

OPINION

THE BATTALION

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Protecting you from yourself

Supreme Court must protect Fifth Amendment right from self incrimination

On March 22, the U.S. Supreme Court heard arguments for the case of a Nevada cattle rancher who was arrested after refusing to reveal his name or show identification to a deputy. The rancher, Larry Hiibel, refused the deputy's requests for identification, at one point saying, "If you've got something, take me to jail," and "I don't want to talk. I've done nothing. I've broken no laws."

Was he being unreasonable? If he didn't break any laws, why should he mind giving his name? His answer, and the issue at hand, lies in the Fifth Amendment, which declares that "No person shall be compelled ... in any criminal case to be a witness against himself." Being required to show your ID infringes on your right of protection from self-incrimination.

"A name itself is a neutral fact that is neither incriminating nor an undue invasion of privacy," Conrad Hafen, Nevada's senior deputy attorney general, told the court. While that may have been true in the early days of America when automobiles were the pinnacle of police



MIKE WALTERS

crime-fighting technology, the use of networked computers in police cars allows police to now pull up a person's criminal history with only their name.

"A name is now no longer a simple identifier; it is the key to a vast, cross-referenced system of public and private databases, which lay bare the most intimate features of an individual's life," said Marc Rotenberg, president of the Electronic Privacy Information Center. Because giving a name may mean surrendering to a police officer and subsequent arrest if a person has committed a crime, a person's right to refuse to identify himself logically falls into the constitutionally-protected right protecting people from self-incrimination.

Should the Supreme Court fail to uphold the Constitution, requiring all citizens to provide identification to any police officer who asks for it would set a legal precedent that could lead to a slippery slope of bad legal rulings. It's not a large leap from demanding that citizens show their IDs to police officers to having to carry around papers to move between states or cities. While it's true that such strict identification measures might decrease crime by limiting the movement of criminals, it hassles the innocent

individual and worse — infringes on rights that have been granted Americans since the birth of our nation. In a country that values its freedom, no one wants to see us reduced to this state.

The first of the Miranda rights, which police officers read a suspect upon arrest, is the right to remain silent. It's clear from centuries of legal history declaring that even when a person has committed a crime, it is wrong for anyone to force him to implicate himself. While any law-abiding citizen would probably not have a problem providing his name when no harm may come to them, the issue is not what one should do, but what one has the right to do, and this must be recognized. As such, the Supreme Court must rule in favor of Hiibel and of the Fifth Amendment.



Mike Walters is a senior psychology major. Graphic by Paul Wilson.

Us against the world

Anti-Americanism is not a new trend; it existed for years prior to Iraqi war

With the presidential elections only a few months away, candidates have already begun the negative attacks that often plague high-level races. In fact, Democratic candidate John Kerry began his onslaught on President Bush before he officially had been given the party's nomination. The Democrats showed early on that one of the main focuses of their criticism of Bush would be his actions throughout the Iraq dilemma and the strained relations with foreign partners that the war and its aftermath have supposedly caused. The Democrats fail to note, in their politically spun reality, that the anti-American sentiment from which the world currently suffers is no new phenomenon. It is, in fact, something that has been thriving for decades, including the decade of Democratic dominance in the 1990s under former President Clinton.

At best, the war with Iraq may have amplified the voices of those who despise America and provided fodder to a reactionary media that pounces on anything that will elicit panic in the average American. But the history of anti-Americanism goes back decades.

Many Third World countries that seem to be deeply anti-American, according to Western pollsters, express these emotions because of continuing struggles. Their feelings, which contribute most to the falsity of the currently understood anti-Americanism, represent a dichotomy of imitation and hatred which perfectly describe the mindset of someone who is jealously pursuing something another has firm grasp of. Examples of this include the cleric who seeks to stir fundamentalist hatred of the United States in Arab countries but has sent all four of his children to be educated in the United States.



JOSH LANGSTON

Furthermore, the use of anti-Americanism as a scapegoat for regional troubles and blaming American influence for the decline of fundamental Islamic morality and the economy in many Arab countries perfectly describes what A&M professor Chuck Hermann called the "failed state" problem. A failed state is one in which the economic and social structures are in disrepair and whose leaders oftentimes find it easier to divert blame away from their corrupt, dictatorial regimes. Who better to blame than the country that is the poster-child for successes in those same areas, the United States, and is an easy target because of its involvement in world affairs?

But wait, one might ask, what about everyone else who hates the United States? What about the French and Germans? Much of the anti-Americanism mentality there stems from the incredible success and subsequent global power that have risen out of the U.S. post-World War II economy. The triumph of the American economic model over others, such as in France, marked the beginnings of deeply rooted anti-Americanism as an everyday part of French society, notes Dr. Fouad Ajami in a 2003 commentary in U.S. News and World Report. Because many Europeans "view the United States as having almost unlimited power, it's easy to think that almost anything in the world is somehow connected with the use of it," Craig Kennedy observes in a recent Nixon Center report on European anti-Americanism.

Many college students, remembering childhood days that are not far gone, may be able to relate Europe's feeling toward the United States over the past 50 years to a high-stakes game of

"King of the Mountain" where everyone is trying to bring down the person at the top.

The bottom line in the debate of U.S. image and actions worldwide is that America cannot please everyone all of the time. If the Bush administration and the ones preceding it would have taken actions to please every foreign critic of our decisions, we would have ended up allowing the terror problem to go unchecked and left a murdering dictator in power to oppress his people as he pleased.

Many would choose to use the divisive issue of anti-Americanism to create public sentiment against Bush, saying that his foreign policy follies have brought about these negative emotions in the last four years. While Bush's handling of the Iraqi war did not earn the worldwide enthusiastic two thumbs up that members of his own party hoped for, he is no more responsible for foreigners' feelings toward the United States than are the previous presidents or major leaders of industry and business. The problem existed long before, as evidenced by the Sept. 11 attacks, and will continue as long as the United States is in the driver's seat of the world political arena.

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Josh Langston is a senior biology major.

MAIL CALL

Inappropriate drawing detracted from article

In response to Ivan Flores' March 31 graphic:

Does The Battalion really think it a sound journalistic practice to append to serious and provocative articles unrealistic and misogynistic drawings of women? I can't decide which is bigger — the bust on the cartoon or the lack of integrity of those who allowed the image to go to print.

Mathew A. Foust
Class of 2004

Bush did not see the 9-11 attacks coming

In response to Collins Ezeanyim March 31 column:

I don't know how anyone in this country can honestly say that President Bush knew the Sept. 11 attacks were going to happen and did nothing to prevent them. Just looking at it from a fellow human being standpoint not to mention our president, who would not sit back and let it happen. I don't claim to know a lot of the how information through the CIA or NSA or what is found. But I do know that it's like picking a needle from a haystack, it is practically impossible to act on every source received and respond accordingly. Just look at any investigation by the FBI asking for any informa-

tion on a suspect, they get thousands of calls. Getting information from people who don't like you adds to the difficulty. But you know what? They are doing their best to protect you they do it everyday. Why not just dwell on that and be thankful, rather than criticizing when things happen to go wrong.

Chris Gillard
Class of 2005

Protesters should not pick and choose sins

I often wonder why on a campus filled with so many Christians that I frequently hear the word of God used to promote political gains and hate against a certain group rather than the promotion of God's message of love and acceptance. I wonder why the homosexual lifestyle is singled out when lifestyles that include alcohol, gambling and sexual promiscuity tower in membership. Why don't I hear protest against the evils of getting drunk, or sleeping around?

Can a lifestyle of alcohol, gambling or sexual promiscuity somehow be more justified and less sinful when repentance is given on Sunday? Even when an observer may see these Sunday pleas as merely half-hearted, hangover spoken words. Shouldn't a Christian look to change this corrupt lifestyle? If not, doesn't this make a lifestyle of any sin, whether it be homosexuality to one filled with alcohol, gambling or sexual promiscuity, of the same weight and of need of the same protest? So if you protest one

sinful lifestyle shouldn't you protest them all?

I can't stay silent when groups preach against one sin when there are many, when demonstrators highlight an unpopular sin but ignore popular ones, and especially when a group chooses to use the holiness of the Bible to make a political statement that displays hate not love and also glorifies themselves not God.

Francis Deal
Class of 2007

Young Conservatives' platform is senseless

Yesterday I received a flier from some student members of the Young Conservatives of Texas near the Memorial Student Center. It listed the "conservative values" which the organization ad hears to.

The fourth bullet: "Free Market Economy (Keep what you earn, NO welfare)."

Bullet number five: "Federalism (strong local government responsive to the people)."

These two values, while they may be great ideas, clearly contradict each other. Either the YCT needs to print enough information so that one can understand how you're going to run a local government with outpaying taxes, or the group should stop passing out fliers that make them sound like illiterate bumpkins.

Rick Palmer
Class of 2005

Demonstration was a thinly disguised attack

The demonstration held on campus Tuesday and Wednesday is perhaps one of the most significant reasons Texas A&M is considered so intolerant and downright unfriendly. In Tuesday's article regarding the demonstration, proud heterosexual Bill Sebring was quoted as saying that the heterosexual demonstrators "were not bashing homosexuals." That is all the YCT was doing. As a white, heterosexual male, they are not being denied any rights or civil liberties; indeed, they are at the top of the civil liberties food chain.

By promoting their side, the demonstrators simply denounced homosexuality with phrases such as "Adam and Eve, not Adam and Steve" and "Thank

your parents for being straight." How is this promoting the rights and liberties of heterosexuals? The clear fact is that it is not. Homosexuals do not condemn heterosexuality in their demonstrations, and the opposite should not occur either. It is time for these intolerant demonstrators of "straight pride" to end their attack on homosexuality.

Allison Damron
Class of 2005

The Battalion encourages letters to the editor. Letters must be 200 words or less and include the author's name, class and phone number. The opinion editor reserves the right to edit letters for length, style and accuracy. Letters may be submitted in person at 014 Reed McDonald with a valid student ID. Letters also may be mailed to: 014 Reed McDonald, MS 1111, Texas A&M University, College Station, TX 77843-1111. Fax: (979) 845-2647 Email: mailcall@thebattalion.net



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