# McCarthyism revisited

by Kilian Betlach
The Heights

(U-WIRE) CHESTNUT HILL, Mass. — Last week, the American Council of Trustees and Alumni (ACTA) released a list of 40 university professors and administrators whose thoughts, words and deeds were deemed not quite patriotic enough in the wake of September 11.

The Council — headed by Lynne Cheney, wife of Vice President Dick Cheney — also saw fit to denounce undergraduate student activists and journalists, specifically and by name, as likewise possessing defective patriotism. Among the specific commendations are the claims that faculty "refused to make judgments" and "invoked tolerance and diversity as antidotes to evil." In general, they are accused of being "the weak link in America's response to the attack" and "divided" from the opinions held by the rest of the country.

Here, the reek of McCarthyism and all that comes with it — paranoia, blacklisting, repression and disregard of civil liberties and constitutional freedom — is nauseating, not to mention dangerous.

Even in the broad attempt to criticize various academics' level of patriotism, the ACTA found slim pickings. For every potentially objectionable statement like the one made by a professor of history, "Anyone who can blow up the Pentagon gets my vote," there were at least three others advocating peace and restraint. Assertions such as "We should build bridges and relationships, not simply bombs and walls," "Not all Americans want revenge," and "We have to learn to use courage for peace instead of war," composed a greater part of those statements the ACTA found so offensive and unpatriotic.

None of that really matters, though. Every single individual named in the report could blame the U.S. government and advocate its overthrow in the broadest and most inflammatory terms possible, and it still wouldn't make a lick of difference. The speech of these 40-plus students, professors and administrators is protected under the First Amendment of the Constitution, something the ACTA seems to have overlooked in its zeal to quash dissent.

Yet, Lynne Cheney's Council claims to support free speech. The report entitled "Defending Civilization: How Universities are Failing America" is supposedly "not an argument for limiting free speech on college campuses." Instead it seek to promote "the robust exchange of ideas," adding that "academic freedom does not mean freedom from criticism."

Ignoring the patent ridiculously of the rest, this last statement is undoubtedly true. With the freedom to speak one's mind comes the invitation of critique and perhaps the obligation to serious entertain those critiques. In its report however, the ACTA offers no such critique, or truly anything even remotely approaching it. The claim that American foreign policy contributed to the September 11 attacks is not addressed. The promotion of pacifism is not discussed. The argument that a deeper understanding of the Islamic world is necessary to more fully grasp these events is dismissed without argumentation. Instead, this ivory tower organization merely lumped each of these arguments under the umbrella term unpatriotic and subsequently condemned those who made the mistake of thinking they lived in a country that supported free speech.

The Council's actions are not argumentation or criticism or "a robust exchange of ideas." The ACTA report is blatant intimidation, an ugly attempt to silence voices of dissent. It is an effort that clearly belongs more to the dictatorial regimes America commonly chooses as enemies than to the so-called "land of the free and home of the brave."

For an organization so strongly committed to proliferating the western cultural heritage, the ACTA seems painfully ignorant of which tradition their actions actually work in accordance with. "We learn from history that when a nation's intellectuals are unwilling to defend its civilization, they give aid and comfort to its adversaries," lectures the Council. But when a nation shackles its intellectuals to further a political end the results are even more disastrous. The first thing brutal dictators such as Pol Pot in Cambodia and Stalin in the Soviet Union did to stabilize their regimes was silence the intellectuals through banishment or execution. While the means used in this case differ, the essential principle and the danger inherent in censuring opposing views remain identical.

Actions such as these have the potential to change the fiber of this country in a way the terrorist attacks were unable to. We are a country founded on dissent and the right of the public to question the workings of government — particularly during a time when Congressional leaders seem so unwillingly to do so — functions as the perhaps the most important manifestation of the checks and balances system.

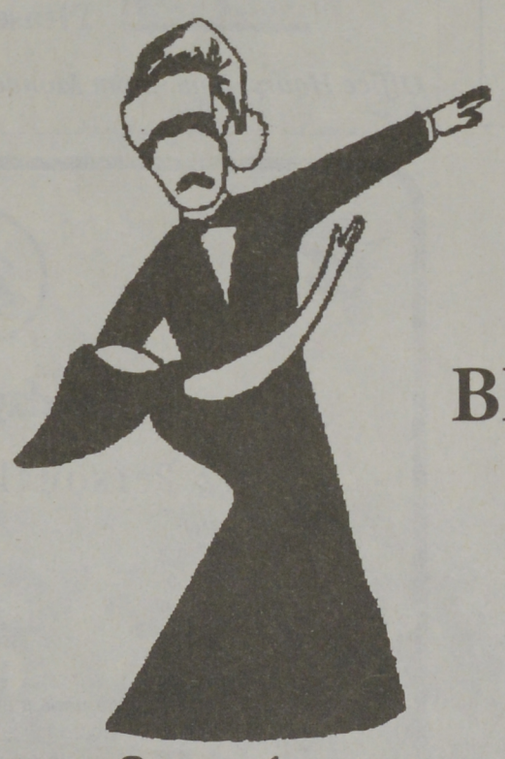
Yes, there exists a division between the opinions of certain academics and the American people in general, as the ACTA asserts. Is this really a shocking development? Should anyone be surprised that a university professor with a doctorate in history would probably view any scenario, not just the September 11 attacks, differently than a housewife in middle America? It matters not what minor percentage of intellectuals hold opposing views to what majority of Americans who advocate a military response. While any democratic government must function on the principle of majority rule, the search for what is true, right and best does not rely on consensus, or it be barely a truth at all. There was once a time when the majority believed the earth flat and slavery appropriate.

It has been said that the greatest threat to any democracy comes in a time of crisis — something the Weimar Republic could probably attest to — and the events surrounding this country's most recent crisis certainly bear this out. Already major media outlets have capitulated to State Department wishes and refused to air any statements made by Osama bin Laden. Despite the fact that Congress has not declared war, American planes and troops currently assail Afghanistan. The "U.S.A. Patriot" Act has been signed into law, essentially weakening the Fourth Amendment, specifically as it applies to federal detainment and wiretapping. The ACTA report is just another brick in this wall — an attempt to formulate consent and weaken democratic principles and processes.

Contrary to the beliefs of individuals and organizations like the ACTA, as citizens we are obligated by the constitution to question our leaders. It is not only a cherished right, but a solemn duty. We must stand guard against those who would subsume the fundamental principles of the United States in order to strengthen its external functionings. Foreign terrorists can not destroy the essence of this nation; domestic terrorists masquerading as patriots can.

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# Drug law trips over contradictions

by Laura Sahramaa
Cavalier Daily

(U-WIRE) CHARLOTTESVILLE, Va. There are some dumb laws out there.

In Vermont, whistling underwater is illegal. In Arizona, it is illegal for donkeys to sleep in bathtubs. For some reason, Pennsylvania has not one but three dumb laws about fishing: You may not catch a fish with your hands; you may not catch a fish by any body part except the mouth; and dynamite is not to be used to catch fish.

Though it's not quite up there with the dynamite-fishing law, the Department of Education has been enforcing a pretty dumb law for the last two years. The law denies college financial aid to students with drug convictions. To date, the department has denied 21,000 people financial aid because of it, and that number doesn't include countless others who didn't even apply because they feared rejection.

This law is unsound for many reasons. The first indicator that it's a bad law is that it's not even doing what its author — Rep. Mark Edward Souder (R-Ind.) — wanted it to do. Souder's spokesman told The Washington Post that, "This is absolutely, 100 percent not what Congressman Souder intended" ("College financial aid rule attacked," Nov. 10). Souder wanted students to be cut off from financial aid only if they were convicted of drug charges while they were already receiving aid. However, the Department of Education has insisted that the law covers anyone with a drug conviction, and Souder's attempts to clarify the wording through legislation have not succeeded.

Under its original intent, the law was reasonable — the government shouldn't fund someone's education if they're going to piddle the opportunity away by doing drugs. However, the government should not continue to punish students for mistakes they made — and paid for — in the past. If people who have been convicted of committing drug crimes have served their time, paid their fine or otherwise fulfilled their debt to society, they should be able to get on with their lives unhindered by their previous mistakes.

As well as being devoid of any small measure of fairness, the present interpretation of Souder's law lacks sense from a policy standpoint. Much of our penal system is based on the principle of rehabilitation. In theory, the criminal justice system is supposed to rehabilitate people who commit crimes so that when they are through serving their time, they will be good citizens and not commit more offenses. This law, however, works against the idea of rehabilitation by striking at offenders' best opportunity to improve themselves: education.

Furthermore, because people who have drug convictions are disproportionately from socioeconomically disadvantaged classes, the surest way to keep them there after they're done serving their time is to keep their only window of opportunity closed and locked tight. Education is the key to getting people out of bad situations, and without the help of governmental financial aid, the majority of them won't be able to do it. By barring them from the only way out, repeat offenses would ensue.

If people who have made mistakes with drugs are taking the initiative to get themselves educated and don't commit another offense, more power to them. The government should be funding their self-improvement efforts, not hampering them.

Drug use is the only crime that carries the penalty of being banned from financial aid, which is strange considering that, in the language of criminologists, drug use is a "victimless" crime. It is victimless in that the only people harmed by most drug offenses are the offenders themselves. It's unreasonable that those who commit victimless crimes are punished under this law, while no other crimes — including those that do have victims — carry this provision. People who have committed rape, murder, arson and treason can receive financial aid from the government, but people who have used drugs cannot.

The Department of Education is enforcing a dumb law. The government should grant financial aid to people who have past drug convictions. Past mistakes are just that — past mistakes. People with drug convictions should be able to move on with their lives after having paid their debt to society, and the government shouldn't prevent them from doing so. Congress should change the law so that Souder's original intention for it is brought to fruition.

# Taking time to remember a dreamer

By Scott Shackelford
Arkansas Traveler

(U-WIRE) FAYETTEVILLE, Ark. — In life, there are those who never stop dreaming. And then there are those who never dream at all.

The former are bravely oblivious to the harsh facts of life. The latter have had their hearts broken one too many times. They just want show to be over. For the idealists of a generation ago, time continues to only slightly dull the pain as they pass ever further from the stage where so many opportunities were left behind.

But at least recognition is one thing we can rectify down the road. Tuesday, in a moving ceremony at the Department of Justice, President Bush had the stone edifice renamed after Robert F. Kennedy; Tuesday was the 76th anniversary of his birth.

So does RFK deserve it? Born a Kennedy, he lived a life most of us can only imagine. Grew up along the seashore in Massachusetts. Went to Harvard for college, to law school at the University of Virginia. Started at the justice department in 1952 in the criminal division.

Managed his brother John's run for the White House in 1960 and was subsequently appointed attorney general. Was elected to the U.S. Senate in 1964. Killed June 6, 1968, while running for president, having just won the California primary. How much did the world lose that day?

Yes, but does he deserve it? I'd explain he was passionate believer in social rights and an intellectual to boot, but my words would do a poor job in this argument over historical significance and deserved recognition. You decide.

In his own words, RFK said:

On living: "You knew that what is given or granted can be taken away, that what is begged can be refused; but that what is earned is kept, that what is self-made is inalienable, that what you do for yourselves and your children can never be taken away."

On America: "As long as men are hungry, and their children uneducated, and their crops destroyed by pestilence, the America Revolution will have a part to play. As long as men are not free — in their lives and their opinions, their speech and their knowledge — that long will the America Revolution not be finished."

On freedom: "We know that if one man's rights are denied, the rights of all are endangered ... Freedom means not only the opportunity to know but the will to know."

On civil rights: "What if God is black?"

On change: "Men without hope, resigned to despair and oppression, do not make revolutions. It is when expectation replaces submission, when despair is touched with the awareness of possibility, that the forces of human desire and the passion for justice are unloosed."

On history: "Few will have the greatness to bend history itself, but each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation."

On government: "Governments can err, presidents do make mistakes, but the immortal Dante tells us that Divine Justice weighs the sins of the cold-blooded and the sins of the warmhearted in a different scale. Better the occasional faults of a government living in the spirit of charity than the consistent omissions of a government frozen in the ice of its own indifference."

On politics: "People are just sick of politicians. And they are looking ... for just an honest man."

On courage: "Few men are willing to brave the disapproval of their fellows, the censure of their colleagues, the wrath of their society. Moral courage is a rarer commodity than bravery in battle or great intelligence. Yet it is the one essential, vital quality of those who seek to change a world which yields most painfully to change."

From U.S. Sen. Edward Kennedy's eulogy for RFK: "My brother need not be idealized or enlarged in death beyond what he was in life; rather he should be remembered simply as a good and decent man, who saw wrong and tried to right it, saw suffering and tried to heal it, saw war and tried to stop it."