

Daily Nebraskan

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University of Nebraska-Lincoln

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Move on

Abortion isn't the only Souter yardstick

In measuring Supreme Court nominee David Souter's qualifications, abortion should not be the only yardstick. Such things as civil rights and affirmative action -- and his competency in interpreting the constitution -- should be given equal or more weight as emotional political issues.

But Thursday, on the opening day of confirmation testimony, the Senate Judiciary Committee, as expected, began grilling Souter on his views on abortion.

Now Souter's testimony is over. And still the New Hampshire judge has shown no signs of budging on his refusal to speak out on the issue.

On Friday, Souter told the Judiciary Committee why: "I have not got any agenda on what should be done with Roe vs. Wade . . . I would listen to both sides of that case. I have not made up my mind and I would not go on the court saying I must go one way or I must go the other."

Good for him. It would be nice to think that a judge would go on the court and listen to and weigh both sides of a case before making a decision.

It also would be nice if the process of selecting a justice would be less political.

While it is difficult to imagine that Bush would nominate someone who didn't share his Republican ideology, it's easy to turn back the pages of American history.

Look at William Brennan, one of the most liberal justices in the history of the Supreme Court. He was nominated by Republican President Eisenhower.

That's not to say Souter will pick up the liberal flag where Brennan planted it, but at least Souter has indicated that he wouldn't let conservative ideology force his decisions on controversial issues.

Today, the abortion issue is a political ax dividing liberals and conservatives, and ultimately Republicans and Democrats.

The Democratic and Republican committee members seemed to bait Souter by asking questions that would, depending on the answer, pin him down as liberal or conservative.

While Sen. Joseph Biden, D-Del., asked Souter to "open the window of his mind," Strom Thurmond, a Republican senator from South Carolina, patted Souter on the back for not answering such an "inappropriate" question.

But this is not a question of what is politically correct -- this is a question of whether he can interpret the U.S. Constitution.

Souter has proven in the last few days that he is a competent nominee. During the day-long hearings, he remains poised, formulating solid arguments and answering questions knowledgeably and logically.

Positions on single issues and political ideology shouldn't be the only weighing factors on the minds of the Judiciary Committee.

Good thing the committee members aren't nominees.

-- Lisa Donovan
for the Daily Nebraskan

STAND manager offers apology for past actions

What I did last year was wrong. The deal was wrong, keeping it a secret was wrong and involving the rest of the STAND party was wrong. I deeply regret my actions last year. Everything that the members of STAND wrote in their letter last Friday (DN, Sept. 14) was true, and I'm sorry it happened.

My actions were the result of a complete loss of faith and hope that ASUN could ever be really reformed. The moment that I accepted the defeatist idea that some backroom deal could or should take the place of more open attempts at reform was the moment that I committed my most serious transgression. This was not only against STAND or the students, it was against myself as well.

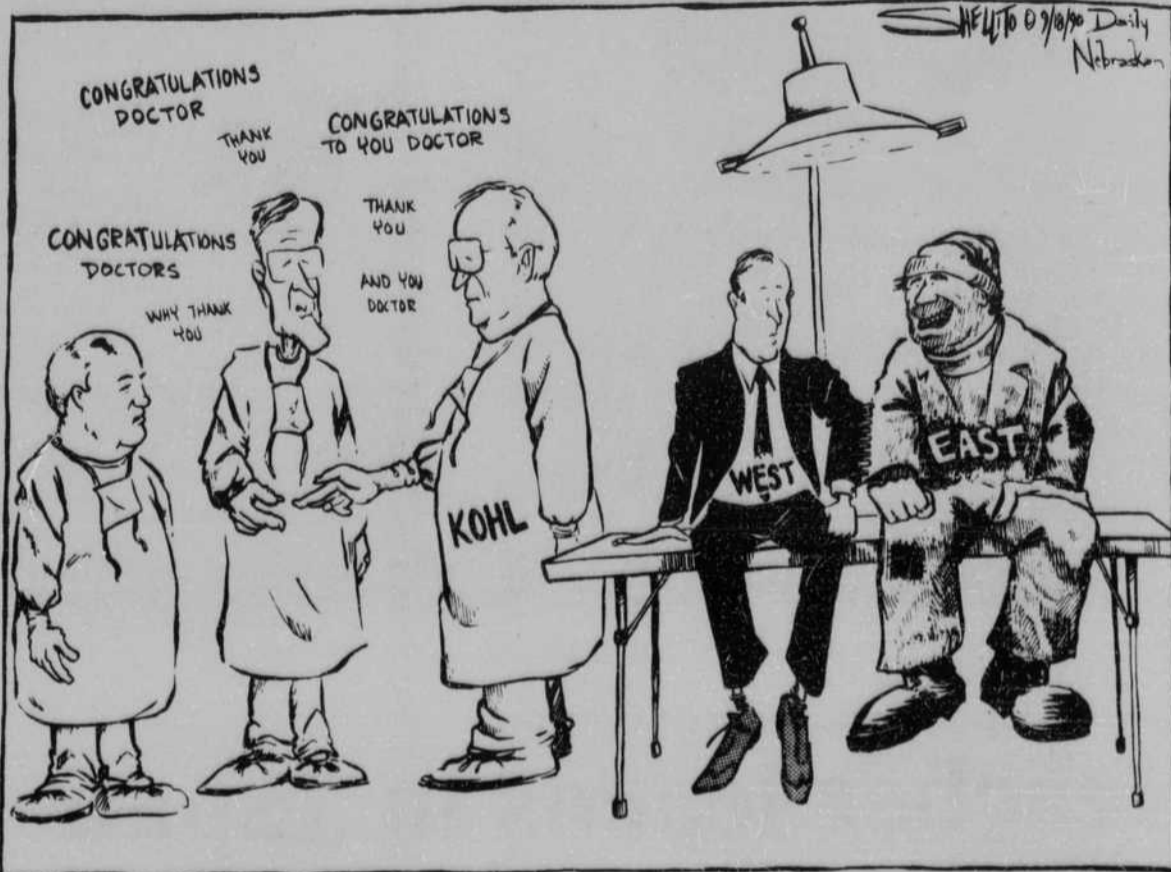
When I examine my basic beliefs about how the world should operate if it is to be fair and just to all people, I realize that what I did is a direct contradiction to those beliefs. Look-

ing back on all of it now, I can't believe that I was arrogant, selfish and stupid enough to let myself get involved in the whole mess.

Before all of this happened, I would never have admitted to myself that I had the capacity of such a callous act. The responsibility for all this will weigh very heavily on me for a very long time. For how long? I have no idea.

I was wrong to do what I did last year. I am sorry that I participated in anything that could have hurt so many people so badly. I hope, that with time, the hurts I have caused will be able to heal, and that everyone involved will be able to find it in their hearts to forgive me.

Mark Buhdorf
senior arts & sciences
former STAND campaign manager



If it's not broken, don't fix it

Flag issue represents misinformation, ignorance, suppression

Some issues never die. They just smolder forever.

In mid-June, the Supreme Court ruled unconstitutional the proposed amendment that would outlaw the desecration of the U.S. flag. Congress killed the proposal a few weeks later.

But last week, one network's evening news program broadcast a story about a war veterans' group petitioning for an appeal on the ruling.

People still are pushing for a law the government has decided is unconstitutional.

Like abortion, the issue is based on values rather than the law. It just won't die. It just gets rehashed, again and again.

On one side, you have those who adamantly oppose violating the flag, the proud symbol of the United States. On the other, there are citizens who feel their right to freedom of speech is in jeopardy.

To hell with the farm crisis, the Middle East, the budget deficit and the homeless epidemic. This is a real whizzbanger of a problem, and it needs our full attention.

Kids on crack? Who cares? Just so long as they don't smoke it in Old Glory.

Living in the world's greatest nation can have its drawbacks. Public ignorance and double standards are two that come to mind.

We as a nation produce, buy and use American flag shorts, T-shirts, socks, cups, stickers, napkins, tablecloths, overalls, underwear, swimsuits and wastepaper baskets. During the 1976 Bicentennial celebration, there were even toilet seats and toilet paper emblazoned with the flag.

If the amendment were adopted, the United States would join nations with laws prohibiting destruction of the flag including Iran, Iraq, the Soviet Union, South Africa and Nazi Germany. What good company. Strangely, those nations have more respect and admiration for their flags than for their own citizens.

But that's exactly what the 27th Amendment would have done -- placed more faith in a piece of cloth than in

the people, values and ideas the cloth represents.

In fact, some still are trying to do it.

Disallowing any form of free speech, as offbeat or distasteful as some may view it to be, is a dangerous step in the wrong direction.

It's mindless. Many of the same "patriotic" Americans who scream for the heads of flag-burners drive Toyotas, Hondas, Volkswagens or



Chuck Green

Porsches. They buy designer clothes made in Europe, eat at Italian and Chinese restaurants, and buy Japanese stereos, televisions, radios and computers. They allow foreign corporations to buy up American real estate and businesses, bit by bit.

In fact, the Bush administration which originally pushed for the amendment, secretly sent weapons to Iran -- the world's leading burner of the American flag.

The debate is a twisted and demented one, full of misconceptions and misinformation.

Last week's news story had a man comparing flag burning to the killing of bald eagles.

"We don't burn the flag for the same reason we don't shoot bald eagles," the man scolded. "It's because they are both symbols of our freedom."

And I always thought it was illegal to shoot bald eagles because there are only a few left on the planet. Silly me.

Some veterans, many with prehistoric, Archie Bunker-like "love it or leave it" attitudes, continue to vocally support the amendment, arguing that they fought wars for the flag.

But they didn't. They fought for what the flag symbolizes, not the least of which is the freedom to demonstrate your opinions, and the belief that no idea should be suppressed. Suppression of any idea is about as

un-American as a Koala bear.

In other words, our flag stands for the right to burn it, if so deemed necessary.

If not for the recommendation of the flag-burning amendment, few people would have thought to burn the flag in the first place, and there would be no problem.

But our leaders, with their infinite wisdom, have opened a big, juicy stinking, red, white and blue can of worms that will never close. It's contrived patriotism at its best.

Isn't it funny how our government seems to create problems just so it has something to fix?

Unless we realize what's at stake when tampering with the Bill of Rights -- the absolute epitome of our national love for tolerance -- freedom itself may one day go up in flames.

An amendment of this sort only would be the beginning. Next, maybe someone could devise a law prohibiting political cartoons satirizing the boneheads in office? Shortly thereafter, newspaper editorials criticizing government policies will be outlawed as will any discouraging words out of the mouths of John and Jane Public.

If you were born in the United States, you were born with the right to vote, the right to demonstrate and petition, the right to a fair and speedy trial and, yes, the right to burn the flag.

To be sure, 95 percent of Americans would never think of burning a flag. Why should they? Those same people probably would never march in demonstration against an elected official, either.

But in both cases, it's nice to have that option.

Next year marks the bicentennial of the Bill of Rights. To continue to support legislation so intolerant of Americans' rights to free expression would be the greatest desecration of the flag imaginable.

To hold sacred a piece of cloth is ridiculous. To hold sacred what the cloth represents is American.

Green is a senior news-editorial major, Daily Nebraskan night news editor, a sportswriter and a columnist.

letter

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