

# Opinion

## Aid for hypocrisy

By voting to send \$100 million in aid to the Contra rebels in Nicaragua, the House of Representatives has assured the implementation of President Reagan's greatest foreign policy hypocrisy.

The Contras are a group of rebel insurgents attempting to overthrow the sovereign government of Nicaragua. The CIA covertly supported the rebels from 1981 to 1984.

The new aid package, which certainly will clear the Republican-dominated Senate, would mean the United States is supporting openly and financially an attack against a government with which we are technically at peace and with which we still maintain diplomatic relations.

The president's present would violate directly the 1984 ruling of the World Court forbidding the United States to engage in any action which might cause increased aggravation with the Sandinista government. The ruling came after the CIA mined Nicaraguan harbors.

Reagan, however, is undaunted by the court's ruling. Last year, the administration withdrew from the proceedings, saying it would ignore any decision made by the court. When, in 1980, Iran treated the court's demands to release American hostages with similar disregard, it was chastised severely by the United States for not respecting the court's authority.

The premise for the World Court's power comes from the mutual respect of its rulings by all nations. Like Iran's actions in 1980, Reagan's defiance is not only a blatant inconsistency with regard to the court's power, it makes a mockery of the concept of international justice — a concept that Reagan endorsed during the recent acts of terrorism against the United States.

Reagan, oblivious to his hypocrisy, is delighted the House decided to overturn its previous decision to block the aid package. The rest of the world is not fooled by the president's foreign policy two-facedness. America should not allow itself to be deceived so easily, either.

The Battalion Editorial Board

## Mad dog's threats lack teeth since raids

Officials in the Reagan administration say that in the weeks since the U.S. reprisal raids against Libya, Col. Moammar Gadhafi has been disoriented and unable to secure control of his government and people. They say he's had to sidetrack planning for terrorist acts.

Michael Putzel  
News Analysis

That report comes from U.S. analysts, speaking on condition they not be identified and pleased, of course, to leave the impression that the April 15 bombing raid has hurt the Libyan leader politically and left him psychologically crippled.

Reports along those lines keep appearing, attributed to unidentified U.S. officials. The *Washington Post* said on its front page that Gadhafi was not the same man he had been before the raid, and the *New York Post* put it more simply in a headline: "Gadhafi Goes Daffy."

Administration figures here aren't going that far, but they portray Gadhafi as a man exhibiting manic-depressive characteristics — and given to smoking hashish and maybe opium, drugs often used by Bedouins.

"He's fighting for his survival internally, and he doesn't have a whole lot of time for thinking about terrorist operations abroad," says one administration official, who has access to intelligence reports.

Reporters who saw Gadhafi recently described him as apparently badly shaken. More than 30 Western journalists were invited to Tripoli to cover what was billed as a major speech at a rally observing the anniversary of the departure in 1970 of American servicemen

from an air base in Libya.

Gadhafi didn't make the promised personal appearance, instead showing up on television for a rambling, one hour and 50 minute speech.

Broadcast over loudspeakers, it generated little enthusiasm. Fewer than 2,000 people gathered, according to reports from the scene, and those that came seemed bored.

"This is a man who built his prestige on his ability to get out the Libyan masses and use his charisma to bring 50,000 or 100,000 people into the street and whip them into a frenzy," the administration source said.

Gadhafi succeeded, apparently with the support of Syrian mercenaries, in putting down at least two rebellions within the army in the immediate aftermath of the U.S. bombing, according to the U.S. source.

The administration analyst termed the situation in Libya "tumultuous," saying the economy has been disrupted, food supplies are scarce in many areas and "It's hard to get consumer goods in general."

Michael Putzel is a White House correspondent for *The Associated Press*.

## THE ROLE OF THE SUPREME COURT (AS AN IMPORTANT CHECK AND BALANCE) ACCORDING TO...

... OUR FOREFATHERS



... RONNIE REAGAN



... PAT ROBERTSON



## When picking court justices, the president plays for keeps

There is a joke about flipping coins that goes like this: Heads I win, tails you lose. In Washington, the rules of that joke are about to be applied to President Reagan's Supreme Court nominations: He has picked them for their ideology, but the Senate cannot reject them for the same reason.



Richard Cohen

In nominating Antonin Scalia to be an associate justice of the Supreme Court and William Rehnquist to be the chief justice, Reagan chose men who share — even exceed — his conservative ideology and who, the actuarial tables inform us, will be around to implement it. Both were chosen by the president right off the bat. They met, they chatted and Reagan popped the question. He interviewed no one else.

Almost immediately, the adjective-du-jour in newspapers was "brilliant" and, for sure, Scalia's and Rehnquist's credentials demand respect. But so do their ideologies. It is that — not just their brilliance — that led the president to nominate them. Theirs is a conservatism without a smile and a shoe shine — a brittle ideology that shimmers with intellectual energy but whose consequences will not be ameliorated by political considerations. They are both the ultimate Reagan — the one, despite his daunting popularity, that the country has never quite accepted. If Reagan cannot be Reagan, then he has chosen surrogates who can.

The charge against liberals and their fellow travelers in the legal community — judicial activists — is that in pursuit of a particular principle they trample more worthy ones. For instance, in securing the rights of criminal defendants (the unconvicted), they are accused of ignoring the rights of the community. And there have been cases, especially when it comes to rules of evidence (the so-called exclusionary rule), where guilty people were given a walk because the police failed to dot and evidentiary "i".

But Rehnquist and, from the evidence, Scalia, too, are the mirror image of the judicial activists they so energetically oppose. In the name of judicial restraint or its kissing cousin, states' rights, they would deny a woman — maybe even one who has been raped or whose child, as with Tay Sachs disease, is doomed to an agonizing death — the right to an abortion.

The same holds in other areas. In a bizarre application of his brilliance, Rehnquist once wrote a memo to Justice Robert Jackson urging him to vote against desegregation of the schools in the South. Whatever the legal theory cited, the results would have been plain: a loss of individual rights. Rehnquist also has voted to limit the rights of criminal defendants, homosexuals, blacks and women — and even to limit their ability to argue their case in court.

Scalia is in the Rehnquist mold. In speeches, he has championed a stingy interpretation of the First Amendment. And in a libel case involving the *Washington Post*, he joined one other appeals court judge in a tortured opinion that would, if sustained, hobble the ability of

the press to publish controversial investigative articles.

Supreme Court appointments are where the president gets to play it keeps — where the momentary concerns of the present come to haunt the future. Yet some senators act as if it would be dirty pool to consider the ideology of the men involved and what their effect would be on the people they are elected to represent. They talk as if ideology exists in a vacuum — as if the president's presumed right to choose an ideological soul mate takes precedence over the consequences of that ideology. Sen. William Proxmire (D-Wisc.), gone for his own Golden Fleece award, put this way: "What the hell, everybody's got to be something."

But that "something" has elements it that the country, and the Congress have time after time rejected. As Harvard constitutional scholar Laurens Tribe pointed out that, in choosing judges, the president can succeed where he has failed either by amendment (school prayer, abortion) or by legislation. Previous Senates appreciated that their obligation concerning a court nominee was no different than the one concerning legislation: even George Washington had a nominee (John Rutledge) rejected because his views were unacceptable to the Senate.

The brilliance of Reagan's nominees is not in dispute. But their ideology is different matter entirely. A Senate that cannot judge them the same way the president did is playing by absurd rules. Heads Reagan wins.

Tails we all lose.

Copyright 1986, Washington Post Writers Group

## Mail Call

### Ude outdoes himself

EDITOR:

Mark Ude has outdone himself in the area of contradiction and ridiculous assumptions in his column Wednesday about the petition to boycott funds used for research of the Star Wars project, called "Strategic Defense Initiative" by extremists.

He refers to claims that the project has no reasonable likelihood of success as "ludicrous and irrelevant to the issue." How can the success or failure of a project be "irrelevant" when the estimated cost will be \$1 trillion (former Defense Secretaries Harold Brown and James Schlesinger), and when the world's top research scientists will neglect other research dedicated toward economically productive projects?

Ude also asserts that critics who say Star Wars "won't work and is uneconomical" do not have substantial facts to back them up. Clearly he has not done any research at all on the subject. Fifty-six percent of the faculty in the top 20 physics departments in the nation have signed petitions to refuse Star Wars funds on exactly those grounds, as have more than half of the faculty in 107 research departments nationwide.

Ude goes on and declares that Star Wars will protect the entire world from nuclear attack, a claim which is simply ludicrous. Star Wars only stops (most of the time — maybe) intercontinental ballistic

missiles, and cannot stop jet bombers or low flying cruise missiles. This leaves Europe especially vulnerable, and might lead them to feel as if they have been abandoned by the United States if Star Wars were implemented.

Also, the idea that space lasers could prevent small nuclear exchange between countries such as Iran and Iraq is incredibly naive in the age of nuclear bombs that can fit inside of a suitcase.

If the United States does implement Star Wars, and it doesn't work, the Soviet Union could hold a real military advantage because of all our wasted research. If it does work, we have merely put an enormous effort into prompting the Soviets to build their own space defense system, and this will create an arms race of an unprecedented intensity.

Alan Sembera

### Misdirected zeal

EDITOR:

Roger K. Cunningham, your guest columnist on Tuesday, offers a spirited polemic in defense of the anti-pornography stand of the Dallas Association for Decency. Why would anyone with obvious talents for expression, organization and leadership be so consumed with something as innocuous as pornography?

There simply is no reputable, even reasonably

conclusive, evidence that viewing pornography leads to anti-social behavior. It is exceedingly unlikely that purging all the materials that Cunningham refers to would have any effect on the occurrence of child molestation and other such abominations.

One must wonder then, where these anti-pornographers are coming from. What is it that makes them morally outraged at magazines with pictures of naked women, or even cartoons of "Chester the Molester?" The latter is, admittedly, in poor taste, but is it worth all that self-righteous indignation? What is the *real* basis for their objections?

C'mon, Cunningham. There are lots of worthwhile causes to get excited about. The Texas prison system is a disgrace. There's a pressing need for public education about AIDS, a problem that's going to get worse before it gets better. Can't we do something, somehow, to reduce the number of handgun murders?

Burn some of that zeal of yours for a good cause. We'll all be better for it.

Prof. Dennis M. Driscoll  
Meteorology Department

Letters to the editor should not exceed 300 words in length. The editorial staff reserves the right to edit letters for style and length, but will make every effort to maintain the author's intent. Each letter must be signed and must include the address and telephone number of the writer.

The Battalion  
(USPS 045 360)

Member of  
Texas Press Association  
Southwest Journalism Conference

The Battalion Editorial Board

Michelle Powe, Editor  
Loren Steff, Opinion Page Editor  
Scott Sutherland, City Editor  
Kay Mallett, News Editor  
Ken Sury, Sports Editor

Editorial Policy

The Battalion is a non-profit, self-supporting newspaper operated as a community service to Texas A&M and Bryan College Station.

Opinions expressed in The Battalion are those of the Editorial Board or the author, and do not necessarily represent the opinions of Texas A&M administrators, faculty or the Board of Regents.

The Battalion also serves as a laboratory newspaper for students in reporting, editing and photography classes within the Department of Journalism.

The Battalion is published Monday through Friday during Texas A&M regular semesters, except for holiday and examination periods. Mail subscriptions are \$16.75 per semester, \$33.25 per school year and \$35 per full year. Advertising rates furnished on request.

Our address: The Battalion, 216 Reed McDonald Building, Texas A&M University, College Station, TX 77843.

Second class postage paid at College Station, TX 77843. POSTMASTER: Send address changes to The Battalion, 216 Reed McDonald, Texas A&M University, College Station TX 77843.