this that the court finds lacking."

The 57,000-member American Academy of Pediatrics has already started to lobby Congress to codify the Pediatric Rule.

"It's very clear now what Congress has to do," said pediatrician Philip D. Walson, who serves on the AAP's Committee on Drugs and Clinical Pharmacology. "They have to make it clear that the FDA has to protect children."

Walson said even those in pediatrics who thought they were making good, educated decisions have found some major surprises from things they didn't predict.

For example, I have my own experience with the damage caused by tetracycline, an antibiotic commonly prescribed to but never tested on children in the 1960s and '70s. Multiple doses left a generation of kids like me with teeth that were at best permanently discolored and at worst so soft, malformed and cavity-ridden that they had to be replaced.

"If tetracycline had been part of a clinical trial, we would have picked up on the side effects much earlier," says Dr. Ralph Kauffman, a director of medical research at Children's Mercy Hospital. "Instead, we exposed millions of children over 20 years."

That's why testing is important. There are a lot of differences in children. It just seems absurd to say that it's not a good thing to test in children.

Let's turn it around and imagine drugs were tested only in children, and the doctor says to an adult, "Well, we have a pretty good idea of how to use it." How long would adults stand for that?

William Reitz is a columnist at California Poly State University

MAIL CALL

Dress code gives meetings a professional atmosphere

In response to Colin Eazeayim's Nov. 20 column:

As the RHA Delegate from Aston Hall, I applaud the dress code for General Assembly meetings.

We represent a very large number of people, and need to look and act professionally. If Mr. Eazeayim would bother to look over how the dress was before, he would notice the unprofessional setting, not to mention one member wearing a shirt that read, "Howdy f__kers!"

Also let me point out that the Clements delegate was removed from the meeting because of her dress code violation, not because of what her shirt said.

If people choose not to follow the rules or to forcefully rebel against them, the heads of RHA have no choice but to keep their promises and remove them- no matter how nice their message may be.

Instead of insulting RHA, Mr. Eazeayim should look into the fact that we are merely trying to make ourselves look more mature for the work we do. I do not know of one respectable workplace or decision making body that allows its members to dress like they just got out of bed, so this change should be cheered, not shot down like some sort of rights infringement — there are bigger things to worry about in the world. Many other organizations have dress codes, including the Student Senate and fraternities. We have had a dress code in the past, and are bringing it up again because it has been abused. Telling a body of student leaders to dress nicely is not "mandating what our members should wear," and we are not looking to change the world or our complete image with this change. We are merely taking steps to make our important organization look more presentable and professional.

Michael Vargo
Class of 2006

Definition of inadequate counsel needed

(U-WIRE) CHARLOTTESVILLE, Va. —From the snipers in October to an upset gubernatorial election in November, the state has been a hotbed of controversy and media attention lately. That attention grew Monday as the U.S. Supreme Court decided to review death row cases in which the convicted person pleaded "bad lawyering," beginning with the case of Maryland death row inmate Kevin Wiggins. Wiggins' case should have been a non-issue. Any time a man's life is at stake the U.S. judicial system should do everything in its power to ensure it's punishing the right person and not wrongly taking the life of an innocent.

Wiggins was convicted for robbing and drowning 77-year-old Florence Lacs in 1988. Although no evidence linked Wiggins to the crime, according to CNN.com, the 27-year-old was seen talking to the victim the day of her death and later found driving her car and using her credit cards to buy gifts for his girlfriend. Wiggins' current lawyer, Donald B. Verilli Jr., claims that Wiggins' original lawyer, a public defender, was "inexperienced and overworked." Therefore, Verilli accurately contends, Wiggins was not awarded his constitutional right to a fair trial with adequate defense.

Now that the Supreme Court has agreed to review Wiggins v. Cocoran, the case may very well become the cornerstone for deciding ineffective counsel claims in all cases. Anyone charged with any level of crime that could lead to jail time is guaranteed counsel, even if they are unable to afford a lawyer. If that right is denied to them at any time during the process of their trial, the convicted should automatically be guaranteed a right to a new trial with adequate and effective counsel.

This should be especially true in cases dealing with capital punishment. The sanctity of human life is a precious thing and should not be easily disposed of. If a defendant, like Wiggins, can clearly show that he was at a disadvantage by not having effective counsel, the inconvenience of a new trial is small compared to what is at stake. To avoid the floodgates that a "bad lawyering" defense could open, the Supreme Court must establish a clear definition of what exactly constitutes inadequate representation.

Of course, all this is much easier said then done. According to FoxNews.com, the American Bar Association is already weary of the backup in courts, and no one likes having their taxes raised. The government, however, must evaluate the flawed judicial system and make immediate changes. To begin with, Congress must stop holding up the nomination process of judges. The advantages of appointing new judges are undeniable. In regard to money, the judicial branch will have to either decide to slim down their expenses and economize or request a bigger budget. Either way, the miniscule amount of cash doled out to help improve the system is well worth it.

Retrials can be prevented altogether, however, if the root of the problem — inadequate defenses — is eliminated.

Public defenders in this nation are extremely overworked, and thus cannot always supply adequate counsel. Accused poor people have no real recourse for a public defender with shortfalls. They can always request a lawyer from the state, but that does not ensure they will be given a quality one. As budget deficits increase and hiring freezes are enacted, public defenders' workloads will just grow larger and more overbearing. In a country where the poverty-stricken account for a disproportionate number of convicted felons and are the majority of defendants in capital cases (CNN.com), the government must do better to provide the underclass with better representation.

Here, the government is left no choices in their plan of action. They must hire new lawyers to balance out a substantial workload and allow public defenders to do their job to the best of their ability. The judicial system will forever be skewed and unfair if the less fortunate are denied a right to a fair trial because they cannot afford a competent lawyer.

Few doubt Wiggins' guilt. "My own view is that [Wiggins] probably committed the heinous offense for which he stands convicted," said 4th U.S. Circuit Court of Appeals judge J. Harvie Wilkinson III (www.cnn.com). Wiggins' guilt is not at issue, however.

What matters is that he be given a fair trial. In reviewing his case, the Supreme Court should unanimously grant him another trial. That way, if the verdict is the same, the punishment can be carried out with no doubts and no injustices.

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