



BRET FURTWANGLER | GRAPHIC ARTIST

■ Editorial

The Court gets another white male: John Roberts

Tuesday night President Bush announced his Supreme Court nominee to the nation: Judge John Roberts, a Harvard graduate with law experience within the White House and the Justice Department. Unfortunately, Judge Roberts is not the moderate replacement to retiring Justice O'Connor many liberal groups thought the nominee would be.

To begin with, President Bush departed from the widely held assumption that a woman would be nominated to keep the (semi-existent) balance of gender in the court. Analysts also predicted Bush might choose longtime friend Attorney General Alberto Gonzales to ensure some level of diversity on the court.

If Judge Roberts is confirmed, the U.S. Supreme Court will consist of seven white men (six of them with a Christian affiliation) out of nine total justices. As a premier maker and definer of laws, the Supreme Court should be anything but filled with members who are exactly the same. If the law will apply equally to all citizens of the United States, there should be at least some attempt to give U.S. citizens equal representation on the Court. Bush has accomplished just the opposite.

Further upsetting to many is Judge Roberts' empirical position on abortion: In 1990, Roberts helped write a brief claiming *Roe v. Wade* should be overturned. This same document also advocated the ban of federal funds for counseling related to abortion. Justice O'Connor was well known for her continual role as a swing vote in favor of abortion rights; if her replacement is in favor of overturning *Roe v. Wade*, that's exactly what might occur.

The American Civil Liberties Union has also commented that without *Roe v. Wade*, there may be no precedent for privacy in cases involving sexual orientation. When the Texas law prohibiting sodomy was overturned in 2003, a main precedent in the decision was *Roe's* definition and guarantee of privacy.

One of Roberts' first tie-breaking decisions (one of many, considering O'Connor's moderate position) may be at the end of the year, when New Hampshire's parental notification law is evaluated. The notification law states that a minor cannot receive an abortion without telling her parents; liberals and others argue that there is no health exception in the law, making it extremely dangerous to young women. It should also be argued that for young women with abusive parents, it may not be possible to notify a parent without the fear of violence.

When the Senate battles out its decision, whether to confirm Bush's nominee Judge Roberts, Senators ought to give Roberts a significant evaluation. Although prominent politicians are already calling for a speedy confirmation, these speed monkeys should remember that a Supreme Court Justice is for life: One bad decision could mean a breakdown in the civil rights that all of us take for granted.

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■ Guest commentary

Cartoon makes false assumptions about Guantanamo Bay prisoners

This is in response to a cartoon published by Bret Furtwangler (ODE, July 14). The cartoon (depicting an Arab man freed from Gitmo, then killing an Amnesty International representative while yelling "Death to Infidels") is based on erroneous assumptions. And this is beside a mention of the obviously stereotypical Arab caricature, reminiscent of Disney and Looney Tunes' "chinamen" and "redmen" that were abandoned decades ago. You can do better than that, Furtwangler.

The first assumption falsely made by Furtwangler is that the prisoners at Guantanamo Bay are terrorists, eager to kill any and all Americans. While some prisoners have been freed (even some who have later taken up arms) and others have been brought to trial, most of the prisoners that have been held since our invasion of Afghanistan have never been charged. Yasser Hamdi comes to mind. Bush et al. claim these prisoners are enemy combatants with ties to terrorism, but if this were the case, they would have been charged long ago with a crime. Instead, our government has brazenly violated several of the provisions outlined in the Universal Declaration of Human Rights.

Another popular falsehood is that

Amnesty International can't be taken seriously, and that its allegations were irresponsible. This is a classic "slime and defend" strategy — confuse the issue by vilifying the messenger (a tactic currently being used against Joe and Valerie Wilson by the way). The fact is, AI is an apolitical organization; when anyone anywhere violates human rights, AI calls them on it. AI would have left Gitmo alone if there was nothing to report. As the leader of the free world, the U.S. government should stand unequivocally above reproach in these matters. Unfortunately, the AI report is only a small portion in the growing body of reports of abuses resulting from our war on terror. These include investigations by several credible organizations as well as countless eyewitness reports.

The war on terror is tragically misguided at best. Bush took his sights off bin Laden long ago (remember, "I don't really think about him much?") and misled us into an unjustified war (the Downing Street memo clearly indicates that Bush was seeking to create conditions that could justify war; there were no WMDs, no evidence of WMDs, no sale of nuclear weapons, no real ties to al-Qaida, no substantial

threat). As many as 100,000 Iraqi civilians died within the first few months of our invasion (read the Lancet report); the humanitarian situation hasn't improved; violence isn't decreasing — it's increasing; nearly 2,000 coalition troops have died, thousands more injured; and a CIA agent has been outed by someone with rank in the White House. With all of this, the Bush administration has refused to set any concrete standards for success (in criminal contempt of congress, according to last May's defense appropriations bill), and has refused to discuss our current situation in real terms ("it's hard work," "we're winning the war on terror" and "we're spreading freedom" aren't cutting it anymore).

It's time for all of us to seriously question the ends, means and motives of this war. We can no longer afford to restrict our thought along party lines. The answers can only be brought about by open, public and honest debate, which our administration has never been eager to facilitate.

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INBOX

Cartoon and column wrongly present Karl Rove's claim

Both Bret Furtwangler's political cartoon (ODE, July 19) and Ailee Slater's opinion piece ("The Rove reprimand: where is it?," ODE, July 19) present as fact the claim that Valerie Plame sent her husband Joseph Wilson to Niger in 2003 to explore the (false) reports that Saddam Hussein had tried to buy uranium there.

However, this claim comes from Karl Rove, in a clear attempt to discredit Wilson's bona fides, and the CIA disputes it. A July 14 editorial in the

Minneapolis Star Tribune states:

"It also wasn't true. On July 22 (2004), *Newsday* reported that a 'senior intelligence officer confirmed that Plame was a directorate of operations undercover officer who worked 'alongside' the operations officers who asked her husband to travel to Niger. But he said she did not recommend her husband to undertake the Niger assignment.'...the CIA always said Plame did not recommend her husband."

Whether Plame was instrumental, incidental, or coincidental in Wilson's being given the Niger assignment is not yet clear. The Emerald's phrasing

(and political cartoons) should acknowledge that uncertainty. What is absolutely certain is that Wilson was right in his report that Saddam Hussein had not tried to acquire uranium in Niger, and the Bush administration was wrong. No attempts to discredit Wilson can erase that. The American media, and the American electorate, should be very wary about any administration that would rather shoot the messenger than hear the news he brings.

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