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legislatures could not limit its availability.

Bork disagrees with this expansion of judicial authority. He has written that "Roe v. Wade is an unconstitutional decision, a serious and wholly unjustifiable judicial usurpation of state legislative authority." And he's right.

But the larger question is not simple. If the abortion ruling usurped the role of the state legislatures, then didn't many of the civil rights rulings also do that? Complicating the question of judicial authority vs. legislative authority is that legislatures, since its members are voted by majorities, can be unjust toward minority con-

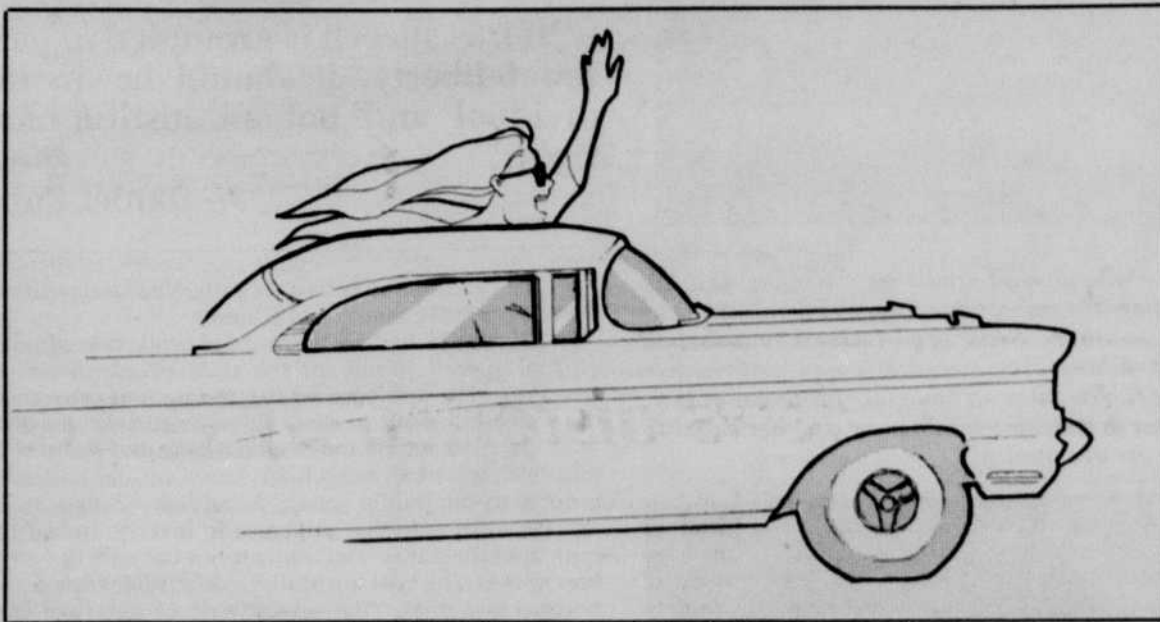
cerns. Given the temperament of a certain era and place (for example, Mississippi, 1962) perhaps the authority of state legislatures should be usurped by a "higher power," such as the Supreme Court.

The argument over Bork's confirmation is not simple. Bork is probably politically conservative. His statements about abortion, homosexual rights, the death penalty, and other divisive issues, offend liberals like Ted Kennedy. But it is unfair to assume that Bork lacks the integrity to separate his personal views from his responsibilities as a judge. As Maurice Holland, the University's dean of the law school, has testified,

Bork is a formidable scholar, with a keen legal mind, and has been a responsible judge whose decisions on the Circuit Court of Appeals have been well within the mainstream of judicial thinking.

But such an astute evaluation falls on deaf ears. Liberals fear Bork because they see him as a man who will oppose their efforts to enact change through the courts rather than the legislatures. As a result, they have over-simplified and distorted his views, taking them out of their proper legal context and placing them within the more explosive socio-political context. It is a tactic that is likely to work.

Cruising Continued from Page 1



Graphic by Lorraine Rath

"Since all the other things don't work, that is an approach we haven't tried yet, and I think we should," Mason said.

"I'm not totally callous about their needs. My problem is where do you put such an event without it affecting people who live there," he said.

In presenting the proposed ordinance to the commission, Mason outlined the recent history of the "Gut."

Since 1974, the city has undertaken such measures as barricading streets, talking to

high school classes, publishing a "gut cruisers guide," and selectively enforcing laws, in order to eliminate problems cruising has created. The efforts have met with little success, Mason said.

"The selective enforcement, in my opinion, has always been a band-aid approach," he said.

When police eliminate traffic congestion in an area off Willamette Street, it soon becomes a problem elsewhere, he added.

The problems associated with

cruising include hit-and-run accidents, assaults, rapes and the selling and use of drugs.

"The youths themselves are victims down there," he said.

According to Mason, a city attorney has reviewed the proposed ordinance, and "his feelings are that it's not an ordinance that violates the Constitution."

At the present time, the local chapter of the American Civil Liberties Union is studying the ordinance, said Christine Donahue, neighborhood liaison for the City of Eugene.

Financial aid definition of independence changed

The federal government has once again altered its definition of an "independent student," but this decision probably won't affect many students, according to Edmond Vignoul, student financial aid director for the University.

Previously, students could only be classified as independent if any of the following conditions applied:

- turn 24 years old before January 1, 1987.
- are an orphan or ward of the court.
- are a veteran.
- are a graduate or professional student not claimed as an exemption on parents' U.S. income tax return for 1987.
- are married and not claimed as an exemption on parents' U.S. income tax return for 1987.
- have legal dependents other than a spouse.
- were not claimed as an exemption on parents' U.S. income tax returns for 1985

and 1986 and can demonstrate self-sufficiency during 1985 and 1986 by showing evidence of an annual income of at least \$4,000, not including financial aid.

Now, however, students can include financial aid as a resource in showing an annual income of at least \$4,000.

"Students are being given the illusion that they are going to receive more assistance as a result," Vignoul said. "That's not the case."

"The new definition isn't much different than what it was before," he continued. "We don't expect many more students (to qualify as independent), and if there are, we certainly have the manpower to handle them."

Vignoul also said that most students should know about the change, and if they have questions they should talk with an advisor in the Office of Student Financial Aid, 260 Oregon Hall.

Convocation Continued from Page 1

While Katz agreed with the president's assertion that the Constitution did have ramifications for the rest of the world, he took issue with Reagan's overt praise, contrasting that view with Supreme Court Justice Thurgood Marshall's, who earlier this year called the Constitution an "imperfect document."

monumentous social transformation.

Katz concluded by saying, "In thinking about the Bicentennial, it seems to me appropriate to praise the framers and the document. And in doing that, we have to be realists, and we have to be committed to the notion that it is the capacity of the Constitution and the con-

'The Constitution stands as a bulwark against revolution on the one hand and legislative sovereignty on the other'

— Stanley Katz

Quoting Marshall, Katz said, "The government (the founding fathers) devised was defective from the start, requiring several amendments, civil war and

stitutional system to adapt itself to a radically changing nation."

This ability to adapt to change is the Constitution's greatest asset, Katz added.

THE FAR SIDE

By GARY LARSON



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