

Editorial

**Daily
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University of Nebraska-Lincoln

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Access impaired

Facilities crowd handicapped

UNL water-polo coach Mike Morosin brought up an interesting problem that seems to be overlooked — recreation facilities for the handicapped on campus.

Morosin said the university is meeting the needs of these people academically but not meeting their personal needs. He was specifically talking about the availability of swimming on campus. After the recent closing of the Coliseum pool the only pool available to students is the one at Mabel Lee.

Mabel Lee is accessible to the handicapped. The concern, however, is how many handicapped students will want to swim in an already overcrowded swimming pool.

Morosin said renovating the

Coliseum pool would cost only \$11,000, including \$6,000 for an elevator that would lower handicapped people to the pool deck on the east end. The elevator would make it easier for the handicapped to reach the pool.

Morosin's figures underestimate the administration's figure of \$50,000 to \$70,000.

It's unlikely UNL will reopen the Coliseum pool, but two pools would offer handicapped students as well as non-handicapped students more opportunity to swim.

When or if the university decides to build a new recreational facility, which they should, the handicapped should not be forgotten. The facility should provide access to any sport or recreation, anything from swimming to wheelchair basketball.

Classroom mediocrity

Effective remedy still undiscovered

Oodles of solutions have been proposed to the dilemma of mediocrity in the schools and low morale among teachers. Most of them involve increasing teacher salaries, toughening standards and broadening teachers' career opportunities. Not surprisingly, most teachers strongly support these solutions.

But a recent Louis Harris poll of teachers and educational leaders reveals a strange contradiction in teacher attitudes. Solid majorities of teachers supported the usual solutions to educational problems, but only 36 percent of teachers surveyed felt the changes had actually helped them. The results suggest the most effective remedies haven't been found yet.

The individual solutions still look attractive to teachers when considered in isolation. The one exception is merit pay, which was opposed by 71 percent of teachers surveyed. But more than 90 percent of both teachers and educational leaders cited poor pay as a major cause of an expected teacher shortage, and almost half favored "career-ladder" programs that would allow teachers to make much more money in positions of higher responsibility.

Two solutions aimed at improving teaching ability were favored by a majority of teachers surveyed. Eighty-two percent

liked "master-teacher" programs, which assign excellent teachers to coach others. Fifty-two percent approved of a national teacher-certification board, which would require teachers to meet the same standards across the country.

Despite all that support, however, most teachers in the poll remained skeptical of the solutions. What's interesting is that 78 percent of state education officials and 73 percent of legislators surveyed in the poll feel the reforms have helped teachers. It seems those farther away from the classroom aren't totally in touch with what's really needed to make the schools better.

More money and higher teacher standards are only part of the solution. Students need to be taught enthusiasm about learning as well. Teachers have some responsibility to do this, but parents bear the greatest burden in this area. If they don't do their job, teachers have to deal with apathetic students — which wears on a teacher and can lead to "burnout."

It's good that people are trying to fix the schools, but this poll indicates we haven't found the final cure yet. Once we decide that throwing money at the schools isn't enough to solve the problems, our educational system will be on the road to recovery.

Editorial Policy

Unsigned editorials represent official policy of the fall 1986 Daily Nebraskan. Policy is set by the Daily Nebraskan Editorial Board. Its members are Jeff Korbelik, editor; James Rogers, editorial page editor; Gene Gentrup, managing editor; Todd von Kampen, editorial page assistant and Tammy Kaup, associate news editor.

Editorials do not necessarily reflect the views of the university, its

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According to policy set by the regents, responsibility for the editorial content of the newspaper lies solely in the hands of its student editors.

A tragedy of litigiousness

Story of doctor's lawsuit, insurance liability prompts despair

If you have any inclination to despair over the litigiousness of America and the appalling effects of it, do not read on; or if you do, take out insurance against suicide. Take it out with a reliable insurance company.

It is hard to imagine a more dramatic narrative than that which led to the case of Joe McGinniss vs. Employers Reinsurance Corp.

In 1979, an Army doctor was tried. It was alleged that nine years before he had murdered his wife and two children. This astonishing charge against Dr. Jeffrey MacDonald made its way quickly into the headlines and attracted to it, among others, Joe McGinniss, a talented journalist and author who undertook to write a newspaper column on the subject. He put in for an interview with MacDonald and, before long, the indicted doctor said to McGinniss something on the order of: Joe, I like the looks of you. You are smart and a good writer. I need money for my defense. I am, needless to say, innocent. Let's make a deal. I will give you the exclusive inside run on my story, and you agree to write it up and give me a substantial share of the royalties. OK?

McGinniss was interested — it was a big story, of many dimensions. But he entered into an agreement with caution. His terms were: 1) MacDonald would agree to let McGinniss listen in on all defense conferences; 2) McGinniss would be free to write exactly as he saw the case as it developed; and 3) MacDonald would sign a release, agreeing not to sue McGinniss for libel in the event he wrote other than what MacDonald wanted to see in print.

The trial was a sensation, and the evidence finally conclusive: This doctor, who had been popular and esteemed by

his friends and associates, had indeed murdered his wife and children. McGinniss himself had arrived at the same conclusion. The intimate knowledge McGinniss had after hundreds of hours of association with the doctor made for a best-selling book, "Fatal Vision," followed by a successful television movie. As the royalties came in,

**William F.
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abiding by the agreement, McGinniss sent MacDonald his share — until MacDonald brought suit.

It isn't unusual for authors and publishers to get sued by injured parties, and, accordingly, the publishing firm of Putnam took out, at a cost of \$40,000, an insurance policy with the Employers Reinsurance Corp., protecting the publisher, and derivatively the author, from legal expenses and adverse judgments (with a \$25,000 deductible). The lawyer of the publisher assured his client that it was fully protected.

MacDonald, sentenced to prison for life, either himself thought up, or else was introduced by an ambulance chaser to think up, a clever means of getting around the release he had given McGinniss. He would sue the author not for libel or for invasion of privacy, both of which the murderer had immunized McGinniss from, but for "fraud." MacDonald now alleged that McGinniss had really misreported what had gone on between them, causing him great damage and emotional distress.

Never mind for a moment how it is possible to damage the reputation of a man sitting in jail for the balance of his life for the crime of killing his family; the law is capable of shoving aside such considerations, at least for the time being. What then happened was that the insurance company refused to defend McGinniss. Ah, you see, said the Employers Reinsurance Corp., MacDonald isn't suing for "libel," he is suing for "fraud."

McGinniss replied as any sane man would do. MacDonald, he said, is obviously suing over what I said in "Fatal Vision." And the whole purpose of the libel policy (what other purpose could it have?) is to protect me and the publisher from this kind of suit. That he should think to call it "fraud" instead of libel is purely an act of semantic invention. He might as well have sued for alienation of affection — there is no question that an account of how someone killed his wife and children tends to dispose your erstwhile friends against you. But then that had already been done by a jury.

The case awaits a petition for summary judgment against the insurance company before Judge Robert Sweet of the U.S. District Court in New York. The effect of it, thus far, has been to impoverish McGinniss — the cost of his legal efforts exceeds \$175,000. The public is left wondering whether our justice system will tolerate such a travesty as MacDonald, who has run out of people to murder, is now attempting; and is left wondering, also, about the probity of American insurance companies.

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Buckley is the founder of National Review magazine.

Homosexuality not a UPC concern

The University Program Council's decision to form and finance a Lesbian/Gay Committee has some serious implications. Students, the UPC and Union Board members must consider the role of the university and the UPC as well as the nature of the committee being formed. Several significant questions must be answered before the

Guest Opinion

Union Board votes on the issue.

The first question is, what precisely is the purpose of the UPC? According to its own brochure, the UPC is a student organization which presents "social, cultural and entertainment programs" for the "campus and the involved community." Crafts, art exhibits, movies, parties and minority cultural events are all examples of items falling properly within the scope of the UPC. However, advancing the views of political and religious groups (or any other groups pushing ideological propaganda) is not by definition the purpose of the UPC, no matter how legitimate such groups may be.

A second question: What is the purpose of the Lesbian/Gay Committee? Spokesman Marc Seger said the committee would dispel "ignorance surrounding the gay community... through educational programs." In other words, the committee desires the freedom to publicly proclaim homosexuality as a legitimate lifestyle. This is beyond any reasonable doubt an ideological or political purpose.

Gay/Lesbian Student Association president Rodney Bell said the UPC's decision was a "nice change" because the UPC "has never had a program for the gay community." A final critical question is, given the purpose of the UPC, why should there be a program for gays? There are no programs for Democrats, Republicans, liberals, conservatives, Christians, atheists or anyone else advocating certain ideological positions.

The UPC is primarily funded by student fees (about \$3 per person). Therefore, if it begins pandering to cer-

tain viewpoints, eventually all the opponents would withdraw their fees and it would become insolvent. The UPC should not use student money to advance the interests of gays. If it does, then logically it should finance Democrat committees, Christian committees, Nazi committees... ad nauseum.

Some might ask: "But aren't the gays a legitimate minority, just like blacks?" Unfortunately, the answer is no. I know several former gays — but I have never met a former black. Research from the Institute for the Scientific Investigation of Sexuality confirms that homosexuality is a learned behavior, and 91 percent of the gays themselves actually agree with this assessment. Homosexuality is not genetically innate, it is a choice. Biblical and medical facts as well as common sense confirm this. As the saying goes: "If God had intended man to be gay, he would have created Adam and Steve, not Adam and Eve."

In summary, the point of all this is

not to slander the Gay/Lesbian groups, but rather to recognize them for what they are. They are not a legitimate minority, nor are they simply people who were "born different." They are people who have chosen to live in a certain way, and they would like to see their way of life legitimized. In a democracy they certainly have the freedom to pursue this goal, but they should not be given any special privileges. Christians, for instance, meet on the campus and plan how to spread the Gospel, but they are not supported by student fees. I strongly urge all students (even gays), the UPC and Union Board members to reject the formation of the Lesbian/Gay Committee and retain some semblance of justice and democracy on the campus. Otherwise, I fear we will all lose.

Tim Teebken
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Letter

Student defends policies

Is it appropriate that Ad Hudler's column "The beginning of the end?" (on Nov. 7) is written from a grade-school point of view?

While the policies of the Reagan administration may be distasteful to some, Hudler's simple-minded attempt to link those policies to some imminent genocide is not only unfair, but also shows an incredible lack of any grasp of reality.

The Reagan administration is not, as Hudler claims, trying to impose the ideals of America on the rest of the world. Rather, it formulates its foreign policy from a school of thought which believes that the only way to protect the freedom and democracy of this country is by maintaining a level of strength necessary to prevent those who would attack that freedom and democracy from doing so. This involves the protection of countries

which are not as capable of defending themselves as we are, thus entails intervention at times. While Hudler may disagree with this school of thought, (many do), he should argue from that perspective, rather than appealing to childish innuendo about the Reagan administration seeking to create "little Americas" around the world.

Hudler's claim that making English the official language somehow restricts ethnic differences is so ridiculous as to not even merit a response. One only need look at the tremendous ethnic differences evident in this country's English-speaking German, Italian, Polish, Black and Hispanic populations over the decades to see weakness in that claim.

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