## JENNIFER ERNISSE Choice key to sustaining rights

othing like a good philosophy class to draw attention to the most ingrained of moral foundations. For the past two weeks, my Philosophy of Current Issues class has been discussing abortion. It has been



a tough go for my professor trying to present someone else's views on such a controversial lopic. And, considering recent news item heard and Tuesday's election, I felt I might

burst at the seams if I neglected this topic any

I feel as though we are a nation polarized — two disparate factions of extremists, one right and one left. This is not only applicable to the issue of abortion but also many other controversial subjects. And it is this extremity that makes me fearful for our country's fate. But yet one thing remains pristine in my mind and holds my faith — the Constitution.

There are two central issues con-cerning abortion. The first is that of personhood. Although pervasively topical, liberals have still argued a pro-abortion stance regardless of whether the fetus is determined to be a person. Although as a biologist, I consciously recognize that life is on a genetic continuum, I refuse to be defined solely by my chromosomal makeup. Genetically, I am defined as human by the 23 pairs of chromo-somes in each of my cells; however, my humanity, my personhood is clusive and ethereal, non-definable by epistemological parameters.

The second issue is imbedded in law, the law as defined by our Constitution. Libertarians are those who believe in the right to life, liberty and property. Although we may know these to be true through our study of the Constitution, they are thought to have originated by the "light of pure reason," meaning they are simply self- ized my own responsibility to prevent

evident truths that we must accept.

In libertarian arguments, as in most things, these rights are established in a hierarchy, the right to property being the most important. This correlates to common capitalistic practices; we are entitled to what we acquire. This is manifested in a blatant display of materialism from our Beemers to our stone-washed Guess? icans

But what of your body? Isn't it a distinct and unique property right of its own? Because of the grayness of situations in our society, I think this subtle distinction must be made. Whenever a murder is committed, it is considered a violation of the right to life. However, with our increasing awareness and societal denunciation of rape, I can't help but ask, if you harm someone without taking his or her life, what are you being punished for? Clearly, the answer here is the inherent right to the body as property.

So it seems to be with no leap of faith that, if my body is my property, have the right to choose what I do with and to it every day, whether it be to eat a Big Mac, smoke a Camel, run a mile or terminate a pregnancy. Although the severity of these choices is different, the principle is the same. I CHOOSE what agenda to follow be-cause my body falls under the parameters of my right to property.

The underlying element here is empowerment. Why were women for so long denied the right to vote? Because men were afraid that choice equalled power. They were right and the beginnings of feminism and equal-ity are manifested in the 19th Amendment

Again, the predominantly male government — only 4 percent of the members of Congress are women has tried to quelch womens' spirit and integrity to our own culture. As the 1973 Roe vs. Wade decision slowly eroded in the Reagan-Bush era, I real-

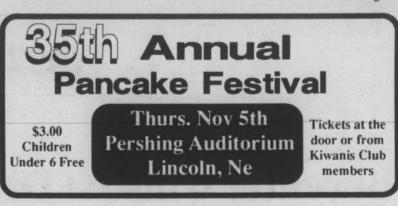
our demise into the days of illegal, degrading and deforming coat hanger procedures and the systematic deprivation of a woman's right to exercise a choice she felt was in her best interest. It was for this reason I cast my vote Tuesday for Bill Clinton.

There is one more seemingly tangential issue that I feel must be the core element to which we all agree on unless we, as a society, completely intend to morally divide our country. That issue is education. The choice to have an abortion is not easy or capricious. Although I have been spared this horrific experience, I have friends who have and continue to endure the haunting memory of their choice. They continue to defend their decision each time the subject is raised. But sometimes making the right choice is not always the most enjoyable, idyllic decision. I admire their strength amidst a society that limits their options severely.

Finally, last week, a new progest-erone-like hormone shot, Depoprovera, after more than 10 years of tests and approval in 90 countries, reigned triumphant over FDA rhetoric and was approved — for the sec-ond time — for use in the United States. It is time to ask why there is an effort to stymic pervasive efforts to education and offer women post-sex, preabortion precautions. Choice is econdary only to knowledge in instilling power.

To me, giving a woman the right to a choice based on in-depth information is not only the morally, most lawful option, but it is the key to increasing our ability to accept and uphold our constitutional rights to life, liberty, property, the pursuit of happiness, and, most of all, the freedom of choice.

Ernisse is a senior pre-med major and a Daily Nebraskan columnist.

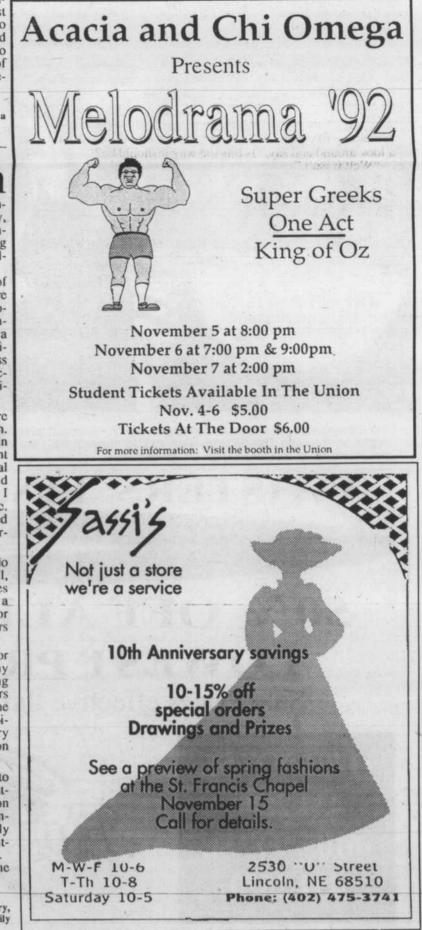


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## SAM KEPFIELD trate bar association berals infil

dues statement from the American Bar Association. I've been a member since 1986, my first year in law school, and have renewed my membership every year. Not this time. I returned the state-



for S35. In its place I put a letter resigning from the ABA. Two things prompted my decision. First, at the annual convention in August, the ABA adopted a resolution supporting abortion rights. The ABA previ-

ously took a neutral stance. This time, more than 2,200 members have resigned; partners in several prestigious Nebraska firms and officials of the Nebraska Bar Association have quit as well and allowed their associates to do the same. If the adoption of the resolution wasn't enough, at the same convention, the ABA sponsored a lunchcon by the Committee on Women in the Profession. At this lunchcon, the ABA had the unmitigated gall to honor Anita Hill with an award. Giving the keynote address was none other than Hillary Rodham Clinton. Clinton praised Hill as a "symbol and inspiration to women in this country." Hill said women lawyers must be social engineers to ensure that sexual harassment was not tolerated. It was an orgy of standard liberal feminist cliches At this same convention, the ABA openly snubbed Vice President Dan Quayle. At the 1991 convention, Quayle launched an attack on the legal profession and generated a fire storm of protest, mostly from lawyers. It was an embarrassing spectacle. Quayle gave his address, and the president of the ABA rushed to the microphone immediately afterward to scold Quayle for his remarks. This year, Quayle was ignored. It was more than mere disrespect for the office. All this points to the inescapable conclusion that the ABA has become nothing more than another left-wing interest group attached to the Demo- exam. After spending a month re-

recently received in the mail a cratic Party. What the ABA did last August was a political ploy, pure and simple

Turning Hill into the Martyred Saint of Oppressed Womanhood by suborning her perjured testimony before the Judiciary Committee and doing it ment minus the check / through the wife of the Democratic nominee, no less, the ABA lost whatever credibility it ever had. I refuse to be an accessory to it.

To make it worse, J. Michael Williams, ABA President, denied it all. The ABA, he wrote in the November edition of the ABA Journal, is a nonpartisan organization. It does not endorse political candidates, nor does it

take an active role in partisan politics. This is the sort of sheer hypocrisy and arrogance that permeates the profession. It's one of the big reasons I got out of it. The profession has spun out of control. It has become the business of law rather than the practice of law. Lawyers have come to see themselves as a ruling elite, apart from the masses. To them, we're just more billable hours, a personal injury suit waiting to happen or another face to be plea-bargained through the system.

tracts, torts and property, on test day, I kept being told by some superannuated corporate counsel representing the state bar that it's testing my knowledge of The Law.

Yet another lie knowledge of The Law is the last thing they care about. It's merely a weeding-out process, designed to see who cracks under the strain and who doesn't. If a state has too many lawyers, like Cali-fornia and New York, then the pass rates are a sort of economic protectionist barrier keeping out competi-

After the bar, they are told they are fit to practice law. Again, an untruth. Ninety percent of what you learned in law school is useless, and 90 percent of what you need to know in the real world is come by through trial and CLLOL at the client's exp know this from personal experience. Think about what we'd do if we trained doctors that way. It would be intolerable.

viewing arcane knowledge about con-

It all begins in law school, a collection of obsessive-compulsive neurotic overachievers. Law students are told they're special. They become myopic, believing that The Law is all they will ever need to know, that the rule in Shelley's Case is worth a tinker's damn in the real world.

Many of them are bright college seniors, ambitious, but with no direction. Law school to them looks like a good resume builder, and the lifestyle and the money are good. Their im-pressions of the law may well have been formed from watching "L.A. Law" reruns.

A few, like myself, wanted to use the law to make our own little corner of the world a better place to live in. Money wasn't the reason I did it - or clse why would I have taken an assistant county attorney position in Western Kansas?

After graduation comes the bar

So what does any of this have to do with you, the average citizen? Well, the cost imposed on the United States by this elite runs near \$300 billion a year. In their zeal to be advocates for anything if the price is right, lawyers have put society on the defensive.

Insurance rates are sky-high for doctors - to the point where many are quitting or no longer performing certain kinds of medicine. Lawyers cannot get away from the bottom-line mentality, cannot look past the visions of getting a third of any jury award to see the larger effects on society.

Their increasing willingness to politicize the ABA means any attempts at controlling this profession are bound to fail. A law unto themselves, they will continue to piously inject their beliefs into society, putting us ever more on the defensive.

And they will do it all in the name of justice.

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