

Editorial

Confirmation process should move quickly

The intense media scrutiny given to Supreme Court nominees has subsided after President Ronald Reagan nominated Judge Anthony Kennedy after Robert Bork and Douglas Ginsberg. Although not much is known about Kennedy or his ideologies, he is a compromise nomination and not likely to create controversy.

The importance of finding a qualified judge to replace Justice Lewis Powell has not disappeared. Not only does the Supreme Court need a ninth justice as soon as possible, but he or she must be one reflecting the ideals and philosophies of the nation for the next several decades.

The controversy between liberals and conservatives with the Bork nomination kept the public aware of the importance of replacing Justice Powell, often known as the swing vote on the Court. Bork's strict, "original intent" interpretation of the Constitution did not agree with a Democratically controlled Senate.

Similarly, the scandal created when Ginsberg, Reagan's second nomination, admitted smoking marijuana reminded the public a ninth justice had not been found. But since Kennedy's nomination, Reagan's third attempt to place a conservative on the Court, there has been little media coverage.

Kennedy has been a justice on the Court of Appeals for the 9th Circuit in California since 1976. Before that he was a professor of the Constitution at Harvard. He is conservative; however, his most beneficial attribute is he is not like Judge Bork.

The Senate Judiciary Committee completed hearings on Kennedy before the Christmas break. It is expected to confirm his nomination and present a report to the Senate next month. From that point the Senate will discuss the report and vote, a process that may take two or three weeks.

Unfortunately, the Supreme Court cannot take a holiday simply because it does not have a full court. It reconvened last week after a four-week recess.

The hearings differed from the Bork review, causing many to complain the judiciary committee was too soft. According to Diane Pollack, a judicial researcher in U.S. Sen. Robert Packwood's office, the hearings "were not as judgmental."

The Center for Constitutional Rights agreed. In a report on the judge, it said "A Justice of the Supreme Court must affirmatively demonstrate a commitment to civil rights and civil liberties and not merely be 'not as bad as Judge Bork.'"

Many questions, such as Kennedy's views on abortion rights, were not addressed. This issue will be important for any potential justice in the next few years because the Court expects to hear cases involving the right to an abortion. Pollack said that Kennedy, unlike Bork, agreed that a right to privacy does exist. Bork ran into opposition when he said he believed there was no right to privacy therefore it could not be applied in cases dealing with abortion.

Although Kennedy's conservative views may hinder the progressive views of the United States, he is a qualified justice. The Senate should enter the reviewing process with a critical mind, but it also should be aware of the urgent need to resume the Court to nine members.



"Sure, we can afford lottery tickets... the kids can do without their polio vaccinations for a little while."

Letters

Radio station

As a University student who works at KWAX, I was interested in the Emerald's article on the station, which appeared Jan. 18.

It is ironic that although the article lamented the lack of a student-run "Radio Free Eugene," no mention of KWAX's offer to help start such a station was made.

A student-run radio station could be on the air by fall at a start-up cost of less than \$5,000.

In one form or another, KWAX has been around for more than 35 years. The station has accumulated much surplus equipment over the years — equipment that has been kept on KWAX inventory should any student group be interested in establishing its own station.

This equipment includes most basic studio and transmitting gear. By providing this equipment, KWAX would lower the start-up costs of a student station to \$5,000.

Too much money? I would note that a controversial student-lobbying organization is receiving \$9,000 this year from the ASUO, according to recent Emerald reports.

What kind of station would it be? It would broadcast at 10

watts in FM stereo — the same power as KZAM's second frequency (102.3 FM). An antenna placed atop Villard Hall would enable the station to be heard throughout the campus and adjacent neighborhoods.

Why not use KWAX for student programming? The best argument against such a move comes from the article itself. Speech professor Ron Sherriffs is quoted as saying that University administrators feared reprisals from the Oregon State Board of Higher Education because of "complaints of obscenity" on the station.

If students ran KWAX, the state board would have authority to censor their programming — and undoubtedly would find themselves under pressure to do so.

The advantages of a student-licensed station would be the power to program independent of administrative overview. If students want a renaissance of "Radio Free Eugene," that is how to make it happen.

Mike Lee
Graduate student, philosophy

Perspectives

The disturbances in the West Bank and Gaza reinforce a number of longstanding truths about the region. First, there are problems between Israel and the Arabs, Palestinians in particular, that require resolution as soon as possible.

Second, the problems that are festering can only be resolved through direct negotiations and, while the division in Israel between Labor and Likud is unhelpful in moving the process forward, it is clear that the fundamental obstacle continues to lie in Arab unwillingness to

negotiate directly with Israel, and in the PLO's continued aim to destroy Israel.

Third, the PLO, which clearly is inciting and coordinating the current troubles, sees destabilization as a way to block movement toward peace. It ought not be encouraged.

Fourth, the rioting and violence only serve those who would like to force Israel to withdraw without real security or real peace. The re-establishment of stability on the territories will help all those who are serious about resolving the problems and moving the process forward — Israelis, Palestinians, Egyptians and Jordanians.

Fifth, the United States can be most constructive by not giving encouragement to the supporters of the PLO, while recognizing the importance of all parties working constructively toward political solutions. A pro-PLO resolution at the United Nations will only send the wrong signal: that incitement to violence can weaken Israel and further the PLO cause.

Sixth, recognizing the possibility that it may take some time to negotiate a political solution, the short-term priorities must be to put an end to the tragic loss of life and to restore stability and the rule of law in the territories. This, unfortunately, will require the IDF to maintain a high state of vigilance and, when necessary, the application of force to counter the unrest.

Meantime, Israel will continue to work with local Palestinian figures, many of whom wish to see the restoration of calm and stability in the region.

Stephanie Kustner, director
Jewish Student Union

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