

Editorial

**Daily
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University of Nebraska-Lincoln

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Not funny ASUN can't afford farce

It looks like the PARTY party's final joke of this year's ASUN election campaign has caught up with them.

UNL's student court has reprimanded Steve Henning, PARTY party vice presidential candidate, for violating student "rights and responsibilities" because he openly asked students to mark "Native American" on their ASUN ballots. Some people have said several other PARTY party candidates were involved, but Henning was the only one considered at the hearing.

Apparently, some of UNL's 49 Native Americans didn't think the joke was funny. We tend to agree, but for different reasons.

Some Native American students who spoke at the hearing said Henning's actions poked fun at Native Americans. They evidently weren't happy about it.

But the little "joke" could have larger ramifications for ASUN. Fun is fun, but ASUN already faces grave credibility problems. Many students consider the group nothing more than a resume stuffer. Others complain that the group lacks power and, thus, has a fruitless mission at UNL. Henning's actions, unfortunately, add a touch of humor to ASUN's image. That's something it really doesn't need.

The joke also might affect

ASUN election turnouts in future years. Already there is a sadly low number of students who bother to vote in the elections. If the elections continually come off as comical, it's unlikely many more students will bother to take the time to vote in future ASUN elections.

Several people already take their votes for granted. If actions such as Henning's continue, students won't think their vote matters much because ASUN would be perceived as a joke.

Right now, the ruling of Henning's reprimand is unofficial. It must be approved by other student judges including Chief Justice Curt Oltmans and judges John Rood, Jillane Hinds and Glen Allen.

On Thursday night, the court ruled that Henning must apologize via a guest editorial in the Daily Nebraskan and a letter to the Native American Student Association. He also must give five hours of service to Multi-Cultural Affairs office. If he fails to follow through with these, the incident will be put on his permanent university record.

That's not a tough sentence, but it's enough to prove a point.

We urge the other student judicial members to follow the unofficial ruling. A minority has been offended, and ASUN really can't afford another farce.

Deaver tromps trust Lobbying may be conflict of interest

Leave it to Deaver. James Deaver, that is. He has asked that a special prosecutor be appointed to investigate the controversy surrounding the activities of the lobbying firm he set up after leaving the Reagan administration.

Some senators have accused Deaver of violating conflict of interest laws by lobbying on issues on which he worked while at the White House.

The federal law prohibits senior officials from quitting their jobs, then lobbying on matters with which they were directly involved. This ban stays in effect for two years after leaving office. Also, former officials are prohibited from lobbying fellow officials with whom they shared an office.

Deaver proclaims he is innocent of breaking any laws. The initial question arose with a reported talk between the director of the Office of Management and Budget over the B-1 bomber — in spite of the fact that Deaver participated in White House meetings on the bomber. Deaver's explanation was somewhat lame. He argued that be-

cause the OMB was not part of the White House, he broke no laws. Other allegations have arisen about his lobbying involvement with Canada and acid rain, a South Korean steel company's fraud case and tax-break interests in Puerto Rico.

The White House backs up Deaver's claim to legal behavior. Yet something even more serious is at issue here. The "sleaze factor" has risen again. As any law student will tell you, ethical behavior is hardly exhausted by abiding by legal standards. In matters of official ethics, the public has an interest greater than those expressed in legal criteria.

Avoiding the appearance of impropriety is as much a concern as are legal violations. The public's confidence in its representatives is a function of trust, and trust requires the pursuit of high ethical standards — whether the law requires it or not.

Deaver has abused the public by trading the ties he developed in "public service" for outrageous pecuniary gains. Public confidence has suffered — and irrespective of any laws, that's wrong.

Editorial Policy

Unsigned editorials represent official policy of the spring 1986 Daily Nebraskan. Policy is set by the Daily Nebraskan Editorial Board. Its members are Vicki Ruhga, editor,

Ad Hudler, editorial page editor; Thom Gabrukiewicz, managing editor; James Rogers, editorial associate and Chris Welsch, copy desk chief.



Weaving the threads of wisdom U.S. attack on Libya ill advised, increases terrorism

There is a difference between possessing the right to pursue a course of action and the wisdom of a course of action.

While the United States certainly had a right to retaliate for the death of innocent Americans and the right to prevent further attacks, it does not necessarily follow that the U.S. decision to bomb Libya was wise.

A number of threads weave this curious fabric. The first thread is spun out of consideration of the relationship between nations. At bottom, the notion that the world is a "community" of nations obscures international reality as much as it clarifies. Nations, as between themselves, live in a "state of nature." This means that they simply don't have the ability to submit disputes to "a common judge with authority," as John Locke put it.

This may seem like an obvious point. But the implications of this simple statement aren't appreciated enough by the United States when considering U.S. responses to terrorism.

In the state of nature, people can mete out their own punishment. They certainly have a right to do so, yet there are certain pragmatic considerations that they would want to take into account in pursuing such action.

They would have to remember that while the right to be left in peace doesn't diminish without a police force or court system, individual actions to enforce such rights are much less credible. Unlike justice meted out by a relatively neutral and disinterested judge, when victims pursue their own justice, emotions may get in the way and they may simply be out to get "his pound of flesh" rather than to do

justice.

It must be emphasized that the victims' rights are not reduced in the state of nature, but practical considerations may limit their willingness to enforce their rights. In a not inconsiderable number of cases, victims might reasonably choose to forego enforcement of their rights because the long-term costs of enforcement are simply greater than the cost of the crime.



**James
Rogers**

This is the case with the Libyan attack. Given an international inability to submit disputes to a common judge — as well as an inability (at least now) to exhaustively deal with those who terrorize — a pragmatic factor of whether the object of our action is in fact attained by our action needs to be considered.

If the U.S. attack on Libya actually calls forth many more terrorist attacks on innocents than would have occurred absent the retaliatory attack, the action hardly can be said to have been warranted. The administration admitted early after the raid on Libya that terrorist incidents probably would increase. To fact, terrorist incidents have quite clearly increased in number since the raid.

This brings us to the second thread of the argument. Symbolic action is rarely a wise course of action in the state of nature. For example, if one or

two children are occasionally being stung by bees, nobody will dispute that the hive needs to be eradicated. But if the hive cannot be eradicated, then it hardly follows that a "second-best" option is to harass the bees in the hives as if to show one's resolve to eradicate it — if only one could.

All that is accomplished by such symbolic action is that the bees' ferocity is increased with a subsequent increase in the number and magnitude of stings.

Everybody admits that the U.S. attack on Libya could not have eradicated Middle Eastern terrorism: The attack was too small, and the real "hives" of terrorism probably are in Iran and Syria, not Libya.

The attack on Libya was symbolic, intending only to demonstrate U.S. resolve. But like the bees, symbolic action, under these circumstances, is not a "second-best" alternative to eradication. Instead, the U.S. action only has served to increase the ferocity and number of terrorist attacks.

Given these considerations, the U.S. attack on Libya was ill advised. Certainly in a perfect world, every wrong would be righted, every crime would be punished. But the world is not perfect. There are pragmatic limits to the pursuit of justice in the international state of nature. Difficult as it may seem, patience in the face of even grievous injury may be preferable in the state of nature to the vindication of one's rights.

It's a lesson that America must learn.

Rogers is a UNL economics graduate and law student and a Daily Nebraskan editorial page editor.

Waldheim remains serenely ignorant about knowledge of Nazi atrocities

"I am Kurt Waldheim. During the second world war, I was a young man, ambitious, somewhat callow. I served as a junior officer to a war criminal. I knew of atrocities, most of Europe did, but I could do nothing to stop them. I am sorry now for what happened. I realize that in a minor way I bear some of the responsibility for the Holocaust. The shark of Nazism swam in the sea of collective indifference. I dedicated my life to seeing that there will never be a repetition. Never again."

Of course, no such words have emanated from the mouth of Waldheim. Instead, the former U.N. Secretary General maintains that he was serenely

ignorant of the deportation or murder of thousands in vicinities where he acted as an intelligence officer. The Nazis turned Europe into an abattoir



**Richard
Cohen**

but Waldheim, nose buried in his work, never noticed. There was nothing about any of that in the reports he read.

Now, the bureaucrat out of Kafka has the world playing his game. The president of Austria, a former jurist,

has seen some of the evidence against Waldheim and said he finds it insufficient for prosecution. Others more or less say the same thing. Even Simon Weisenthal, the premier Nazi hunter of both fact and legend, waits for evidence. Both he and the Austrian president say they find Waldheim's explanations unbelievable, but they are trained to deal with proof and thus miss the point. A senior Justice Department official has his finger on it, though: He wants Waldheim barred from the United States. But it will never happen. The evidence will surely be lacking and, besides, the administration at Bitburg showed itself to be morally obtuse.

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