

Bush wrongly pushes court right

by Jennifer Flanagan

President Bush seems to be a better card player than I once gave him credit for. He certainly has played his cards to his own political advantage in nominating Judge Clarence Thomas to replace Judge Thurgood Marshall's seat on the Supreme Court.

Bush claims Thomas is the best qualified man in the country for the job. Interestingly enough, two of the fifteen members of the American Bar Association stated that Thomas was unqualified. The only other nominee who has been declared to be unqualified by the Bar Association was Robert Bork and he was defeated.

So why is the Thomas appointment almost a sure thing?

By choosing a candidate who is a black conservative, Bush has effectively split the opposition. Senators such as Georgia Democrats Sam Nunn and Wyche Fowler Jr. who normally would vote against a conservative nominee, as they did four years ago with Robert Bork, are unwilling to vote against Thomas for fear of angering their black constituency.

The appointment will push the Court's majority even further to the right. With the increasingly conservative line the Supreme Court has taken on civil rights and women's issues recently, I fear that such an appointment will threaten many personal liberties, not the least of which is the right to reproductive freedom.

Abortion rights are perhaps the most endangered personal liberty. The solidity of the *Roe v. Wade* decision, giving women control over their own bodies, is rapidly being chipped away by recent Supreme Court decisions. Should Thomas be appointed, his stance will undoubtedly give conservatives the pivotal vote needed to overturn *Roe v. Wade*.

Although Thomas hasn't actually given his stance on abortion rights (Thomas hasn't actually given his stance on much of anything), he has shown his intentions through an expressed desire to apply a "higher law" than the constitution to judicial decisions. He even went so far as to praise an article that opposed abortion because it violated natural law.

Natural law? Higher law? If I want a natural higher law,

I'll go down to the corner church and talk to a priest. I certainly don't want it from the Supreme Court. In case Mr. Thomas has forgotten, there is a division between church and state.

Abortion is not a religious issue. Religion in this country, as I understand it, is optional and it has nothing to do with government control of my body.

Even without Thomas, the Court has already delivered a

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devastating blow to women's rights through the *Rust v. Sullivan* decision of last May. The decision allows for the denial of federal funds to social agencies that dispense any information on abortion.

A good portion of the women who use these health clinics do not have the money to go elsewhere for health care. This decision takes advantage of such women by controlling the amount and the type of information to which they have access.

These women are being denied full medical care because of their income level.

They are being force-fed Bush's conservative views without any way to defend their rights. Health care is not a privilege to be given only to the upper class.

All women deserve to be informed about all of their alternatives, not simply the choices that suit Bush and Company. With the decreased spending on social projects, and welfare programs, I'd like to know who is going to take care of these unwanted children. Anti-abortion activists seem to care about these children only while they are fetuses, not giving much thought to providing for them once they are born.

The last thing the Supreme Court needs right now is another conservative judge. But with the PC crusade going strong, many groups with the power to sway their senators hesitate to condemn Thomas because he is black.

The color of his skin, however, is not the issue. His legal qualifications, his position on civil rights, his philosophy behind his political decisions, his attitudes toward the lower classes, and his conservative ideology are the issues.

Groups that have looked past his skin color to the real

issues include the National Association for the Advancement of Colored People, the AFL-CIO, the United Auto Workers, the National Education Association, the National Organization for Women, the National Abortion Rights Action League, the Mexican-American Legal Defense and Education Fund, the National Baptist Convention U.S.A., and the National Council of Churches.

Collectively these groups and other individuals who oppose the Thomas appointment have the power to defeat him by phoning and writing their local senators. It only takes a second. After all, the politicians work for us.

It's ironic to me that a group of nine people are selected to make final decisions on the constitutional nature of laws that affect all of us, and those nine slots are deliberately being filled with hard-line conservatives from the Republican party. Somehow that doesn't seem very constitutional to me.

Jennifer Flanagan is a sixth semester English major. Her column appears every other week in The Collegian.

Race has no place in N. Y. accident

by Mike Royko

Maybe I missed something. Or if I didn't miss something, I'm too dense to understand the social significance of news events.

There was this tragic accident in a New York neighborhood. You probably read about it or saw reports on TV.

A motorcade had been moving through the Crown Heights neighborhood, in which many African-Americans and Hasidic Jews live.

The Jews are members of the Lubavitcher sect, and they have great reverence for their very old chief rabbi.

That's why they had the motorcade. When the chief rabbi goes somewhere, many of his followers travel with him.

While returning from a trip to a cemetery, the driver of one of the cars lost control. The car struck and killed a black child.

The driver was sober. It's possible that he was negligent or reckless. But there is no reason to believe that he intentionally killed the child. Yet the accident was quickly turned into a racial incident. Al Sharpton, the notorious racist preacher, was one of several agitators who moved in to stir up black anger. Old grievances were voiced: The Jews receive better city services, they are more prosperous, they

look down on their black neighbors, they try to take over the community.

Of course, none of this had anything to do with the tragic accident.

But there were four nights of what some might call protests and others would call rioting. It would depend on whether you throw the bottle or if you get hit on the head with the bottle.

One incident could be described only as murder. A young Jewish scholar from Australia was stabbed to death on the street.

Now let's look at another highly publicized accident in the same city.

The motorman of a subway train is accused of getting blind drunk on Scotch whiskey and beer before reporting for work.

Authorities say he was so drunk while driving the train that he might have passed out or fallen asleep.

In any case, the train was speeding about three times as fast as it should have been when it derailed and crashed.

Five passengers were killed. About 200 others were injured, some seriously. It was New York's worst subway accident in more than 60 years.

It happens that the motorman is black.

But there have been no

allowed black racists to turn it into an issue. Maybe it took more political courage than the mayor of New York has for him to have pointed protests, no riots, no attempts to turn the subway crash into a racial incident.

The Ku Klux Klan, the Aryan Nation and the Skinheads haven't shown up to rant that this is evidence that blacks do not have the intellect to operate a subway train, that whites should not be forced to ride public transportation with blacks at the controls.

Why haven't they? Because if white demagogues and haters tried to exploit the tragedy, they'd be treated with the contempt and derision they would deserve. They would be hooted, jeered and wouldn't get a moment on TV or a line in the *New York Times*.

If the motorman was as drunk as investigators say, it could mean that he is a damn fool or a weakling or has psychological problems or is a habitual lush. But it doesn't mean that he, as a black man, set out to get people killed and injured.

In short, his race and the race of the passengers aren't a factor. The history of public transportation -- on land, sea and air -- is stained with cases of white boozers and dopers at the controls when disasters occurred.

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at Sharpton and said: "Ignore this man. He is a racist jackal who feeds off tragedy."

I'm sure the mayor would have said as much about the Klan or the Skinheads. Sharpton is no less a racist; he just works the other side of the street.

Deep thinkers are now pondering the underlying causes, the simmering grievances, that led to the outbursts in New York. In other words, the riot as a social statement.

Since when is it a social statement to stick a knife in a defenseless, non-belligerent young man or to scrawl Nazi symbols on a house of worship? Does that mean that lynching and cross burning were social statements?

A child is dead. I can't write a sadder sentence than that. But the child wasn't killed by society or racism. He was killed by a car driven by someone who screwed up terribly. And the driver's skin color had nothing to do with it.

And anyone who insists that race was a factor in the child's death should offer to share guilt in the subway crash. I don't expect Al Sharpton to be the first to volunteer.

Mike Royko is a Chicago-based, nationally syndicated columnist. His column appears each week in The Collegian.



MIKE ROYKO