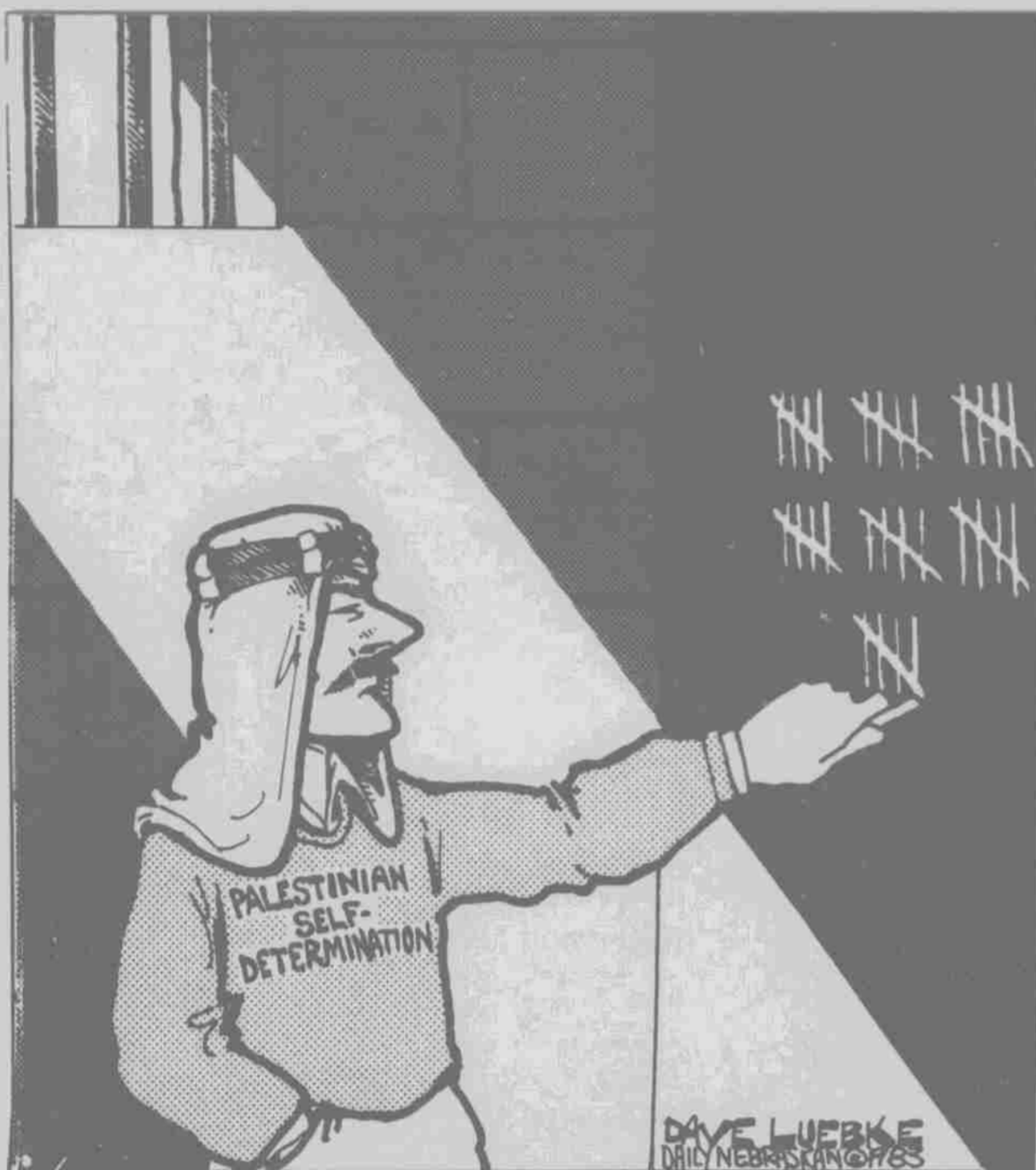


Editorial



Unique Greens are thorns in side of conservative Kohl

In a generally depressing election in Germany, one of the most encouraging things was the rise of the Greens. There will be 27 anti-nuclear Greens in the German Bundestag this term. They are determined to stop the installation of 572 new missiles in Western Europe near the end of this year, by parliamentary or civil disobedience tactics.

"When you have a Chancellor who is more Reagan than Reagan, somebody has to make it clear that Germany doesn't want those rockets," Petra Kelly, the most



Eric Peterson

prominent of the new Green Bundestag representatives, said.

And so they walked to the parliament buildings carrying flowers and dragging trees killed by acid rain. With their green plants and their insistence on looking nuclear death in the face, they will probably be a very uncomfortable thorn in the side of Germany's very conservative new Chancellor, Helmut Kohl.

The Greens have already been barred from any of the parliamentary committees dealing with national security after Greens leaders spoke of leading information the people ought to know; they were kept out of any gavel posts.

The Greens have faced a kind of harassment from the American press as well. Article after article starts with the assumption that the U.S. interest is that the new missiles go up, and that the Greens are trying to block the U.S. interest. They are described as inexperienced, irresponsible and without a historical consciousness. March 21 Time reports that the Greens "have vowed to challenge West Germany's political consensus by every means at their disposal" — ignoring polls mentioned in the same article which show that nearly 60 percent of the German people are opposed to the deployment of the new generation of missiles. The Time writers also seem to assume that moral imperatives, right and wrong, are determined by popular vote.

The March 21 U.S. News & World Report was, predictably, even more re-

pelled by the Greens, calling them "political malcontents, pacifists, neutralists and environmentalists" who (horrors!) "not only oppose stationing the new U.S. weapons in West Germany but the nation's very membership in NATO."

The Greens, it continued, are "raising fears of political unrest and paralysis in Bonn," which could lead, a person known only as "one analyst" says, to worse things: "Political unrest and deadlock in the last years of the Weimar Republic after World War I paved the way for the rise of Adolph Hitler." In other words, any questioning of politics as they are established in Germany is asking for Hitler to come back.

Surprisingly enough, a fairly positive article on the Greens in the May issue of Progressive was the one to raise the Nazi charge most explicitly. "When the Greens talk about the environment as 'Lebensraum,' when they speak of themselves as a movement and not a party, when they claim they are outside the normal political spectrum and refuse to identify themselves as Right or Left, they really do provide an uncomfortable reminder of Nazi rhetoric."

Now, really. How are the Greens, in their flamboyant individuality, anything like the regimented Brownshirts? To compare the pacifist Greens to the militarist Nazis is desperately unfair. It is true that the Greens make an appeal to nature similar to that which the Nazis made in the '20s and '30s — but there is none of the appeal to pet hatreds which formed the base of Hitler's support.

The Greens will continue to provoke somber-suited Bundestag members who want the countryside to bristle with missiles. The mainstream media will always look at them through the eyes of prejudice and find them trivial or threatening — one or the other, but never constructive.

The Greens will have their own dilemmas, those of a counterculture movement trying to exercise influence and power within the mainstream. Already the egalitarian Greens, who stipulate the party members should rotate their posts and turn part of their salaries over to the group, are upset at the media attention that Petra Kelly is getting.

However, the Greens (in dramatic contrast to their critics) have so far proved themselves remarkably fresh and sensible.

Quality education: Promises should be kept

Remember that "one-time-only" tuition surcharge? It worked once; why not re-instate it? We could start a tradition.

Or, better yet, we could let someone else start it for us, like the governor or the state senators or the regents.

It may be too late. It seems someone has almost beaten us to it. The damage is done, or at least started. Our budget for 1983-84 which started out as a \$170.4 million request and was cut to a proposed \$153.5 million by the Legislature's Appropriations Committee, now stands at \$147.5 million — a loss of \$6 million.

A loss of much more than that, really. After Sen. John DeCamp's amendment to LB628 passed in the Legislature last Wednesday, the NU Board of Regents unanimously agreed that the losses to the university would be severe. The Regents recognize how drastic the effects will be, especially considering that that the budget is actually \$23 million short of the original request.

Instead of focusing on what the budget cut will do to the students, faculty and the ever-popular but never-heeded concept of "quality of education," the officials are squabbling about where to point the finger. Who is to blame?

Could it have been the "secret" meeting April 2 in Omaha where proponents of the cut devised their strategy? Or was it the tragic lack of lobbying down by the

University of Nebraska that caused officials to overlook the chance of such an amendment getting passed?

That issue is moot. It seems far more appropriate to pay attention to the effectiveness of our education and our university than to bicker about the ineffectiveness of whichever group is to blame for the budget cuts.

In the Sunday Journal and Star, Sen. Steve Fowler of Lincoln said that university officials are the culprits who failed to act before the amendment passed. He "compared NU's presence in the Legislature to the Wizard of Oz, more the appearance of influence than real power."

If that's the case, that makes us little more than Muchkins, destined to make due with what is given us, namely fewer course offerings, 140 fewer faculty and staff members, fewer library books and resources (they want us to stay out of the stacks anyway) and fewer dollars in our checkbooks after tuition is once again raised.

But we *do* have a governor who endorses the budget cut, while remaining committed to developing Nebraska's growth and economic stability and improving the elusive "quality" of education.

We have a wish for the Wizard to grant, whomever that Wizrad may be: We want him to be sincere when he makes a promise, a promise to give us a brain, or a heart — or better yet, a little of both.

Quality of life decision: To kill or to let nature 'take its course'

It is said that hard cases make bad law. But bad law can be made by pretending that hard cases are not cases.

Consider the case of Hans Florian, who on March 18 shot to death the woman to whom he had been married for 33 years. His act was loving, brave, even noble. Nevertheless, it was not an act about which society should be indifferent or permissive, or about which the law should be agnostic. Yet a Florida grand jury refused to indict him.

Alzheimer's disease began destroying his wife's mind in the late 1970s. There is no



George Will

known cause or cure for the disease, which causes the brain to shrivel and fill with bubbles and granules. Soon his wife could not drive or write, and would panic when he stepped away from her. Florian and his son by an earlier marriage cared for her, by forcing her mouth open for food, and by bathing her and changing her clothes five or six times a day as she soiled them.

For most of the past two years, whenever she was not heavily drugged, she howled constantly and screamed two words, "fire" and "pain," in her native German. Finally, she had to be put in a nursing home for her own safety. Hans Florian is 17 years older than she; he did not want to die leaving her alone.

This was not a case where a person had sunk into a condition where, by some arguable definition, death could be said to have occurred. Mrs. Florian's mind was destroyed, but brain death had not happened.

Because Alzheimer's disease is terrifying, irreversible and protracted, Florian's case underscores this fact: There is no way entirely to exclude "quality of life" considerations from all controversies in biomedical ethics.

Many people feel proper anxiety about casual, incoherent injections of "meaningful life" rhetoric in the 1973 Supreme

Court abortion ruling and in rationalizations for infanticide against newborns with easily remediable physical defects. Therefore, many people have tried to assert "sanctity of life" criteria that would enable all decision-making to proceed with consideration of the quality of life a subject can lead.

Quality of life assessments are fraught with difficulties and dangers. Current practices offer abundant examples of mistakes and abuses. However, when "heroic" medical measures are employed, or when there is a decision to intervene in a person's life to alter the course nature would take in "taking its course," this is true: You can not judge the morality of what is done without reference to the quality of life that has been extended by heroic medicine or ended by extreme action.

However, the law can not quite countenance such extreme measures as Florian's, even when, as in this case, the situation is extreme. Obviously Florian was in an unsettled frame of mind when carrying out his deliberate decision to shoot the woman he loved. But he did not try to diminish his responsibility for his action. And there was not ambiguity concerning competent consent: Florian obviously substituted his judgment for that of a person incapable of choosing.

It is, therefore, hard to see how the grand jury can have properly refused to indict. Surely there was probable cause for finding that a crime — homicide — had been committed. Grand juries require less to indict (a finding of probable cause to believe that a crime has been committed) than a trial jury requires to convict (proof of guilt beyond reasonable doubt).

The sentencing stage is the proper place for society to express compassionate understanding in cases such as Florian's. There should be ample discretion there to enable society to avoid the practice of not indicting when a homicide undoubtedly has occurred.

Some cases are hard because this is true: A homicide can be noble without properly being, in the eyes of the law, completely permissible.

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