

Law professor named interim chancellor

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Edwards said Smith's appointment was a good choice.

"I think this is an extremely good appointment," Edwards said. "The whole campus has Professor Perlman to thank for stepping up into this position."

Smith said during Perlman's tenure as dean of the law college, he was a "visionary" and "helped guide the university through some

of its most trying and divisive issues in recent years."

A native of York, Perlman joined the faculty of the law college in 1967.

He served as a faculty member of the University of Virginia Law School from 1975 to 1983.

He then came back to Nebraska to serve as the dean of the law school. He resigned from the position in 1998 and returned to teaching full-time.

Tensions rise as case nears

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available, he said, the law does not place an undue burden on a woman's right to choose to have an abortion.

Contrary to what the law's opponents have said, the law bans only the abortion procedure known as "intact dilation and extraction," or "D&X," Stenberg said.

In that procedure, the fetus's body up to the head is delivered into the birth canal. The doctor uses scissors to create an opening in the fetus's skull, then inserts a suction catheter and sucks the fetus's brains out of its skull.

"It is simply a practice bordering on infanticide, a barbaric practice that has no place in a civilized society," he said.

Both the American Medical Association and the procedure's developer, Dr. Martin Haskell, have said the procedure is never medically necessary, Stenberg said.

"Our argument is simply that safe forms of abortion remain available to women," he said.

Stenberg said he agrees with legal experts that the two justices who may provide critical swing votes are Sandra Day O'Connor and Anthony Kennedy. If those two joined Chief Justice William Rehnquist, Antonin Scalia and Clarence Thomas — all considered anti-abortion justices — Stenberg would have the five votes needed to win the case.

Stenberg said he has prepared a list of 60 to 70 questions the justices might ask during his half-hour appearance before the court. Those questions likely will focus on whether the law bans only D&X and whether it places an undue burden on the right of women to choose to have an abortion, he said.

In other states where a ban on partial-birth abortions is being

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LeRoy Carhart
Bellevue doctor

enforced, the total number of abortions performed has either stayed constant or risen, he said. Therefore, he said, the availability of abortion in Nebraska is unlikely to subside if the law is upheld.

"The state has a very substantial interest in drawing a bright line between abortion and infanticide," he said.

In a telephone conference call, Carhart denounced the law as a political ploy designed to "eviscerate" a woman's right to choose to have an abortion as provided by the Supreme Court's 1973 Roe vs. Wade ruling.

"I think it's sad because most people in the United States have been duped by the religious right," he said. "This is about taking away the rights of women to choose to have an abortion. This is meant to polarize the electorate to get votes in November. But I think it's kind of wrong to use women as leverage to buy votes."

Carhart said the law would prohibit more than the D&X procedure. It would also ban the procedure known as "dilation and evacuation," or "D&E," in which the fetus is dismembered while still in the womb, he said.

The law's wording, which prohibits doctors from delivering into the womb a living unborn child, "or a substantial portion thereof," for the purpose of conducting an abortion, would ban "98 percent" of abortion procedures, Carhart said.

"The description is very vague,

intentionally vague and deceptive," he said.

"There is no way to do an abortion at three weeks, 10 weeks or 12 weeks of gestation without doing exactly that."

Carhart stopped short on Monday of saying the D&X procedure is occasionally medically necessary to preserve the life or health of a mother. But he said the law eliminates abortion options for a surgeon on the basis of political, rather than medical, standards.

Any time doctors can reduce the number of entries into a woman's cervix, they reduce the chances of infection or perforation, he said.

If Nebraska's law is upheld, Carhart said Monday, he will leave the state and set up an abortion practice elsewhere.

In the meantime, given the strong feelings against partial-birth abortion, he acknowledged he is concerned for his safety.

"Yeah, I'm concerned, but I think this is like terrorism at any other time," he said. "If the terrorists cause you to not do what you think is right, then they've won."

Carhart said the Nebraska law was part of a nationwide effort to chip away at abortion rights.

"This is a very, very well-contrived plan to try to eliminate abortion as an option for American women," he said.

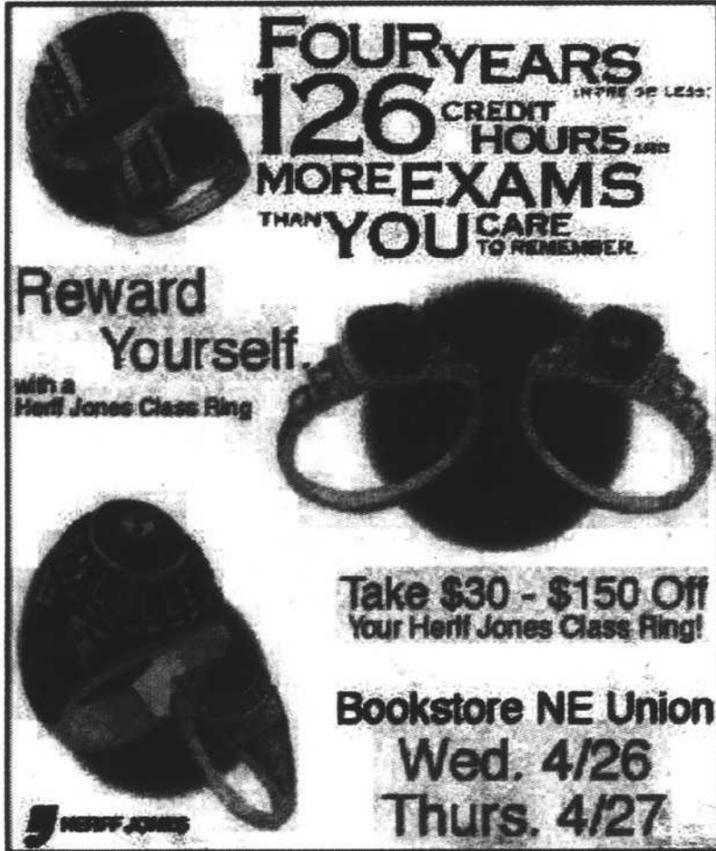
The court's ruling is expected by June.

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