

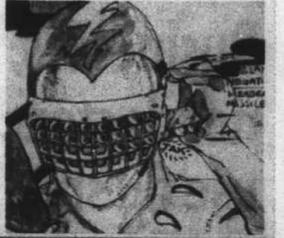
Daily Nebraskan

Greeks can discriminate, and that's OK. Columnist Julie Narans explains
In Opinion/4

Huskers and Sooners geared up for biggest game of new century
In Sports Tuesday/10



Controversial art project brings explicit cartoons to the Sheldon's collection
In Arts/8



WELCOME WARMTH: Graduate student Eric Fuller practices his tuba outside Kimball Recital Hall on Monday afternoon. Students were outside enjoying the weather when the temperature rose to 73, according to the National Weather Service in Valley.



Jennifer Lund/DN

Ban on focused protests upheld

BY JOSH FUNK

A federal appeals court last week upheld a Lincoln city ordinance banning focused picketing directed at a person's home.

The 1997 law was crafted in response to persistent picketing by anti-abortion rights groups in front of abortion provider Dr. Winston Crabb's home.

The 8th Circuit U.S. Court of Appeals three-judge panel held that preserving the "feeling of well-being and tranquility" in a citizen's home is a substantial government interest.

Lincoln's Planned Parenthood Executive Director Chris Funk said she was pleased with the court's decision to uphold the law her group helped craft.

"I think it is really important for people to feel safe in their home," said Funk, whose home was picketed once before the law passed.

One of the plaintiffs in the case, Dominic Pynes, said he was disappointed by the ruling, which could hinder the expression of his views.

"We thought it was unconstitutional and we had good arguments to support this," Pynes said, but even with the ordinance "we will continue to be a pro-life voice and help those mothers deceived by the abortion industry."

The law prohibits focused picketing directed toward a person within a 50-foot rectangle around the front of the person's home.

In the complaint, Pynes was joined by former Lincoln Right to Life president Pam Tabor, Monsignor Timothy Thorburn and another citizen Mary Adam.

The plaintiffs' attorney, Gene Summerlin, is out of the office this week and did not return Daily Nebraskan phone calls Monday.

But Pynes acknowledged that the 8th Circuit's decision is in line with a recent U.S. Supreme Court decision

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Legality issues surface over 416

BY VERONICA DAEHN

An amendment to the state constitution that would ban gay and lesbian marriages in Nebraska may not, in fact, be constitutional.

Or at least that's what Evan Wolfson, a lawyer from Lambda Legal Defense and Education Fund in New York, said.

Initiative 416, commonly known as the Defense of Marriage Amendment, blatantly discriminates against gay and lesbian people, Wolfson said.

"It's unconstitutional in America to take any group of people and shove them outside the structure and protection of the law," Wolfson said.

Initiative 416 says: "Only marriage between a man and a woman shall be valid or recognized in Nebraska. The uniting

of two persons in a civil union, domestic partnership or other similar same-sex relationship shall not be valid or recognized in Nebraska."

Because of its broad wording, Wolfson said, the initiative would not just ban gay and lesbian romantic relationships.

If it passes, it would prevent Nebraska lawmakers from doing anything concerning gay or lesbian couples.

"This is way beyond discrimination in marriage," he said. "The measure is so sweeping. It directly says gay people will be denied any similar relationship."

If the initiative passes, a judge would not be able to issue a protective order against domestic violence between two gay people, Wolfson said.

And documents such as power of attorney agreements

would also be banned, he said. Wolfson said he didn't think the right-wing groups that drafted the amendment realized it would enforce such complete discrimination, but he didn't think they minded.

"The people who support the initiative do not believe in equal protection for gay people in any way," he said. "If we were asking for oxygen they'd be against it."

University of Nebraska-Lincoln Law College professor Richard Duncan disagreed with Wolfson's claim that the initiative would be unconstitutional.

"Attempts to define marriage along traditional lines are perfectly constitutional," Duncan said.

In the first U.S. decision of its kind, Vermont decided last year that the state would recognize

"Attempts to define marriage along traditional lines are perfectly constitutional."

Richard Duncan
UNL Law College professor

gay and lesbian partnerships. Nebraska's amendment would eliminate the state from having to consider a similar case, he said, thus preventing questions of how to interpret the Nebraska constitution.

Duncan said lawmakers would not misinterpret the amendment to include anything other than marriage or domestic partnerships between gay and lesbian people.

Farmers would still be able to leave their farms to their sons,

he said. "The chance of it eliminating family farms is exactly the same as it eliminating the Husker football team," he said. "That's just silly, but it's a good political strategy. They're trying to scare Nebraska voters."

Josephine Potuto, a UNL professor of constitutional law, agreed with Duncan.

"I don't foresee any problems with it," she said. "It would be constitutional under the federal constitution."

Cave-in kills two workers

FROM STAFF/WIRE REPORTS

Two men were killed Monday evening when the 12-foot deep trench they were working in collapsed, police said.

Co-workers were able to free one man within eight minutes of the 5:09 p.m. accident. Efforts to revive the man, who was in cardiac arrest, failed. He was pronounced dead at a Lincoln hospital, Lincoln Police Capt. Jon Sundermeier said.

It took 45 minutes to free the second man, who was buried in five feet of dirt. He was pronounced dead on the scene, Sundermeier said.

The men were readjusting some sewer pipes near 27th Street and Interstate 80 when the cave-in occurred. The construction crew was in a field south of Husker Circle and the new Settle Inn.

Fire Capt. Dustin Morton said there was no visible evidence the walls had been supported before the accident.

Police would not release the identities of the two men pending notification of the families.

China grows; Chinese program shrivels

BY LINDSAY YOUNG

Tim Cumberland travels to China several times a year with Columbus-based Sand Livestock Systems Inc.

But the company's executive vice president doesn't know enough Chinese to negotiate without an interpreter. Many times, this proves frustrating and can lead to miscommunications.

Jeremy Jewell, a sophomore international business major, wants to someday focus his career on the Pacific Rim.

With seven years of Chinese already under his belt, he should be able to make the transition smoothly, avoiding the problems Cumberland has learned to live with.

But Jewell has hit a roadblock. The University of Nebraska-Lincoln doesn't offer more than two years of Chinese. What's more, there is talk the Chinese-language program could be dropped because of university budget constraints.

Cumberland, a part of one of the first American companies to expand to China, said knowing Chinese is crucial in business and agriculture sectors and will continue to be - especially in the next 20-30 years, after China likely joins the World Trade Organization.

President Bill Clinton signed a bill in September granting permanent normal trade relations with China, showing U.S. support for the country's joining the WTO.

As a result, according to Nebraska's Department of Agriculture Director

Merlyn Carlson, China is expected to have the world's largest economy by 2030.

Many professors say dropping the language program would handicap students like Jewell, who would not be prepared to jump into this Chinese-dominated global market.

After all, professors said, even in the last 20 years, as China has transformed from a state-driven to a market-driven economy, its influence has grown rapidly. To Bob Fiala, a Concordia University professor who has been to China at least 10 times, including a one-year teaching stint in Beijing, the idea of dropping the language hit a nerve.

"China is going to be a major player in the 21st century. It is a major player already," said the Seward professor.

Said Cumberland: "It's absolutely foolish to ignore the biggest market in the world."

Running out of time

But it's not as if the UNL Department of Modern Languages and Literatures doesn't know that.

"We really know the importance of the language for the Lincoln community," said Radha Balasubramanian, the department's vice chairwoman.

She said she hoped the language would stay put, but the program's resources have dwindled, making it a likely candidate for dismissal in a time marked by a tight budget.

Two years ago, the only full-time Chinese-language professor retired, soon-

People's Republic of

Form of Government: Communist-party led nation
President: Jiang Zemin
Capital: Beijing
Official Language: Mandarin Chinese (dialect spoken by more than 70% of Chinese)
Gross Nat'l Product: \$770/per capita (1998)
Major Food Products: Rice, potatoes, sorghum, millet, barley, peanuts, tea, pork
Major Non-Food Products: Cotton, other fibers, oil seeds
Major Exports: Machinery, electronics products
Source: U.S. State Department

Delan Lonowski/DN

er than the department expected.

At the time, said UNL Asian Studies director Andrew Wedeman, the university had to decide whether to build either its Japanese or Chinese program. It chose Japanese.

Wedeman said there was more to work with in the Japanese program, and the department expected Chinese would remain stable.

But with the lecturer's retirement, and no one to replace her, the Chinese-language program took an unexpected tum-

ble. "We've been limping along for a couple years now," Wedeman said.

The program has received enough money from the College of Arts and Sciences to pay a part-time lecturer for two years.

Now Coral Su, the graduate student teaching the two years of Chinese offered by UNL, said she is worried the depart-

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