

Factions argue for a more representative court

WASHINGTON — Justice Harry A. Blackmun's retirement will give America the youngest Supreme Court in a half-century, and some court-watchers are urging President Clinton to aim for one that will more closely reflect the country's diverse population.

"I wish he'd pick a black man or a black woman" to provide a more liberal counterpart to conservative Justice Clarence Thomas, American University law professor Herman Schwartz said.

Clinton should choose a Hispanic to reflect that group's growing share of the U.S. population, Rep. Jose Serrano, D-N.Y., chairman of the Congressional Hispanic Caucus, wrote

in a letter to the president.

Clarke Forsythe of Americans United for Life said Clinton should choose someone who does not seek to legislate from the bench as a replacement for the retiring Blackmun, the court's most liberal member.

The National Abortion and Reproductive Rights Action League's James Wagoner would like to see a second black, a third woman or the first Hispanic as long as that person has a "deep-seated commitment to individual privacy and protecting a woman's right to choose."

Rex Lee, a former U.S. solicitor general, argued against trying to fill any particular demographic slot. The Supreme Court is a non-political

branch of government and has no obligation to reflect the population, he said.

"What it should look like is the very best talent that is available in the legal community," said Lee, who served in the Reagan administration and now is president of Brigham Young University.

Senate Majority Leader George Mitchell, D-Maine, is high on Clinton's list of possible nominees. He's 60. Another possible nominee, U.S. District Judge Jose Cabranes, 53, of Connecticut, would be the court's first Hispanic.

Other possible candidates include Solicitor General Drew S. Days III and federal appellate Judge Richard

Arnold of Arkansas. Interior Secretary Bruce Babbitt was named as a top prospect but said he did not want the job. Days is black, the others white.

White House spokeswoman Dee Dee Myers said Thursday a decision would be made in "weeks, not months." Last year, it took Clinton three months to choose Justice Ruth Bader Ginsburg to replace retiring Justice Byron R. White.

The departure of the 85-year-old Blackmun will continue a trend toward a younger court.

The court's average age was 72 in 1986, when five justices were older than 75. Two years later, after Chief Justice Warren Burger and Justice Lewis Powell had retired, the average

age dropped to 66.

With Blackmun, the current justices are an average 63 years old. That will decline to about 60 if he is replaced by someone around that age.

No court has had a younger average age since the early 1940s, when President Franklin D. Roosevelt had a chance to replace many of the "nine old men" who had opposed much of his New Deal legislation.

Justice Sandra Day O'Connor noted that with the retirements of Blackmun and White, "we will have lost much of the institutional memory of the court." Blackmun joined the court in 1970, while White had served since 1962.

Presidents' deaths spur rampage

NAIROBI, Kenya (AP) - Rampaging troops killed Rwanda's acting premier and as many as 11 U.N. soldiers Thursday during fierce fighting touched off by the deaths of the presidents of Rwanda and Burundi in a suspicious plane crash.

Reports from Rwanda's capital, Kigali, were sketchy and it was not clear who was involved in the clashes or in control of the capital. Amid the violence, three Cabinet ministers were reported abducted and 17 Jesuit Rwandan priests were reported killed.

The violence in Rwanda broke out after President Juvenal Habyarimana of Rwanda and President Cyprien Ntaryamira of Burundi died late Wednesday when their plane crashed while landing at Kigali's airport. The Rwandan government said the plane was shot down, but U.N. monitors said they could not confirm that.

In New York, U.N. spokesman Fred Eckhard confirmed that at least 10 U.N. Belgian soldiers were killed in Rwanda. He said an 11th person had yet to be identified. He had no details on the circumstances of the slayings.

U.N. spokesman Moctar Gueye, reporting by telephone from Kigali, said the Belgian soldiers had been kidnapped Wednesday by members of the presidential guard. They were heading to the crash site to try to



He said there were reports of house-to-house killings and that the city's streets were empty except for small groups of youths armed with machetes and clubs.

"So far as we can see, it seems that there are a lot of guns in a lot of hands and we don't really know who is giving orders to shoot at who and for what reason," Gueye said.

From Washington, President Clinton said Rwanda's acting prime minister, Agathe Uwilingiyimana, "was sought out and murdered" by Rwandan security forces.

In neighboring Burundi, the capital, Bujumbura, was reported quiet, a missionary said by telephone. He said the president's death was being reported as an accident.

There has been widespread ethnic fighting in Burundi since the nation's first Hutu president was killed during a failed coup last fall.

Bitter rivalries between the majority Hutu and minority Tutsi groups have made the central African nations ethnic battlegrounds for decades. Rwanda also has been torn by divisions among Hutus over a peace accord that Habyarimana's government signed with Tutsi rebels last year.

The two presidents, both Hutus, were on their way home from a summit in Tanzania that was aimed at finding a regional solution to the ethnic hostilities in their nations.

determine its cause, he said.

He said it was unclear if the presidential guards who kidnapped the Cabinet ministers and U.N. soldiers were acting under orders from some authority or were rogue elements.

U.N. spokesman Joe Sillis said there were unconfirmed reports of other U.N. personnel missing. The whereabouts of the Cabinet ministers remained unknown. Radio France Internationale, citing unidentified diplomats, said Labor and Social Affairs Minister Landouald Ndasingwa had been killed.

Intense gunfire and explosions echoed across Kigali, Gueye said.

Clinton tours Midwest to revive health plan

TOPEKA, Kan. — President Clinton pushed his health-care reform plan in the Midwest Thursday and called on all sides to "cut down on the rhetoric, turn up the action."

Clinton opened a two-day Midwestern swing before an enthusiastic crowd of Kansans crammed into a Topeka airport hangar. He denounced a Washington culture where "every debate took on more rhetoric than reality and shed more heat than light."

Clinton insisted the United States could do better than its current health-care system, which leaves 58 million uninsured and millions more underinsured or afraid to change jobs.

"Instead of paralyzing extremism, what this country needs is moderate, aggressive, progressivism by people who are dedicated to getting together and getting things done," he said. "Cut down on the rhetoric, turn up the action, put people first and move the country forward."

But even in Topeka, Whitewater was not completely gone. A lone protester at the airport held up a sign that said: "Slick Willie: Whitewater President."

Clinton's two-day swing through the heartland also was taking him to Minneapolis.

Clinton scheduled three regional TV "town hall" meetings this week as he sought to build momentum for health-care reform. He got a surprise at the first such forum, when Americans in Charlotte, N.C., hit him with a string of skeptical and even hostile questions Tuesday on everything from Whitewater to North Korea.

Clinton's efforts to revive interest in health-care reform come as polls show Americans are divided on where the president's attention should be and tired of hearing about Whitewater.

A Times Mirror poll taken last month found that many Americans thought Clinton's top priority should be elsewhere, with 26 percent saying employment should be the president's first concern, 23 percent citing crime, 20 percent singling out the deficit and 16 percent selecting health care.

Polls also show Americans growing tired of news coverage of Whitewater and continuing to be concerned about their own health coverage.

Nearly half those surveyed in the Times Mirror poll said problems in the health care system came up frequently in conversations with family and friends; one in 10 had been dropped from an insurance plan or refused coverage in the last year.

Attack causes Israel to ban Palestinians

AFULA, Israel — As thousands of angry Israelis gathered Thursday to bury the victims of a car bombing, the army barred 1.8 million Palestinians from entering Israel for a week in one of its strictest closures ever.

The order follows two more attacks by Islamic fundamentalists Thursday. One Israeli was killed and four were wounded when a Palestinian opened fire at a bus stop in southern Israel.

"We plan for Israel to be empty of Arabs from the territories until Independence Day," Police Commissioner Rafi Peled announced on Israel radio. "I hope it will calm the situation and contribute to the security."

Israeli Independence Day is April 14.

The attacks spurred calls for a suspension of negotiations with the PLO on the withdrawal of Israeli troops from the Gaza Strip and West Bank town of Jericho.

The measures to bar Palestinians

from Israel were the strictest since March 1993, when 15 Israelis were killed in a series of stabbings. They effectively tighten travel restrictions imposed after the Feb. 25 Hebron mosque massacre.

Peled said all permits for workers had been canceled and no cars would be allowed in from the territories. The army barred a Palestinian conference at a Jerusalem hotel where Jesse Jackson was to speak. The conference would have brought in hundreds of Palestinian academics from the occupied lands.

The violence came as Israelis observed Holocaust Day in memory of the 6 million Jews slaughtered by the Nazis during World War II.

In Afula, police fought running battles with about 300 Israeli youths who burned tires after the funerals for the victims of the suicide car-bombing.

Settlers passed out literature condemning the peace talks. Banners at-

tacked Israel's peacemaking with the PLO.

About 5,000 Israelis gathered in the cemetery as four of the victims were laid to rest in a service broadcast nationally. Three other Israelis and the attacker were killed in the bombing.

The government representative was booed, cursed as "trash" and forced to leave under police escort.

Much of the anger focused on PLO leader Yasser Arafat's failure to condemn the attacks.

Also Thursday, two Israelis were stabbed and slightly wounded by Arabs at entrances to the Gaza Strip, army officials said.

In a statement released in the Gaza shortly after the attack, the military wing of the Islamic fundamentalist Hamas group said it planned a series of attacks in reprisal for the Hebron massacre.

Judge refuses to allow warrantless gun sweeps

CHICAGO — Police can't conduct warrantless gun searches in public housing projects, a federal judge said Thursday in a decision that rebuffed pleas from housing officials and tenants who hoped the sweeps would quell gang violence.

U.S. District Judge Wayne Anderson's ruling ended the latest round in an emotional dispute between city officials and civil libertarians who argue that the courts can't grant a wholesale waiver of the Constitution's protection against unreasonable searches.

"The erosion of the rights of people on the other side of town will ultimately undermine the rights of each of us," Anderson said in refusing to lift a ban he imposed last month.

Violence last summer prompted the Chicago Housing Authority to ask police to conduct the random, door-to-door searches for guns without search warrants.

Some tenants also backed the warrantless searches, saying they would prefer the sweeps to random gunfire that made it dangerous to stand near windows or venture outside.

"Mothers put kids in their bathtubs in fear of their lives," CHA chairman Vincent Lane said before the hearing. Lane left the courtroom without comment after Anderson's ruling.

Earlier, he had said he didn't expect Anderson to lift the ban and predicted the case would wind up in the Supreme Court.

The American Civil Liberties Union sued to halt the searches on behalf of Chicago's estimated 150,000 public housing tenants.

Gang warfare last month in the huge Robert Taylor Homes project brought new urgency to the debate. Police received more than 300 reports of gunfire in the 28-building, 12,320-tenant complex over a five-day period.

Anderson had permitted police to conduct warrantless searches if specific apartments were pinpointed as sources of gunfire, and Lane promised to use that authority if violence erupted again in the projects.

Under terms of their leases, any public housing tenants caught with guns, registered or unregistered, face eviction.

Lula Ford, principal of Beethoven Elementary School in the heart of the complex, said she was incensed by the decision and feared gang violence would erupt anew.

"I'm not violating any law, and I have nothing to hide, but police should have warrants before they come into your house," resident Louis McCray said.

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