

Daily Nebraskan

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## Look at the facts

War is the same by any other name

There's been a lot of talk lately about whether President Bush single-handedly should be allowed to take the country to war.

Some advisers say Bush's constitutional power as commander in chief of the armed forces gives him that right.

But congressmen — both Democrats and Republicans — point to the exclusive power of Congress to declare war. They want Congress to return to Washington for a special session after Thanksgiving to keep an eye on the president's stewardship of the Constitution.

But the Constitution won't provide much help. It was adopted in 1789, when gentlemanly governments went about a war as if it were a business deal. They shook hands, declared war and came out swinging.

These days, technology, rapid deployment and the need for surprise make formal declarations of war ridiculous. And that takes away from Congress a power the Constitution intended it to have: the power to determine — not just to declare — when the country goes to war. That's why in 1973, Congress passed the War Powers Act.

The act requires that the president get congressional approval to keep U.S. forces in a situation where war could be triggered by their presence.

Clearly, U.S. troops are in such a position now. And yet, advisers and congressmen still argue about the president's rights under the Constitution and the War Powers Act.

Maybe they should stow the harangue and look at the facts. After the latest deployment, authorized last week, the U.S. force in the Middle East will total more than 400,000 — almost as many soldiers as were in Vietnam at the height of that war. On Wednesday, Bush extended the activation of the Reserves another 90 days.

When that many Americans are stationed on foreign soil opposite a belligerent dictator, Congress should be in on the decisions affecting their lives, even if the president acts within his constitutional power.

Cool reasoning, the kind found in constitutional debates, is the last thing that comes into play when tempers flare. If Saddam Hussein's army starts firing, U.S. commanders aren't going to wait for a declaration of war. They'll do the natural thing that's done when diplomacy is conducted at gunpoint — fire back.

A flaw in the White House's handling of the Middle East situation is that it won't recognize that its own forces are trained to do the same thing.

Press Secretary Marlin Fitzwater opposed calling a special session of Congress, saying Tuesday, "There is no war."

When the war starts, Marlin, it will be too late to call Congress back into town. It won't matter if Congress issues a belated declaration of war once U.S. tanks roll into Kuwait — even if they move in retaliation for an Iraqi strike.

For that matter, it won't make any difference whether the administration calls any further escalation of its Middle East presence a war or not. That's why Congress needs to be allowed to do its job now, before the shooting starts.

Unfortunately, some senators want a special session of Congress not to hold the president in check but to issue him a blank one.

Robert Dole, R-Kan., told The Associated Press he would support a "declaration of support and willingness to commit whatever resources it takes to fulfill the mission."

If Congress gave Bush such a mandate for war, it ought to use a more concise euphemism than Dole's. It could let the president call an attack on Iraq a "police action," a "conflict" or a "strike." Any word would work, as long as it wasn't spelled W-A-R.

Well, maybe not. Somehow, "police actions are hell," just doesn't have the right ring.

— Eric Pfanner  
for the Daily Nebraskan

## editorial

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## CNN stooped to sensationalism

Network's questionable ethics might cost Noriega a fair trial

With the help of the U.S. government, Cable News Network may have helped guarantee Gen. Manuel Noriega an unfair trial. And all it took was a signature. The deposed leader of Panama has been imprisoned outside Miami since December, when he surrendered to U.S. troops after they invaded Panama.

When Noriega entered the correctional center, he signed a release written in English and Spanish, so he knew his phone conversations might be monitored by prison officials.

But last Friday night, CNN, in defiance of U.S. District Judge William Hoeweler, broadcast several conversations Noriega made from his prison cell.

Noriega's head defense lawyer, Frank Rubino, said CNN obtained the tapes from a high-ranking Panamanian official, who got them from the U.S. State Department.

How thoughtful it was of CNN to make up the American public's mind by portraying Noriega as a criminal. CNN may be able to offer the First Amendment as its legal right to air the material, but the producers broke an ethical code when they decided to jeopardize Noriega's right to a fair trial.

CNN, as well as other news agencies, says it should let the public in on important stories and issues if it has such knowledge. If the media don't serve as public watchdogs, who will?

Certainly not the government.

But CNN can't take the moral high ground. Its reasoning was for more than just the sake of hard news. Producers had dollar signs in their eyes.

We can assume CNN's producers wanted to report news to the public. They also wanted to make money. By broadcasting tapes of Noriega, CNN sold out to sensationalism. With higher viewer numbers they can increase advertising rates. That, in turn, means more money in producers' pockets.

On the surface, that causes no problem. But, as a result of the net-



Robert Richardson

work's actions, the public will be even more biased against Noriega. Many of the negative thoughts Americans had in December when Noriega was captured were brought back.

CNN should have thought about the possible effects of its actions on Noriega.

On Saturday, the Justice Department issued a brief with the appeals court in Atlanta. It stated that because of the publication of tapes by CNN, selecting an unbiased jury for Noriega's trial as well as providing effec-

tive counsel would be difficult.

In effect, CNN may already have handed down a guilty verdict against Noriega. A court should be able to decide innocence or guilt based solely on evidence brought up during the trial.

So, who's at fault if the general gets screwed?

The government, for allowing the tapes to get into CNN's hands? Or the network for taking the tapes and running with them?

A news giant like CNN had the chance to set a precedent for other new agencies to follow. Although it was not CNN's job to make sure Noriega got a fair trial, it also shouldn't have been the network's job to ensure him an unfair one.

The government has the responsibility of protecting Noriega and making sure he doesn't escape. But it also should have made sure tapes recorded on sensitive issues didn't end up in the wrong hands.

Still, when the tapes got into those hands, the network had no right to make the damage worse.

In December, when Noriega signed the statement allowing his phone conversations to be recorded, he didn't know he might, in effect, be signing a guilty verdict. He also didn't know that that verdict would be broadcast on national television.

Richardson is a junior broadcasting and English major, a Daily Nebraskan columnist and Arts and Entertainment reporter.

## opinion

READER

## Vegetarians should quit eating meat

Message to vegetarians: Get a life. I'm sick and tired of hearing about the vices of meat production from uneducated neo-hippies who think they are out to save the planet. Meats and meat by-products are an important part of our diets and represent one of the most efficient natural resources available to us.

Paul Koester, an apparently ignorant natural resources major, asks in his letter to the editor whether it is moral to waste and water on "... an inefficient and luxurious food source when thousands starve daily on this planet." You miss the point. People are starving because they live where the food isn't, not because McDonald's

serves Big Macs. You'd better brush up on your studies, because animals help to utilize land that would have no other use. And since every part of the animal has a use, many products that animals provide for us like leather, medical products and pet food.

"But it's immoral to eat animals." I ask you this: Would it be moral to let them suffer at the hands of their other natural predators, suffering starvation and a bloody painful death when we can provide them with a happy life and humane death? I think not.

How about this: Why don't you vegetarians continue your life without meat? I won't complain. But when you start jumping on the Granola

Bandwagon of the Month and condemn meat production, you're out of your territory. Don't force your morals on the public. People can decide for themselves without being subjected to your guilt trips.

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