

RECALIFORNIA REVIEW



AN UNAPOLOGETIC CELEBRATION OF AMERICAN IDEALS SINCE 1982

FOLLOW THE MONEY: UC SALARIES MIRANDA CONWAY

The higher administration of UC San Diego receives a disproportionately large salary compared to professors, according to a database of California public employee salary records compiled by the Sacramento Bee. This reflects the appeal of finding a job in the UC administration, which has increased in numbers by more than 200 percent in the entire UC system. As the salaries of the UC administration seems to have prioritized over that of teaching faculty, several high-ranking professors have made the choice to seek employment elsewhere.

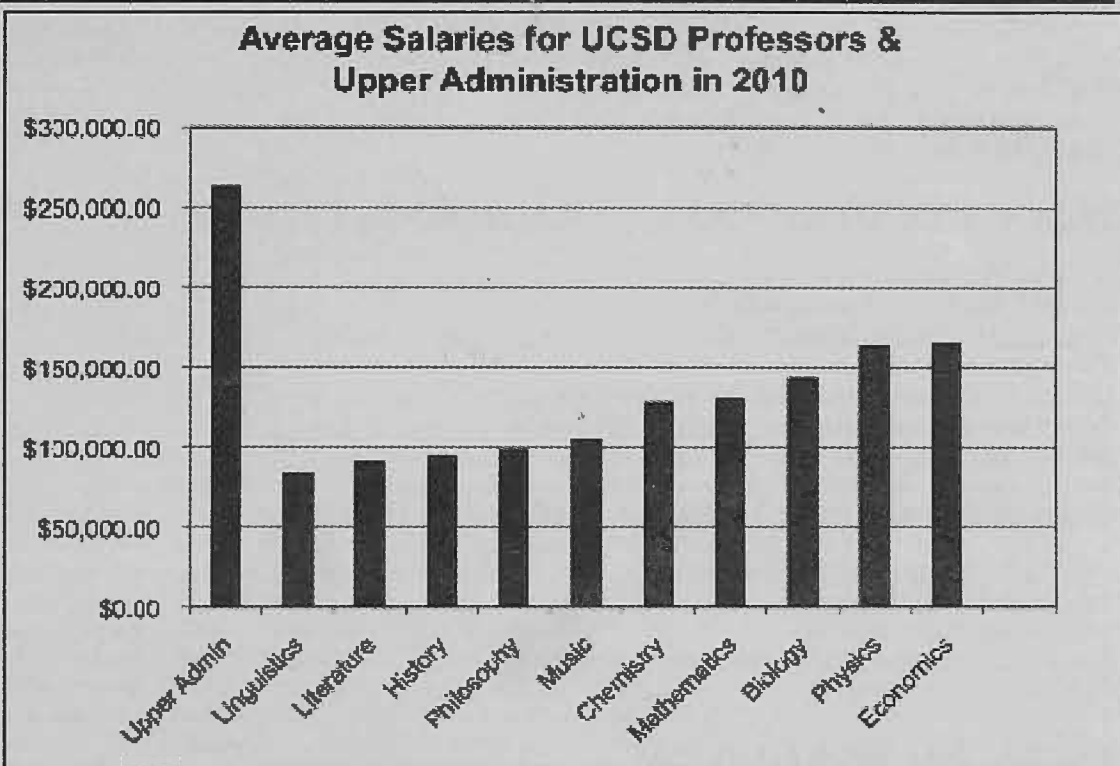
It is no secret that UC San Diego professors earn less than their contemporaries at equivalent universities. UC San Diego compares itself with 8 other universities: Harvard, MIT, Stanford, SUNY-Buffalo, University of Illinois at Urbana-Champaign, University of Michigan, University of Virginia, and Yale. Harvard, for example, pays its professors on average \$193,000 a year.

In 2010, the average salary of all full-time professors of the Mathematics,

Biology, Chemistry, Physics, Economics, Linguistics, History, Literature, and Music departments was a whopping \$129,300. This includes overtime, bonuses, housing allowances, sick leave pay, vacation pay, and many other forms of cash compensation. The average salary varied between departments, as Linguistics professors earned an average of \$84,000 while Molecular Biologists earned around \$169,700.

But even the compensation for science professors seems pathetic in comparison to the salaries of our upper administration. In 2010, the average income of our Chancellor, Vice Chancellors, Assistant Chancellors, Assistant Vice chancellors, and Deans was \$262,850. On average these members of UC San Diego's upper administration earned \$130,000 more than instructors.

Of course, the state government bears responsibility for this disparity to an extent. Indeed, it is disheartening to see that a professor of UCSD who uses computational modeling and



psycholinguistic experimentation to explain cognitive language processing earns considerably less than a correctional officer at the Fairfield State Prison. Obviously, there are many fiscal decisions on the state level that demand serious reform, but the UC

system can no longer afford to blame the state budget for the severely unbalanced allocation of funds.

As the system stands, there is a greater economic incentive for professors to leave set aside their lectures and

pursue a position of authority within the administration. The primary difference between the responsibilities of senior administrators and instructors is essentially a matter of power.

See Salaries, P. 4

POPPING THE UCSD HOUSING BUBBLE ALEC WEISMAN

Los Angeles – The University of California, San Diego Housing, Dining, and Hospitality (HDH) Services has made more than \$250,000 in profit over the past five years through unused dining dollars, according to data released through a California Public Records Act Request. In addition, data also revealed the price per square foot for UCSD residence halls far exceeds the surrounding community.

A total of \$286,421 unused dining dollars have returned to the HDH since the 2006-2007 academic year. The largest inflow of unused dining dollars occurred in the 2008-2009 academic year, when the HDH received \$68,722. This increase in unused dining dollars corresponds to a mandatory meal plan increase of \$650 for all students living in the dorms. In the years since, the price of many goods in campus dining halls have been inflated dramatically, which has reduced the amount of unused dining dollars received by the school from the 2008-2009 peak by more than \$20,000 and \$15,000 in the 2009-2010 and 2010-2011 academic years, respectively.

This is profit for the self-supporting department of Housing, Dining, and Hospitality Services, which operates without any state funding and relies on students who choose to live on-campus to be conveniently located close to their classes. Although HDH claims that its meal plan is intended to be flexible, plans are not refundable and do not carry over to the next academic year. Therefore HDH keeps all dining dollars that are not used by students. Only in "unique circumstances," such as withdrawal and participation in a Study Abroad program, can students recover a por-

tion of their unused dining dollars.

This profit from dining dollars has been used by HDH on projects that include a fully vegan restaurant called Roots in Muir College, Meatless Mondays (where the dining halls provide vegan-only grill options), Farm 2U (where local farmers sell their goods on-campus), and cage-free eggs. However, student opinion has been repeatedly ignored in the development of these programs, as shown by a 2009 study sponsored by The Center for Agroecology & Sustainable Food Systems (CASFS) of the University of California, Santa Cruz.

In this survey, students who responded ranked the most important features of their dining hall experience was flavor, safety, and variety, rating flavor a 4.62 out of 5 on importance, variety a 4.48 out of 5, and safety a 4.47 out of 5. However, the projects pursued by the UCSD HDH, such as Farm2U (locally grown food) and Roots (vegan-friendly food), scored near the bottom of the survey, with locally grown food earning a 2.69 out of 5 and vegan-friendly food earning a 2.64 out of 5.

However, it is not just the dining division of HDH that makes living on campus so expensive. Examining real estate reports for the surrounding community (University City (UTC) and La Jolla) reveals a major price disparity when compared to the price of on-campus housing, which is also managed by HDH.

For comparison, one-bedroom one-bath apartments in UTC have an average of 677 square feet and an average monthly rent of \$1,350.00. A two-bedroom two-bath apartment in

La Jolla has an average of 1,061 and costs an average of \$3,257.27, which would be \$1,628.64 per roommate. A single apartment at UCSD in the 2011-2012 academic year with an average of 675 square feet and cost of \$1,356.88 is competitive with a one bedroom-one bath in the nearby area, but this is where the comparison ends. Students living on campus looking to get the most space for the cost should pay for a single. However, all doubles (two students per bedroom) and triples (three students per bedroom) are over-priced compared to their value off-campus, due to the exorbitant price per square footage for on-campus housing.

A student living in an on-campus double apartment will have to share the average of 675 square feet with a roommate and both will pay \$1,256.88. Yet if the same student lived off-campus in UTC, they would share 1061 square feet and pay only \$850 per month, a savings of more than \$400. The only double that comes close to the square footage of a two-bedroom two-bath in La Jolla is The Village at Torrey Pines. These doubles are 979 square feet and cost \$1,117.22 per roommate, but these roommates still must share a bedroom.

For a student living in an on-campus triple apartment, they will have to share the same average square footage of a double and all three roommates will pay \$1,132.00. Living off-campus in UTC in a three-plus bedroom, two-plus bath, the three would share 1807 square feet and would pay only about \$750 each, saving them more than \$375 dollars.

See HDH, P. 4

DOWN GOES THE DRONE JONATHAN SHAOULIAN

The Lockheed Martin RQ-170 Sentinel: the U.S. Air Force has released few details about this aircraft (even the dimensions are poorly known), but the stealth Unmanned Aerial Vehicle (UAV) is thought to carry sophisticated communication intelligence devices and highly sensitive sensors, and has a design similar to the B-2 Stealth Bomber. First deployed in late 2007 in Kandahar, Afghanistan, the secretive UAV, dubbed the "Beast of Kandahar", has a service ceiling of 50,000 ft. and, due to its shape and paint scheme, is hard to detect. Deployment in Afghanistan, where the Taliban has no radar, led to speculation that the Sentinel was being used for missions over Pakistan or Iran, a country with air defense technology that would require using stealth technology. In May of 2011, the aircraft

was used to deliver live footage of the attack on Osama bin Laden's Abbottabad compound in Pakistan and monitored Pakistani military radio transmissions in the area.

On December 4, 2011, the U.S. declared that its forces in Afghanistan had lost control of "a UAV". According to unnamed U.S. officials, a U.S. UAV operated by the CIA was flying on the Afghan side of the Afghanistan-Iran border when its operators lost control of the vehicle. Iran claimed its forces had downed a RQ-170 Sentinel that violated Iranian airspace along its eastern border with Afghanistan—precisely 140 miles from the Afghanistan border, near Kashmar, Iran.

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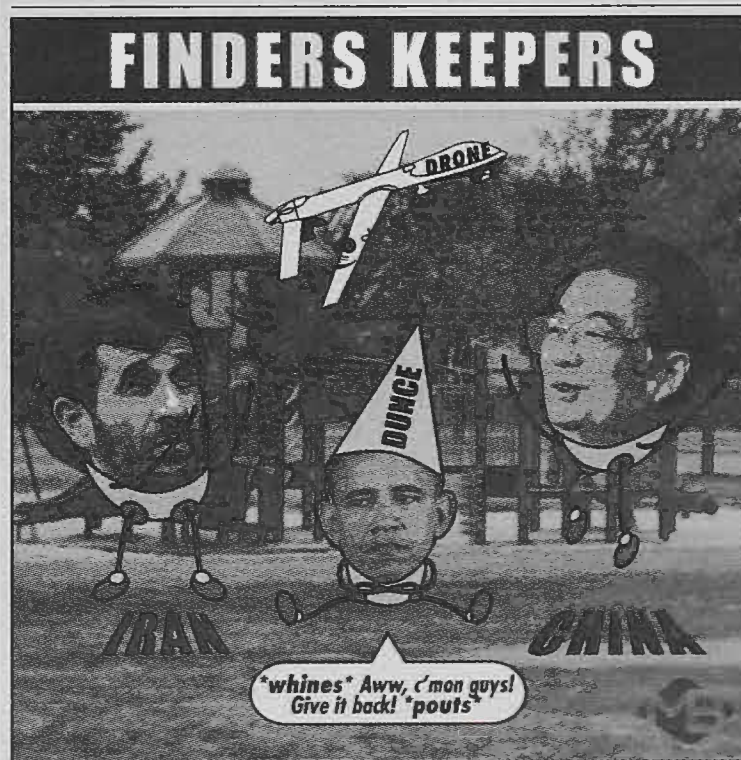


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LETTER FROM THE EDITOR

For many, a new year symbolizes a new chance to start anew. Yet in many instances, the problems of 2011 find their way into 2012. In many cases, 2012 could very well be the Year of the Totalitarian. NDAA, SOPA, and the new beating of war drums against the Islamic Republic of Iran by this Congress and administration have added to the already constant threat of unending recession and mass unemployment. Is it not enough to deprive us of our livelihood that the masters in D.C. must deprive us of our lives as well?

This government is quickly becoming a political assassin, willing to use more-than-equal force against its adversaries and less-than-true rhetoric to galvanize the public. As drone strikes in faraway lands destroy the houses of strangers, incinerating foreign children in their beds, the TSA still continues to herd air travelers through humiliating procedures at the nation's airports designed to give the impression of effective national security. If these politicians and armchair generals are willing to murder foreigners and U.S. citizens abroad, what is stopping them from openly killing someone deemed a "threat" here at home?

In the same token, this government has also become an economic "hitman" that engages in destroying the wealth and livelihoods of its citizens. The Federal Reserve continues to print paper dollar bills and drive up inflation as Congress continues to morbidly spend money it does not have to fund warfare, welfare, and other squandering programs designed to give the illusion that government is good. Every income tax increase, bailout to a bankrupt corporation, and regulation against small businesses leads to the impoverishment of honest, hardworking individuals for corporatist parasites who leech off productivity and wealth from the people.

Given this new reality, it can be difficult to call this the Land of the Free, yet it does not have to be this way. Across the states, people are rejecting the status quo and have decided to pledge for liberty, peace, and prosperity. More people are waking up from their apathetic slumber and see that, all around them, change for the worst is happening. These are the new Sons and Daughters of Liberty, fighting to empower the individual, not government. We at the *California Review* stand by these freedom fighters. Do you?

With Liberty,

Cody Dunn
Editor-in-Chief

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"Imperium Libertatis"

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The California Review (Restitutor Orbis) was founded on the sunny afternoon of the Seventh day of January, Nineteen Hundred and Eighty-Two, by discipuli cum civitas listening to Respighi and engaging in discourse on preserving the American Way.

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"We few, we happy few, for he who picks up this paper today shall be my brother, be he ne'er so vice, this paper will gentle his condition."

A CONVERSATION

POINT: PRO-SB48 (F.A.I.R. EDUCATION ACT) KNOWLEDGE IS POWER

AMY LOCK

Frida Kahlo, John Maynard Keynes, Ralph Waldo Emerson, and Angelina Jolie are notable lesbian, bisexual, or gay figures. Furthermore, with the media focusing on the rising number of incidents of bullying and suicides in the gay adolescent community, it is apparent that something must be done to raise awareness. California passed AB 537 in 2000. The law is designed to protect students against harassment based on sexual orientation or gender identity. California Senate Bill 48 would highlight the prominent GLB (gay, lesbian, bisexual) figures throughout history. By prominently celebrating the achievements of members of the GLB community and showing the public that these people were GLB, it can promote an environment of understanding and acceptance. We should not ignore the achievements of the GLB community if we want to end discrimination.

One of the main arguments against SB 48 is that education should not be politicized. However, education is already quite politicized and many high school teachers and college professors are open with their own political identity. Students often pick up the personal opinions of their teachers and textbook publishers create books that are already biased. Arguing that this bill politicizes education ignores the political undertones that run through our schools.

There have been many incidences of teachers expressing anti-gay sentiments in ways that indoctrinate their students. In August of 2011, a "Teacher of the Year" in Florida made comments on Facebook expressing his disgust for gay marriage. He posted "when the story about New York okaying same-sex unions came on [the news] I almost threw up and now they showed two guys kissing after their announcement. If they want to call it a union, go ahead."

But don't insult a man and woman's marriage by throwing it in the same cesspool of whatever. God will not be mocked. When did this sin become acceptable? In October of 2011, a teacher in New Jersey—a state that requires all teachers to undergo anti-bullying training—also posted anti-gay statements on her Facebook. Facebook is not a private forum when teachers decide to "friend" their students. Teachers and administrators who teach children that it is acceptable to hate and discriminate create a toxic environment that institutionalizes the problem.

Even at the college level, where people are generally expected to be more open-minded and accepting, many colleges choose to ignore their LGBT communities. Both Pepperdine and Notre Dame refuse to allow gay-friendly clubs to form on their campuses, despite protests from the students. Notre Dame has also refused to modify its nondiscrimination clause to end discrimination based on sexual orientation.

This institutionalized discrimination undermines the diversity that most schools strive for and creates a generation of hate. SB 48 would bring knowledge of the GLB community into the community at large, instead of allowing embarrassment and hatred towards something that is not fully understood to thrive. SB 48 is a step in the right direction for equality for everyone. If this bill can motivate schools to teach students to accept their peers, not matter who they are, we could have a safer and more accepting society. SB 48 can help prepare future generations to living in a diverse and interconnected world, with the rise of international business and the globalization of cultures.

Amy is a senior in Sixth College majoring in cognitive science.

COUNTER-POINT: ANTI-SB48 E PLURIBUS, FOOTNOTES...

SCOTT KAUFMAN

Senate Bill 48 (SB 48) - the Fair, Accurate, Inclusive, and Respectful Education Act (or FAIR Education Act), was signed into law on July 14, 2011. According to the bill's author Mark Leno, the first openly gay California State Senator, SB 48 "ensures that the historical contributions of lesbian, gay, bisexual and transgender people are accurately and fairly portrayed in instructional materials by adding LGBT people to the existing list of under-represented cultural and ethnic groups already included in the state's inclusionary education requirements." Yet the FAIR Education Act and all such bills fall short of their noble underpinnings and only erode and divide the commonly shared American experience. This experience has been shaped by all peoples who yearned to breathe free regardless of their race, gender, creed, religion, sexual orientation or whatever other compartments a feel good nanny State can make. As such, the contributions to this common American experience should not be watered down to please everyone, but should be based upon the impact of the individuals and groups on the creation of our history. Our history, an overarching narrative of where we came from, how we got here, and what it means to be an American.

Take Crispus Attucks for example. Regardless of being of mixed African and aboriginal blood, he was among the first Americans to die in the name of our independence at the Boston Massacre on March 5, 1770. His death made him a martyr to the Patriot cause, and later was a symbol for the American abolitionists of the 19th century. Other leaders like Martin Luther King, Jr., César Chávez, and their contemporaries were at the forefront of their movement's struggle for equality. Not only was their struggle for equality for their own benefit, but also for Americans as a whole and they left a lasting

impact on American and Californian history. Their stories should be told for their merit in American history. Yet their compelling stories cannot be completely described in the one-page "profile in courage" created by present and future laws that will force textbook companies to make these profiles more "inclusionary." Assigning these important moments of American history to inserts and footnotes only lessens the achievement and accomplishments of the person or groups that SB 48 wants to empower. Rather this dissociate their stories from the common narrative of American history. If American history is truly about "rich, old, and white men," as proponents for this and similar laws suggest, this attempt to make American history less about rich, white (and in the case of SB 48, straight) men, actually make it more so by alienating minorities to these sub-sections.

The United States of America is a made-up nation; there is no particular individual, movement, or culture that single-handedly shaped its existence. In fact, the only true unifying principle among its citizens is that we are all "Americans," and what it means to be American is defined by us and by our collective historical narrative. *E pluribus unum*, a de-facto motto for our "nation" longer than we have been a country, roughly translates to "out of many, one." Originally meant to reference the colonial States becoming a united nation, the meaning of this phrase has expanded to refer to the United States as a so-called "melting pot." Our national melting pot is a fusion of different cultures, individuals, and experiences that ultimately create a unique American history.

Scott is a recent graduate of Eleanor Roosevelt College who majored in International Studies.

POINT: PRO-OCCUPY WALL STREET BRIAN CHAPLER

Occupy Wall St., as its name implies, is about occupying space, and in its original embodiment, taking up space on Wall St. The common feature amongst the protest is anger at the current power structure in America. The protest is defined by visible, public, and non-violent disapproval, dissent, and disobedience. In this manner, I support OWS and you should too.

Common objections to the OWS protests are that they should be at the Capitol Building, or the Whitehouse, or K St., or the Federal Reserve, etc. Other critics claim the movement lacks a specific message, or is otherwise misguided. However, these critiques implicitly support the movement because these critics are acknowledging their own disapproval of the status quo. They agree that something is very wrong even if they disagree how things went so wrong and how fix the problems, but even the harshest critics point out something is very wrong.

Such an extreme level of agreement is not to be taken lightly as the first step in confronting any problem is admitting you have one, and every journey begins with a single step. Thus, the physical occupation of space and refusal to accept "because we say so" as a reason to leave, the size, scope, and breadth of the Occupy movement should not be ignored. By simply occupying space, the frustration moved from online forums and corner cafes, to living rooms, break rooms, televisions, and virtually all facets of popular culture. Suddenly, a person could not get through a day without being confronted with the question, "is there something wrong here?" The answer is resoundingly yes.

In the same way, OWS brought both the question and conversation to the masses. Suddenly, the media is discussing the difference between capitalism and corporatism; between free markets and cronyism. Even the great anti-capitalist Michael Moore is careful to separate the "2011 version of capitalism" (perhaps better called, corporatism or cronyism) that he wants to abolish, from capitalism as described by Adam Smith, when he addresses OWS on nationally broadcast interviews. It really doesn't matter if the protests are on Wall St. or K St;

what matters is the existence of K St., how lobbying works, and its influence on public policy. Thanks to this public display of disapproval, virtually all aspects of the power structure are subject to scrutiny, from the White House to the Federal Reserve, and from multi-national corporations to the capital building. People are now aware of corruption – corruption that was so commonplace that many did not even realize its existence or its pervasiveness. The discussion of these questions in the media and in living rooms throughout America is undeniably a good thing.

By lacking any defined message all people who disapprove of the status quo are welcomed. However, critics who claim it is utterly pointless to protest without defining the object of the protest do have a point. They are correct if dialogue is the only outcome from the Occupy movement and no actions are taken, leaving the power structure intact. Therefore who really opposes OWS? Is it the critics who complain about the lack of a specific message, or the critics of particular messages within the multitude that makes up the movement? No, rather those who are opposed to OWS are the defenders of the status quo.

Thus, if you think there is something wrong, but criticize the location, lack of message, or a specific message within the movement (or the motivation, employment status, etc., of the people in the movement), you inevitably support the movement by bringing your specific message to your location of choice. Voice your dissent. Be public. Don't allow yourself to be ignored. Question authority. Talk to people. Exchange ideas. Be the change you want to see in the world. Be a force for good. Support OWS. Otherwise, you merely defend the status quo. If the latter is the case, then I suggest you listen to what some of the occupiers have to say. Otherwise be prepared to get the hell out of our way.

Brian is a graduate student in the Physics Department.

COUNTER-POINT: ANTI-OCCUPY WALL STREET TOM WEBB

Apparently to the "Occupiers" democracy is all about rape, drug use, child endangerment, anti-Semitism, support from the American Nazi Party, cheering on communist leaders, defecating in public, supporting bestiality, spitting on service women in uniform, drug overdose, attacking the police, shutting down local businesses, assaulting women, assaulting children, destroying public and private property, and the list goes on.

If there are positives to the Occupy movement, then it must be in their accomplishments. But what have they accomplished? What has OWS seriously accomplished besides camping out (something that Boy Scouts do regularly)?

The problem is that the Occupy movement's anger is displaced. Who hasn't heard the chant "Banks got bailed out, we got sold out?" The logical error is that the Occupiers are protesting the banks and Wall Street but the bailout was done by Congress in Washington D.C. A failed financial institution cannot bail itself out. As Thomas Sowell points out, "some banks did try to refuse the government bailout money, to avoid the interference with their business that they knew would come with it. But the feds insisted — and federal regulators' power to create big financial problems for banks made it hard to say no. The feds made them an offer they couldn't refuse."

Maybe being the manifestation of Irony is the what the Occupy movement accomplished. At the same time that the Occupiers complain against capitalism and say that the government needs to be replaced with something more egalitarian they attempt to lead by example. They have said that the rich need to pay their fair share (even though no one ever defines what this is) in order to redistribute this wealth to those who are less fortunate. Occupiers have shown how their dystopia "works" in two different cases. First, different groups within the occupy movement pay "taxes" to the general assembly. One group, the drummers, paid into this system and asked for some of it back to replace damaged equipment. The reply from the general assembly was no. Next, OWS has received massive

donations from people who are super rich and from many different organizations. The cooks at Occupy complained that they were tired of cooking for "professional homeless" people.

Imagine that the drummers had been allowed to keep this money for themselves. They wouldn't have to ask for help to get new equipment. Imagine if those cooks could sell their services in exchange for another good or service. Maybe the Occupiers could invent a currency that reflects the value of those goods and services that could be traded for other goods and services? What if they could take that currency and hire more people to cook and maybe even employ the "professional homeless" to help? This is capitalism, and it works.

Instead of wasting several months of their lives in bogus protests, the Occupiers should invest time into reading the record of politicians they vote for. Learn about incumbent politicians and their voting record. If you don't like how they vote, then elect someone else who you think reflects your preferences. Get involved in something that is actually productive. Did you know that the Associated Student Government here at UCSD receives a portion of your tuition? Did you also know that they voted to waste those funds on our campus' version of the Occupy movement? There are enough other problems on campus that the AS should be fighting, or better yet they should just cut their budget and lower student fees.

The Occupy movement is not the 99%, they are mostly the 8.6% who are unemployed and expressing their anger. The unemployment number has not fallen below 7.8% since President Obama took office with a Democratic majority in the House and the Senate. For two years they were able to pass anything they wanted. Don't protest capitalists, the ones who would love to employ you so both of you can make money. Protest Washington D.C. because they have stifled the recovery of the 99%.

Tom is a junior in Eleanor Roosevelt College majoring in Political Science.

UCSD AFFAIRS AND

See Salaries, P. 1

The Vice Chancellor for External and Business Affairs, for example, has worked for the past twenty years managing business operations for the entire campus (at least his salary of \$286,215.96 would appear to suggest so). There's no denying that his job is potentially demanding, yet there are many tenured professors at this university who have been teaching for over 20 years and barely make six figures. This income disparity is even more disconcerting after recognition of the unquestionable authority of our professors in their respective fields of studies and their devotion to the education of their students.

What motivation is there for decent professors to maintain their teaching positions at UC San Diego, when they are offered more money to work as an administrator or teach at a competing university?

For the UC regents, the solution is a fancy accounting gimmick. In August 2011, the majority of the UC faculty that currently earns less than \$200,000 was granted a three percent pay raise. However, this pay raise is actually a pay cut, because professors are now obligated to contribute 3.5 percent of their income to the University of California Retirement Plan, effective as of last July. Effective next July, they will have to contribute 6.5 percent, which ultimately reduces their take-home pay to less than it was before the "pay raise."

In a letter addressed to the chancellors regarding the "three percent pay raise," the University of California President Mark Yudof acknowledged that, surprisingly, most of the senior faculty across the board are compensated below market levels.

Yudof explained, "During the furlough program, employees at the higher end of the scale saw their salaries reduced at a proportion far

greater than their colleagues in the lower ranges. But, I am confident that these senior employees, notwithstanding their enormous contributions to the University, will understand that the fiscal pressures we are under make it imperative that we focus this merit pool on our faculty and those of our non-represented staff who are not at the high end of our compensation range."

Even President Yudof seems to sense the danger of losing more research professors to higher paying institutions at the expense of compensating the administration. It is no coincidence that his letter was released shortly after the top physicists Jose Onuchic and Herbert Levine and the biochemist Peter Wolynes, left UC San Diego to conduct research at Rice University, where they will now earn 40 percent more than they did at UCSD.

Economic incentives aside, the UC regents should consider what their students want. Students have made our opinion clear time and time again: we just want to be taught. Students in the UC system compete for internships and lab positions in the hopes of having an opportunity to work directly with our instructors. UCSD students boast an average GPA of over 3.0 – the result of an exceptional discipline to our courses. It is a figure reflected during the final exams of Fall 2011 when at least a hundred students were caught breaking into the closed Center for Library & Instructional Computing Services (CLICS) just to study. CLICS library had been permanently closed by the administration last spring in a desperate effort to save \$450,000. Yet the Vice Chancellor of Health Sciences raked in \$737,500 just the year before. Granted, the library budget and that of Health Sciences are separate, but the former is a direct service to the students. The UC regents need to ask the question, "Who is worth more?"

Miranda is a senior in Marshall College majoring in Linguistics.

See HDH, P. 1

When considering that UCSD housing contracts are for 8-9 months, while off-campus contracts are typically flexible and can last anywhere from 10-12 months, the savings become even more dramatic. Students living in apartments that are two-bedroom two-bath or three-plus bedrooms two-plus baths for 12 months will on average pay the same as a student living on-campus for 8 months. Although students living in La Jolla will not see the same savings with a 12-month contract, the cost of their rent would be essentially equivalent to living on-campus if they had a similar 8-month contract. The only other difference is that these students living in La Jolla would enjoy two or three times the amount of square footage in their apartments compared to their on-campus peers.

An investigation in September 2011 revealed that non-tuition expenses for UCSD students were more expensive for students who lived on-campus for the first time in the 2010-2011 academic year. This has been influenced by the rising cost of on-campus housing, which increased by more than \$1,000 over the last five years. Students who lived off-campus this year are expected to save \$800 compared to their

on-campus peers. This trend is not unique to UCSD however. University of California students who lived on-campus during the 2010-2011 academic year lost an average of \$2,238 compared to peers who live off-campus, while students in the California State University system saved \$842 per year by living on-campus.

This disparity raises questions about why the Department of Housing, Dining, and Hospitality has been engaging in such blatant inflationary and rent-seeking policies that make living on-campus so unaffordable. Unless the motive of the administrators running the UCSD HDH is to use the profit they make from students to promote their left-of-center beliefs, they should reevaluate their priorities to make on-campus housing and dining plans more affordable. Otherwise inexpensive off-campus housing will prove to be too big of an allure for students to resist and will leave UCSD even more under-occupied than it is this year.

For citations and more information about this story visit <http://a4wiseowl.wordpress.com>.

Alec is an alumnus of UCSD and a past Editor-in-Chief of the California Review. He is currently writing for LIGNET.com.

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CALIFORNIA FAILING ON A WINTERS DAY

BRIAN CHAPLER

Several recent state-by-state studies paint a bleak picture of California. These surveys on "best and worst run states," economic freedom, state services and benefits, income inequality, and interstate migration reveal California is the worst-run state in the nation and is ranked 24th for economic freedom. Although California has some of the highest levels of services and benefits amongst the states, it also has some of the highest levels of income inequality. Given these rankings, it is perhaps not surprising that Californians are fleeing California faster than the residents of any other state.

A review of financial health, standard of living, and government service data was conducted to determine how well each state is managed by 24/7 Wall St., LLC, a Delaware financial news and opinion company. According to their analysis, Wyoming is the best-run state in the nation, and California is the worst. California scored below average in every category except median household income—scoring last (tie with Texas) in high school graduation rates—and next to last in unemployment and foreclosure rate. California also has the worst credit rating, being the only state in the country to be rated A-, the lowest rating ever given to a state by S&P.

In their 2011 Economic Freedom of North America report, the Frasier Institute – an independent non-partisan research and educational organization based in Canada – compiled comprehensive economic freedom ratings for US states and Canadian provinces. The Frasier institute develops an index of economic freedom that measures the extent to which rightly acquired property is protected and individuals engage in voluntary transactions. Their annual report consistently finds economic freedom to be a powerful driver of growth and prosperity, which is confirmed in the 2011 report. California came in 24th amongst the US states at the "all government" level but falls to 43rd at the subnational level. The overall scores are based upon rankings of size of government, takings and discriminatory taxation, and labor market freedom.

In another survey by 24/7 Wall St., government spending was examined to identify how much states spend on their residents. Naturally, those states that provide the most money and benefits to their residence have higher tax burdens. The analysis also finds that these states have particularly high costs of living. California is ranked 10th in providing money and benefits and ranks in the top ten for average pension benefits (8th), temporary assistance for needy families (TANF) per month (2nd), and number of months of TANF received (7th). Interestingly, the study finds that these states also have high levels of income inequality, despite the fact that the poor and the dispossessed receive the most from government services. According to this study, California has the 7th highest level of income inequality. This result is supported by a study conducted by the Center on Budget and Policy Priorities and the Economic Policy Institute, which finds the gap between California's richest and poorest families to be the 8th largest in the nation, and the gap between the richest families and middle-class families to be the 3rd largest in the nation. This study finds the growth in income inequality in California since the late 1980s between the richest and poorest families to be the 18th largest, and 5th largest between the richest and middle-class families.

Altogether, Californians may be becoming increasingly dissatisfied by the poor performance of their state and are now "voting with their feet". In their recent Geographical Mobility: 2011 Report, the US Census Bureau reveals that Californians are leaving California at a faster rate than residents leaving any other state. In fact, four out of the top ten most common state-to-state relocations from 2009 to 2010 were from California. These include California to Nevada (35,472 movers), Washington (39,468), Arizona (47,164), and the most common state move in the nation, California to Texas (68,959).

For further details on these studies visit: californiareview.net

Brian is a graduate student in the Physics Department.

CALIFORNIA BUDGET FIASCO

JOHN AYERS-MANN

As 2011 comes to a close, California is faced with a projected budget shortfall of \$28 billion and no solution in sight. The state has been ravaged by the effects of a national recession and though the tides of national unemployment seem to be receding, recent events in California's job market seem to bear ill omens for the future. Waste Connections, one of the largest companies in the Sacramento area, has recently announced its plan to take its business elsewhere due to the inhospitable business climate of California. Ron Mittlestaedt, CEO of Waste Connections, was quoted by the Sacramento Bee claiming that, "This state has the highest state tax rate in the nation, and they're going higher." Though this may lead one to wonder why Mr. Mittlestaedt has such a grim outlook on California's financial future, one need not look further than our current governor Jerry Brown's tax proposal.

Governor Brown announced on December 5th in an open letter to the people of California that he plans to propose a popular initiative that would raise taxes in order to generate a new source of revenue. His proposed tax plan would raise the state income tax on those making over \$500,000 a year by two percentage points and implement a state-wide sales tax increase by half of a percentage point. Raising taxes on the rich has become the siren song of the Democratic Party to solve all of our financial issues at the state and national level, while paying no heed to the effects that the private sector will be forced to bear.

Combined with the federal income tax on those making \$380,000 or more, a two percentage point tax increase would yield a 12.3 percent state tax on those in California making over a million dollars, resulting in a combined total of 47.3 percent income tax on the wealthy. With tax rates higher than most in the country, it's no wonder why California is ranked 49th by the Tax Foundation for hospitable business tax climates and named the "worst state in the country to do business" by CEO magazine. All these attempts at finding new sources of revenue by Governor Brown seem to leave him overlooking the real problem facing Californians.

The true issue with the state budget lies in our pension system with half a trillion dollars of unfunded liabilities that seems to be bankrupting the state and draining taxpayer dollars. Not wanting to appear as a man of inaction, Governor Brown proposed a 12-point plan to reform the pension system that included raising the retirement age to 67 for state workers and instituting a partial 401k plan. But many conservative Californians are still skeptical about the how likely it is that Governor Brown will actually have the issue dealt with by our state legislature.

While many GOP lawmakers do support Governor Brown's pension reform plan as a "good start," their concerns have led them to call for a special session before the legislature reconvenes this month in order to address Brown's tax plan. Evidently, Governor Brown felt that these concerns were unfounded as his press secretary simply stated that they would be sure to attend to pension reform when the legislature is back in session in January, and that they would make pension reform a priority. This leaves pension reform advocates leery of Democratic lawmakers' willingness to cooperate and push Governor Brown's plan into law.

While Governor Brown's tax proposal is pushing businesses out of California, one can hope that his attempt at pension reform will be dealt with seriously instead of simply providing another example of token political posturing. Still, with state Republicans pressuring Brown's office to seriously address the issue, the prospects of pension reform seem better than normal. Perhaps this naive hopefulness derives itself from my desire to see the Golden State thrive, but with tax rates potentially soaring to the highest in the country, we seem to be in for a tumultuous year in California state politics.

John is a junior in Eleanor Roosevelt College double majoring in Political Science and Economics.

CALIFORNIA TROUBLES

INFERIOR JOURNALISM FROM THE GUARDIAN

ALEXANDER KREEDMAN

The *Guardian*, the official newspaper of UC San Diego, was once a factually balanced student newspaper that ran articles that the student body could support and was responsible for keeping the University honest. Yet in recent years, the *Guardian* has become something of a lazy publication and has allowed the quality of the paper to deteriorate.

First, the *Guardian* has the uncanny ability to misquote people's statements in a manner that changes the meaning of an original quote entirely. Similarly, the *Guardian* is also known to leave out context behind the quotes that they use, which can obfuscate the meaning of a quote.

In one recent example from the December 1st, 2011 issue, the article "Senator Resigns after Council Passes Division I Referendum" quotes Daniel Friedman without including any context. The *Guardian* cites Friedman and portrays him as the opponent of the Reclaim UCSD resolution using solely his quote, "I am here to remind everyone that the neutrality statement wasn't about supporting or not supporting history... The neutrality statement was to say that if it's going to divide our campus, it's not really our cause."

If the *Guardian* had reported on why Daniel had addressed the Associated Student Council meeting, they would have discovered a much more interesting story. Daniel was expressing his concerns with language in the resolution that would repeal the "Resolution Upholding Commitment to the Principles of Community," which was passed in April 2011 to bring to an end the divisive anti-Israel Divestment Resolutions that had plagued the UCSD Associated Students for three years.

The AS Vice President of External Affairs, Samer Naji, submitted the Reclaim UCSD resolution after his previous "Resolution to Support the Occupy Movement" was amended after multiple students complained. The amendment included language that made the "Resolution Upholding Commitment to the Principles of Community" meaningless. Samer has played a well-documented partisan role on the AS council and was responsible for sponsoring and drafting the anti-Israel divestment resolution in April 2011. The absence of this information from the *Guardian* article paints Daniel Friedman as opposing the resolution for purely political reasons, rather than from any legitimate concern.

Second, this failure by the *Guardian* is primarily due to their laissez-faire reporting that refrains from digging deeper into the stories that they print. In the same December 1, 2011 issue, the *Guardian* devotes double the amount of space in discussing the AS debate on Division I athletics than to the Reclaim UCSD resolution that could further undermine the fabric of the UCSD campus climate if the yearly anti-Israel divestment resolutions resume. The *Guardian* should be reporting the full extent of AS political intrigue, including how three AS councilmembers have resigned in recent weeks, and how AS decisions harm student life at UC San Diego.

Third, the *Guardian* has a systematic bias that is unbecoming for the official newspaper of UC San Diego. In addition to an investigation by the *California Review* during the 2010-2011 academic year, an opinion piece in the same December 1, 2011 issue called "There's No Time like Christmas for the Jews" that satirizes the Jewish reaction to Christmas in a manner many deem offensive.

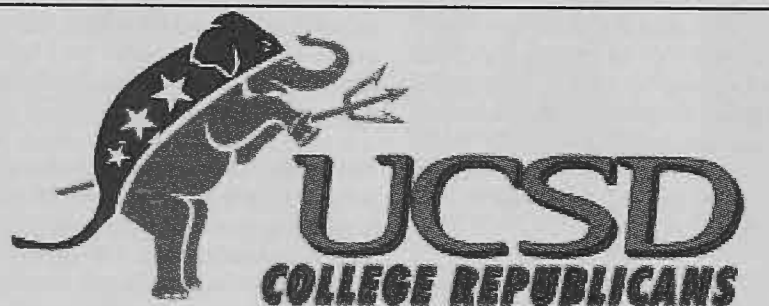
While the article is written as an editorial and is intended as comedic, it is a troubling sign that the *Guardian* holds a double standard on stereotypes. Despite condemning other racial controversies, the *Guardian* appears to believe that it is okay to stereotype Jews as cheap. These stereotypical behaviors are what fuel bias and discrimination in the UCSD campus community. The article also urges Jews to watch movies such as "Schindler's List" during the holidays, mocking the solemn undertones of such a film. The ethics of the newspaper have sunk so low that in order for them to create an article the writers must be spiteful to an underrepresented group.

Fourth, the *Guardian* has engaged in poor management and business practices. According to several members of the Associated Students, the *Guardian* has accumulated a debt totaling well in excess of \$50,000 over the past few years. Much of this is due to printing issues late, spending on the *Guardian* golf cart, and purchasing the waterproof newspaper storage units that are scattered around campus (and affectionately known among the *California Review* staff as "Troll Huts").

Finally, in addition to its excessive debt, the *Guardian* is hypocritical on its support for the "green" movement. The *Guardian* staff trashes unread stacks of their newspapers in the dumpsters next to the Old Student Center rather than recycling their issues after every print run.

Yet the *Guardian* remains (along with the *Collective Voice*) one of the two student-run newspapers that is allowed to pay members of its staff. The *Guardian* gets its revenue each quarter through ads from the AS Council (between \$1,500 and \$2,500 per year on average) and from UC San Diego umbrella companies such as University Center and the department of Housing, Dining, and Hospitality which are indirectly funded by student fees. It is a shame that the deterioration of the *Guardian* is subsidized and supported by the school. It is not too late for the *Guardian* to become a credible source of information, but until its staff decides that it should report responsibly, accurately, and timely the *Guardian* will continue to be subject to investigation and ridicule by disaffected UCSD students.

Alex is a recent graduate of Eleanor Roosevelt College who double majored in Biochemistry and History.



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RONALD MCDONALD THWARTS SAN FRANCISCO JOEL RAMOS

San Francisco's board of supervisors has implemented a so-called "Healthy Meal Incentive Ordinance" that bans the inclusion of a free toy with the purchase of a Happy Meal that is above 600 calories, does not have a serving of fruits or vegetables, and does not also include a drink with low fat or sugar. The law took effect on December 1st, in an attempt to end the despotism that is the marketing of unhealthy foods to young impressionable bellies!

As an LA Times article noted, "The ban, already enacted in a similar measure by Santa Clara County, was opposed by San Francisco Mayor Gavin Newsom... [b]ut because the measure was passed by eight votes — one more than needed to override a veto — his opposition doesn't matter unless one of the supervisors changes his or her mind after the promised veto."

But at the heart of this law there seems to be an underlying fallacy that fast-food chains cause obesity as such. The simple truth is that fast food exists for a reason, which is that it is convenient! In a market economy, these options exist not because they are pushed onto a repressed, unwilling public, but because people demand them.

We need not look any further than the words of the brain behind the law, Supervisor Eric Mar. According to an article from SFWeekly, "Mar was the one taking his daughter to McDonald's and buying the food — but he said that the 'pestle power' of a preteen was simply too much for him to withstand on his own." Are we to believe that a nagging child is the unbearable pressure that cannot be fought without the law? This seems to be more an issue of a lack of personal responsibility and a willingness among certain lazy parents to pass that parental burden upon the government—which is altogether ineffective in that regard anyway. For argument's sake, we could apply the logic of this law to any facet of daily life. Perhaps the plight of the struggling student who cannot seem to focus could be saved from the evils of distraction by banning televisions! Eureka!

The SFWeekly article goes on to quote an executive of Claes Fornell International (CFI) Group, a consumer satisfaction consultancy agency, that "McDonald's, like all quick-service restaurants, dominates not because the food is exceptional but because it's convenient and affordable," and that, "The more knowledgeable those parents and families are, the more likely that behavior will change. Our data said removal of a toy will not change that behavior."

If that was not enough evidence to show the inefficacy of such policies, we might consider McDonald's response to this measure, in which McDonald's simply decided to charge 10 cents for the addition of a toy to a Happy Meal. A clever work-around indeed, as 10 cents is hardly a barrier to entry for children to get their Happy Meal toy.

Ultimately, since restaurants are not forcing parents to consume unhealthy foods, but rather, parents are demanding them, the challenge to childhood obesity must come from outside the law. Laws and even a wealth of information cannot make healthy food suddenly more convenient, nor make unhealthy food suddenly taste worse; furthermore, it cannot prevent people from doing something that they enjoy or from which they benefit. This means that people — especially those with children — must decide to eat healthier on their own, and at the cost of convenience.

The overarching problem here is the Rousseauian view of the general public, espoused by those of the left, as being akin to "a stupid pusillanimous invalid," as Rousseau would call it. What perils would befall society as we know it, if it weren't for the benevolence of our political leadership delivering us from the hazards of our own decisions? As long as we continue to turn to leaders for answers, we will continue to get fallible "solutions" from people who are farthest from — and the least knowledgeable about — the issues.

Joel is a senior in Marshall College double majoring in History and Economics.

A HIGH-SPEED TRIP TO FAILURE JOHN TRAN

With the passage of Proposition 1A by California voters in the November elections of 2008, a high-speed rail is currently in process for California, connecting several key centralized cities within the state. However, with construction is estimated to cost \$100 billion, a politically charged debate is set to begin not just here in California, but in Washington, D.C. as well.

Construction is currently planned to begin late next year with the initial station between Bakersfield and Fresno — that leg itself costing nearly \$5.8 billion dollars. California Republicans argue that the facts speak for themselves: the estimated cost of the project, which has nearly doubled since its inception, the bureaucratic nightmare that arises when dealing with contentious rights of densely urban neighborhoods and valley farmland, the simple lack of federal and state funds to complete the project, and the polls that indicate Californians who initially voted for the project three years ago have changed their minds. 64 percent of voters in a December 6 Field Poll support a new ballot measure on the high-speed rail, and 59 percent of those who want a new ballot measure indicate that they would vote against the project.

Democrats cite different, but similarly frightening facts: the traffic gridlock on state highways and airports, the increased population expectancy of 20 million more Californians in 40 years, the environmental damage from smog emissions from cars and trucks, and the cost of \$173 billion to otherwise expand the present network of roads and airplanes. Californian governor Jerry Brown has repeated the notion that a million jobs will be created with the construction of said high-speed rail. The Obama administration and several key Democratic leaders in Congress constantly reiterate this argument to support constructing this railway of the future.

A statement released by Nancy Pelosi said, "The facts are clear: Over 1 million good-paying jobs will be created." Yet still, this number is contested as Republicans, who claim that between 20,000 and 60,000 jobs will be created during its initial development, mostly temporary con-

struction jobs and bureaucratic oversight positions. Despite these key disagreements, the dispute over the high-speed rail remains a battle to continue in 2012 and beyond.

Because federal funds are key for constructing the first legs of the high-speed rail, the debate rages in Washington over funding the project. Kevin McCarthy (CA-22), the House Majority Whip, has requested a formal federal audit of the project, arguing, "Allowing the money of hard-working Americans to be wasted on a questionable project with many unanswered questions would be an abdication of our responsibilities as elected officials of the American people." The Government Accountability Office (GAO) would carry out this review. The findings of the GAO, with its reputation for neutrality, will likely shape public opinion and will be a key component in the debate as it rages on into 2012.

Yet Jerry Brown continues his rhetoric, arguing, "California's high-speed rail project will create hundreds of thousands of jobs, linking California's population centers and avoiding the huge problems of massive airport and highway expansion. The High-Speed Rail Authority's business plan is solid and lays the foundation for a 21st century transportation system." Brown's California state budget released on January 10th continues funds for the High-Speed Rail Authority but proposes merging it into a new department along with the Highway Patrol and the departments of Transportation and Motor Vehicles, among others. Regardless of the conclusion of the funding debate for California High-Speed Rail, the project is likely to end up on the road paved with good intentions.

John is a senior in Warren College double majoring in History and Communications.

A CLOSER LOOK AT

CALIFORNIA'S NEW HPV PROVISION ELIZABETH GOODRICH

Texas Governor Rick Perry came under fire at several Republican Presidential Debates for having mandated the HPV vaccine Gardasil for school age girls. Since then, California Governor Jerry Brown applied Governor Perry's mandate to California in October. Although the governor said in September 2011 that he was, "concerned about the continuing and seeming inexorable transfer of authority from parents to the state," he either changed his mind or has played the people. The California Gardasil HPV Mandate (AB 499) went into effect January 1, 2012 and allows girls and boys as young as 12 years old (6th grade) to receive the HPV vaccine without parental consent, or even parental knowledge.

Organizations such as Planned Parenthood and the California Medical Association support the bill and claim public health must come before parental rights. However, there has been much outcry over this assault, as critics have argued that minors are not mature enough to make their own health care decisions. If children need parental consent for aspirin or flu shots at school, shouldn't parents be needed for major medical decisions, such as whether or not to take Gardasil? The National Vaccine Information Center (NVIC) is one critic of the bill, condemning Governor Brown for falling to pharmaceutical pressure, and explained that although parental rights were removed, the parents bore the responsibility for any risk or disease to their young children from the shot.

Perhaps even more troubling than the degradation of parental rights is the cost to the taxpayers' wallets. The Gardasil shots are a three-dose process that cost \$120 per injection. The average 6th grader does not have \$360 - or more - to spend on injections, so this cost is paid by the taxpayer. According to California Senate

Appropriations estimates, this new mandate could hand Merck, the Gardasil manufacturer, over \$30 million a year in sales and revenue. Some praise the mandate for its health benefits. Gardasil is marketed as providing protection against cervical cancer caused by the Human Papilloma Virus. With nearly 4,000 women dying each year of cervical cancer, the need for a cure is both legitimate and necessary. But reservations to this mandate must nevertheless be considered especially because according to the CDC, "73% of teenagers receiving injections never complete the series."

In addition, the Gardasil shot may not be the best way to reduce cervical cancer. It is estimated that only three percent of HPV cases cause cervical cancer, and that regular pap smears have sharply declined the incident rates of both HPV and cancer. In contrast, the Gardasil shot has been known to have incredible risks. In 2008, Judicial Watch filed a Freedom of Information Act requests for documents concerning Gardasil. Reports of serious side effects from 2008-2010 include thousands of hospitalizations for paralysis or other permanent neurological disorders and 93 deaths. These results are six to eight times higher than known side effects and disabling events for all other vaccines in this age group (12-17).

The mandate may have some benefits. Minors in families with poor communication and understanding of safe sex practices will see the state protect their health. Some girls who may have otherwise become ill with cervical cancer may be protected. But are the benefits enough to justify the potential medical risks, high taxpayer costs, and setback to parental rights?

Elizabeth is a senior in Marshall College majoring in History.

THE SCOURGE OF SOPA CHASE HARPER DONNALLY

The world has seen a tremendous change in the way people communicate and exchange information since the Internet became a haven for free speech. In fact, until the Egyptian government managed to effectively shut down the Internet nationwide, Twitter and Facebook had served as the central hub of communications for the protestors. Unfortunately, the rest of the world may see a similar situation unfold if the Stop Online Piracy Act (SOPA) becomes law.

To be fair, SOPA is not a bill designed to shut down the Internet, or at least, that doesn't seem to be its primary objective. Its goal is to block access to "rogue" sites, especially foreign sites, which provide pirated material to their users. The problem is that the people writing and discussing the bill in Congress know next to nothing about the Internet (something many of them confess) and as a result, the actual effects of SOPA could be disastrous. The language of the bill is so broad and vague that it will result in whole sites being blocked as a result of minor infractions. This means that the site itself posting copyrighted material is not the only reason it could be subject to censorship; sites can also be blocked if they link to a page with copyrighted material, or if a user uploads copyrighted material. This means that major sites which rely on user based content such as Reddit, Tumblr, Imgur, Vimeo, and even Facebook would be in danger of being blocked.

Reddit and Tumblr have both been actively working against this bill. On November 16th, Tumblr organized a protest where site users called their representatives through a service Tumblr provided. Over the course of the day, over 87,000 calls were made to U.S. Representatives. When GoDaddy revealed its support for the bill, users on Reddit organized a GoDaddy boycott, calling for people to transfer their do-

main names to a different service. The boycott garnered a great deal of support and even Wikipedia announcing plans to discontinue use of GoDaddy. A number of other major Internet companies have come out against SOPA, including Google, Yahoo!, Wikipedia, Facebook, and eBay. The Electronic Frontier Foundation describes it as "internet blacklist legislation," and a number of Internet pioneers have warned that the bill could "break" the Internet, or at least have serious technical side effects.

To top all of this off, the bill would have almost no effect on stopping piracy. For the savvy Internet user, there is already a Firefox extension that circumvents SOPA. So all SOPA would do is block pages of the Internet from less savvy users, who are not likely to be pirating anyway. Due to the massive public outcry, SOPA seems unlikely to pass. Most people seem to have recognized that it is not really a tool to prevent piracy, but rather an attempt by large corporations to exert government control over their consumers. Unfortunately, SOPA is not the only bill currently in Congress attempting to regulate the Internet. The PROTECT IP Act also has a stated goal of curbing piracy, and while it is slightly less extreme than SOPA, it will also take down entire domain names rather than just copyrighted material. Experts warn that, like SOPA, PROTECT IP may cause serious technical problems for the Internet.

If we are lucky, both of these bills will be voted down after Congress' winter recess ends. However, it appears that if SOPA will be voted down then PROTECT IP will be presented as a reasonable alternative. One can only hope they make a Firefox extension for that bill too.

Chase is a junior in Marshall College double majoring in Mathematics and Economics.

THROWING AWAY THE KEY JOSH SILVERMAN

On Dec 31, 2011, while New Year parties distracted the nation, president Barack Obama signed the National Defense Authorization Act for 2012, coauthored by John McCain (R-AZ) and Carl Levin (D-MI), into law. Historically, the NDAA has simply funded the activities of the Department of Defense, but has not been a vehicle for substantive changes to the judicial code or military policy. No longer. Several pieces of the 2012 bill, namely, sections 1021, 1022, 1026, and 1045 have been interpreted as fresh assaults on major portions of the bill of rights, as impediments to national security and as opening moves for a military engagement with Iran. To some, these are unsurprising developments that are largely in agreement with the previous eleven years of alarming Bush-Obama continuity on foreign policy and civil liberties. To others, who perhaps have not been watching so closely, it is a clarion call to scrutinize the president they chose in 2008, when he passionately argued a wholly different set of values, buttressed by his self-proclaimed title of constitutional scholar.

Perspectives on the gravity of this bill will vary. Many were shocked in July 2011 when Jeremy Scahill, writing in *The Nation*, uncovered a series of CIA prison sites in the Somali capitol of Mogadishu, where despite president Obama's previous executive order banning unlawful torture, interrogation via extraordinary rendition was alive and well. Such acts were assumed to be policy of the past.

Similarly, many will assume that the section legalizing the indefinite detention of U.S. citizens represents some kind of bold step forward. In fact, such 6th-amendment-shredding authority has long been assumed by both the Bush and Obama administrations. Trifling indeed, as the September 2011 murder of Anwar al-Awlaki confirmed, Obama has already exercised the power to assassinate U.S. citizens (including children) without a shred of due process, largely through the expanding drone program. Surely some uncomfortable feelings of envy and admiration were stirred in Dick Cheney that day. Let us examine the sections in turn.

By leaps and bounds, Sections 1021 and 1022 contain the most hotly contested language of the NDAA, due largely to their vagueness. In quite uncertain terms, it is declared in 1021 that "a person who was a part of or substantially supported al-Qaeda, the Taliban, or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act or has directly supported such hostilities in aid of such enemy forces" may be held in "detention of the law of war without trial until the end of the hostilities authorized by the Authorization for the Use of Military Force."

Some vital questions come to mind: What is an associated force? What is a belligerent act? What acts constitute an aid of enemy forces? When will hostilities end? As Bradley Manning's pre-trial hearing revealed, leaking evidence of war crimes to Julian Assange qualifies for a charge of "aiding the enemy." Will donations to Wikileaks now count as aid to the enemy? Can a foreign policy blog post not entirely dismissive of Al Qaeda's list of grievances be a belligerent act in aid of hostilities?

The striking thing about these questions is that they are legal ones that must be illuminated by due process. The 2012 NDAA, however, removes these questions from the purview of the justice system and puts findings squarely in the hands of the president. In glaring divergence from the 2004 Hamdi v. Rumsfeld case, which affirmed that habeas rights apply to U.S. citizens captured overseas, the NDAA explicitly waives the right to trial. This is without question the most insidious aspect for these kinds of terrorism-cancels-your-rights type of laws: the mere accusation of terrorism can be used to strip people of their constitutional rights, leaving them with no recourse to demonstrate their innocence.

Mistaken identity like the 150-plus innocent at Guantanamo? Tough luck! Concerned with having seven years of your life erased a la Lakhdar Boumediene? Big deal. Some have pointed to subsection 1021-(e) as somehow excluding U.S. citizens from the language of 1021. However,

the grammatical structure of this subsection implies that such exclusion applies only to persons captured within the contiguous United States and not those on foreign soil. For all its faults, this bill was not lightly pondered and the language would have forcefully excluded all U.S. citizens from the infinite detention provision had that been the intent. Quelling any such wishful thinking, a two-page amendment offered by Dianne Feinstein drafted solely to block the indefinite detention provision from applying to U.S. citizens was voted down in the senate.

Lesser discussed is the alarming subsection that allows for persons to be shipped around the world via transfer to "any other foreign country, or any other foreign entity" under direction of the president. Literally permitting the president to have individuals flown around the world to whatever brand of legal system suits the desired interrogation. Of course, the executive branch has long exercised all of these powers, but it was never clear that the actions were being undertaken legally. What Section 1021 amounts to is a codification of these assumed powers, realizing, after the fact, the opinion that they are legal. While this does nothing to resolve the rather glaring contradiction between Amendments Four and Six of the Constitution and the executive branch assuming these powers, it may now be possible to challenge these theories in the courts.

Section 1022 extends the theme of 1021 but raises national security concerns above and beyond the previously mentioned civil liberties objections. Section 1022 mandates the military detention of captured persons that are not U.S. citizens, and allows for military detention of captured persons that are U.S. citizens. To put mandates on military detention is bizarre at the surface, and it is hard to understand given the harsh criticism of everyone from CIA Director David Petraeus to Director of National Intelligence James Clapper and their public worry that such provision will actually hinder handling of real terrorism cases. It unfortunately comports with the budding, troubling post-9/11 view that terror cases must not be handled in criminal court, despite the highly successful use of courts to prosecute them.

The most delightful section of the bill is perhaps 1245, which cavalierly implements onerous sanctions on corporations and central banks that dare broker with the Iranian central bank. Without much of a national debate, or unveiling of a rationale, or a basis, or even any desired outcome of such sanctions, the U.S. has placed an embargo on Iran. Already, the Iranian rial has dropped a stiff 40% against the USD, no doubt punishing the poorest citizens of Iran more than anyone. And for what? If there ever were a reason for the Iranian citizenry to galvanize against an imperial threat, this would be it.

In signing the NDAA, and therefore Sections 1026-7, president Obama has further caved on a core campaign promise, to close the prison at Guantanamo Bay. These sections, in explicit terms, forbid the use of Department of Defense funds to transfer any prisoners of Guantanamo Bay to the United States, virtually guaranteeing that the prison will not be closed, as he promised it would. Indeed, many of the theories expressed in the NDAA stand in stark contrast to his promises and beliefs espoused as a candidate. But what is most disappointing is not his assenting to these odious provisions, but rather the manner in which he approved of them. On the campaign trail in 2008, Obama unequivocally disavowed the use of presidential signing statements, classifying them as unconstitutional, adding that "congresses job is to pass legislation, the president can either veto it, or he can sign it... I taught the constitution for ten years, I believe in the constitution and I will obey the constitution of the United States." In signing this NDAA, he did just the opposite.

Claiming disappointment with pieces of the act in a feebly inked signing statement, Obama approved it without even a token threat of veto. Given the defense appropriations embedded in the act, objection to any other year's NDAA could amount to political firestorm. However, given such alarming assaults to the bill of rights, the beginnings of a potential war with Iran and the cramping military detention requirements embedded within, there is really no excuse for folding.

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THE U.S.A. IN 2012

DEMISE OF THE UNITED STATES POSTAL SERVICE

JOSHUA MARXEN

The United States Postal Service has been running at a loss for years now. Things cannot continue as they are, and there are several options that the Postal Service and our government can adopt to solve the problem. What is the problem? What does it mean for us? How do we solve it? This article will attempt to answer these questions by taking stock of the factors undermining the postal service, looking into the history that brought these problems about, and examining the solutions other countries have adopted.

Before we discuss the problems, we must ask how the Postal Service affects us. First, is the financial (in)solvency of the USPS a tax burden? The answer is technically no, but practically yes. In 1970, Congress passed the Postal Reorganization Act, which made the USPS an agency independent of the Federal Government (before, it had been a department of the executive branch, the Post Office Department). As such, it was to be financially self-sufficient, and received no annual appropriation from federal tax revenues. However, in the last decade, it has taken out loans from the U.S. Treasury to compensate for recent losses, and its current outstanding debt is nearly \$15 billion (it's official debt ceiling). This should not be surprising, but it is far from the worst bailout in recent history.

Second, what would happen if USPS went bankrupt? It would mean an immediate cessation in the delivery of letters, because the USPS has a legal monopoly on this activity. It is illegal for any non-postal worker to deliver the mail (packages/parcels are exempt).

So, why is this happening? The losses incurred by the USPS stem from a convergence of several hardships. First, mail volume has decreased

by 20% since 2006 – there is now more junk mail delivered than normal mail – presumably due to increased use of e-mail and the internet. Second, the USPS operates under a Universal Service Obligation (USO), which means two things: it must serve all addresses in the U.S., and it must serve them at a universal, cheap (sub-market) price. On account of this, it is estimated that 80% of the ~36,000 post offices in the US run at a loss. Third, the postal workers unions, such as the National Association of Letter Carriers (NALC) and the American Postal Workers' Union (APWU), are the dominant forces shaping USPS financial policy. About 80% of USPS revenue goes to employee wages, compared with FedEx's 43% and UPS's 61%. In addition, the USPS has agreed in union contracts to pay for 79% of its employees' health care, compared with the standard 72% for federal workers. Fourth, the USPS is subject to Congressional oversight that prevents it from using its discretion to adapt to market conditions, and is prohibited from making a profit or entering markets unrelated to mail.

Some argue that more recent hardships, such as the economic recession and, especially, a 2006 Congressional mandate that the USPS pay \$5.5 billion annually into future retiree pensions, are more immediately threatening. However, since both Postmaster General Patrick Donahue and many of the unions agree that the pension payments are a bizarre and unsustainable expense, Congress will likely relax its mandate.

But what about the other problems? Donahue is making every attempt to reduce costs within the given framework. Some make sense, but many compromise the USO, including: a raise in postage rates by 29% since 2001; closing 3,700 of the costliest post offices; and eliminating Saturday service. The latter two still await

Congressional approval (this could change by the time this article is printed). If they pass, the USPS can only pretend to continue offering universal service. If they don't, the USPS will continue to lose revenue until it must be bailed out with taxpayer money.

That is, unless Congress adopts this solution: 1) remove the USPS's monopoly on mail delivery, 2) remove regulations on and privileges enjoyed by the USPS which do not apply to competitors like FedEx and UPS, and 3) relieve the USPS of its universal service obligation, or at least redefine the USO so that the USPS is only required to provide mail service for citizens who have not or cannot select a private mailing alternative.

All of these steps go hand in hand. The reason that the USPS is subject to so much regulation and oversight is because these were the conditions on which it was granted its monopoly, in lieu of competition and to balance out the privileges it enjoys (no federal taxes). No monopoly means no reason to regulate it any differently than other businesses in the industry, and the USPS could have the same flexibility as their competitors in adapting to market conditions. Also, the monopoly was conferred so that it would have the market access necessary to meet its USO. No USO, no need for a monopoly.

Many believe the elimination of the monopoly would be detrimental to citizens because they see mail delivery as an essential service that can only be reliably supplied by the government. Besides the fact that the USO is tenable only as a contribution to the federal deficit, as demonstrated above, and that the status of mail as an "essential" service is plummeting rapidly, the argument is flawed because it assumes that a single organization must be responsible for universal service. A newly privatized USPS will start out with 100% of the letter delivery market. Any reduction from that is necessarily an improvement for citizens, because it means



that those who turned away have found a more suitable alternative mail service otherwise unavailable during the monopoly. Thus, service distribution is not only maintained, but it is also improved by allowing competitors to take up some of the service.

Postal privatization has worked in Europe. Sweden became one of the first countries to open its postal service, Posten, to competition in 1993, adopting provisions similar to those outlined above. Germany was quick to follow in 1994. These governments require the privatized postal departments to maintain their USO, primarily to ensure that rural residents maintain access to postage rates comparable to urban residents, despite the increased cost of delivery to remote locations. (Whether or not a market solution to the problem of rural delivery exists is a debate for another time.) But the legal monopolies are gone, and competitors have moved in to satisfy niche markets. Allowed to freely innovate, the businesses have decreased costs by moving their operations and employment into supermarkets and banks, and brought themselves up to speed with new telecommunications technologies by offering increased online and cell-phone services to replace traditional mail services.

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See Drone, Part 1 to continue this story.

There have been reports that the Sentinel was taking part in routine U.S. surveillance of Iranian nuclear facilities inside Iranian airspace, which has been going on for months. So far, the U.S. has said that the Sentinel had a malfunction and crashed, but Iran has claimed something entirely different. Initially, Iran had said that its forces shot the craft down. However, as they displayed their trophy to the world on December 8, it was clear to see that the Sentinel suffered little to no damage in the capture process, which would be unlikely if the Sentinel had really been shot down and had fallen to Earth from such a high elevation. Suspicions arose that Iran used an "electronic ambush" to bring the RQ-170 Sentinel down, and soon the Iranians began to change their story.

On December 15, 2011, the Christian Science Monitor published an interview with an Iranian engineer in which he claimed that Iran had indeed defeated the drone with "soft-kill" techniques. It is known that Iran has previously brought down other, less advanced U.S. drones. The engineer claims that the weak point in the drone technology is the GPS, and that by studying the older drones, Iran had designed an ambush for the Sentinel. They jammed the communications between the drone and the controller, which forced the drone to go on autopilot. Ideally, if communications are lost, the drone's autopilot brings the craft back to its home base (Afghanistan), but Iran hacked into the GPS system, fed the drone false coordinates, and brought it to a safe landing in an Iranian base instead.

The idea of Iran hacking into a U.S. stealth drone is not totally far-off, though it is difficult because of the counter-measures built in against this. The military has known about flaws in drone security for years. Earlier this year, a whole fleet of U.S. drones was disabled by a virus on a base in Nevada, and in 2008, Iranian-backed Iraqi Shi'ite insurgents managed to intercept unencrypted video feeds from drones by using widely-available commercial software. The scenario described by the Iranian engineer lends some credibility to a way that Iran could override American controls.

But what technology do the Iranians have? Only a few sources still hold the opinion that the drone suffered significant damage, while most say that there is no evidence of damage and that Iran indeed hacked the drone. The drone is very sophisticated technology, something that probably does not exist anywhere else in the world at the moment. This means that very new American technology is now exposed, which is something that the Russians and the Chinese want. While perhaps not building their own fleet of advanced stealth craft, the Iranians will most likely invite experts to learn more about the thermal imaging cameras, high resolution cameras, and other pieces of technology housed in the belly of the craft.

Iran will most likely turn to Russia who will drive a hard bargain for access to the Sentinel. Sources from Moscow disclose that the price set by the Iranian Revolutionary Guards commander includes advanced nuclear and missile technology—specifically systems using solid fuel for uranium enrichment, and the Russian S-300 air defense system, which Iran has been seeking to acquire. One of the most potent anti-aircraft missile systems in the world, the S-300 system would seriously impede any American or Israeli attempts at striking nuclear sites in Iran. Whether the Russians will agree to this price just to inspect and gather information from a downed American drone is a matter of speculation.

What is not a matter of debate is how big a blunder this is for the United States. This is both a failure for U.S. intelligence and an exceptional intelligence and technological achievement for Iran. Indeed, the Iranians, for their part, have since mocked Obama for "begging for his toy back," after President Obama embarrassingly asked that Iran return the drone. In any event, this setback will likely, for a time, change the dynamics of the ever-present Israeli, Iranian, and American covert war.

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THE WORLD TODAY

MODERN DAY APARTHEID KELSEY DOIRON

For a tiny island along the western coast of the Persian Gulf, Bahrain has received a considerable amount of media coverage in recent months following the crackdown by its leaders on protests sparked during the Arab Spring. Although the suppression of their Arab Spring-related protests should not be ignored, there are greater issues at hand; Bahrain is an apartheid state.

Although people often use the term “apartheid” loosely, the term has a very specific definition; it is based on the Afrikaaner word for “apartness” and originates from the former regime and social structure of South Africa, in which racial discrimination was institutional, involving both legal and societal segregation. In 2002, the Rome Statute of the International Criminal Court (ICC), which classifies apartheid as inhumane acts of a character similar to other crimes against humanity, defined the “crime of apartheid” as “an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime”.

From 1948 to 1994, South Africans lived under a system of apartheid, with whites acting as the ruling minority that oppressed the non-white majority by limiting their rights. That inhumane regime has faded into the depths of history, but use of the term “apartheid” has not. Bahrain is a country with too many parallels to the former South African social and political state for it to not be accurately labeled as an apartheid regime.

Bahrain is an example of religious apartheid; instead of being between an oppressive white minority and non-white majority, Bahrain has a Sunni Muslim minority that rules via what is claimed to be a constitutional monarchy over

a Shi’a Muslim majority that comprise around 70 percent of the population. The Shi’a people claim that they are oppressed and discriminated against in the political system and in the work force. Bahrain’s constitutional monarchy has a Sunni king who appoints the highest positions in government; however, Sunnis fill these positions almost exclusively. This institutional under-representation has existed since the 18th century when the Sunnis gained power. This feeling of oppression helps to bring the recent Arab uprisings into context. This is why the protests that have recently arisen in the country are primarily blamed on the vast Sunni-Shi’a division. In the International Journal of Comparative and Applied Criminal Justice, Professor Staci Strobl of the John Jay College of Criminal Justice describes the demonstrators as “protesting an apartheid system that denies them opportunities equal to those of their Sunni neighbors...From colonial policing to community policing in Bahrain: The historical persistence of sectarianism”.

Notably, this exclusion of the Shi’a people includes not only high-ranking positions in government and the private sector, but security positions in general. According to the Bahrain Centre for Human Rights, there are many important institutions and ministries of the government in which there are no Shia at all. Some of these institutions include the Ministry of Defense, National Guard, Ministry of Interior Affairs, Ministry of Cabinet Affairs, The Royal Court, The Central Informatics Organization and The Supreme Defense Council. Maintaining control in these fields of employment, specifically in law enforcement, allows the Sunni to retain power during any social and political unrest against the government. Furthermore, one of the most concerning places the Shia population is almost completely excluded from serving is the military, despite constituting

nearly three-quarters of the country’s population. Instead, Bahrain imports Sunni troops from countries such as Pakistan, Yemen and Saudi Arabia.

Although there are not separate beaches or mandated separation of the two religious groups, as was the case in South Africa, there are clear examples of discrimination and political inequality. Most recently, Shi’a protesters who were demanding more equality and protesting for democracy were met by more oppression from the Sunni leaders. The government arrested Shia human rights activists participating in protests en masse, while the Sunni police and military forces engaged in torture and murder in an attempt to intimidate the opposition. The government’s crack down against protesters and its systematic oppression of the Shi’a majority suggest the classic apartheid markers are in place within Bahrain.

On the non-violent end of the spectrum of oppression is the massive loss of jobs as a result of the Shi’ite-led protests. According to reports by the Associated Press, approximately 1,600 people have been pushed out of their jobs since March due to suspected support of the campaign for more rights. Shi’a students have also been removed from universities based on association with the protest. However, firing employees is not the only way the government has tried to stop anti-government sentiments from continuing. More than 1,400 people have been arrested and at least four people have been tortured to death. Other human rights groups also report that another 34 people have been killed as a result of attacks on protesters and police brutality. Finally, reports by the BICI (Bahrain Independent Commission of Inquiry) reveal many heinous actions, such as the illegal arrests of thousands of people, torture, reports of detainees who were subjected to unfair trial, attacks on expatriate workers and attacks on Shi’a places of worship. These oppressive techniques were all used during the crackdown on those

associated with or suspected of participating in democracy protests.

The intimidation and oppression tactics by the police and government even went as far as to discourage those injured during the protests from seeking medical treatment. Medics were initially detained and targeted for treating the injured protestors and for reporting to the international media about the injuries and casualties resulting from the uprising and subsequent violent government crackdown. Now, the government is trying to pin them with allegations of supplying weapons to protestors. According to Human Rights First (HRF), these medics have been arrested illegally, without access to lawyers, tortured until confession, and given sentences of 5 to 15 years in military court. HRF and other human rights organizations are calling for the release of this unjust imprisonment of these medics, along with other prisoners wrongfully detained as a result of the crackdown.

The findings released in the BICI report exhibit obvious human rights abuses by the government. Continuing these grave human rights abuses in the face of protests that continue to plague Bahrain will only further the feeling of inequality and apartheid by the Shia majority. The demand for democracy via peaceful protest should not be met with more oppression by the Sunni minority-led government. If the government does not address the rampant inequality, tensions are likely to continue to fester and escalate and could eventually lead to even more instability, bloodshed, and disaster.

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THIS IS WAR ALEXSANDRA MCMAHAN

Within the past month, the Kenyan forces fighting on behalf of Somalia’s government have provoked Al-Shabaab, the Islamist militant group maintaining control of the Central and Southern portions of Somalia into several bloody battles. Fall of 2011 marked the beginning of Kenya Defense Forces (@MajorEChirchir) using online social media to provoke Al-Shabaab. Until recently, the militants had responded in the physical world, but had yet to involve themselves in the online conversation via the US-based micro-blogging service Twitter. Over the first few weeks of December, however, Al-Shabaab has emerged with the Twitter handle @HSMPress—referencing the alliance’s full name, Harakat al-Shabaab al Mujahideen—to engage in a different kind of warfare. In the past week, Slate, ABC News and the New York Times have released stories elucidating how the US government is now exploring means to shut down the @HSMPress account under the vague concerns for “national security” and “homeland defense.” All of these recent developments within the international social media realm force us to question the United States government and the responsibility of monitoring the physical wars that emerge from Twitter.

As it appears at time of publication, it seems that the United States government would like to serve as a monitor and enforcer on accounts, such as @HSMPress, that are harmful to governmental interests. Although the government should hold protection of American citizens as their most paramount activity, here they fail to recognize the need for limitations on governmental control involving free speech and private business practices. Twitter, as a private corporation, is not government-associated and has no inherent political biases. Most users can attest there is no sworn allegiance to a certain political ideology or government agenda and their twitter feeds will reflect that. Indeed, this is the beauty of such social media platforms: they allow democratic expression of voices without the bureaucratic oppression of the American government. As ironic as it may seem, that also means the voices of those who critique democracy can also be heard. Allow-

ing the US government to act as a watchdog over social media would be contrary to fundamental Constitutional protections of individual voices and free press.

Instead of trying to limit the accounts of potentially dangerous foreign organizations, there are a few other options the United States government might pursue. First, they should remember to stay removed from the situation. Foreign occupations of Afghanistan, Iraq, and multiple other nations have apparently taught our public officials very little. Thus far, we have maintained a surprisingly safe distance from the ongoing deterioration of Somalia; it should stay that way. Furthermore, should any other nation choose to critique a non-interventionist approach, the United States government has a ready-made Constitutional excuse: as a private corporation, Twitter creates and enforces its own contractual agreements with its users, per the fundamental understanding of free markets and personal agency.

Any intervention in the Somalia fight on Twitter would be hypocritical of the US government. For the past several weeks, US military officials’ twitter handles, such as @isafmedia, have been engaging with known Taliban members via Twitter as well. Here, many of the tweets are clearly inflammatory and provocative, with tweets directly to Taliban officials, such as @ABaliki, with statements like “Sorry @ABalkhi: looting and beating innocents NOT part of ISAF practices during routine searches.” The government, as of publication, has yet to take any efforts to stop or criticize these interactions, but they seem to feel other countries and organizations should play by different rules.

Finally, public officials should eliminate the current governmental philosophy that protection should be garnered at the price of individual liberty. The creation of the War on an Abstract Concept with No End Goal — whoops — I meant the War on Terror, has developed a culture of fear. Following the Patriot Act, TSA, and even the recent attempt with SOPA and NDAA, Americans and public officials have re-



peatedly put aside individual rights in the name of protection only to find out later that the sense of security garnered is false. In all of these situations, the loss of personal agency has not provided an appropriate increase in security. The same imbalance would occur if the government began monitoring free-speech platforms such as Twitter. Instead of propagating paranoia and removing the rights of the people, decisions should be made in favor of maintaining individual liberty. Generally, results have shown that such a linearization proves more beneficial than absolute protection. Consider the Arab uprisings: with US-enforced limitations on rebel tweeting, significant portions of disenfranchised populations would have been silenced and the results may have been drastically different. Instead of serving as a catalyst for democratically-minded movements, Twitter would have been another example of US public policy gone wrong.

At the end of the day, the United States should remember that it is not the protector of the world; Somalia, Al-Shabaab and their wars fall outside jurisdiction of our law. If the government itself cannot serve as legal judge to the outcomes, they should not monitor, police or participate in the procedure either. The United States government’s assumption that monitoring privately-owned social media

is within its domain of power should be wholeheartedly challenged by individuals’ interested in their right to free speech: Governments do not get to pick and choose how private businesses work — they are welcome to use these tools for political manipulations, but they have no right to control them. As we support a free market, this may give way to voices that some find frightening. However, it maintains a practical balance between the governmental responsibility to protect and the right of the individual to speak. If the government really wants to take action, perhaps it should pressure its contacts at mainstream American newspapers. After all, @HSMPress’s followers have increased five-fold in the two weeks since the publication of the first ABC News’ article “Al Shabaab Picks Twitter Fight.” It would appear that the mainstream media is more effective at spreading “terror” than any one Islamist militant.

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