

Prosecuting the undeserving

Irrationally suing file swappers will only continue to inhibit record sales

When the MP3 file format brought CD-quality sound and Internet service providers became capable of providing downloads in less than a minute, music files hit the Internet and music lovers jumped on. The image of the college student sitting in a residence hall downloading music on a high-speed internet line has already become a stereotype.



MIKE WALTERS

Unfortunately, the Recording Industry Association of America is earning its own stereotype — the black hat and trench coat of a secret policy bent on terrorizing 12-year-olds and circumventing the law in the name of upholding it. The RIAA, this month, won approval for around 1,600 subpoenas for suspected file-sharers, including parents, roommates and grandparents. The RIAA logs onto file-sharing programs such as Kazaa or Morpheus and looks for individuals sharing files. These programs allow a person to view a user's directory of MP3s. Until recently, no one has questioned this method.

"You cannot bypass people's constitutional rights to privacy, due process and anonymous association to identify an alleged infringer," says Daniel N. Ballard, the attorney representing the per-

son known only as "nycfashion-girl." Her case is the first to challenge the RIAA's subpoena campaign since it was launched earlier this year, claiming that its methods violate the Fourth Amendment which upholds "the right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures."

The RIAA has to first search the contents of a suspect's computer before it has any reason to suspect him of misconduct. This is akin to the police randomly knocking on doors and searching a house for drugs. However, since the RIAA is not the police, it claims it is not subject to the Fourth Amendment.

If going after people in a way that attempts to skirt the Constitution isn't bad enough, the RIAA is using even worse judgment in the people it's going after. Recently, the RIAA successfully sued 12-year-old Manhattan honor student Brianna LaHara. According to The Washington Post, a coalition of companies that run Internet file-sharing services has offered to pick up the cost, but while that girl is off the hook, the RIAA is not.

"We don't condone copyright infringement, but it's time for the RIAA's winged monkeys to fly back to the castle and leave the Munchkins alone," said Adam Eisgrau, a copyright lawyer for P2P United, the lobbying group

representing six file-sharing services that offered to pay Brianna's \$2,000 settlement.

The Senate is beginning to recognize the deplorable methods and choice of victims to their legal assault.

"Are you headed to junior high schools to round up the usual suspects?" Sen. D-III. Dick Durbin asked RIAA President Cary Sherman during a Senate judiciary hearing.

Durbin also went on to say that, while he appreciated the piracy threat to the recording industry, he warned that the industry will have a hard time going after offenders without appearing heavy-handed in the process.

To say that the RIAA's action in going after grandparents and 12-year-olds is heavy-handed, is a kinder appraisal than it deserves.

In an effort to help its terrible image, the RIAA offered an amnesty program to any file-sharers who step forward after being accused and pledge to cease and desist.

But this is only a rouse.

Such a pledge admits to wrongdoing and opens the individual up for future lawsuits by the individual artists. The "Clean Slate" program is actually a poorly disguised pit trap with the lions waiting eagerly below.



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music sales by scaring people away instead of finding a way to utilize popular technology to turn a profit.

Scaring customers and suing children is certainly no way to bring back loyal customers, and until the RIAA cleans up its act, it is only hurting its cause.

The RIAA's scare tactics are enough to make one rush to his computer and download a few CDs just to thumb a nose at such an evil organization. The music industry failed to see the Internet until it became too late, as the shiny toy of high-speed home Internet access seemed to be a more attractive alternative to high-priced CDs.

Now that CD sales have fallen more than 25 percent in recent years, the RIAA is hoping to save

Mike Walters is a senior psychology major.

Biased war reporting

Journalists should not focus on negatives

A jeep rolled to a halt outside Abu Ghraib prison, near Baghdad in August. Mazen Dana and other newsmen were there covering the after-effects of a mortar attack at the U.S.-run prison. The veteran combat correspondent stepped out of the vehicle, raised his video camera to his shoulder and aimed it at a group of U.S. soldiers. Seconds later, Dana was dead after being shot in the chest. The soldiers, already tense from the harsh conditions and continuous harassment by Iraqi criminals, mistook his camera for a rocket-propelled grenade. Dana became the 17th journalist to die in Iraq since the war began on March 20, according to socialnerv.com.

The accident was regrettable, but these hateful reactions only serve to expose the bias that exists in much of the international media. Many journalists will take any opportunity to bash the Allied war effort in Iraq. Attempts should be made to maintain objectivity, before journalists lose further credibility.

Wanting revenge for a war correspondent's death in war is similar to wanting revenge for a sportswriter getting hit with a basketball while covering a game. That connection has, surprisingly, not been made by many media types. ABC News correspondent Bob Sirkin has asserted that Dana was "murdered by ignorant, trigger-happy and badly trained soldiers." Khalid Amayreh, a writer for Islamic Association for Palestine News, wrote an article that was ostensibly a news feature but which called the American soldiers "trigger-happy" and claimed they did not attempt to give Dana first-aid but watched as he bled to death.

This is a blatant lie: French newsman Stephan Breitner, who was a friend of Dana's and present at his death, said the soldiers tried to save him. Breitner did say, however, that he "didn't think (the shooting) was an accident." The Palestinian Journalist Association called it a "brutal, coldblooded murder" and an example of America's "state terror."

In fact, a U.S. Army officer announced Monday that the soldiers were acting within the rules of engagement when they fired on Dana.

This is just one example of the heavy media bias that persisted throughout the major fight-

ing in Iraq.

The media's slant was obvious even before the war started when Democratic senators, angry CNN analysts and cowardly United Nations members wanted to tastefully ignore conditions in Iraq. The media's portrayal of these dissenters was often that they were "voices of reason." Video of war protesters blared nonstop, but what of the pro-Bush rallies? No video ever ran of them — only small below-the-fold pictures in local papers.

No newspapers and only one major network ran video or photos of jubilant throngs of relieved Iraqis welcoming the American liberators. In fact, it was so difficult to find negative aspects of the war to exaggerate that many networks and papers became fixated on the looting of Iraqi museums and department stores. Watching the endless coverage of shoeless,

Iraqis carrying off televisions, one had to wonder what was so newsworthy about it, and if it was really that important not to show anything that might be seen as pro-Bush.

There is no question that Mazen Dana's death is sad. However, Dana was a war correspondent. Danger is an accepted risk of the job. He knew these risks and returned to combat even after being shot four times in the past few years. He was even beaten

unconscious by a mob in Hebron. These incidents never swayed him from being a war correspondent — a profession Dana considered to be his calling. Dana died following that calling, and there are few who are lucky enough to do so. Yet many of his colleagues suggest in harsh terms that revenge be exacted on the Bush administration or America in general.

These claims and ones similar to them are ridiculous, and it is in bad taste to use someone's death to promote a political agenda. American soldiers didn't "kill the messenger because they hated the message," as Amayreh whines. They made a horrible, disastrous mistake, but it was still a mistake. The soldiers should by no means go unpunished, but there was obviously no malice being directed toward Dana, an innocent journalist. The media around the world need to stop looking for ammunition to use against America and its president, and start reporting the news without slant or bias.

Nick Nethery is a senior history major.



NICK NETHERY

"Wanting revenge for a war correspondent's death in war is similar to wanting revenge for a sportswriter getting hit with a basketball during a game."

MAIL CALL

Computer system inaccessible again

This letter comes to you via the old-fashioned method — handwritten and delivered.

For the past three weeks our campus computer system has been less than efficient. Today, after a frustrating 20 minutes of attempting to access the system, it told me it was seeking alternative paths of access. When I was on, I was told NEO was unavailable. The help desk suggested that if I did not need to be on the computer, please try again later because the system is having problems.

Three of my classes use WEBCT. Two classes require access to ICE Web sites. My instructor and coaches request communication via e-mail. Instructors constantly us to Web sites for study.

Dr. Gates, is \$9 more per credit hour going to fix the computer system?

Linda Langlitz
Class of 2004

Incorrectly sawing varsity's horns off

As an old Aggie, I have noticed that over the past 10 or 15 years we have forgotten how to saw varsity's horns off. Today, everyone

sways in the same direction. We used to alternate rows with the odd rows going to left first and the even rows going to the right first. It gives a much more interesting visual effect than everyone going the same direction. How about it, Yell Leaders?

Chris Schneider
Class of 1975

Biology supports theory of evolution

In response to a Sept. 18 mail call:

I cannot let Mr. Rainey's letter go without comment. He invokes an out-of-context quotation from "renowned evolutionist Paul Amos Moody" to posit that evolutionary biologists "couldn't prove Darwin's Theory of Evolution." Paul Amos Moody's scientific heyday was in the 1950s. In fact, the quotation comes from Moody's 1953 textbook "Introduction to Evolution," which I happen to have from my father's college days. You can't even get this book from Amazon.com's out of print files. I would suggest to Mr. Rainey that quite a bit of biological research has been performed since 1953. Secondly, proper scientific inquiry is not about "proving

theories." It is designed to disprove hypotheses that support theories, and no scientific experiment since 1859, when Darwin first published his theory, has been able to disprove Darwin's magnum opus.

Therefore, Mr. Rainey's entire argument is without basis.

Science cannot and does not exclude a Designer, but, at the same time, the study of the evolution of life on Earth does not require one. Further, the invocation of such a Designer is outside the boundaries of what we practice as scientists. I strongly suggest that all good Aggies take a course in introductory biology, read the evidence and think about it.

Vincent M. Cassone, Ph.D.
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