

JENNIFER ERNISSE

Choice key to sustaining rights

Nothing 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 topic. And, considering a recent news item I heard and Tuesday's election, I felt I might burst at the seams if I neglected this topic any longer.

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 concerning 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 chromosomes in each of my cells; however, my humanity, my personhood is elusive 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-

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? jeans.

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, I 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 because 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 equality are manifested in the 19th Amendment.

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

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 progesterone-like hormone shot, Depo-provera, after more than 10 years of tests and approval in 90 countries, reigned triumphant over FDA rhetoric and was approved—for the second time—for use in the United States. It is time to ask why there is an effort to stymie pervasive efforts to education and offer women post-sex, pre-abortion precautions. Choice is secondary 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.

SAM KEPFIELD

Liberals infiltrate bar association

I recently received in the mail a 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 statement minus the check for \$35. 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 previously 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 luncheon by the Committee on Women in the Profession. At this luncheon, 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-

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 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 non-partisan 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.

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 impressions 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 else why would I have taken an assistant county attorney position in Western Kansas?

After graduation comes the bar exam. After spending a month re-

viewing arcane knowledge about contracts, 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 California and New York, then the pass rates are a sort of economic protectionist barrier keeping out competition.

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 error—at the client's expense. I know this from personal experience. Think about what we'd do if we trained doctors that way. It would be intolerable.

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.

Kepfield is a graduate student in history, a UNL College of Law alumnus and a Daily Nebraskan columnist.

35th Annual Pancake Festival

Thurs. Nov 5th
Pershing Auditorium
Lincoln, Ne

\$3.00 Children
Under 6 Free

Tickets at the door or from Kiwanis Club members

Coming to Iowa to see the Nebraska Cornhuskers "shuck" the Iowa State Cyclones?

Stay at the Sheraton Inn Des Moines!

- \$50.00 Rate + Tax (1 to 4 persons in a room). Bring in this ad.
- Conveniently located off I-80/35. Exit 125.
- Only 40 minutes from Ames.
- Minutes away from Des Moines' major shopping malls.
- Indoor Pool, Whirlpool, and Sauna.
- Abigail's Restaurant and Lounge.


Sheraton Inn Des Moines
IOWA

11040 HICKMAN ROAD, DES MOINES, IOWA 50325-3740
PHONE: (515) 278-5575 FAX: (515) 278-4078

Professionally managed by Seldin Company

Acacia and Chi Omega Presents

Melodrama '92



Super Greeks
One Act
King of Oz

November 5 at 8:00 pm
November 6 at 7:00 pm & 9:00pm
November 7 at 2:00 pm

Student Tickets Available In The Union
Nov. 4-6 \$5.00
Tickets At The Door \$6.00

For more information: Visit the booth in the Union



Assi's

Not just a store
we're a service

10th Anniversary savings
10-15% off
special orders
Drawings and Prizes

See a preview of spring fashions
at the St. Francis Chapel
November 15
Call for details.

M-W-F 10-6
T-Th 10-8
Saturday 10-5

2530 "U" Street
Lincoln, NE 68510
Phone: (402) 475-3741