

Gun control laws

Proposed bills infringe on Second Amendment rights

The American political landscape is full of wacky groups, perhaps none more so than the gun control crowd. But what this specious contingent lacks in reason is more than made up for in resilience and creativity.

Seeking to capitalize on President George W. Bush's war on terror, a bill recently proposed in the Washington State Legislature sought to classify guns as weapons of mass destruction, according to Foxnews.com. This argument is ridiculous to the point of being shameful.

The bill sought to define a weapon of mass destruction as a "device, object, or substance that a person intends to use to cause multiple human deaths," according to the Seattle Times. A group of Democrats has also proposed an amendment that would have included the phrase "including, but not limited to, a firearm."

While the bill likely had problems to begin with, seeking to classify firearms as weapons of mass destruction, possession of which would become a class A felony, is a pitiful attempt to sneak unpopular gun-control objectives into a bill intended to protect citizens from terrorism. Gun-haters cannot sidestep the Constitution with their state laws, and these Washington Democrats should be ashamed.

Other gun-control advocates have brought lawsuits in many cities against firearms manufacturers, seeking damages for the crimes committed with their products. These cases have been promptly thrown out, and the U.S. House of Representatives just passed a bill that would ban any such future lawsuits, according to Foxnews.com. It's sad that Congress has been forced to stop people from suing the makers of a product that is not only legal and well regulated, but essential for the exercise of a constitutional right.

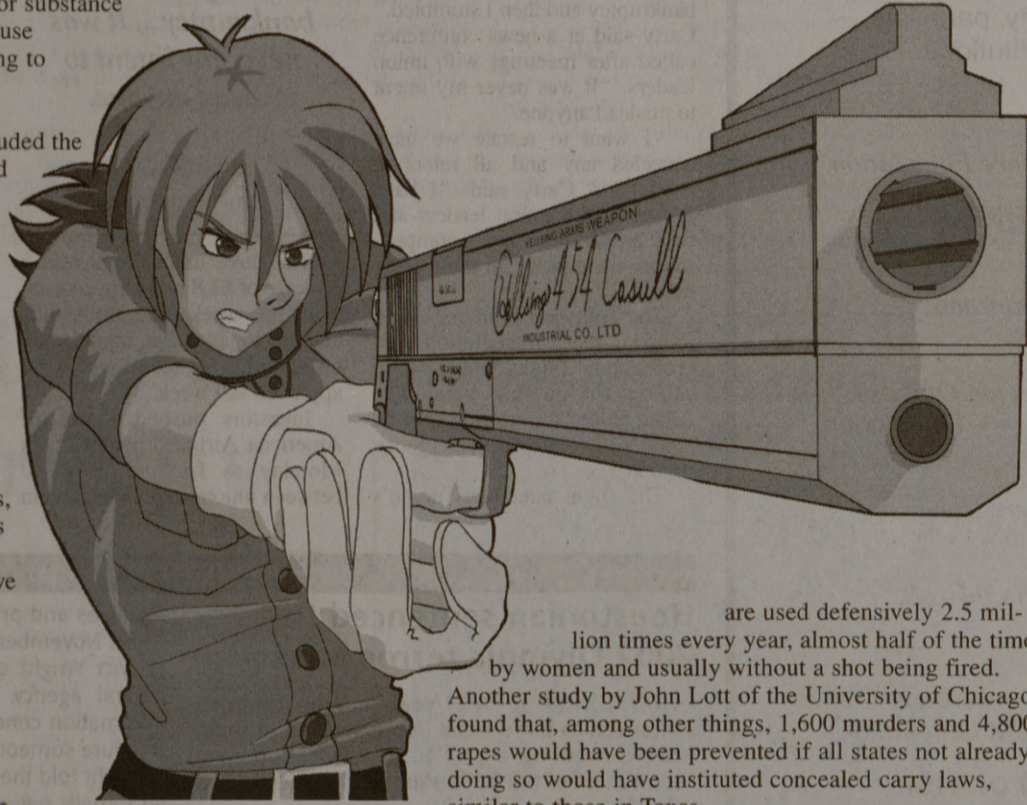
What these implausible and desperate attempts reveal is that more gun control does not resonate with the public. The fact is that Americans support the Second Amendment as it is written in the Constitution, not as the gun control lobby would have it. In a Gallup poll in December 2002, 65 percent of Americans opposed a law banning the possession of handguns except by police and other authorized personnel, according to Canada's The Gazette. And when one looks at the evidence, it's not hard to see why.



JERAD NAJVAR

A recent decision by the 5th Circuit Court of Appeals, United States v. Emerson, confirmed what most honest legal scholars and regular citizens have understood for centuries: the Second Amendment protects an individual's right to bear arms, not a militia's. Attorney General John Ashcroft's Justice Department has supported this view, as have the respected legal scholars Laurence Tribe of Harvard, a liberal, and Akhil Amar of Yale, according to Robert Levy of the Cato Institute.

Besides being a long-standing and essential right protected explicitly by the Constitution, the freedom to keep and use a firearm has proven invaluable in self-defense. According to criminologist Gary Kleck, firearms



are used defensively 2.5 million times every year, almost half of the time by women and usually without a shot being fired. Another study by John Lott of the University of Chicago found that, among other things, 1,600 murders and 4,800 rapes would have been prevented if all states not already doing so would have instituted concealed carry laws, similar to those in Texas.

These studies should open the eyes of gun-control advocates everywhere, because their efforts to control are dangerous. They are seeking to make it difficult or impossible for average, decent people to defend themselves against attackers, and they are pursuing goals that directly conflict with an explicit constitutional right. Americans should let these people know that their selfish and unfounded policy aims will not be tolerated.

Jerad Najvar is a senior political science major. Graphic by Ivan Flores.

What Texas bosses want

Diversity makes students attractive to employers

Many Aggies laud "The Other Education" that occurs outside of Texas A&M's classrooms. But a major component of this experience is missing: living and learning in a racially diverse environment. A&M President Robert M. Gates has made it his mission to bring more minorities to A&M. However, many Aggies have criticized Gates and don't see the need for a memorial to Matthew Gaines or events such as UniDiversity Day.

What they don't realize is that A&M's lack of racial diversity has negatively impacted many employers' impression of Aggie graduates. In a report titled "Changing Employment Demands and Requirements for College Graduates: Focus Group Interviews with Industry, Agency, and School District Representatives in Texas," Mary Zey, Alvin Luedke and Steve Murdock of the Strategic Policies Research Group performed focus group research with representatives from many prominent employers in Texas.



COLLINS EZEANYIM

They found that "without exception the groups discussed diversity as a needed characteristic in their work forces and the ability to work in diverse groups as an ability to which all of their employers must have." Apparently, many Aggies did not have this ability, with the authors concluding, "The lack of diversity among the students at Texas A&M University . . . was deemed by some representatives as translating into a lack of ability to deal with diversity in the work place." The entire report may be downloaded at <http://sprg.tamu.edu/reports.html>.

Any Aggie who still needs convincing that diversity is important to today's employer only needs to look at the action of dozens of important companies that have filed a friend of the court brief supporting the University of Michigan in its Supreme Court battle to preserve its affirmative action policies, according to The New York Times. These companies include those that recruit heavily at A&M, such as Microsoft, Ernst & Young, KPMG International and PepsiCo.

A. Dwain Mayfield, vice president of marketing initiatives for the Lockheed Martin Aeronautics Company, tells Texas A&M Engineering News that Lockheed " . . . hires more students from Texas A&M than from any other college or university in the nation." Yet Lockheed requires that its employees be able to work in a diverse environment, they are highly dedicated to ensuring their employees' ability to do so. Lockheed serves as a board company for the National Action Council for Minorities in Engineering and has received numerous awards praising its diversity efforts. Any Aggies hired by Lockheed must be able to adjust to this diverse workplace.

Aside from the disadvantage of being less attractive in the eyes of employers, the lack of diversity at A&M allows the ignorance of Aggies who harbor false stereotypes to flourish.

This writer was once prevented from entering his freshman dorm, Lechner Hall, by a resident who didn't believe he lived there. Lechner is an all-honors dorm for freshman scholarship recipients. It never occurred to the resident that a black could be an honor student at A&M.

Another example concerns the "ghetto" party planned by some Walton Hall residents earlier this year. It's obvious the Walton residents had so little contact with blacks that they thought such an offensive event would be okay.

While at A&M, the perpetrators of these examples are to be forgiven and, more importantly, educated and led away from their ignorant ways. But it must be emphasized that this leniency does not exist in the real world. If these Aggies were to prevent a minority co-worker from entering the workplace or planned a "ghetto" party while on the job, many employers, ever anxious about their public image, would suspend or fire them without a second thought.

Hopefully, the Supreme Court will rule that affirmative action programs are constitutional so that institutions such as A&M will have the green light to implement even stronger minority recruitment efforts.

Those who criticize Gates and his diversity plans should be thanking him instead for making their degrees more valuable and making them better Aggies.

Collins Ezeanyim is a senior computer engineering major.

Civil liberties are in danger

(U-WIRE) CAMBRIDGE, Mass. — Although the war to topple Saddam Hussein is winding down, the war on terror rumbles on. And while American forces won a rapid victory in Iraq, signs from the home front have been distinctly worrying. On Sept. 12, 2001, the United States began a war to safeguard the American way of life. Yet in spite of the military successes of the past year and a half, American values remain under attack—not only by al-Qaeda, but also by our own government.

Civil liberties are the bedrock on which America was born, as the Founding Fathers realized in 1789 when they enshrined those fundamental protections in the Bill of Rights.

But today, U.S. citizens can be jailed indefinitely, without charge, if they are suspected of terrorism. The FBI can now investigate American citizens without probable cause of their involvement with a crime. And the mere accusation of being an "enemy combatant" is enough to land you in a Navy brig without access to a lawyer.

The Bill of Rights is unequivocal. "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated." Yet the FBI now enjoys expanded power to search private homes and download information from a computer without notifying the occupant. The FBI can also demand access to personal records held by a third party, such as a University, without showing reasonable suspicion that the target individual was involved with a crime. These changes apply to all criminal investigations.

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial . . . and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense." Yet Jose Padilla, an American citizen suspected of trying to make a "dirty bomb," was arrested in Chicago almost a year ago on secret evidence and declared an "enemy combatant." He has yet to see an attorney or appear in court; no formal charges have

been brought against him.

Politicians on both sides of the aisle have eagerly passed legislation that abrogates civil liberties with only a cursory glance at the consequences. One of the first sweeping assaults on freedom was the USA PATRIOT Act, which passed the Senate by a 98-1 vote on Oct. 26, 2001. Republicans and Democrats were complicit in supporting the bill as neither side was willing to appear soft on terrorism so soon after Sept. 11, 2001; little seems to have changed since then.

It is reasonable to expect some restrictions of civil liberties during a time of war, and some of the PATRIOT Act's provisions are necessary to help law enforcement officials deal with changing technology. But America will never be able to declare victory in the war on terror; this conflict, unlike a conventional war, will never end in unconditional surrender. Any sacrifices we make will be permanent.

The government has argued that these infringements on civil liberties are narrow measures needed to combat terrorism and has assured the public that people will only be declared "enemy combatants" in legitimate cases of national security. But even if the government honors its pledge, it has exceeded its constitutional authority—all Americans deserve the liberties afforded to them by the Bill of Rights, whether they are accused of terrorism or tax evasion.

Yet there is ample historical precedent to doubt that the government is willing or able to restrain itself from harassing its opponents. It was not so long ago that the FBI was spying on "suspicious" individuals like Martin Luther King Jr. and "communist-infiltrated" organizations like the Southern Christian Leadership Conference.

The FBI is currently combing the transcripts of foreign college students for suspicious courses (as if biology classes were a short step from bioterrorism). Police departments in New York and Colorado have been monitoring the activities of peacenik demonstrators, and only recently ended those programs under outside legal pressure. How long will it be before the FBI turns its eyes towards other groups unpopular with the incumbent administra-

tion? Under a future liberal president, could mainstream anti-abortion organizations find themselves investigated for ties to abortion clinic bombers?

But few people seem to have noticed the government's power grab; the international aspects of the war on terror and the invasion of Iraq have monopolized America's attention.

The media has been filled with pictures of American soldiers, not with detailed discussions about the ramifications of the PATRIOT Act. Very few commentators have felt the need to speak out about the theft of civil liberties. One of the exceptions is former New York Times columnist and Crimson executive Anthony Lewis '48, who said at a recent Lowell House dinner, "If I were editing the editorial page of a newspaper, I'd write an editorial about it every single day."

The curbing of civil liberties is not a new phenomenon. "Unpatriotic activities" — broadly construed and ill-defined — were outlawed during the Civil War and World War I. Even World War II saw the internment of over 100,000 Japanese Americans. But all of those pieces of legislation died with the end of the conflict in question, and none lasted for longer than five years.

The war against terror is different. It is a war that will be impossible to conclusively win. But it is a war that it will be eminently possible to lose. And if America permanently forfeits its commitment to civil liberties, it will have lost, regardless of the fate of Osama bin Laden.

Responsibility for that defeat will not lie with al-Qaeda and its terrorist brethren. It will not lie with the Bush Administration for its overzealous interpretation of executive power. It will not lie with the members of Congress who passed legislation to restrict civil liberties. It will lie squarely on the shoulders of America's citizens who witnessed the erosion of the liberties on which their country was founded — and did nothing.

David M. Debartolo and Anthony S.A. Freinberg are columnists at Harvard University.

MAIL CALL

Proposed bills could hurt graduate students

On April 16, The Daily Texan talked about the pending bills that are on our Legislature's plate. Senate bill 1866 and House bill 3441 "targets graduate students specifically; the state will 'reduce expenditures by . . . eliminating state contributions for graduate teaching assistants at institutions of higher education.'" This bill will affect graduate students at all state universities, which is why students, faculty and administrators at Texas A&M should be concerned.

There are few incentives to go to grad school, considering the fact that graduate students are not paid enough to cover tuition,

Mandi Vest
Graduate Student