

Independence blues

Courier II, an independent weekly newspaper owned by students, is attempting to place distribution boxes in campus buildings. Unfortunately, the **Courier** is running into red tape in its efforts to secure distribution rights since there is no precedent to deal with the distribution of an independent student newspaper.

It also appears that several University agencies have not gone out of their way to help the **Courier** solve its circulation problems. And for any newspaper to be viable, it needs an effective and organized method of distribution.

The **Courier** is running into problems since it is currently not an official student organization and according to University rules only recognized student organizations can distribute items on campus.

The newspaper has applied for official status in order to set up distribution boxes, but Peter G. Wirtz, coordinator of Student Activities, has said their present constitution is not acceptable. Under University rules, no private business like the **Courier** can qualify as a student organization.

The **Courier** also took its case to the University Publications Board, which acts as the publisher of **The Daily Nebraskan**. The Board, which has had the unofficial policy of ignoring the **Courier**, said the question of the **Courier's** distribution is not in its jurisdiction since it has control over only official student publications.

The Board suggested to the University administration that distribution of independent newspapers should be allowed only in Nebraska Union booths and on public walks and campus malls.

The Council on Student Life at its meeting today will discuss the question of jurisdiction over independent newspapers. It appears that CSL will have to completely change the current University distribution of newspapers on campus if the **Courier** and other independent newspapers are going to be allowed to distribute in campus buildings.

Denying the **Courier** distribution rights has crippled the newspaper and put the University in the position of suppressing information. Hopefully, CSL will correct this situation by giving independent newspapers distribution rights in campus buildings.

Make love number 1

It is refreshing to see that UNL spirit organizations this year are taking a new approach to homecoming. Tassels and Corn Cobs are urging all living units that have built homecoming displays in the past to contribute the money they would have spent on the structures to a University Foundation fund set up to aid Love Library.

Enthusiasm in building homecoming displays has dwindled in recent years because students have felt the displays are not worth the time, money and effort involved for only a week-end project. And they are right.

The goal of the spirit organizations in their fund raising campaign is to "Make Love Number 1." Money collected for the Library will be channeled where it can do the most good for students providing learning materials, additional volumes of books and needed equipment.

Without a doubt, the Library needs all the help it can get. A recent survey of 50 leading American and Canadian university libraries revealed that UNL's libraries ranked 50th.

The fund raising drive should dramatize to the state that Love Library is truly a Nebraska resource and the only research library in the state.

The drive should also demonstrate to state senators the need for the long overdue addition to the library. The University has requested \$3,320,000 for 1972-73 to expand the overcrowded library.

However, the success of the drive will depend on the response of students. Living units and individual students who contribute to "Make Love Number 1" will be helping themselves in the long run.

Gary Seacrest

The Nixon Court opens crucial term

by Robert Shogan
Newsweek Feature Service
WASHINGTON--At exactly 10 a.m. on Monday, October 4, a marshal will chant the ritual "oyez," commanding "all persons having business before the honorable, the Supreme Court of the United States... to draw near and give their attention..." As the spectators rise, seven justices will file out from behind the red velvet drapes to take their places at the gleaming mahogany bench.

Technically, that moment will signify nothing more than a new term for the Supreme Court. But it will also mark the beginning of another portentous era in the history of the nation's most powerful judicial body.

The absence of two such influential figures as Hugo Black and John Harlan and the eventual presence of two new justices whose philosophical and legal bent have yet to be tested would be important at any time.

But in its upcoming term the "Nixon Court" will be confronting more issues, of more profound and lasting import to all Americans, than any Court has had to settle in recent years.

The Court will delay consideration of some major cases until it is officially joined by its two new members. In all, it will decide more than 300 cases. In addition, the Court will probably hear arguments on about 150 other cases and decide another 150 to 200 on their merits without hearing arguments.

Perhaps the most important, and certainly the most dramatic, issue the Court has agreed to decide upon this term is whether capital punishment violates the Eighth Amendment's prohibition of "cruel and unusual punishment." Four cases—two involving murder, two rape—will be the pivotal ones, but the Court's decision may well decide the fate of more than 600 men languishing in death rows around the country.

Another critical issue—and one in which the Earl Warren Court was particularly active (and controversial)—is the protection of individual liberties against the intrusion of the government.

Sometime during the winter, the Court will hear arguments on an important case challenging the Nixon Administration's contention that the Attorney General has the right, on his own authority, to conduct electronic surveillance of persons suspected of domestic subversion.

The case involves a defendant, charged with bombing a CIA office in Michigan, whose phone conversation was tapped by the FBI. The government is appealing a Federal District Court ruling that such bugging, without a court order, violates the Fourth Amendment.

The press will also have its day in court this term, in cases



Chief Justice Warren E. Burger

deciding whether newsmen have the right to be free from governmental subpoenas concerning their professional work.

The most celebrated case involves New York Times reporter Earl Caldwell, who refused to appear before a Federal grand jury which wanted to question him on stories he had written about the Black Panthers. Caldwell contended that for him even to talk to the jury would damage his professional relationship with confidential Panther sources.

While some legal experts are sure that the more conservative Court of Chief Justice Warren E. Burger will be less aggressive than the Warren Court in such areas as criminal law and civil liberties, they agree that the new Court may well set important precedents in two relatively free areas: environmental and consumer law.

On the environment, the Court has agreed to hear arguments on whether states have the right to sue neighboring states and their cities in Federal courts because they have permitted pollution of rivers and lakes directly affecting the plaintiff state. And it will take up the question of whether conservation groups, specifically the Sierra Club, have the right to sue the Interior Department to stop it from turning over parts of the national forest to commercial firms for recreational development.

Consumer law cases include tests of the constitutionality of such things as garnisheeing wages and repossessing goods without prior notice, and the eviction of tenants who

withheld rent as a pressure tactic to force landlords to make necessary repairs.

Among the other vital constitutional issues to be heard this term are:

—In criminal law, whether the guarantee of free counsel applies only to offenses carrying a penalty of more than six months; whether state laws permitting guilty verdicts by less than a unanimous jury vote should be allowed; and whether the government can compel a witness to testify without granting him total immunity from prosecution.

—In the field of women's rights, questions of the propriety of state laws which give male heirs precedence over females in estate procedures, and complex issues involving state abortion laws.

—And in birth control, whether a Massachusetts law prohibiting the sale of contraceptive devices to unmarried women is constitutional.

Because of President Nixon's new appointees, there are those who predict that the verdicts in many of these areas will be conservative and will represent a sharp break with the recent past. But in view of one respected legal expert, Yale law professor Alexander Bickel, the changes that are bound to come in the Court this session are not quite so epic.

Rather, he says, they are part of "the rhythm of events. The cycle in the history of the Court was upon us, and it would have been upon us even if the membership of the Warren Court had remained intact. There's a limit to what any set of men can do. Now is the time for digestion and consolidation."

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sen. george mc govern

Nixon — promises, promises

Sen. George McGovern, the first announced candidate for the 1972 Democratic Presidential nomination, will deliver a "major address" in the Nebraska Union 1:30 p.m. Friday.

In his Inaugural Address, President Nixon pledged to increase the participation of our nation's youth in the decision making processes of our country. I applauded that pledge, and was encouraged by the President's expressed intentions.

Today, almost three years later, it is clear that he has failed to keep that pledge. In three critical areas, Administration inaction has left young people without the means to participate fully and equally in American life.

In July, 1971, 18-year-olds won the right to vote, and yet millions of these newly enfranchised voters will not cast their ballots next year because of unfair local restrictions. In New York, state party enrollment closes on October 2 for a primary nine

months later. In New Hampshire and North Carolina, among other states, there are no provisions for absentee balloting in primary elections. In 29 states, there are no provisions for absentee registration.

In the majority of states, students are being denied the right to register and vote where they attend college, and servicemen are unable to register and vote in the communities where they are stationed. The combination of these restrictions will prevent millions of young people from exercising the right guaranteed them in the Constitution.

The burden of defending the Constitution and upholding civil rights rests with the executive branch. Only strong action by the Nixon Administration can ensure that the right to vote for young people will be a living reality and not a paper promise. Yet the Nixon Administration has failed to take that action. The Attorney General has announced that the Nixon

Administration opposes the right of students to vote in the communities where they go to school.

I have introduced legislation in the Senate along with Senator Alan Cranston of California which would allow students to register and vote where they attend college. I will introduce legislation which will allow our approximately 800,000 servicemen to vote where they are stationed.

I call upon President Nixon to support these measures. I call upon the Justice Department to meet its responsibilities to defend Constitutional rights by establishing uniform guidelines for voter registration throughout the country so local barriers do not negate the most significant Constitutional reform of our time.

In a second area, the President has failed to match action to promise: he has appointed only scant numbers of young people to Federal Boards and Commissions.

He did not place a single

person under 30 on the President's Commission on Marijuana and Drug Abuse, an area in which young people are directly involved and about which they have a great deal of knowledge. He did not appoint one student or young person to the Task Force on Priorities in Higher Education even though higher education exists for and because of students, and even though education is one area in which young people have the most experience.

The youngest person on the Citizens Council on Youth Opportunity was 35, and the President has since abolished that commission. There were no students or young people on the Commission on Vietnam Veterans. He did not appoint one person under 30 to the Commission on All-Volunteer Armed Forces, even though young people are the ones who are drafted.

There is a third area of our national life, directly affecting young people, in which the Federal Administration can and must do better. That is

youth unemployment. Under the Nixon Administration, unemployment among persons 16-21 years of age has risen 50 per cent to 17.3 per cent. Unemployment among black youth is close to 40 per cent.

The President was urged to take action which would have prevented the rise in summer unemployment. The mayors of a number of major cities told him that \$145 million would be needed to adequately fund the summer youth employment program this summer. Incredibly, he requested from the Congress only \$64 million.

It is an indication of the mistaken sense of priorities of this Administration that it can request billions of dollars for atomic missiles, billions for senseless slaughter in Indochina, and billions for a snob appeal airplane to take the rich to Paris, while it cannot summon the effort even to request enough to put eager young men and women to work.



tom braden

The woman question

HANOVER, N.H.—I had not paid much attention to the movement for women's liberation until the other day when I discovered that I should have to cast a vote on the question.

The notice came in the form of a letter from the clerk of the board of trustees of Dartmouth College. There would be a special meeting of the board to consider "the presence of women at Dartmouth."

As a trustee-albeit very junior—I am aware that some graduates of Dartmouth might have phrased the notice differently. They might have put it as follows: "Would you reverse more than 200 years of tradition and admit women to a men's school?"

They have a point. As a freshman at Dartmouth, one learns the words of a song by an early American poet named Richard Hovey. It includes the lines, "Men of Dartmouth, give a rouse, lest the old traditions fail."

But traditions are not meant to imprison intelligence. As Amy Lowell wrote in a rebellious line, which might have been an answer to Hovey, "Christ, what are patterns for?" It seems to me that the advocates of women's liberation have an equally strong tradition. It is that women in this country have been treated very badly for more than 200 years, and that it is time we set about righting the wrongs.

I say this with a certain querulousness about the phrase, Women's Lib. It smacks of the Third World, the New Left, four-letter words from somebody named Kate Millet and a lot of other baggage which doesn't have anything to do with the treatment of women. "The feminist movement" is a better phrase. It has history behind it, although it is history of a largely unsuccessful cause.

We do not treat women equally in this country. They do not get equal pay for equal work. They do not get equal job opportunity, or equal chance for promotion,

or even equal treatment under law. "Remanded for determination as to whether a woman with children under six is a poor employment risk," said a recent court decision. Would the same court have questioned whether a man with children under six might be a poor employment risk?

But law is a sanctifier of prevailing thought, and prevailing thought on the role of women is marvelously expressed by Dr. Benjamin Spock: "If a mother realizes clearly how vital is her care for a small child," Dr. Spock advises working mothers, "it makes it easier for her to decide that extra money or the satisfaction she might receive from an outside job is not so important after all."

The feminist movement does not deny the physical fact that women have a special responsibility toward children. It does deny that this special responsibility implies a lifetime of child care. But child care is the general consensus. General consensus will be changed by education long before it is changed by law.

Here in Hanover, the argument goes hot and heavy. A number of Dartmouth alumni, quite naturally like to think that the four years they spent on one of the most beautiful of American campuses was a good way to spend four years. That being so, why change?

The faculty on the other hand is largely convinced that education without women is less than the best. It is, they say an anachronism, a relic of the warrior society which regarded women as bearers of children, preferably male.

My own vote is in favor of a tradition even older than Dartmouth but which Dartmouth, as always, upheld. It is that the best way to right wrongs, make improvements and advances is through education. If educated men can't make responsible change, what's the point of Dartmouth?



"And if I fail to defeat my worthy opponents here decisively, I will resign."