

T-shirt turbulence

New York Sub has right to produce T-shirts offensive to Kerry supporters



MIKE WALTERS

Renaissance thinker Michel de Montaigne once said, "There is no conversation more boring than the one where everybody agrees." If there's any truth to that, the dialogue between New York Sub and local liberals can be considered anything but boring.

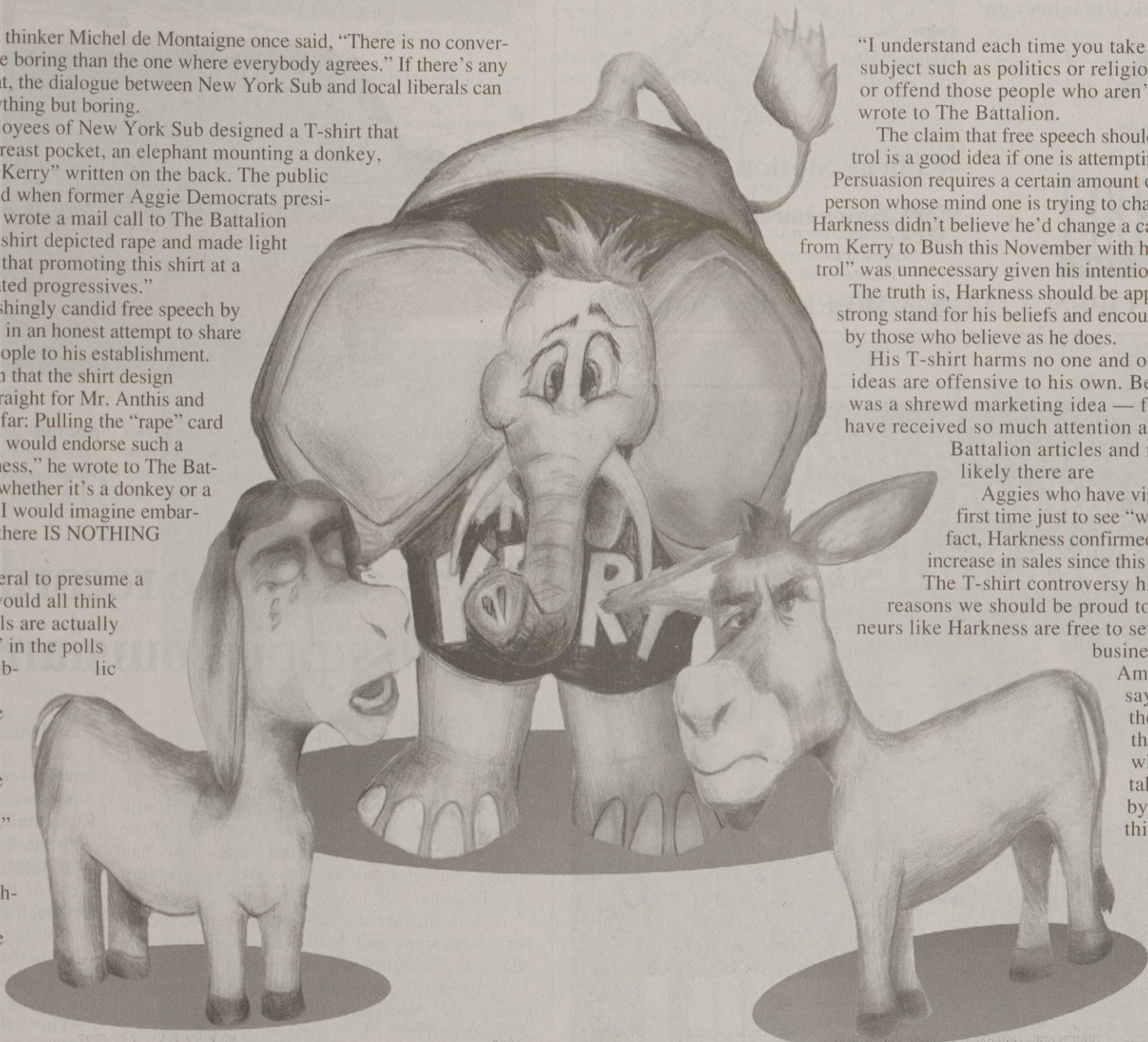
Recently, employees of New York Sub designed a T-shirt that features, on the breast pocket, an elephant mounting a donkey, and "F#@k John Kerry" written on the back. The public commotion started when former Aggie Democrats president Nick Anthis wrote a mail call to The Battalion claiming that the shirt depicted rape and made light of the crime, and that promoting this shirt at a restaurant "alienated progressives."

But the truth is this is an act of refreshingly candid free speech by New York Sub owner Austin Harkness in an honest attempt to share a laugh with and attract like-minded people to his establishment. Harkness strongly rejected the notion that the shirt design depicted rape. "Let me get one thing straight for Mr. Anthis and anyone else who wants to take this too far: Pulling the "rape" card is a cheap shot, and insinuating that we would endorse such a despicable act represents mental weakness," he wrote to The Battalion. "Don't claim we promote rape, whether it's a donkey or a presidential candidate. It's absurd, and I would imagine embarrassing to your fellow progressives ... there IS NOTHING humorous about rape."

It's ridiculous for Anthis or any liberal to presume a restaurant owner and his employees would all think along those lines. Perhaps what liberals are actually scared of is that Kerry will be "raped" in the polls this November when the American public rejects an unpatriotic, flip-flop politician in favor of one who will continue to fight evil within and outside of American borders.

The second accusation Anthis made was that "New York Sub has hurt the community by alienating (Democrats)" through the creation of the shirt. "It's inexcusable," he believes. Of course, Anthis acknowledged that the establishment has the right to free speech, but said New York Sub needs "to exercise some more control."

Harkness explained that he knew exactly what he was doing and understood the consequences.



Mike Walters is a senior psychology major. Graphic by Rylie Deyoe

"I understand each time you take a side in a hotly contested subject such as politics or religion, you automatically anger or offend those people who aren't of the same opinion," he wrote to The Battalion.

The claim that free speech should involve the exercise of control is a good idea if one is attempting to change someone's mind. Persuasion requires a certain amount of tact so as not to offend the person whose mind one is trying to change. However, it's clear that Harkness didn't believe he'd change a card-carrying Democrat's vote from Kerry to Bush this November with humor and swearing. "Control" was unnecessary given his intentions.

The truth is, Harkness should be applauded for taking such a strong stand for his beliefs and encouraging a laugh and a whoop by those who believe as he does.

His T-shirt harms no one and offends only those whose ideas are offensive to his own. Besides that, the shirt idea was a shrewd marketing idea — few establishments in town have received so much attention as to be discussed in two Battalion articles and multiple mail calls, and likely there are

Aggies who have visited New York Sub for the first time just to see "what the fuss is about." In fact, Harkness confirmed that "there has been a sharp increase in sales since this started."

The T-shirt controversy highlights many of the reasons we should be proud to live in America. Entrepreneurs like Harkness are free to set up and profit from private businesses, and he and the rest of Americans have the freedom to say what they wish, wear what they like and eat wherever they want. In the end, those who are offended may wish to take the advice of a mail call by Michael Hart and "grow thicker skin."

Preserving the PATRIOT Act essential to national security

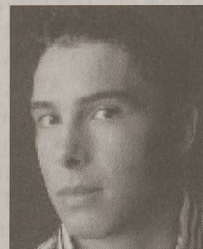
While lawmakers were still thinking clearly, when visions of burning buildings and scorched bodies hadn't yet left our television screens and when the citizens of America were still steadfast in their resolve to combat terror, the USA PATRIOT Act was created. The PATRIOT Act extends the laws used to fight organized crime and drug trafficking to the war against terror. Incongruity has now led some former supporters of this bill to challenge it as unconstitutional and offer "amendments" to it that basically nullify its existence.

The proposed amendments to the act were defeated in Congress by a ridiculously narrow margin on July 8. Americans aren't safe yet, though. The opposition says there will be more proposed amendments until the law's review period in September 2005, when a vote will be taken to decide on the PATRIOT Act's reinstatement.

The PATRIOT Act allows the use of roving wiretaps, pen registers, tap and trace devices, delayed search notification and the gathering of potentially evidentiary records and receipts from banks, libraries and airlines. These were all existing provisions law enforcement agencies already used to fight crime long before Sept. 11. The PATRIOT Act made these methods available for use, among others, available for use against terrorists.

For example, in the 1970s the Supreme Court ruled that the Constitution does not require law enforcement agencies to immediately notify an individual whose home or office has been searched if that notification could result in destruction of evidence, harm to witnesses or the fleeing of a suspect. Section 213 of the Patriot Act simply extends this provision to terrorism. If the FBI searches a suspected terrorist's residence, it doesn't have to notify the suspect right away. This ensures that the individual can't burn any instruction manuals on "How To Operate A 767" or decide to leave the country before a planned search. That makes sense to most freedom-loving Americans.

A handful of critics, however, call this the "sneak and peek" section of the Act, saying it violates the Fourth Amendment, which secures a person and their possessions against unreasonable searches and seizures. Search warrants still must be obtained under the Patriot Act, however, and the investigative body still must have probable cause. How is that an unreasonable search? Sections 214 and 216 are two other so-called "problem areas" of the act. They introduce the use of pen registers and trap and trace devices, which are "...investigative tools used to obtain information about the source and destination — but not the content — of telephone calls and



CRAIG BOWEN

e-mail messages." Authorities can tell who the suspect called or e-mailed, and from what telephone or computer they corresponded, but nothing about the content of the correspondence is revealed. The opposition to the PATRIOT Act skews these sections to make them look like spying or intercepting devices used to eavesdrop on correspondence between innocent civilians.

The vast majority of the opposition to this law comes from Section 215, the so-called angry librarians provision. With a judge's order and a grand jury subpoena, law officers can obtain library, business and international banking records, airline manifests and a number of different receipts for use in their case.

The fact that library records are included here is considered by some to be the most ludicrous thing the government has ever done according to the U.S. Department of Justice Web site. However, a brief overview of the cases library records have helped solve might enlighten and surprise some: the Gianni Versace murder case in 1997, the nationwide Unibomber hunt and the 1990 Zodiac gunman case, just to name a few. To keep libraries out of this list of potentially evidentiary records would be ludicrous, especially now that most public libraries offer high-speed Internet connections. Public places of study would become a safe haven for terrorists to communicate and research their catastrophic causes.

The U.S. government's duty is multi-faceted, but the protection of its citizens and the ability to research, combat and ideally prevent acts of terror on U.S. soil is quickly becoming an undeniable necessity. The citizenship of our nation has an important duty: to cooperate with governing authorities, aiding them in any way unless our Constitutional rights are being violated. That is absolutely not the case with the PATRIOT Act. To strip powerful tools out of our leaders' hands because of falsities provided by a hysterical few is not cooperation, it is treason, "providing support and comfort to the enemies of one's nation." We must battle to save laws like the PATRIOT Act that in turn protect us from heinous crimes like those committed on that forgotten September day three short years ago.

"The protection of (U.S.) citizens...is quickly becoming an undeniable necessity."

Craig Bowen is a junior wildlife ecology major.

MAIL CALL

Marriage should be religious institution

In response to Nicholas Davis' July 20 column:

I would like to support Mr. Davis' defense of traditional marriage. Even though I am a liberal homosexual, I agree with Mr. Davis that religious marriage is a sacred union between one man and one woman. Government does not have a right to meddle with the basic definition of this holy union. Religious people in this country have a constitutional right to believe, define and practice these unions within their respective religions. How, then, can we deal with men and women who seek legal recognition of their same-sex relationships?

Mr. Davis and many who share his political views are quick to offer Civil Unions as a concession. Separate but equal institutions have already been declared unconstitutional. Incidentally, the court who decided that case could be described as activist. I would like to propose a solution agreeable to the largest amount of people on both sides of the political spectrum. Let religious institutions administer marriages (just like they do now) and let everyone get civil unions for government recognition of their union. No more marriage for straight people and civil unions for gay people, just give everyone civil unions. That way, the government stays out of religious institutions, an idea this country was founded on, and every union is equal before the law without separate definitions.

Matthew McDougall
Class of 200

Headline showed reporting bias

In response to a July 19 article:

Recently, The Battalion featured a news article on the front page featuring a headline that read "Controversy escalates over offensive T-shirts." I am left to ask who exactly determines what is and what is not "offensive?" While I certainly understand how and why some people are offended by shirts that say "F— Kerry," many (myself included) are not. By using the word "offensive" in the headline, The Battalion is making a value judgment instead of simply reporting the facts regarding the news story. The editors of the Battalion should not allow this type of bias to appear and I encourage them to take more care in leaving opinions and value judgments out of their news reporting.

Mark McCaig
Class of 2005

Wall ruled against due to land claims

In response to Clint Rainey's July 20 column:

The ICJ ruled against the wall because Israel violated international law by building it on illegally annexed land. If Israel had built the wall on the internationally recognized border between itself and the Occupied Territories, no one would have the right to object. Israel has every right to defend its people, but if this were about defense rather than a land grab, the wall wouldn't be deep inside Palestinian territory.

Ahmed Gamal
Ph.D Student

