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**OUR VIEW**

**NSA COLLECTION OF AMERICANS PHONE DATA...**



# Beware a law misinterpreted

Ding-dong, the Patriot Act is dead.

Major provisions of the 14-year-old act expired Sunday at midnight, thanks to Oregon Democratic senator Ron Wyden, Kentucky Republican senator Rand Paul and 77 others who voted against extending the provision.

The controversial bill was passed in the frantic days after 9/11, when the country was awash in panic and patriotism. Thus the Patriot Act was born. It was one of plenty that, bowing to political expediency, wasn't read by 99 of the 100 senators who voted for it.

The text of the bill, had senators actually read it, is remarkably restrained given that it was created by a nation under attack. Sure, there is plenty of expansion of government power and reduction of personal liberties in the name of national security. But there is no mention of bulk collection of Americans' data, for instance.

The Foreign Intelligence Surveillance court, however, offered a widely different interpretation of the law, and in that there was little restraint. It allowed the country's intelligence agencies (CIA, FBI and this recently invented thing called the NSA) to have extraordinary latitude on what records it could get its hands on and what corners it could cut to get that data. Jim Sensenbrenner, who not only read the Patriot Act but wrote much of it, has in recent years been railing against the FISA court interpretation, saying that it was being used in a

completely contradictory way to the true meaning of the law.

You can argue that Sensenbrenner was hoisted by his own petard, that the Patriot Act was such a powerful and sweeping measure (and required so much secrecy) that it was bound to be a corrupted and exploited.

There are local parallels, whether it be recent Hermiston ordinance about teenagers in parks, or in Pendleton regarding teens on Bedford Bridge or another regulating the smell of marijuana. They are rules that attempt to address one thing, but — if interpreted differently — could be used for completely ulterior motives. To be

against these recent ordinances doesn't mean we lack trust of current law enforcement leaders or city officials. It does, however, mean that we can see how these laws could be misinterpreted. In Hermiston, it wasn't that long ago that residents were policed by a man who had a different interpretation of what was right than many in his city.

To summarize: In Pendleton, 17,000 residents are now under a widely criticized ordinance because two neighbors couldn't get along. In Hermiston, thousands of people who enjoy their park are subject to fuzzy rules because of a few bad apples who damaged equipment.

We shouldn't punish the many responsible, law-abiding citizens for the sins of a few. That was a lesson that was hard to learn in the wake of 9/11. It should be much easier to learn here in the calm and safe sanctuary of Eastern Oregon.

**Local laws can be misinterpreted and corrupted, just as the Patriot Act was.**

Unsigned editorials are the opinion of the East Oregonian editorial board of Publisher Kathryn Brown, Managing Editor Daniel Wattenburger, and Opinion Page Editor Tim Trainor. Other columns, letters and cartoons on this page express the opinions of the authors and not necessarily that of the East Oregonian.

**YOUR VIEWS**

**Too many mistakes to trust the administration**

This letter is in response to a recent editorial written by the Pendleton city manager.

For openers, why does the city council feel compelled to always hire an outside consulting company to perform tasks that can be done here locally?

Here is an example: "In 2005, the city heard a consultant report on an assessment of the city's pavement condition. This process gave the city council concrete information to determine the current overall condition of the city's road system. The process included a visual inspection of the roads." I'm sure that we could have had local residents report on the status of the streets in their neighborhoods free of charge. Consultants were also hired to develop the RiverWalk economic development plan. How has that worked out?

To my surprise that document, as well as the new unified development code, reflect the personal interest of our bike-centric city planner, Evan McKenzie. This plan includes requirements for extensive bicycle parking capability for our downtown area. How many bikes have you seen secured to the many "Let 'er Bike" racks?

Corbett mentioned the failure of extending the gas tax by public

referendum. \$10 million for the "road to nowhere" was a complete disaster and voters demonstrated their disgust with the project. The purchase of 40 acres for \$500,000 was also a fiasco because the land has no infrastructure.

Corbett also mentioned that money can't be borrowed from other budgets for road repair. I recall that \$650,000 was taken from the library budget and transferred to lower the airport debt.

Here are some other examples from an EO story in May 2014: "In another vote, \$162,700 was moved from the community development fund to the airport fund to pay for drone test range development and fees for unmanned aircraft consultant Peak 3." That enterprise has yet to generate a profit and has become a money pit. Their recently announced \$1.7 million grant could turn into a loan that has to be paid back if it doesn't meet its goals.

The city funded \$700,000 for infrastructure for the Olney Housing Project. Where did that money come from?

Let's not forget the deal the city made with the county to get the Eighth Street bridge repaired. The city volunteered to maintain 10.6 miles of county roads. That is laughable.

Time to quit complaining and support a recall election.

Jerry Cronin  
Pendleton



**OTHER VIEWS**

# The campus crusaders

Every generation has an opportunity to change the world. Right now, college campuses around the country are home to a moral movement that seeks to reverse centuries of historic wrongs.

This movement is led by students forced to live with the legacy of sexism, with the threat, and sometimes the experience, of sexual assault. It is led by students whose lives have been marred by racism and bigotry. It is led by people who want to secure equal rights for gays, lesbians and other historically marginalized groups.

These students are driven by noble impulses to do justice and identify oppression. They want to not only crack down on exploitation and discrimination, but also eradicate the cultural environment that tolerates these things. They want to police social norms so that hurtful comments are no longer tolerated and so that real bigotry is given no tacit support. Of course, at some level, they are right. Callous statements in the mainstream can lead to hostile behavior on the edge. That's why we don't tolerate Holocaust denial.

But when you witness how this movement is actually being felt on campus, you can't help noticing that it sometimes slides into a form of zealotry. If you read the website of the group FIRE, which defends free speech on campus, if you read Kirsten Powers's book, "The Silencing," if you read Judith Shulevitz's essay "In College and Hiding From Scary Ideas" that was published in *The Times* in Sunday Review on March 22, you come across tales of professors whose lives are ruined because they made innocent remarks; you see speech codes that inhibit free expression; you see reputations unfairly scarred by charges of racism and sexism.

The problem is that the campus activists have moral fervor, but don't always have settled philosophies to restrain the fervor of their emotions. Settled philosophies are meant to (but obviously don't always) instill a limiting sense of humility, a deference to the complexity and multifaceted nature of reality. But many of today's activists are forced to rely on a relatively simple social theory.

According to this theory, the dividing lines between good and evil are starkly clear. The essential conflict is between the traumatized purity of the victim and the verbal violence of the oppressor.

According to this theory, the ultimate source of authority is not some hard-to-understand truth. It is everybody's personal feelings. A crime occurs when someone feels a hurt triggered, or when someone feels disagreed with or "unsafe." In the Shulevitz piece, a Brown student retreats from a campus debate to



DAVID BROOKS  
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a safe room because she "was feeling bombarded by a lot of viewpoints that really go against" her dearly and closely held beliefs.

Today's campus activists are not only going after actual acts of discrimination — which is admirable. They are also going after incorrect thought — impiety and blasphemy. They are going after people for simply failing to show sufficient deference to and respect for the etiquette they hold dear. They sometimes conflate ideas with actions and regard controversial ideas as forms of violence.

Some of their targets have been deliberately impious. Laura Kipnis is a feminist film professor at Northwestern University who wrote a provocative piece on sexual mores on campus that was published in February.

She was hit with two Title IX charges on the grounds, without evidence, that her words might have a "chilling effect" on those who might need to report sexual assaults.

Other targets of this crusade had no idea what they were getting into. A student at George Washington wrote an essay on the pre-Nazi history of the swastika. A professor at Brandeis mentioned a historic slur against Hispanics in order to criticize it. The scholar Wendy

Kaminer mentioned the N-word at a Smith College alumni event in a clearly nonracist discussion of euphemism and free speech.

All of these people were targeted for purging merely for bringing unacceptable words into the public square. As Powers describes it in "The Silencing," Kaminer was accused of racial violence and hate speech. The university president was pilloried for tolerating an environment that had been made "hostile" and "unsafe."

We're now in a position in which the students and the professors and peers they target are talking past each other. The students feeling others don't understand the trauma they've survived; the professors feeling as though they are victims in a modern Salem witch trial. Everybody walks on egg shells.

There will always be moral fervor on campus. Right now that moral fervor is structured by those who seek the innocent purity of the vulnerable victim. Another and more mature moral fervor would be structured by the classic ideal of the worldly philosopher, by the desire to confront not hide from what you fear, but to engage the complexity of the world, and to know that sometimes the way to wisdom involves hurt feelings, tolerating difference and facing hard truths.

David Brooks became a *New York Times* Op-Ed columnist in September 2003.

**The essential conflict is between the traumatized purity of the victim and the verbal violence of the oppressor.**



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