



JON CALDARA

Race preference would make Orwell groan

‘All animals are equal, but some animals are more equal than others.’ As this paper, and many others, celebrated the late George Orwell’s 100th birthday this week, this quote from his anti-communist classic “Animal Farm” may best describe the U.S. Supreme Court’s ruling last week that race can be considered in college admissions.

On the positive side, the justices clearly stated that blatant racial profiling in higher education admissions is unconstitutional. The University of Michigan’s undergraduate system of awarding 20 points to some minorities (but not others, such as Asians) was struck down by a 6-3 vote.

But, by a narrow 5-4 vote, they upheld the University of Michigan Law School’s less systematic way of preferential treatment. Claiming that there is a “compelling interest in creating a diverse educational environment,” the justices allowed closed-door racial discrimination. Getting 20 points because of the color of your skin, while repugnant, is at least transparent. Now schools can continue to discriminate against certain races, so long as they camouflage it.

The factor of race will now be left to the discretion of admissions officers. Justice Anthony Kennedy cited such a case. A former director of admissions at the University of Michigan Law School said that when there was a debate over whether Cubans should be counted as Hispanics, one professor objected on the grounds that Cubans were Republicans.

The Washington Post put it well: “The message is that the use of race will stand a better chance of being sustained if it is shrouded in vague terms than if it is quantified and easily assessed.”

So hard racism is unconstitutional, but soft racism is apparently just fine.

And did Justice Sandra Day O’Connor, the swing vote in the case, put an expiration date on the court’s ruling? She declared, “We expect that 25 years from now, the use of racial preferences will no longer be necessary.” So holding Asians to a higher academic standard than, say, Native Americans, for the next 24 years is fine. But after that it should go away? Who knew the 14th Amendment’s equal-protection clause could be temporarily shelved?

What are the effects of racial preference on Colorado’s campuses? A study from the Center for Equal Opportunity concluded that all public colleges and universities in Colorado use affirmative action in undergraduate admissions to increase African-American enrollment. Most use it to increase Hispanic enrollment. Nearly none use it to the advantage of Asian students.

According to the Center for Equal Opportunity, the biggest offenders of racism in admissions are the Colorado School of Mines, and of course, the University of Colorado, Boulder. At CU the center reported that the average white student scored over 11 percent higher on ACT and SAT exams and nearly half a point higher on grades (on a 4-point scale) than the average black student.

What the Supreme Court failed to do, political leaders should do. It is time for Colorado to follow the lead of California and make certain that governmental institutions, including higher education, will be colorblind.

In 1996 the voters in California passed the California Civil Rights Initiative, Proposition 209. It stated simply, “The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity or national origin in the operation of public employment, public education or public contracting.”

During the campaign over Prop 209 the race-baiters made their prediction of doom: “Prop 209 will re-segregate California universities; Women will be denied access to rape crisis centers; Hispanics and blacks won’t get jobs; Prop 209 will force women into the ‘oldest profession.’”

The University of California commissioned a study that predicted that if Prop 209 passed, black enrollment would drop by about 50 percent, and Hispanic admissions would also decline.

The idea, of course, was to frighten voters into believing that without preferential “affirmative action,” women, blacks, and Hispanics would be unable to compete with others on the proverbial “level playing field.”

But they have. While there was a small drop in African-American enrollment, Hispanic admissions to state colleges increased. More interestingly, graduation rates for minorities improved, leading the University of California president’s office to boast in a press release, “The University of California is far surpassing national averages across the nation in the number of under-represented minority students who graduate.”

President Kennedy was right. “Race has no place in American life or law.”

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GUEST OPINION

GUNS ON CAMPUS? WE’D BE SAFER

CU’s prohibition of concealed weapons violates everyone’s basic right to self-defense

By Brian T. Schwartz

Last week Colorado Attorney General Ken Salazar declared that, despite Senate Bill 24, which allows armed concealed weapon permit holders on college campuses, the University of Colorado Board of Regents can enforce its own gun-prohibition policy on its campuses.

Representatives of undergraduate and graduate students, faculty, the regents, and campus police all support the prohibition in the name of campus safety. Yet no one has demonstrated that disarming permit-holders makes the campus safer. Instead, the prohibitionists resort to prejudice and intolerance. We should expect more from an institution of higher learning.

L. Tim McGraw of the CU-Boulder Police Department asserts that “based on statistical data, we believe that the regent law has provided for a safer environment at CU.” Yet this data concerns not crimes, such as murder, rape and assault, but a vice: the “victimless crime” of merely possessing of a prohibited tool of self-defense, which endangers no one. Demonstrating that the weapons prohibition has made CU safer would require at least an analysis of violent crime rates both on and off campus before and after the 1994 prohibition. Curiously, none of the prohibitionists have looked at such data, nor do they seem to care.

Instead of empirical evidence, the prohibitionist arguments rest on an unjustifiable negative stereotype that concealed-carry permit holders are short-tempered and violent. The student government Tri-Executives ask us to “imagine a classroom where students are afraid to speak their minds and professors are afraid to give out poor grades when deserved.” The graduate student government passed a resolution alleging that many “students believe that concealed weapons ... represent a perceived danger.” Boulder Faculty Assembly Chair Uriel Nauen-

berg wants us to “imagine what a disaster it would be” to allow guns on campus. In defense of the prohibition, CU Regent Jim Martin says: “[w]e hold forums with speakers who are sometimes very contentious and have controversial points of view.”

What if, instead of concealed-weapon permit holders, the issue concerned allowing homosexuals to practice their lifestyle choice on campus? The above statements by governing officials would appear prejudiced, closed-minded and intolerant. The homophobes would allow homosexuals to at most think about sex, but prohibit their public or “concealed” displays of affection. Similarly, some believe that exposure to certain pornography, racist literature, and video games can induce violent acts. To allay these people’s fears, should the university compile a list of banned media?

For the sake of argument, let’s accept the injustice that gun-owners are guilty until proven innocent, and look at relevant empirical data. According to John Lott, author of “More Guns, Less Crime,” approximately 0.1 percent of concealed-carry permits are ever revoked. Police officers in New York City and Washington D.C. get arrested more often than permit holders. In Texas, permit holders are about one-third as likely to be arrested as the general population and much less likely to commit serious crimes.

The principles of economics apply to criminals: they prey on victims who can’t defend themselves. Both interviews with convicted felons and Lott’s study of liberalized concealed-carry laws confirm this hypothesis: Criminals fear armed victims more than they do the police, and rates of murder, rape and aggravated assaults decline in areas where concealed-carry is allowed. Further, criminologist Gary Kleck found that guns are used defensively 2.5 million times every year, at least three times the rate of crimes committed with guns.

Yet facts do not matter to a few peo-

ple I’ve encountered, including Physics Professor Nauenberg. At the March 17 dinner sponsored by the graduate-student government, he declared to me that “those gun people are nuts.” When asked what would change his mind about the issue, he replied “Nothing, I just don’t like guns.” His negative view of gun owners and dogmatic position on prohibition are analogous to those of a McCarthy-era anti-Semite who opposed letting Jews attend elite American universities.

Still, statistics are not the core issue. If people own their own bodies, self-defense is a basic human right. Artists and writers need not apply for “self-expression permits” and prove to government censors that their activities will never harm innocents in any imaginable way. Self-defense is a right, not a privilege.

People commit inexplicable atrocities, and contemplating what motivates such action is frightening. Our culture fabricates and battles evil demons that allegedly possess us to do evil: sex, drugs, rock and roll, books, video games, movies, and guns. This woodoo social policy might bring the illusion that the evil has been exorcised, but this ritual sacrifice of freedom and personal responsibility brings no security.

Violent criminals are responsible for their actions; the cause of their evil comes from within. In the climactic scene of the Steven Spielberg movie, “Minority Report,” where the main character faces his apparent fate to kill a man, a “precognitive” exhorts, “you can still choose.” Peaceful citizens should take responsibility for their own personal security, just as they do their financial security. For some, this means carrying a concealed firearm, which is the only effective defense against some aggressors. Anyone who has prevented a victim from exercising this means of self-defense is morally culpable for his or her death.

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THOMAS L. FRIEDMAN
New York Times

Iraq rebuilding starting at less than zero

President Bush is sure lucky no weapons of mass destruction have been found yet in Iraq.

Because had we found these weapons our entire focus today would be on the real issue: Why the Bush team — which wanted this war so badly and had telegraphed it for so long — was so poorly prepared for postwar Iraq.

I still believe that with the right effort Iraq can be made a decent place. But that task has been made much harder because of the Pentagon’s poor planning for postwar Iraq. If the Pentagon’s lapses can be overcome — and I hope they will be — then we should learn from them for future wars. If they can’t be overcome, then they will be grist for next year’s who-lost-Iraq debate.

Let’s start with the biggest analytical failure. The Bush Pentagon went into this war assuming that it could decapitate the Iraqi army, bureaucracy and police force, remove the Saddam loyalists and then basically run Iraq through the rump army, bureaucracy and police.

Wrong. What happened instead was that they all collapsed, leaving a security and administrative vacuum, which the U.S. military was utterly unprepared to fill. The U.S. forces arrived in Iraq with far too few military police and civilian affairs officers to run the country. As a result, the only way U.S. troops could stop the massive looting was by doing the only thing they knew how: shooting people. Since they didn’t want to do that, and since Secretary of Defense Donald H. Rumsfeld seemed to believe that a little looting was OK, so that Iraqis could let off steam (“stuff happens”), Iraqi government infrastructure, oil equipment and even nuclear research sites were just stripped bare. As a result, we are not just starting at zero in Iraq. We are starting below zero.

(How the Pentagon could have failed to secure the known nuclear sites is unbelievable.)

Anyone familiar with NATO operations in Bosnia and Kosovo should have understood that we needed two armies for this invasion. The first was the fighting force that would kill Saddam’s regime, and the second, following right behind it, a force of military police, civilian-affairs officers, aid groups and public-affairs teams to get our message across. The Pentagon brilliantly prepared the first force, but not the second.

So, you get incidents like the one last week, where hungry Iraqi soldiers, protesting for back pay, get shot at by U.S. troops — a great way to win friends — because our troops are unprepared for crowd control, a job for MPs. Most of the civilian police and MPs we send into nation-building are reserves, and there was already a shortage — something the Pentagon should have seen and rectified by reconfiguring our force structure.

Because we did not have enough soldiers, police or MPs in Iraq, we could not seal the Syrian or Iranian borders or protect oil pipelines from sabotage. As a result, Arab fighters have slipped in via Syria to join the battle against us and Iranian activists have crossed from their side. Oil pipelines are being blown up daily.

As for the missing WMD, Bush officials keep saying that Iraq is the size of California and hard to search. True, but Saddam’s inner circle is the size of an NFL team — and we’ve captured more than half of them. I find it incomprehensible that none of them have had anything revealing to say, one way or another, about the missing WMD. A tarot-card reader could have discovered more from these people than the Pentagon has so far. A Western diplomat tells me CENTCOM has not managed the interrogations well and they are now in the hands of the CIA.

Because the Pentagon had no coherent postwar plan for reconstituting Iraq politically, it made it up as it went along. Instead of a firm U.S. hand guiding things from the top, the Pentagon initially appointed the hapless Gen. Jay Garner to run Iraq. He’s been replaced by the more deft L. Paul Bremer, but important time has been lost in which Muslim clerics have filled the vacuum in many areas. We must establish an Iraqi secular authority — soon.

A successful U.S. rebuilding of Iraq is the key to America’s standing in the world right now. But Messrs. Bush and Rumsfeld seem to be treating it like some lab test in which they can see how much nation-building they can buy with as little investment as possible.

As one Marine officer said to me: There is something to be said for doing war on the cheap, but if you want to do war on the cheap, “pick a country that doesn’t matter.”

Die, spammer scum!

By Ross Flaven

So spam is just a cost-free annoyance? Could’ve fooled me

I have come to anticipate and enjoy Jon Caldara’s column each Sunday, saving it for the moment when coffee and the heavy dose of bush-league headlines combine to send me to the library for a few moments of entertaining distraction.

Jon’s usual sleight-of-hand commentary each week is truly magical, and therefore entertaining. The challenge is to note where the coin is at all times, appreciate his skill at distraction, and simply sit back — so to speak — and admire where and when he pulls it out.

But Caldara’s June 15 column on spam (“Spamophobes, get a life,” Insight) was more slight than sleight and not much fun. Jon fumbled the coin repeatedly, and his effort to retrieve it and continue with the week’s magic show were stilted, unimaginative, and unfortunately contrived.

He states “not all unsolicited e-mail is spam.” Oh? But there you go; that’s a wonderful, iron-clad, well-defined, well-mannered definition of spam: If I receive an unsolicited e-mail, it is spam. So, you knew me in high school and dug up my email address to say hi? You’re spamming me and if Jon’s government will get off the throne long enough to give

me, the citizen consumer, the protection it’s giving you, the spammer, I’ll have the option to slam you down. If I liked you in high school, you’re safe; if you’re wanting to extend my penis by three inches, I’ll be on you like snow on Longs Peak.

Caldara says I should be concerned about “free-speech aspects of this debate.” Hear the coin clink? By his reckoning, I can walk into his ironically named Independence Institute and start shouting whatever I want, the same as a spammer can come into my computer, at my expense, in my home or office, and shout whatever I want. I don’t think Caldara’s Independence Institute would allow that to happen.

Caldara suggests the cost of spam is minimal, that spam filters can be used (“which work surprisingly well,” he writes; no, Jon, they don’t work all that well, and that’s not surprising), or that we choose Internet service providers that block spam (which rely on spam filters that don’t work that well and then often store the blocked spam for specific periods of time, which storage amount goes toward your overall storage limit; i.e., cost), and — oops,

dropped the coin again — spam is only just an annoyance anyway.

It’s not just an annoyance. Saying that spam is just an annoyance smacks of smugness and superiority. Spam cost me plenty this last week, for example, when my ISP’s “screened mail” box filled up my ISP’s 10-megabyte email space allotment, and said ISP started bouncing back legitimate email. How did that happen? I was off backpacking for the week and had shut down my computer. I lost valuable, and solicited, email because of spammer scum. Leave my computer on and email client active, so the email is regularly downloaded? Sure: Who’ll reimburse me for that cost of wear and tear and electricity? This is not “just an annoyance,” this is a tangible, personal, ongoing cost.

And no, Jon: Having a “whitelist” is not the answer, if it still requires my time, my effort, my patience (and yes, my annoyance). It’s just a sop for the spammer scum. I want recourse with bite, which I want my government to provide me a basis to pursue. I want to be able to go to that cocky spammer in Boulder County, or anywhere, and get back my expenses, which he or she stole without my permission. It’s really that simple. It’ll be my “independent institution.”

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GUEST OPINION POLICY

The Daily Camera welcomes guest opinions from readers on local, state or national topics of interest to the community.

To encourage vigorous debate and make room for diverse points of view on the editorial pages, we follow these guidelines:

- The preferred length for a guest opinion is 750 to 850 words.
- Articles by local writers on timely topics will receive first consideration.
- A guest opinion must express a clear point of view. Articles writ-

ten primarily to provide background information or to raise public awareness of an organization are not guest opinions, although some of them may be appropriate for other sections of the newspaper.

- We do not publish guest opinions written to endorse a candidate or slate of candidates. Candidates and their supporters are welcome to answer widely publicized charges or specific criticism, but in most cases we ask them to respond in a letter to the editor rather than a guest opinion.
- We do not publish guest opinions

written to raise funds for a cause or a group. It may be appropriate to mention that an organization is soliciting contributions, but fundraising should never be the primary purpose of a guest opinion.

- Each writer or organization is limited to three guest opinions per year.

Anyone interested in writing a guest opinion should call or e-mail Associate Editor Clint Talbott to discuss the topic and, if the topic is approved, to set a deadline for submission and a date for publication. Talbott can be reached at (303) 473-1367 or email talbottc@dailycamera.com.

Thank you for your interest.