

# Editorial

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## Spire ruling Students deserve a vote

Attorney General Robert Spire's decision ruling that the proposed student regent vote violates the law has probably sunk any hope of its passage during this legislative session.

The decision really doesn't merit such impact because one of the problems it identifies could be easily dealt with through the amendment process and the other is highly suspect.

The attorney general's office was asked to provide an opinion on whether the federal principle of "one man, one vote" was violated by the bill. The opinion held that this principle was not violated, but that the U.S. Constitution's equal protection clause would be violated.

The opinion argues that the 14th Amendment is violated because of the vote sharing scheme the bill sought to implement between the three student regents.

The opinion, however, merely asserts that a "distinction based on student status or an appointed status is arbitrary and invidious." No case is cited nor is even the most rudimentary of arguments posited in favor of these bald assertions.

According to the opinion, the only way to salvage the proposal would be to give each student regent one full vote. In turn, such a proposal, even if politically feasible, is prohibited by the Nebraska constitution, which limits the number of regents sitting on the board to a total of eight.

Additionally, the opinion's equal protection assertion is questionable. The legal term "arbitrary and invidious" simply means that distinctions or clas-

sifications cannot exist for no good reason.

In summarizing the legal criteria upon which distinctions must be judged, legal theorist Geoffrey Marshall wrote: "In the jurisprudence of equal treatment...argument begins with the acknowledgment that equality before the law does not require any person to be treated in the same way but only similar treatment in similar circumstances, or an absence of discriminatory treatment except for those in different circumstances."

The important question, then, is whether representation of students rather than other citizens is a reasonable enough classification to withstand constitutional muster. While the opinion asserted not, common sense informs reasonable minds otherwise.

Students do not merit control of the board — the voters of Nebraska are those who fund the university, and they deserve the dominant voice. The regent proposal only says that student bodies deserve *some* real voice on the board, and sets up a regent classification that reasonably provides such a voice.

There are obvious and reasonable distinctions between student regents and the other regents elected by geographical district. A distinction made on these conditions can hardly be said to exist in an "arbitrary and invidious" manner.

The opinion evidences only superficial thought and cursory treatment of a matter of some importance to students. NU students deserve better than the stacked deck dealt to them by the attorney general's office.

## A silver lining Student regents should be paid

Even the darkest of clouds has a silver lining. Several years ago NU took away the choice of paying student body presidents under the pretence that they were student regents as well. Consequently, as with other regents, they were constitutionally prohibited from receiving pay for their service.

Even though the declaration was legally questionable in the extreme, the NU Board of Regents apparently had a grudge against the then disliked ASUN student body president and decided that all student regents/presidents should receive no pay. On other campuses, subordinate executive officers still receive pay.

The attorney general's opinion persuasively argues that student regents, as currently con-

stituted, are not the same regents to which the salary prohibition applies. The opinion notes: "The Board of Regents consist of eight regents and three student members. The student members are not regents. They have no duties or powers prescribed by law."

The NU system should immediately begin paying campus presidents and issue an apology to the presidents of the last few years who have served their respective student bodies only at great financial cost to themselves.

The attorney general's opinion clearly pierced the veil of personal pettiness and skulduggery that clouded the earlier denial of payment. It's time to compensate those who serve as student advocates.

## Editorial policy

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GUIDO... I'M GLAD YOU'RE FINALLY IN TOUCH WITH THESE NEGATIVE FEELINGS YOU HAVE FOR LOUIE THE SNAKE...

## Abortion activists switch roles

Pro-lifers use reason quietly while pro-choicers rant

*The relative strength of an argument is in inverse proportion to the level of volume to which the voice is raised to make it.*

— Sennett's Second Law of Rhetorical Communication

Well, Jan. 22 is long past, "Hail, Mary" has stolen our collective attention, and I haven't heard the words Roe vs. Wade for more than three weeks. So, I guess it is now possible to say a word or two about abortion that people may actually listen to. (It has been my experience that no one listens when everyone is shouting; consequently, I hesitate to speak to a subject that is "really hot.")



James  
Sennett

Let me say right up front, just so you don't have to skip to the last paragraph to see how it turns out, that I am unashamedly (Pick the label you can most readily stereotype me with): pro-life, anti-abortion, anti-choice. I really don't like that last one, though many people think they are saying something significant by pinning it on me. I am actually very pro-choice. I just happen to believe that there are right and wrong choices. I also happen to believe that the real choices in the matter of abortion come earlier than pregnancy, and have to do with personal responsibility and lifestyle, rather than with personal rights or convenience. But that's another column.

The television show "Cagney and Lacey" recently treated the issue of abortion in what I thought was basically a fair and compassionate way. The interesting twist was that the free, fun-loving "today's woman" Chris Cagney was opposed to abortion while the mother, wife, "Suzie homemaker" Mary Beth Lacey was for it. What I objected to, however, was the portrayal of the

issue as one of calm, rational thinking (pro-choice) against gut-level, irrational, unexplainable "feeling" (pro-life). At one point in the show, Cagney said to Lacey something to the effect, "I know all the arguments and reasons, Mary Beth — but this one just doesn't feel right." That is, I suspect, the kindest sentiment that most pro-choicers have for pro-lifers.

I resent the constant implication that pro-choice is the position of rationality while pro-life just comes "from the gut." While there is much in my gut that wretches at the thought of abortion, that is not where I, or where any intelligent pro-lifer, get the primary justification for the position. An anti-abortion stance has very rational, well-thought out, and defensible arguments behind it. The columns in this paper that drew so much flak a few weeks ago demonstrated that the pro-life position can be defended in sensible English, not just in grunts and groans. There is no room for condescension on either side of the issue. If you don't agree with my position, fine. But don't think me an idiot.

The recent abortion debate in the Daily Nebraskan reflected what I see to be a fascinating turn of events in the debate as a whole. It was amazing to me that the pro-life columns expressed clear arguments presented in a calm, matter-of-fact format that called for rational response and discussion. What they received from pro-choicers, however, were letters of hot rhetoric, name-calling and other irrational modes of communication.

It is interesting that, 10 years ago, it was pro-choicers who were talking calmly, calling for discussion, and generally acting civil about the whole matter, while the pro-lifers mostly yelled, screamed and threw things. Now the roles appear to have been reversed. A decade of medical research and philosophical dialogue has uncovered much evidence supporting the pro-life position, lifting it out of the realm of the gut. Now, with justification at an all-time high and polls swinging consistently to the pro-life position, it is the

pro-lifers who are able to call for intelligent discussion, while the pro-choicers resort more and more to yelling, screaming, and throwing things. Just when the pro-lifers are finally ready to talk, the pro-choicers don't seem to have anything to talk about.

(Incidentally, don't give me the "They're bombing clinics!" line. There is no evidence whatsoever linking clinic bombings to organized pro-life efforts. This country is full of demented minds that hold all kinds of positions on different issues. Besides, it is yet another demonstration of my whole point that pro-choicers, losing more and more ground in the debate, must resort more often to such emotionally based arguments.)

I would like to close this little jaunt into forbidden waters with a couple more, somewhat unrelated observations about the recent debate in this paper. First, let it be said up front that pro-lifers are not all talk and no action. This country — and this city — is filled with caring, loving people who devote hours every day to working with pregnant women to provide alternatives to abortion that the women can live with. If you are pro-life and all you are doing is talking, either shut up or get with the program. There are a lot of hurting people, and a lot of sacrificial work that needs to be done.

Finally, I would like to thank all the conservatives on campus for absolutely nothing. From the letters to the editor, one would think this paper is filled with nothing but communist, pinko, Democrat, liberal homosexuals (I hope I got all the categories in). Yet when the DN ran back-to-back columns against abortion, and bore the heat of enraged pro-choicers, not one of the self-righteous right-wingers, who are so quick to condemn, wrote in to say, "Thanks, DN, for giving time to both sides." Let's be a little consistent in the future, shall we? If disagreement merits scorn, certainly agreement merits a little acknowledgement.

Sennett is a graduate student in philosophy and campus minister with College-Career Christian Fellowship.

## Letters

### Offended Christians shouldn't prevent viewing of film

Last year when the movie "The Gods Must Be Crazy" was struck from the Sheldon Film Theater schedule little concern over censorship was expressed, partly because the movie was scheduled to be shown commercially. People who follow the film theater schedule were aware of this, and understood they would not be denied an opportunity to view the movie.

Such is not the case for "Hail, Mary": foreign films with subtitles and little

profitability don't show on commercial screens in Lincoln.

Having seen "Hail, Mary" it seems incredible to me that those of Catholic orthodoxy, and other adherents of the Christian myth system, find the film offensive. It is a story about a young man and his girlfriend who becomes pregnant. At no point in the movie is Catholicism, Christ or the Pope subjected to religious ridicule or even

mentioned.

If this sort of material offends Christians I suggest they not view the film. However, it seems improper for them to take measure to prevent others from seeing it. To do so, no matter what brand of double-speak receivers of Christ offer, amounts to censorship.

Tom Gable  
alumnus  
chemistry