

R.I.P.

'Fighting words' policy better forgotten

Old solutions to old problems have been rising from the dead throughout Nebraska legislative bodies this week. In most cases, there were good reasons the old solutions died.

A special University of Nebraska-Lincoln committee again will consider adding a "fighting words" policy to the Student Code of Conduct. The policy would set up punishment for the use of words that are inherently likely to provoke violent reactions. Included would be derogatory references to race, ethnicity, religion, sex, sexual orientation, disability or other personal characteristics.

A fighting words policy was introduced last spring. The UNL Student Code Review Committee failed to include the policy in its recommended student code revisions.

James Griesen, vice chancellor for student affairs, said such a policy is needed to "add some teeth" to the student code to help prevent verbal harassment on campus.

Griesen said the new committee would consider protection of freedom of speech when formulating the policy.

Obviously, drawing lines between free speech and "fighting words" is an extremely difficult, if not impossible, task. Any vague wording in the policy could result in abuses and injustices far outweighing its attributes.

By pursuing a fighting words policy, however, it's obvious Griesen believes those difficulties can be overcome.

Even assuming he and the committee somehow lay the best plans, the implementation — the dealing of punishment — could only be arbitrary. The context of all slurs would have to be fully understood, the punishment for all slurs necessary for equity.

To assume just enforcement by a college body on an issue so closely infringing on the First Amendment not only is day-dreaming, but dangerous. The motives are just, but the solution is wrong. The fighting words policy should not be resurrected.

— B.N.

Flag-burning ban belongs on slag heap

In the Nebraska Legislature, the flag-burning issue rose once again this week like a fire-breathing, shell-shocked, dodo-brained bald eagle from the ashes of Old Glory.

And no matter how fun it is to describe in new ways the resolution introduced by Elroy Hefner of Coleridge, the core of the issue remains the same:

The American flag is a symbol for a country great because of the freedoms given to its people. Burning a flag is a free expression of an opinion. If you ban flag burning you desecrate the flag by undermining the freedoms for which it stands.

If the resolution receives legislative and gubernatorial approval, the Legislature will petition Congress to propose an amendment to the U.S. Constitution.

Please, senators, when voting on such a petition, remember the difference between liberalism and the cloth symbol of that philosophy. To do so would show Nebraskans as truly good Americans.

— B.N.

War needs support at home

This letter is in response to the so-called peace movements this campus has experienced since the beginning of the Persian Gulf war. I'm not too up on all the demonstrations, but from those I have seen I conclude they are peaceful and successful in stirring emotion.

The cause for this letter is the painted messages on the sidewalks throughout the campus. One in particular — "War is Stupid." I am amazed that someone could think of such a revelation and then be smart enough to use a stencil and can of spray paint so all campus dwellers could share this innovative thought. "War is Stupid." Of course war is stupid. Ninety-nine percent of the population believes that.

It would have been great if we could have averted the gulf war, but we did not and have now committed our nation — like it or not — to a long stay in the gulf area even after the end of the war. We can argue with 20-20 hindsight that we should not be there and that if we were in George Bush's shoes, we would not be there. But "ifs" don't solve the present problem. The problem at hand is that our nation is at war (though not by declaration).

Our country has too much ego to just pull out of a conflict and we could not do that now in good conscience. The allies would be crushed without

the United States, and Israel would most likely be drawn into an escalated conflict because of our departure. There are now more interests involved than just the American interest. To have peace you must prepare for war and sometimes engage in war. The best way out of this war is to rally support for our forces in the gulf region. Saddam is counting on the American public to be one of his allies. He is trying to create dissension in our country.

A war in the gulf and a war at home, like the ones experienced during the Vietnam War, will cripple our nation. I despise war and am appalled that our generation's war has begun. I pray that our generation can do a better job at home than the Vietnam generation did. I believe in peace, but I do not believe in painting messages and causing undue commotion here in the United States while there already is too much commotion in the gulf. These peace movements are not going to change the fact that we are at war. They also won't bring our people home sooner. If we fail in public support of our men and women in the gulf, then we may fail to prevail in the war.

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... AND I HEREBY ALSO DENOUNCE MY GOVERNMENT'S ACTION...

GUEST OPINION

Iraq has poor POW record

By David Forsythe

American society, as it did during the Vietnam War, has predictably begun to focus on American prisoners of war. If history is any guide, the issue of the laws of war and the current Persian Gulf war is likely to be a controversial subject.

Iraq is very familiar with the Geneva Convention of 1949, designed to protect victims of armed conflict. Iraq is a legal party to that law, as is the United States. Iraq has considerable recent experience with those rules because of its eight-year war with Iran.

At the outbreak of hostilities with Iran in September 1980, Iraq said the laws of war applied to that situation, including the law covering POWs, which is more than Hanoi ever said during the long Vietnam War. Within three days of the fighting, Baghdad authorized the International Committee of the Red Cross, the monitor of the Geneva Convention, to act in Iraq. Within two weeks, POW visits by the ICRC had begun.

The situation is already more complicated today than in 1980. When Iraqi forces took Kuwait by force in early August 1990, the ICRC contacted Baghdad and requested authorization to carry out its normal humanitarian duties under the law of international war. Baghdad refused, and to date the ICRC has not been allowed to operate in either Kuwait (legally, occupied territory) or Iraq proper. Such permission would be the first step in the direction of limiting the human destruction from this war, but entry of the ICRC would not solve all problems.

Back in the first Persian Gulf war, when the ICRC was active in Iraq, there was both implementation of, and violation of, the laws of war by Iraq. Baghdad eventually set up about a dozen POW camps, gave the ICRC access to most POWs, and improved POW conditions over time. Sometimes sick and wounded POWs were exchanged with Iran.

On the other hand, Baghdad brutalized some POWs. Some of them

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were kept away from ICRC visits for the duration of the war; one can only guess at the treatment they received. The ICRC publicly protested not only these policies, but also the Iraqi bombing of civilian targets in Iran, and the use of chemical weapons against both Iranians and Iraqi Kurds.

Iraq persisted with most of these violations of the laws of war until the cease-fire of 1988. Iraq continued to hold about 20,000 Iranian POWs until September 1990 when they were exchanged for more than 50,000 Iraqis held by Iran.

Iranian behavior, however, was worse. Iraq at least paid some attention to proper POW treatment despite mostly lack of reciprocity from Iran. Iran at times refused totally to cooperate with the ICRC, tried to politically and ideologically indoctrinate Iraqis under its control, encouraged one Iraqi faction of prisoners to attack another, sometimes with fatal results, and in many ways violated the third Geneva Convention covering POWs. Iran also engaged in the "war of the cities" — attacks on undefended civilian targets — and used poison gas itself. All of these acts the ICRC protested, largely to no

avail. Because of the magnitude of Iranian violations, the ICRC suspended most of its activities there between 1984 and 1986.

By contrast to Iran, the United States currently occupies the high moral ground concerning the laws of war, which is psychologically and politically important to Operation Desert Storm. It has invited the ICRC to visit Iraqi prisoners of war it holds, and has forbidden photographers to get close to them or to photograph their faces. The United States is in a good position to demand reciprocity. Iraq has been targeting civilian populations in Israel and Saudi Arabia, while the United States presumably has been trying to minimize civilian destruction in Iraq — although evidence on this point is soft now. The United States could lose the moral ground through widespread civilian destruction, as occurred in the Vietnam War.

It is not clear what policy Iraq will follow in the future as the number of American and allied POWs mounts. If Iraq violates the laws of war further, it will not be because of ignorance of the law. And the United States, in fact, bears part of the responsibility.

The United States was so concerned to support Iraq in order to contain the Iranian revolution that it failed to put concerted and effective pressure on Iraq on behalf of the laws of war in the first Persian Gulf war. Had the United States not looked the other way when the ICRC tried to mobilize pressure against both Iraq and Iran, we would probably not be witnessing American POWs being paraded before the television cameras, made to denounce their country and no doubt brutalized. The United States can only do three things now: continue to observe the laws of war, generate pressure on Iraq to cooperate with the ICRC in observing the Geneva Convention and hold war crimes trials — preferably under U.N. auspices — when this war is over.

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LETTER POLICY

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