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Hearing on non-public schools focuses the debate

By D. L. Horton

The Nebraska Legislature's Education committee hearing on non-public schools packed the hearing room. Testimony also was broadcast by closed circuit television to a hearing room across the hall.

The subject of the hearing was the highly controversial issue of state regulation of non-public schools. From the beginning of the hearing, Sen. Gerald Koch stressed "We are not here to deal with emotions," and added that he would clear the room of anyone not able to control his feelings.

Koch had to repeat his threat once during the testimony when some members of the audience burst into applause during testimony supporting total freedom for private schools.

State's responsibility

Opening testimony from Dale Siefkes, legislative analyst for the education committee, stressed the three-pronged responsibility of the state: compulsory attendance, curriculum outline and certification of teachers.

However, testimony gradually brought out the much publicized question of teacher certification by the state.

R. McLaran Sawyer, a history of education professor in the UNL Teacher's College, said that Protestant clergy have traditionally supported free public education.

He set the stage for further testimony by saying that it is within the power of the state to enforce the same standards for public and private schools.

"Should children who attend non-public schools be denied the protection of the state?" Sawyer asked. The remark was met with moans from the back of the hearing room.

DeCamp's bill

Sen. John DeCamp sponsored a bill last session to excuse non-public schools from the state regulation requiring teachers to be certified.

During his testimony DeCamp said that the goals of both public and non-public systems is to provide an education for the state's children in a safe environment. He said that Christian schools have showed

their good faith by complying with state regulations for health and safety, providing records of attendance to the state and submitting curriculum for state approval.

He told the senators that the present system may be wrong and "maybe there are equivalencies" the state can use to assure the suitability of teachers. He suggested that teachers be tested instead of accredited by the state. He said children could be given standardized tests to see if they learn from these teachers.

Jerry Falwell

"If you don't look at it (alternatives to certification) it starts bringing in the Jerry Falwells, whether you think they're great or lunatics," DeCamp said.

Ron Joekel, associate dean of UNL Teachers College and a certification official, explained current criteria for certifying Nebraska teachers. The prospective teacher must have a good general education, complete training in his academic specialty and complete courses in professional education.

He said he opposed testing children to determine if the teacher is adequate. He compared the procedure to giving a medical doctor his license after he is in practice. He said a teacher's purpose is to develop critical thinkers, not teach students to regurgitate information on exams.

Bible commands

The Rev. Carl Godwin, founder and pastor of the Bible Baptist Church which operates a non-approved school, said that the Bible gives the church a command to teach children without state approval. He said the state has no authority to regulate Christian schools even if they can meet the requirements. The church cannot give this authority to the state because Christ is the head of the school, he said.

However, he said that the government has a right to verify the quality of education.

Sen. Tom Vickers said this alternative would force the state to rely solely on students' test results in determining educational quality.

Godwin said the reverse situation now exists, as private schools rely only on teacher certification to ensure learning.

Drop certification

Sen. James Goll asked Godwin if he would recommend dropping teacher certification for public schools.

"Certify your own people," Godwin said. "The override of the First Amendment makes it inapplicable to our school."

Godwin said the people of his church disagree with the public school philosophy of education. He quoted two Lincoln Public School textbooks that teach evolution and the advancement of women.

The Rev. Everett Sileven, head of the Faith Christian School in Louisville, asked that the Legislature keep the question of education between parents and the state. He suggested that parents be responsible for yearly testing of students to avoid state requirements that would abridge

the religious freedom of Christian schools.

Overriding right

Martha Fricke of the National School Board Association and Herb Schimek, lobbyist for the Nebraska State Education Association, testified in support of current requirements.

Fricke said children have an overriding right to an education that will prepare them for life in the 21st century, and this will "require a global not parochial understanding of the world."

Dr. Stan Carlson of the Nebraska Department of Education said religious and public schools are equally considered under current requirements.

"We believe the religious rights of those operating schools (state approved) are protected," Carlson said.

Representatives of Seventh-Day Adventist, Catholics, and Missouri Synod Lutherans said their schools are endangered by excessive state regulation.



Photo by Kent Morgan Olson

Teresa Tushton, of Axtell, her mother and her father listen to Louisville Rev. Everett Sileven at a hearing on private school education at the capitol Wednesday.

Clark denounces death penalty

By Charles Flowerday

"Thou shalt not kill" is the one commandment humanity must understand if it wants to survive, said Ramsey Clark, former U.S. attorney general.

Speaking to about 30 people on the death penalty Wednesday, Clark said the common root which connects capital punishment, murder, genocide and war is the belief that you can solve problems by killing people.

"You can," Clark said. "But what kinds of problems can you cause?"

In a talk sponsored by University Program Council and the Union Homecoming Council, Clark listed five reasons for his opposition to the death penalty.

"The real reason to oppose it is we don't want to be killers," Clark said. "Do we really believe in the dignity of human life? Once we assume one person is evil enough to kill, we have to accord the same assumption to them (the 'evil' people). And to the last day we go on killing."

Other reasons he cited were:

- The death penalty corrupts the judicial system. "Do we believe in the possibility of a pristine form of justice when society doesn't have a passion for justice?" Clark asked.

- The means used to execute a criminal are intrinsically cruel. Clark said this argument was incomplete because painless methods such as gas chambers and injections, are used.

- The judicial system consistently makes mistakes and executes the innocent. Clark said he agreed with the French general Lafayette, who said he would always oppose capital punishment until he could believe in the infallibility of human judgement.

- The death penalty is invariably discriminatory. This rationale should be adequate in and of itself, Clark said. "Fear and hatred are not ever even-handed," he said.

More than 4,000 people have been executed in the United States since 1931 and all have been poor, he said. "Discrimination in executions in our past is undeni-

able," Clark said. Of all the executions for rape since that time, 89 percent of those sentenced to death were black, Clark said.

"Try to imagine any possible explanation other than racial hatred?" he said. "Can we now apply the death penalty fairly?"

The two reasons usually given in favor of capital punishment are retribution and deterrence, Clark said. Retribution is a difficult concept, he said. There is no agreement on its meaning, he explained. Clark said one explanation for the retribution argument was to channel public emotion and hatred into the criminal justice system to prevent lynchings.

"The system should kill to prevent people from doing it themselves," Clark said interpreting this rationale. "Is this the only thing our imaginations can offer in our horror at what this person (the condemned) has done?" he asked.

Regarding the deterrence argument, Clark quoted Supreme Court Justice Stewart Potter's assessment of its usefulness: "The evidence is equivocal."

"What does it mean when society accepts deterrence as a reason for killing?" Clark asked. It proves historian Joseph De Maistre's point that all social stability rests on the executioner's block, he said. **Continued on Page 3**

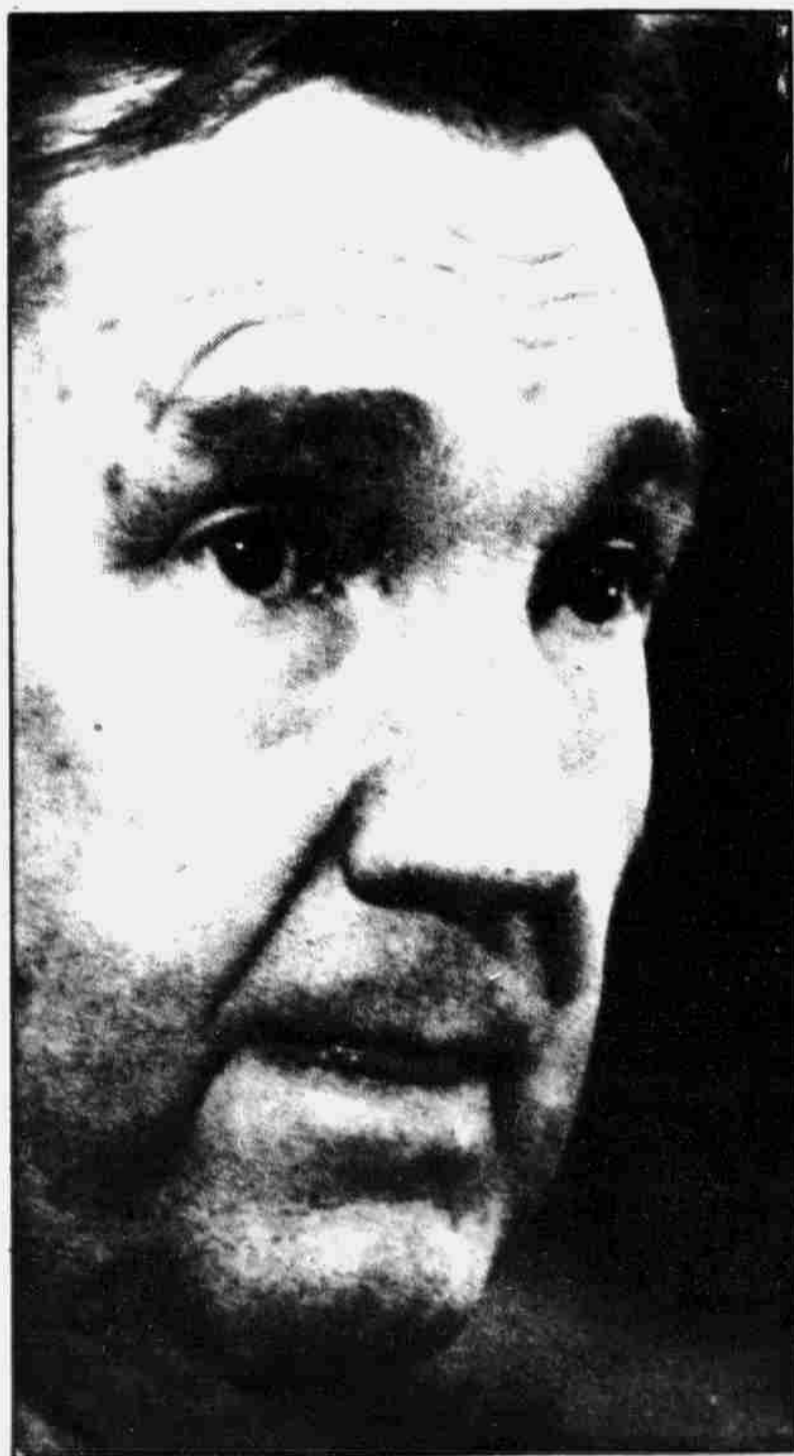


Photo by Mark Billingsley

Ramsey Clark

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