

COMMENTARY

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Editorial

USA Patriot Act harms integrity of Constitution, civil liberties

It is often said that the road to hell is paved with good intentions. In the aftermath of the devastating Sept. 11 attacks on New York and Washington, the roadwork has been going into overtime. Ensuring the safety of every American citizen is a worthy goal, and preventing another attack must be high on the list of the government's priorities.

But we question the wisdom and necessity of the USA Patriot Act, enacted in the wake of the attacks. Many, if not most, of the provisions strike deeply at the Bill of Rights. We applaud the Lane County Bill of Rights Defense Committee's recent efforts to have local governments condemn the Act.

Our biggest problem with the Act is the imposition of a layer of secrecy surrounding those arrested and detained during anti-terror investigations.

At this time, an unknown number of resident aliens and American citizens may have been arrested in secret for suspected links to terrorist activities. Under provisions of the Act, those arrested can be held *incommunicado*, unaware of why they have been arrested and unable to speak with lawyers, family or the media. This is outrageous.

Without information on who is being held, and without at least a touch of transparency in the process, how can we know if the Act is working as it should? No one knows the number of people held by the Act's provisions, let alone their names.

In the wrong hands, this latitude could lead to a flagrant abuse of power. People who criticize the government could, conceivably, be declared "suspected terrorists" and vanish. It has happened before.

In late 1941, the Nazi government in Germany enacted a decree known as the "Nacht und Nebel" ("Night and Fog") law, meant to end Resistance and *Maquis* activities in France and other areas in occupied Western Europe.

The practice of this law was to arrest the suspected Resistance member in secret, usually at night. Public trials were rare and usually used only if the accused was likely to be executed. More often, the victim was never heard from again, and any attempt to get information about him from the German occupation government was useless.

Quite literally, those arrested under this law simply vanished into the "nacht und nebel."

While it may be too paranoid to imagine today that many of the people held under the auspices of the Patriot Act will be executed, it is still chilling to think that in many cases, these people have been kept under secrecy that all too easily mirrors that old German decree.

The slope toward Facism is hardly noticeable along the way. More citizen groups should stand up and voice their concerns about the Patriot Act before we've slid much further.

Letters to the editor and guest commentaries policy

Letters to the editor and guest commentaries are encouraged. Letters are limited to 250 words and guest commentaries to 550 words. Authors are limited to one submission per calendar month. Submission must include phone number and address for verification. The Emerald reserves the right to edit for space, grammar and style.

Make draft not war

With a possible war against Iraq looming, it may not be long before the United States begins amassing thousands of troops at the Saudi border again. What a melancholy contrast then, to see so many privileged students wandering about last week, joining a riot while shouting "U-S-A!"

We must instill discipline in these kids and channel their excess energy. We should reinstate the military draft.

Attitudes toward the military have changed since the Vietnam War. In May 1970, the Ohio National Guard killed four people at Kent State. That spring, protesters in Eugene attempted to torch the ROTC building on campus. These students decried the deaths of 58,000 Americans and two million Vietnamese. Only the end of the draft in 1973 quelled anti-war protests.

Slowly, ROTC returned to college campuses, and students came back to ROTC. There are now 200,000 cadets nationwide, according to *The Oregonian*. As we face new terrorist threats, maybe it's time for young civilians to share the burdens, as well as blessings, of liberty. Draftees could work at airports, fight wildfires and patrol sporting events. They could quell the occasional riot in Eugene, or join former drug czar Bill Bennett's proposed "patriot SWAT team" to silence dissenters.

Recently, Uncle Sam has been cracking down on Oregon schools. In 1997, our law school was forced to exempt military recruiters from its policy forbidding discrimination against gays. Now the government is back for younger bodies. Two weeks ago, the Portland school district reversed its six-year ban on military recruiters in return for funds from President George W. Bush's education plan. Oregon high schools now must give recruiters a list of students' names, addresses and phone numbers. The name of Bush's plan? "No Child Left Behind."

A draft may bring racial balance to our military. The Army's Web site notes that 45 percent of Army enlistees are minorities; 29 percent are black. Unlike in higher education, we don't hear conservatives moan about overrepresentation of minorities in the military. A draft ensures middle-class white males are fairly represented on the frontlines.

Police are making Eugene a 'military-city'

Guest commentary

I feel it necessary to comment on the Aug. 31 game against Mississippi State and, more specifically, the crowd control that was present.

For background, I am a 28-year-old Duck alumnus, now living in Portland. For three years now, my 11 dedicated friends and I have purchased season tickets and made the trek down to Eugene for all the home games.

To kick off this new season, we decided to tailgate before the game. Due to the complete parking shortage at the stadium, we found the only place we could accomplish this tailgating event was at an empty private parking lot near campus.

Because school was not in session, we were the only people in the area. We proceeded to barbecue and drink various beverages out of plastic cups. We had the pre-game show on the

radio, but other than that we were a completely subdued and low-profile group.

While enjoying the event, Eugene's finest (and most egotistical) rode up on bicycles and told us that we could not barbecue or drink in that area because it was not designated an "official tailgating" area. We were told the only designated areas were found in Autzen's parking lot. With that warning, upset, we surrendered our efforts and made our way to the stadium.

When we were in college, and for the many years following, we made our way to the stadium by crossing the railroad tracks next to the Phoenix Inn on Franklin Blvd. If you live in the northwest end of campus, that is still how you get to the stadium.

Well, this year, the Department of Public Safety and the Eugene Police Department have felt the need to close that informal route and detour everyone a half mile down to the "legal" railroad crossing area. To make sure

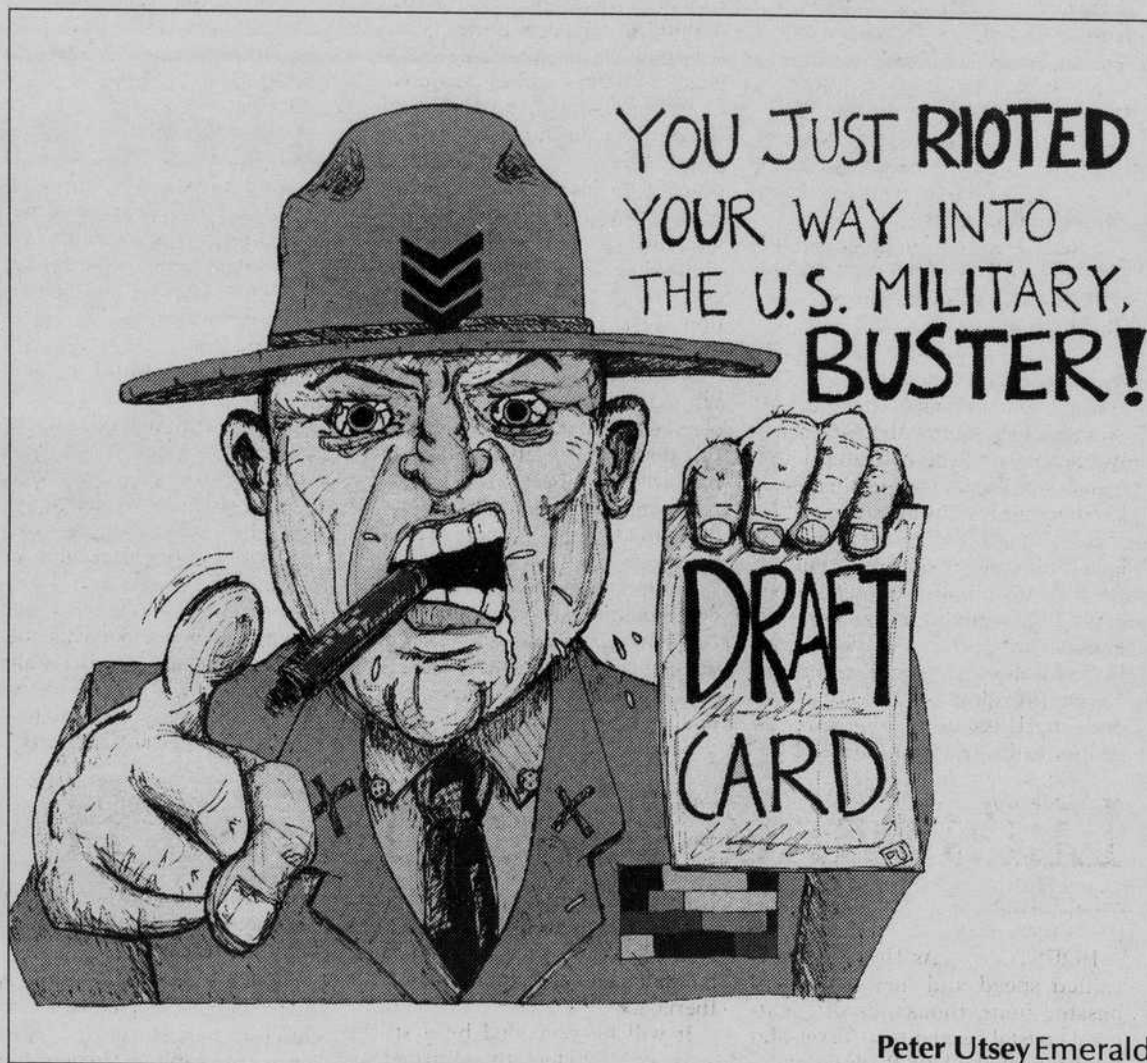
you obey, they posted three officers and three squad cars at the typical crossing point. If you made your way over at this point, they would reward you with a trespassing ticket.

When I lived in Eugene, I felt that the police department and DPS were strict and that rigidity paid off through safety, but I was wrong. In the years I have spent away from Eugene, every time I return I am disgusted by the various restrictions that have been put forth.

Whether it is restricting loitering on a specific public street or prohibiting an individual from crossing the railroad tracks, my personal rights are not the same in Eugene as they are in Portland. I am sure that this won't be the last weekend that DPS and EPD ruin my experience.

If Eugene is attempting to maintain a military-city, they have succeeded.

Jay Leo lives in Portland.



Peter Utsey Emerald



Phil Huang
 A different light