# Editorial

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## Political games

### The ideal ASUN campaign

On the eve of another ASUN election campaign, the Daily Nebraskan imagines the ideal campaign party platform:

All interested parties meet the filing deadline — at 4 p.m. today — and overcome the games played in past elections.

Campaigning will be honest and fair, without the problems of the March 1985 election, when Change Party presidential candidate Kevin Goldstein filed complaints against the winning Target party.

Goldstein alleged that students cast multiple ballots and members of the winning Target Party were seen instructing voters near voting sites. Goldstein also questioned the Target Party's financial form, saying it was not in order and not filed on time.

The committee dismissed the complaint because of "insufficient evidence," but it left a scar on the election.

In addition, last year's parties disputed over campaigning in residence halls and the alleged removal of competitors' posters.

We hope this year's parties can get beyond campaign quibbling and address pertinent issues.

But what issues are pertinent to a body with only the power to organize student groups?

Nebraska Attorney General Robert Spire's ruling against the proposed student regent vote squashes any hope ASUN had for actual power.

The proposal would have given s ident regents from UNL, UNO and the NU Medical Center one combined vote on the NU Board of Regents. Spire struck down the idea, saying that it violated the "equal protection" clause of the 14th Amendment and the Nebraska constitution.

Thus, ASUN's only "power" is to serve as an effective lobby for UNL students and improve campus environment. For example, former ASUN president Matt Wallace improved Student Legal Services and worked to keep Love Library open on football Saturdays.

Yet some of last year's candidates promised to work for benefits they couldn't deliver. One party promoted a satellite registration program that would enable students to register for classes in their advisers' offices.

Others vowed to work for a student recreation center or a professional lobbyist for UNL students, according to the March 12, 1985, Daily Nebraskan.

If ASUN parties want to serve students, they should concentrate on being powerful, articulate advocates for UNL students.

To do this, parties must actively seek input from students. In the last two years, many ASUN officials tended to explain UNL administrators' positions, rather than listen to students.

In some cases, administrators and students will agree. But ASUN should not quickly jump to administrators' conclusions.

Instead of playing the political games of professional politicians, UNL candidates should work for concrete goals they can accomplish.

## Nuclear energy

### Market should direct industry

The popular notion of "deregulation" is not strictly accurate. As used commonly, the term means that government intervention in some market is reduced.

But it is a mistake to equate the term "deregulation" with the notion of no regulation. Rather, the market becomes the regulator, rather than the state.

In fact, sometimes the market regulates more strictly than the state. Being in favor of free market activity is certainly not the same as being pro-business.

Take, for example, the Price-Anderson Act first passed in 1957 and currently before Congress for renewel.

Price-Anderson has two major provisions. First, it imposes no-fault insurance on the nuclear power industry. That means that no matter why an accident occurs, nuclear power companies must pay the claims. The second provision limits the total amount of liability of a utility resulting from accident claims.

Although the two provisions are typically thought of as trade-offs — no-fault liability for limited liability — in this day of widespread court-imposed strict liability in product liability suits, the nuclear power industry takes upon itself little added cost by agreeing to be held liable irrespective of fault. Any trade-off is tipped heavily in favor of industry interests.

At the heart of the pro-Price-Anderson position is a fundamental non-sequitur: If, as the industry claims, nuclear power is a safe energy alternative, then liability limits are unnecessary. On the other hand, if nuclear energy is so unsafe that insurance costs would price the energy source out of the market, why do we take the risk at all?

In this situation the free market will provide for a correct accounting of the costs and benefits. Liability limits, such as exist in Price-Anderson, are a form of anti-free market regulation. The fear at the heart of the nuclear power industry's plea for government protection is that it simply can't make it in a less regulated market. It's time to let the big boys fend for themselves and refuse to continue Price-Anderson.


## U.N. resolution raises questions

### Security Council vetoes hinge on defining procedures

Last week, the United States vetoed a U.N. Security Council resolution that condemned the Israeli action bringing down a private jet that Israel wrongly believed carried Palestinian terrorists. The U.N. institutional arrangements surrounding such votes remain quite amorphouse to most Americans — as does the entier U.N. structure.

On the eve of the 19th annual Nebraska Model United Nations, it seems useful to reflect upon the institution behind the news. Irrespective of one's attitude toward the United Nations in general, the organization represents an international forum that can be ignored only at the cost of being malinformed.

The general legislative body of the United Nations is the General Assembly, which consists of all U.N. members — more than 150 countries. Because of its size, the General Assembly is relatively unwieldly and only meets in regular annual sessions and for special sessions.

Thus, according to the U.N. Charter, in order "to ensure prompt and effective action" by the United Nations, the Security Council is vested with "primary responsibility for the maintenance of international peace and security." So powerful is this investiture that the charter prohibits the General Assembly from making "any recommendation with regard to a dispute or situation" the council is reviewing "unless the Security Council so requests."

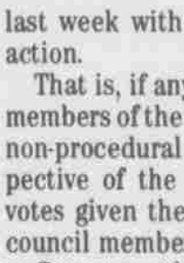
The council itself is made up of 15 member-states. Five of these nations are permanent members of the body. They are the United States, the Soviet Union, China, France and Great Britain. The other 10 nations are selected with reference to national peacekeeping prominence and equal geographical distribution.

There are two types of proposals that the Security Council can vote on. The first are "decisions . . .on procedural matters" that can be approved by an affirmative vote of any nine members. The second type are termed "other matters" by the charter and require nine affirmative votes including the "concurring votes of the permanent members." This is the basis of the veto power that the United States exercised last week with respect to the Israeli action.

That is, if any of the five permanent members of the council votes "no" on a non-procedural motion, it fails, irrespective of the number of affirmative votes given the proposal by the other council members.

Consequently, the question of what constitutes a procedural matter becomes one of some importance.

First, there are a central core of obviously procedural matters. These were first set down in 1945 by four of the current permanent council members in what is known as the "San Francisco Statement." I was informed by Mr. Rosenstock, Chief Legal Counsel for the U.S. mission to the United Nations, that several other types of proposals have since joined the list of obviously procedural matters.



**Jim Rogers**

These decisions, according to Goodrich, Hambro and Simons in their seminal work on the U.N. Charter, include: order and deferment of agenda items; rulings of the council's president; meeting recesses and adjournment; invitations to participate in council proceedings issued to non-council members; deciding to no longer be seized with an issue; and "Uniting for Peace" sessions.

The status of some actions, however, is still up in the air. Rosenstock indicated that Council-sponsored "fact-finding" missions, if they "didn't prejudice the answer," still have an indeterminate status — one which the council would have to decide itself.

Given the currently narrow construction of what constitutes a "procedural" matter, almost every action, such as that condemning Israel for last week's attack, is considered political, and therefore can be vetoed. There are those who question the traditional reasoning.

First, the "San Francisco Statement" itself held that "the requirement for unanimity of the permanent members cannot prevent any member of the Council from reminding the Members of the Organization of their general obligations assumed under the Charter as regards peaceful settlement of international disputes." Thus, if last week's resolution simply reminded Israel of charter prohibitions (assuming Israel would be deemed to have broken these prohibitions in the charter), the vote could have been arguably merely procedural and hence, not subject to U.S. veto.

Beyond this recognized proviso, however, is a 1974 U.N. special report on "Modernizing the Security Council" published by the U.N. Commission to Study the Organization of Peace. The commission argued that only actions taken in response to actual threats to international peace can be vetoed (those are resolutions based on Chapter VII of the charter), while all resolutions urging the merely peaceful resolving of disputes (under charter Chapter VI) should be considered merely procedural, and thus, not capable of being vetoed.

Nonetheless, knowing the United Nations' propensity for semantic exuberance, the resolution condemning the Israeli action was probably within the sphere of Chapter VII and therefore was probably capable of being vetoed under even the most stringent revisionist interpretation of "other matters."

Additionally, Rosenstock clearly indicated that the U.S. would not tolerate any tampering with the present Security Council veto system — and I presume the Soviets have a similarly dim view of losing the possibility of casting a deathly "no" on many council proposals.

Well, as with any political institution — and the United Nations is purely a political institution — we quickly enter the realm of pedantry. But given the widely divergent views represented on the council, the current process — pedantic excesses included — is the only reasonable basis for nations to bind together and act when a consensus among powerful nations is present. The marginal advantage seems worth the cost.

**Rogers is a UNL graduate student in economics, a law student, and Daily Nebraskan editorial assistant.**

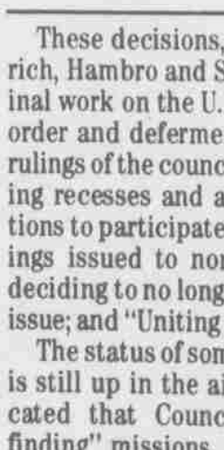
## McMahon not worst model for kids

For the past couple of days, I've been pondering whether I would like my kids to have grown up to be like Jim McMahon, the Chicago Bears quarterback.

The question arose because of some scathing remarks made about McMahon by Joe Theismann, the star quarterback of the Washington Redskins.

Theismann doesn't like McMahon's flaunting of headbands and his casual attitude toward the sacred game of professional football.

"If it weren't for football," Theismann said, "he'd be some yo-yo out there drinking beer."



**Mike Royko**

But McMahon's worst offense, Theismann said, is that his eccentric behavior could set a bad example for young people.

"... There is a responsibility to the youth. What he doesn't realize is that kids look up to him. Maybe he doesn't care."

And he piously concluded: "I sure wouldn't want my kids growing up like him."

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