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Curt Wagner, Editor, 472-1766
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Safety vs. privacy

Drug-testing ordered for employees

The federal government, once again, has shown itself to be a Don Quixote when setting its domestic policies.

At a press conference Monday, Secretary of Transportation Jim Burnley ordered random drug testing for more than 4 million workers in a broad range of transportation-related industries, The Associated Press reported.

Like Quixote, who seemingly fought for what he believed was right, yet proved inept in doing so, the government's actions are at best indecisive and ill-directed and at worst capricious and unconstitutional. It is common sense for some kind of regulation in these industries, if only because of the public safety concerns involved in airline, railroad, interstate and mass transit transportation. In the secretary's words, "The American people demand and expect a drug-free transportation system."

This demand for legislation increased after the drug-related collision of a Conrail locomotive and an Amtrak passenger train in Chase, Md., on Jan. 4, 1987. According to AP, the crash killed 16 passengers and injured 175 others. In general, this shows that public safety is an important issue.

However, a closer look at the drug-testing policy is its own worst defense. According to AP, under the new law companies would have until December 1989 to set up their own drug-testing programs. Companies with 50 or fewer employees would have a second year to comply. Employers would keep records that would be available to federal officials.

They would administer the tests before employment, to employees periodically during annual physicals if there is reasonable cause to suspect drug use, and after accidents.

This self-administration is unfair to workers. The policy cannot ensure standard testing procedures or standard results and subjects the test results to tampering, subjectivity, etc.

The law does not seem to account for the over 10,000 independent truckers on our roads. Are they expected to test themselves? This seems a clear violation of the 5th Amendment and is one of the many specifics not directly dealt with in the law. This seems to show the government's indecision.

Random testing will not ensure public safety. By its nature it cannot ensure that drug users will be caught because employees can avoid the tests, or they might be the percentage that isn't randomly tested. Similarly, post-accident testing does not protect the public, for obvious reasons.

In a judicial sense, this kind of testing may be a violation of the right to privacy. The Supreme Court has before it two cases involving drug testing that are expected to be decided next year: One involves post-accident testing of railroad workers. There should be some kind of consensus on this issue before any law is implemented.

The related labor unions already have voiced their opposition to the random testing, while supporting pre-employment and post-accident testing. In an AP article, Airline Pilots Association President Henry Duffy said, "Random testing is a counterproductive, shotgun strategy that is at the same time an unwarranted invasion of privacy and of no significant value in the battle against drug abuse."

This issue will not be resolved easily. It is indicative of many of the social issues of our time; what are the rights of the individual vs. the rights of society and what role should the government have?

It seems that public safety and a person's right to privacy shouldn't be decided by a vague, capricious and contradictory policy seemingly so representative of the current administration.

— Andy Manshart
for the Daily Nebraskan

editorial

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Dukakis loss not due to ignorance

Bush win is a 'yes' to Reagan policies without Reagan charm

It has only been a week since the proper epithet for George Bush was changed from "Mr. Vice President" to "Mr. President-elect." Yet in some ways it seems like months.

The last seven days have brought a flurry of activity worldwide in reaction to the Bush election. James Baker has been named as our next Secretary of State — an appointment that should ease the fears of those who were afraid that the Quayle choice was representative of Bush's leadership selection capabilities. Top Bush officials have been on major news shows everyday and already have their non-answers and refusal-to-speculate speeches down pat. And the world money market has gone berserk.

I must admit that I don't understand this last one. But then again I have never understood currency fluctuation, stock prices or commodities exchange. It has always given me the impression of a very dangerous game played by spoiled rich kids who don't have the gumption or the qualification to go out and get a real job.

One person with some possible connection to a future Bush administration makes a single comment about his personal preference for one aspect of the world economy; and the dollar plunges, world stock markets plummet and Bush's much-deserved vacation gets interrupted by reporters in hip boots wading into the Atlantic Ocean to ask the surf fishing not-yet-president what he's going to do about all this.

Then, just as quickly, a word from Bush, a disavowal by two or four other officials, and things stabilize. Bush didn't say exactly what he would do, but my guess is that he would have liked to have paddled the speculators' behinds and sent them to bed without their suppers.

But enough of that hobby-horsing. A particularly intriguing aspect of the Bush win is the reaction of that vocal minority, the anti-Reagan Democrats. For eight years, a band of marauders whose common bond was a disgust for the very initials "RR" held their tongues and encouraged one another with the slogan: "Just wait till '88." The tribulation was eight years instead of seven, but the millennium was indeed coming.

1988 would be the year when America would wake up from its Teflon-induced slumber and realize what it was doing. 1988 would be the

year when Illinois farmers, Michigan auto workers, California migrant workers and Southern boll weevils would understand that the '80s had been nothing but one giant fluffy, contentless feel-good in which a lot of horrible things happened but no one seemed to notice.

1988 — ah, the blissful melody of the refrain. Just wait till '88. America will come home to the ideals it left behind in its rabid allegiance to the insane policies of the Great Communicator.

You see, in 1988 the Republicans will have to run someone who isn't charmed like Reagan — someone who will be heard for what he is saying and not for the way he is saying it. In 1988 the conservative ideal will lose its figurehead and be revealed for the stinking whited sepulcher it is. Just wait till '88.



James Sennett

Well, 1988 has come and gone and so has the dream. Anti-Reagan Democrats sit shocked and refuse to be comforted. The alarm clock rang, and no one woke up. The man chosen to lead the return to Camelot saw his white horse fade to black. The Reagan aura was gone, the Republican platform was seen for what it was and still people voted for it.

And they voted for it in droves. If it had only been close, if only the Democrats had taken some Southern states and maybe a Northern industrial power or two, there might have been some explanation for the Bush win. But Dukakis failed to take a single state that is not solidly Democrat and failed to take many that are. Of the 112 electoral votes he managed to scrounge, 52 were from his home state and states adjacent to it.

What can possibly be the explanation? Certainly it cannot be that the American people actually voted for Reagan's politics all along and not just his sex appeal. Yet Bush has no aura, no "Aw, shucks" boyishness, no pet-like demeanor. All he has is a political agenda — a political agenda that carried in 40 states.

So I have heard many attempts to explain this unspeakable tragedy.

The most common melody concerns the level of awareness of the electorate.

"The people are uninformed," they cry. "If they really knew what was going on, they wouldn't vote for Bush." This path was chalked out during the race itself when so many deplored the candidates' supposed failure to deal with the issues and Bush's resorting to negative campaigning. The stage was set to charge that the Bush victory was largely a function of disinformation.

After all, these people are so sure that they are right that they cannot fathom any truly informed person disagreeing with them. So if I say yes and you say no, the only possible explanation is that you don't really know what you are talking about. Here, let me tell you about it. Now, I say yes. You still say no? Well, you are either too dumb to understand or you just don't care about what is really important.

What happened last week was plain and simple. The people said yes to the policies and values of the Reagan administration, even without Reagan leading it. They said no once more to what they have said no to for eight years: problem solving by big government doing big things to little people.

The American people are not uninformed. They are not uncaring. They are not ignorant lackeys of a totalitarian war machine. They disagree with the anti-Reagan Democrats and probably will for a long time. But maybe that says more about the anti-Reagan Democrats than it does about the American people.

Yes, I know that the Democratic party increased its seats in Congress and in local and state offices. But Democrats can run on the local level in a way they cannot on a national level. The Democratic plea sounds a lot better when you are talking about me and my neighbors. But when the talk gets generalized to everybody, it starts sounding irrelevant, expensive or just plain unworkable. Local and state elections are driven much more by special interest issues than a national election.

So the Democrats will hold on to Congress for a long time. But if tunes don't change, it may be even longer before they can print up stationery for 1600 Pennsylvania Avenue.

Sennett is a graduate student in philosophy and is a Daily Nebraskan editorial columnist.