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tinued from page 1

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OPINION

EDITORIAL

DEFEATING DEREGULATION

Students should attend Senate meeting

Rarely does a group of students at one place in time have the ability to impact those who will follow as much as current students at Texas A&M have today. In the Governance Room of the Koldus building at 7:30 p.m. today, A&M's Student Government will meet to discuss the issue of tuition deregulation. It would be prudent for every student who pays tuition, has a family member who will one day pay tuition here, or who otherwise feels a sense of obligation to A&M to voice his opinion before the organization whose sole purpose is to represent their beliefs.

The Student Senate will consider a resolution proposed by Student Senator Kevin Capps that would partially endorse tuition deregulation. While serious consideration of the issue is a step in the right direction, the senate's failure to condemn deregulation is a tacit endorsement. Tuition deregulation in all its forms will remove the power to set tuition levels from elected officials, and entrust that power to the unelected Board of Regents, who will pursue institutional interests rather than those of the public. Gov. Rick Perry has already embraced the idea as a way for students to pay a larger share of the state budget deficit.

Take time out of your busy evening to let your stance be known. It is a small price to pay now to avert the potentially high future costs of education. And it may prevent the highest cost of all: the missed education and missed member of the Aggie family who might one day be unable to afford A&M. Tuition deregulation in all its forms should be unequivocally

MAIL CALL

Protests deserve consideration

In response to a Feb. 18 mail call:

It is easy to assume that military force is a simple solution to our conflicts, but history shows that it offers no lasting solution at all. For example, the Soviet Union was our ally in World War II, but quickly became our enemy after that conflict. We then armed bin Laden to fight off the Soviets, and we all know how that turned out. We once armed Saddam Hussein so that Iraq could fight off Iran, our enemy at that time. After each of our wars, a new enemy emerges. In the meantime, we brutally sacrifice the lives of countless soldiers and innocent civilians. To call the war protestors naïve is truly hypocritical: do you know what it's like to go to school each day carrying a gas mask, continually scanning the sky for the that final missile, and not knowing if you or your family will be alive together at the end of the day? We blame television for our violent youth, but any child who looks up to his nation's leaders finds that violence is portrayed as the most acceptable means of resolving conflicts. Instead of creating an atmosphere of fear and violence, we need to put our minds together to find new ingenious solutions to our problems, solutions that may have a lasting beneficial impact.

Nick Anthis
Class of 2005

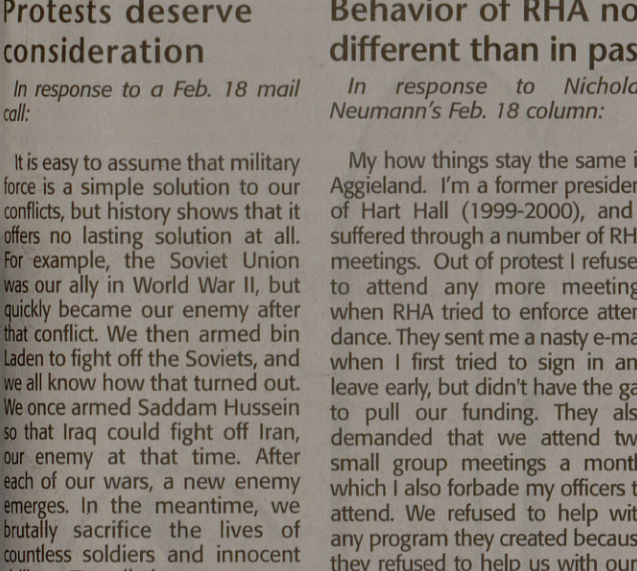
Behavior of RHA no different than in past

In response to Nicholas Neumann's Feb. 18 column:

My how things stay the same in Aggieland. I'm a former president of Hart Hall (1999-2000), and I suffered through a number of RHA meetings. Out of protest I refused to attend any more meetings when RHA tried to enforce attendance. They sent me a nasty e-mail when I first tried to sign in and leave early, but didn't have the gall to pull our funding. They also demanded that we attend two small group meetings a month, which I also forbade my officers to attend. We refused to help with any program they created because they refused to help us with ours. We even went around them to donate to a charitable cause they supported just so that they wouldn't be able to take any credit for it.

Our dorm also purposefully went around the accounting rules just so that no one would be able to take away funds that we had worked for. I pulled $100 out of my own pocket to pay a very overdue bill that the hall had incurred the year before, because there was no way I was going to the council to ask for any favors. What they didn't understand then and obviously don't understand now is that their job is to help the councils help the residents, not the council's job to help pad their resumes and get awards at regional conferences.

Brian Shelley
Class of 2000



MARRIAGE DENIED?

Should same-sex marriages be recognized in all states?

JOHN DAVID BLAKLEY

In September of 1996, President Clinton signed the Defense of Marriage Act, declaring that states in which same-sex civil unions are prohibited do not have to recognize the same-sex civil unions granted by other states. Although it is a great surprise that a Democratic Party president would sign an act that overlooks equality and certain separations of law and morality, perhaps the greatest surprise is how blatant a contradiction to the Constitution and judicial precedent this act appears to be.

Article Four of the Constitution, the supreme law of the land, clearly states that "full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state." According to this clause, states must recognize marriages granted in another state, no matter the gender of the persons.

Despite these contradictions, no conflict has arisen in the courts concerning DOMA. This is partly because the success of legislation approving same-sex marriages in Hawaii was put to rest when, in November of 1998, voters passed a constitutional amendment giving the legislature the power to reserve marriage for opposite sex couples, according to the Human Rights Campaign Web site. However, due to Baker v. State, which the Vermont Supreme Court ruled on in December 1999, a civil union law was enacted in July 2000, giving same-sex couples the option of forming a civil union, according to the Lamda Legal Web site. It is now only a matter of time before a gay Vermont couple relocates to another state, and demands their union be recognized, despite the restrictions of DOMA. When this occurs, jurisdiction will fall on federal courts, and the Constitution must be upheld, meaning the the Defense of Marriage Act would be overturned.

Precedent also directs the courts to deem DOMA unconstitutional. Loving v. Virginia, decided only 36 years ago, banned all restrictions of marriage between persons of different races. Such laws violate the 14th Amendment, which grants every person equal rights and due process of law.

Does this amendment's protection not reach the gay community? For the Constitution to be substantial, for it to have any power or meaning, it has to reach this minority population. In Loving v. Virginia, the Court eloquently declared "the freedom to marry has long been recognized as one of the vital personal rights essential to the orderly pursuit of happiness by free men." Marriage is one of the basic civil rights of people, and the law can deny such a fundamental right to no one.

Along with being a symbol of love and commitment, marriage in the United States grants certain rights between spouses, which are just as pertinent to the union of two persons of the same sex as they are to spouses of the opposite sex. These include child custody, divorce protections, certain property rights, insurance breaks and visitation of partners in the hospital. These rights should extend to the unions of people of any sexual orientation.

Opposition to civil unions between same-sex partners stems from the belief that such relationships are immoral. However, to tell these men and women that what every inch of their minds and bodies is telling them to be true is immoral; that their most intimate, God-given feelings are in fact wrong; to deny them the love and connection that every person should be able to feel and experience in life, is ignorant and void of compassion.

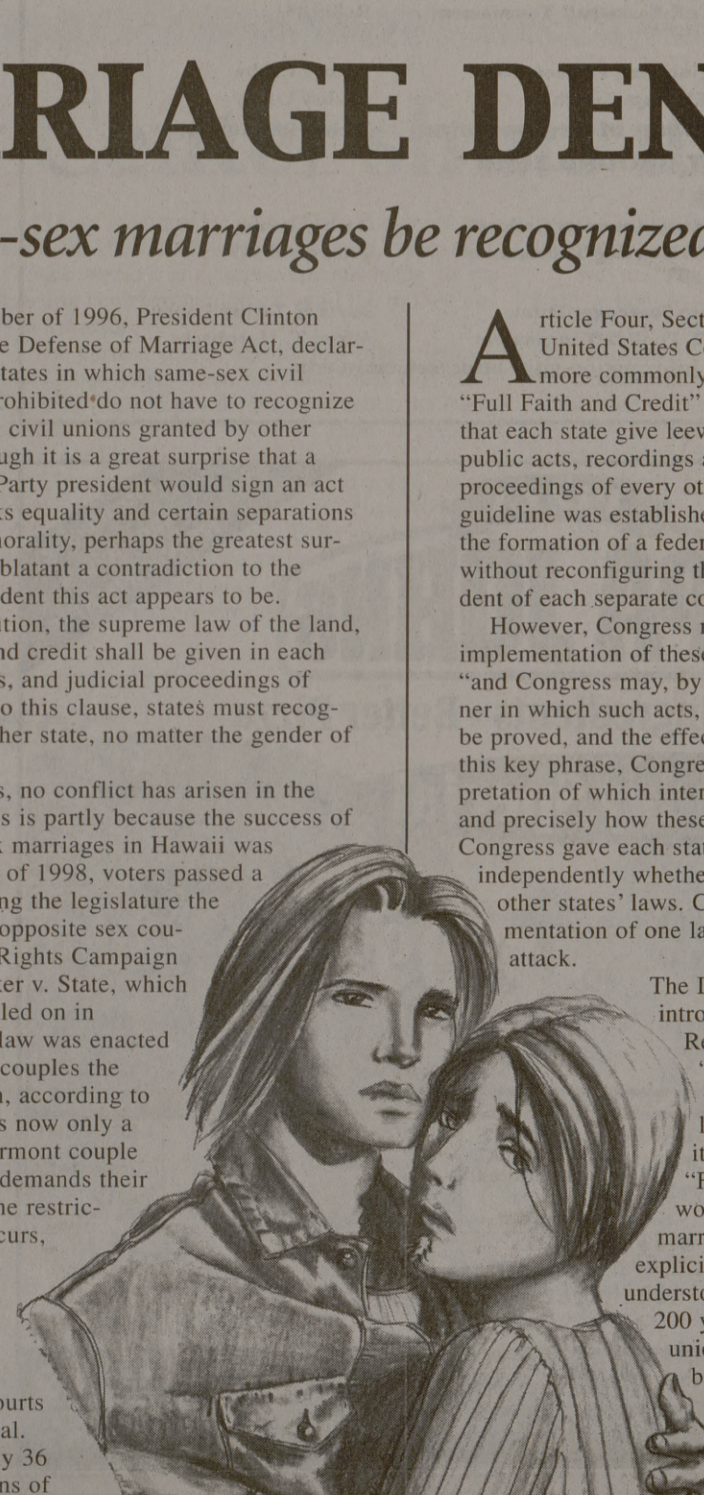
However, such feelings do overwhelmingly exist in the United States. But these feelings cannot dictate the laws of a free country. Opposition to same-sex civil unions, for the most part, find reasoning in the Bible. It is, however, unreasonable to model our nation's laws from the set of laws found in the Bible, which promote slavery, condemn gender equality, and exercise such decisiveness that if followed, we are, for example, morally bound to put each other to death for wearing garments made of different threads. One also cannot forget that not everyone in the United States follows the words of the Bible. The United States is home to people who practice Islam, Hinduism, and those who do not subscribe to any organized religion, and Americans celebrate and honor the separation of church and state. A country whose laws are dictated by religion is not a republican government, it is a theocracy.

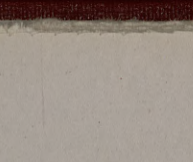
There is a thin line between law and morality, especially when it can be argued that morals are the basis for many laws. However, these moral codes can only become law in a free country if breaking them consequently harms another person, as pointed out by John Stuart Mill. Sharing one's life with a person of the same sex does not affect his or her neighbor.

When the Constitution was adopted, seeds of equality were planted. Slavery was not immediately abolished, nor did women suddenly receive rights equal to those of men. However, the principles and structure of our country's founding has allowed such steps of advancement in civil rights. It is time the United States takes another important step and recognizes the unions of gay partners.

The Defense of Marriage Act is repugnant to the words and nature of the Constitution. The courts must declare it void and states must continue to honor the contracts of other states.

John David Blakley is a freshman political science major.





NATHAN ROGERS

Article Four, Section One of the United States Constitution, more commonly known as the "Full Faith and Credit" clause, affirms that each state give leeway "to the public acts, recordings and judicial proceedings of every other state." This guideline was established to facilitate the formation of a federal legal system without reconfiguring the legal precedent of each separate colony.

However, Congress maintained some control over the implementation of these laws by inserting the phrase "and Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof." With the inclusion of this key phrase, Congress retained power over the interpretation of which inter-state laws would be recognized, and precisely how these laws would be enforced. Congress gave each state individual rights to determine independently whether to recognize the legality of other states' laws. Congress' control over the implementation of one law, however, has come under attack.

The Defense of Marriage Act was introduced into the House of Representatives in 1996 to define "marriage" and "spouse" for the purpose of interpreting federal law, and for Congress to exercise its power in determining how the "Full Faith and Credit" clause would be administrated. In defining marriage and spouse, Congress made explicit what had been commonly understood in federal law for more than 200 years: that "marriage" is the legal union of man and woman as husband and wife, and that "spouse" is a husband or wife of the opposite sex. If the federal government only recognizes marriages between those of the opposite sex, state governments should do the same.

In giving each state individual rights, Congress allowed states to independently determine whether to recognize the legality of a same-sex civil union granted in another state. When the DOMA was introduced, more than 30 states were considering introducing legislation defending themselves against any compulsory acceptance of another state's marriage laws.

These states were preparing to defend themselves against a ruling that was being considered, at the time, in Hawaii, which eventually fell in a voter referendum. However, in 2000, Vermont began granting approval to same-sex couples wishing to engage in a "civil union" that gives full benefits and rights to the gay couple.

As of yet, no couple engaged in a civil union has challenged the DOMA. However, it is only a matter of time before this statute will be challenged and the issue will head to court again, spawning a two-headed monster: the issue of states' rights intermingled with the rights of an individual.

Oklahoma Sen. Don Nickles, in his introduction of DOMA in 1996, said the act "does not intrude on the ability of the states to define marriage. To the contrary, it protects the rights of the states to define marriage for themselves."

The legislative precedent has been set: the governing body of each state has the sole right and responsibility to decide whether to acknowledge civil unions. Jurisdiction for the matter falls exclusively in the hands of the state being challenged, and Congress has already expressed explicit permission for each state to make its own decision regarding the "Full Faith and Credit" clause and by extension, the validity of civil unions in a state in which they are not recognized. The Fourth Article of the Constitution is being upheld, and the rights of the states are intact.

Opponents of the DOMA say that the act is unconstitutional and violates the 14th amendment, which grants every person due process of law. They reference the 1958 case Loving v. Virginia, wherein discrimination against interracial marriages was deemed un-Constitutional. Equal Rights Protection provided by the Constitution extends to race, sex, and religion, but not to sexual orientation. There is no provision in the Constitution for protection against discrimination due to sexual preference. The breach of Constitutional directive that occurred in Loving v. Virginia is simply not present in cases challenging states' rights to deny same-sex marriages.

This bill was met and passed with broad bipartisan support, and was well-received by the voting public. By ratifying the Constitutionality of this bill, the Supreme Court reinforces the principles upon which the federal government was created, and stops short of infringing on the sovereignty of the state's right to govern itself.

Nathan Rogers is a senior international studies major.