

OPINION PAGES

Our VIEW

Hot seat Supreme Court should protect free speech

The Supreme Court heard arguments Tuesday for and against the Communications Decency Act.

The justices should have immediately declared the dangerous law unconstitutional and moved on to other matters.

Instead, a decision on the matter is expected in July. Those who value free speech will be sweating until then.

The Communications Decency Act (a law since its passage last year) could more accurately be called the Hogtie Free Speech on the Internet Act.

The law, an inexplicably misguided piece of legislation introduced by Nebraska's former Sen. Jim Exon, makes it a crime to make "indecent" or "patently offensive" words or pictures available online where they can be found by children. Violators could get up to two years in prison and a \$250,000 fine.

Now, keeping nude pictures away from children is certainly a laudable goal. (After all, if kids get their fill of nudity on the 'net, they won't get it from prime time television — and all those advertisements will have been for naught.)

But the problem with this law, as with all other attempts at censorship, is that "indecent" and "patently offensive" are either loosely defined or not defined at all.

To be sure, Sen. Exon probably defined "indecent" to include pictures of people having sexual relations with kitchen appliances. That's certainly nothing children need to see to become well-rounded adults.

But who is to say the definition won't stretch to the point where criticism of, say, the government is considered "indecent" or "patently offensive?"

No one, that's who.

The mere possibility of restricting free speech on the Internet is a slap in the face to those who have been empowered by the voice of the global computer network has given them.

Before the Internet, getting one's opinions out to a large audience was possible only through the mass media. The only people who truly had free speech were the ones who bought ink by the barrel and paper by the ton.

But now anyone with access to just about any kind of computer can publish his or her views on the World Wide Web, with a potential audience of millions. No massive investment in printing presses, radio transmitters or television cameras is necessary.

The law that could take that all away is blocked right now by a Philadelphia court order. But the Supreme Court could remove that block and declare the law constitutional.

Yes, that may happen. The Associated Press has reported interviews with court employees who say the Internet remains a mystery for all nine justices.

One of our most precious civil rights rests in the hands of nine people who know little or nothing about the technology they are to rule on.

It's getting hot in here.

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DN LETTERS

Defending the Fort

High school students may be "on the right track," but John Fulwider is off-track and out of control (DN, Wednesday)! I salute high school students who are attempting to make a difference and change things they feel are wrong (as long as it's done within the rules and laws which currently exist).

However, I do expect a little more, in terms of researching the facts and providing correct information, from a college junior news-editorial major. First of all, please don't presume to speak for those of us in the Armed Forces, "comprised of honorable women and men ... who are dishonored by the don't ask, don't tell policy ..."

You, John, have not earned the right to speak on behalf of those who have chosen to serve their country. Do you want to ban recruiters from private colleges and universities who offer scholarships, but many of whom "discriminate" (by your definition) through their affiliation with religious groups, etc?

You highlight the statistical increase in the number of homosexuals discharged since the "don't ask, don't tell" policy began. If you did your research you'd find that the increase has very little to do with the actual policy or its enforcement, and more to do with the nationwide increase in the number of people willingly "coming out of the closet."

Most of those discharged from the military chose to "come out" and risk the consequences. Yes, these "850 voluntarily took an oath" and that oath is to obey orders and defend the laws of our country. They knew the rules, regulations and laws and chose to take the oath.

If they now choose to violate the oath, laws, rules and/or regulations, they must also be willing to pay the consequence. Unfortunately, that is one concept that we in America fail to teach our children — there are consequences for our actions — good or bad! Don't discriminate against the military because we defend the laws of our land.

You are also wrong in criticizing the LPS officials. Visiting with recruiters is voluntary. The career classes you mention are NOT taught



MATT HANEY/DN

by recruiters. In fact, they are currently taught by Army ROTC faculty from the Department of Military Science at this university.

I'd be happy to show you the block of instruction that is taught, at no time is a "recruiting pitch" part of the instruction. In fact, if a student wanted to join the military right there on the spot, they couldn't — because we're not recruiters!

Lastly, be careful what you recommend to these young men and women without first researching your facts. Many of the colleges and high schools who have chosen to "throw the military off campus" have had a rude awakening when federal funding is threatened to be cut off from the school because to do such a thing violates current law! If you don't like the laws work to change them — but don't target the military. We don't make the laws established by the Constitution — we are sworn to defend them!!

Ricardo S. Barrera
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First Against the Wall

In response to J.J. Harder's column "No more Babel, please" (DN, Wednesday), I'll try not to focus on the fact that your (and my) native language is a mere combina-

tion and distortion of innumerable languages whose "standards" you find inferior to our own.

I'll try to overlook the titanic degree of egocentric ignorance indicated by your anger at the omnipresence of Spanish in parts of the United States where indeed, that language has been the primary one for more than 400 years.

I'll throttle a guffaw when visualizing your difficulty with the vocabulary of the McDonald's menu (cuarta libra con queso?); already a worldwide symbol of cultural imperialism.

I'll not hypothesize about how you would feel if a foreigner, brought here illegally by a well-known American corporation to work long, hard hours for a pittance, were to misunderstand a road sign and injure or kill someone you love.

I'll even understate my personal need, as a temporary but documented Nebraskan, to welcome and embrace not only the languages of other cultures, but their arts, traditions and foods just to give myself a break from Midwestern culture — which for me — is often so much tasteless, warmed-over gruel eaten in front of the test-pattern on black-and-white TV.

Rather, I'll just attack the endless, whining, conservative refrain that road signs and publications in "Spanish, French, German and Sri Lankan" are a waste of our sacred tax dollars.

Did it ever occur to you that millions of these immigrants (legal or not), naturalized citizens and non-English-speaking natives are taxpayers too?

Do they not also have the right to learn, vote, read, write and navigate the byway using their native language as you do?

I DO think so. The day is coming, Mr. Harder (racist language initiatives notwithstanding), when our fellow immigrant citizens will take what is deservedly theirs by sheer demographic force. Wake up and smell the café.

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