In order to solve inner-city drug problems, our nation must make significant changes between Americans both inside and outside the correctional system," said Richard "Digger" Phelps. Phelps, a former Notre Dame basketball coach, worked as special assistant to the Director of the Office of National Drug Control Policy under the Bush administration from April 1992 through January 1993.

"Today, the greatest threat to national security is what drugs are doing to our cities," said Phelps, who headed "Operation Weed and Seed," a program designed to target illegal drug elements in targeted neighborhood areas and seed the sites with development programs.

"Weed is to take out the bad element," through law enforcement, Phelps said.

But the programs Phelps added, communities must harness pro-active programs, "things that are already working." These include job training, drug rehabilitation, and counseling services for adults and after-school boys and girls programs, Phelps said.

In his 10-month tenure, Phelps became a liaison between corporations, armed forces, community leaders, and gang leaders and drug users.

He investigated the problems facing neighborhood groups and drug outposts - especially from those on the inside - on how to solve them.

Phelps recognized the potential of gang leaders and drug users. "They could run the corporation in America," he said, "If course, they don't have the credentials or the qualifications, but they do have the street smarts and the numbers." Phelps described a mind-set of despair which pervades the inner-cities. This "Domestic Violence," he said, "caused by corporations moving to suburbs, leaving minorities stranded and jobless in the cities.

People on the inside (inner-cities) deserve the right to real jobs, not just sweeping changes," he said, explaining the whole new mind-set even a $20,000 a year job creates. "Your whole self-esteem changes if you are working for something."

Lacking such alternatives, however, they turn to gangsterism and easy money and a "famine" outside the drug trade.

"Only by recognizing these problems can a solution be found," Phelps said. "The message to America, along with community programs and government, must make a connection to "meet the needs of the community with its assets," he said.

Phelps pointed out how the drug trade exploits inner-city neighborhoods. "The market creates drug trade, not the dealers," he said, adding that 80 percent of the market comes from outside economically-troubled communities.

"We cannot simply rely on government and law enforcement agencies to cure society's ills," Phelps said. Americans must form pro-active programs which require the commitment of people on the outside.

"Before we can bring a finger to government, we've got to start by pointing a finger at ourselves," Phelps also noted that 75 percent of those in federal prison are convicted on drug-related charges. This with mark on the face of American society, he said.

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### NATIONAL Weather
The Accu-Weather forecast for noon, Thursday, April 8.

Lines separate high temperature zones for the day.

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### TODAY AT A GLANCE

#### WORLD
**Fiat's Chief Officer Charged**
ROME - Authorities issued an arrest warrant today for the chief operating officer of Fiat, the latest high executive of the industrial giant caught up in a nationwide corruption scandal, a news agency said. He is the fifth top official of Italy's largest private to be charged in the probe. Others include the company's chief financial officer, now under house arrest, and heads of important subsidiaries.A Fiat spokesman said he could not immediately confirm the report.

#### Royals Attend Funeral
**SAN LORENZO, Spain** - Royalty from around the globe attended the funeral Wednesday of Juan de Borbon, who ceded his right to the Spanish throne in favor of his son, King Juan Carlos. Don Juan, as he was known in Spain, spent decades in exile during the 36-year dictatorship of Francisco Franco. Franco chose Juan Carlos as his successor, passing over the young prince's father.Juan Carlos guided Spain back to democratic rule after Franco died in 1975, and in 1978, Moruens included Britain's Prince Charles, Crown Prince Siddi Mohamed of Morocco, King Baudouin and Queen Fabiola of Belgium and Prince Albert and Prince Ranier of Monaco.

#### National
**Arrest in Killing of Woman**
**LOS ANGELES** - A man was arrested today in an investigation into the killing of a pregnant woman who was stabbed in the stomach in a bungled carjacking. A man was taken into custody in the March 30 attack on Sherri Foreman, a 29-year-old beautician who was three months pregnant. She died the next day. The man's identity was not disclosed, said police Officer Riegberto Romeo.Foreman had withdrawn money from an automated teller machine in suburban Sherman Oaks when a man approached her and demanded her BMW, police said. The attacker snatched her purse and fled on foot.

#### INDIA
**No Conviction in Attack on Man**
**EVANSTON, Ill.** - Peter Williams got back his nose in a jar, but the man he says bit it off got off with a suspended sentence. Williams lost most of his nose when he was bitten off in a fight outside a tavern on Feb. 19, 1992. The man accused of doing the biting, Carl A. Foster, 32, was acquitted Tuesday of aggravated battery.Deputy Prosecutor Michael Clay offered the nose in a specimen jar as evidence that Foster had chewed it off during the fight.Defense attorney Thomas Montgomery said there was no evidence that Foster had chewed it off during the fight. Foster's lawyer, Thomas Montgomery, said he was not going to say anything about the case.

#### OF INTEREST
**Eyewitness Report on Guatemala**
German peace activist Heike Kammer will show slides highlighting the resistance to state-sponsored repression on Tuesday April 13 at 7 p.m. in the Center for Social Concerns. Heike's handcrafted jewelry will be on sale to benefit the work of PBI.

### Market Update

### YESTERDAY'S TRADING
**NYSE Index**

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Radioactive cloud moves over Siberia

MOSCOW (AP) — A radioactive cloud moved across Siberia on Wednesday after a tank of radioactive waste exploded in what the government called the worst nuclear accident since Chernobyl. Russian and foreign experts said Tuesday's explosion at the Tomsk-7 nuclear weapons complex was far less severe than the 1986 Chernobyl disaster. But a spokesman for the environmental group Greenpeace said several villages were at risk from windborne fallout.

No deaths were reported and no one was evacuated from the contaminated region, about 1,700 miles east of Moscow. Only one fireman received a high dose of radiation, said Georgy Kaurov, head of the Nuclear Energy Ministry's information department.

The State Emergency Committee said radiation levels around Tomsk-7 were .03 roentgens per hour Wednesday. Northeast of the plant, levels were .04 roentgens.

The average acceptable dose for nuclear workers is 2 roentgens per year, according to the International Commission on Radiological Protection. A roentgen is a measure of the human body's exposure to radiation.

Russian authorities said the wind blew the radiation away from Tomsk-7, a secret military facility, and the much larger nearby city of Tomsk, which has about 500,000 inhabitants.

"They keep saying there's no danger and no evacuation is planned, but the situation in those villages is unpredictable," Toltalksky said.

The Greenpeace spokesman added he expected the number of firefighters with high doses of radiation to rise. The explosion was considered a "third-class incident" on the seven-point International Atomic Energy Agency scale, according to Kaurov, the Nuclear Energy Ministry spokesman. The Chernobyl disaster rated seven.

"It has been the single worst accident since the Chernobyl catastrophe," Kaurov said.

UN withholds aid to free Muslim refugees

SARAJEVO, Bosnia-Herzegovina (AP) — The United Nations held back an aid delivery to Srebrenica on Wednesday in an attempt to pressure town leaders to let Muslim refugees leave. Local officials prevented an evacuation Tuesday, saying a mass exodus would weaken the defenses of the eastern town, which has been under Serb siege for months.

Gen. Philippe Morillon of France, the U.N. commander in Bosnia, meanwhile made another journey to Srebrenica to help protect the 60,000 residents and refugees exposed to cold, hunger and Serb attacks. Morillon left from Sarajevo with a force of 150 Canadian peacekeepers and five armored cars, said Barry Frewer, a spokesman for U.N. peacekeepers in Sarajevo.

"His intention is not to blast or force his way," Frewer said. "We will persevere and negotiate."

Morillon highlighted Srebrenica's plight last month by going there on his first personal mission. Some of the bloodiest fighting in Bosnia recently has centered around the town. Srebrenica lies close to the vital road that links the Yugoslav capital, Belgrade, to the Bosnian Serbs' self-styled capital in Pale.

In Belgrade, Russian special envoy Vitaly Churkin conferred with Serbian President Slobodan Milosevic about "a new Russian initiative toward resolving the conflict" in Bosnia, the Tanjug news agency said.

Churkin later met with Bosnian Serb leader Radovan Karadzic. He was expected to press the Serbs to accept a U.N. peace plan that partitions Bosnia into 10 semi-autonomous provinces along mainly ethnic grounds.

Russia's vote is crucial if the U.N. Security Council moves to tighten existing sanctions on Yugoslavia. A traditional Serb ally and a permanent Security Council member with veto power, it has so far delayed tougher action.

As Bosnia enters its second year of ethnic war, warring factions and the international community remain divided over how to end the bloodshed.

Bosnia's Serbs have refused to sign the U.N. peace plan, but British Defense Secretary Rifkind said on British radio that "History tells us that does not work."

Rifkind warned against "a sort of John Wayne solution whereby you go in with guns blazing, sort it out and then leave a few weeks or months later."

"History teaches us that does not work," Rifkind said on British Broadcasting Corp. radio. "Perhaps 100,000 U.N. troops could be bogged down there for the next 10, 15, 20 years."

In The Hague, the World Court announced it would deliver a ruling Thursday on Bosnia's request for emergency protection against what it claims is genocide by the Serbs.

Bosnian Serbs, backed by Serb-dominated Yugoslavia, have denied 76 percent of Bosnia since majority Muslims and Croats voted for independence from Belgrade in February 1992. More than 134,000 people — some reports say 200,000 — are dead or missing. Two million more are homeless.

On Wednesday, U.N. officials postponed an aid delivery to Srebrenica. But a top-ranking official, Jose-Maria Mendicillo, was negotiating with Bosnian officials in the northeastern city of Tuzla to try to resume an evacuation of the sick, the wounded, women, children and the elderly.

Lyndall Sachs, an agency spokesman, said 18 trucks were to leave Belgrade for Srebrenica on Thursday. Nine would bring aid, and nine would arrive empty to carry out Muslims.

Morillon's decision to return to Srebrenica followed reports of intensified fighting in the area.

Bosnian radio reported three people killed and 11 wounded in overnight shelling. U.N. officials said some 30 shells landed Tuesday.

In Sarajevo, four people were killed and seven wounded by sniper fire trying to cross the airport runway overnight, U.N. officials said.

Six U.S. patrol boats meanwhile arrived in Romania to help Romania and Bulgaria enforce trade sanctions on Yugoslavia.

The two eastern European countries said they lacked the technological sophistication to keep contraband goods from reaching Yugoslavia via the Danube River through their territory.

Well Wishers

Rendi Theodore, an off-campus senior and long time friend of Todd Brooks signs a well card in the lobby of LaFortune Student Center. Brooks suffered a severe neck injury in a Rugby game last Saturday.

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Deadline is May 14 for the issue on May 14.
**Macedonia's UN membership approved**

**UNITED NATIONS (AP) —** Macedonia's revised U.N. admission by the Security Council on Wednesday after months of wrangling with Greece over the symbolism of the former Yugoslav republic's name has ended a long dispute.

One argument between Greece and Macedonia has roots going back 2,400 years: who has the right to claim Alexander the Great's name as its national heritage. Greece also claims the name Macedonia is part of its heritage and implies territorial designs on the northern Greek province of the same name.

Under a compromise worked out with Greece, the new country was admitted with a cumbersome provisional name "The Former Yugoslav Province of Macedonia." Negotiators will choose a new name later.

To avoid offending Greece during the meeting, the Security Council resorted to elaborate word play. Its resolution did not mention Macedonia by name, referring to the country only as "the state whose application is contained in document W/1547." and as "the state concerned."

The council president, Ambassador Jamshid Marker of Pakistan, did utter the "M-word" in a brief statement explaining that the name "The Former Yugoslav Republic of Macedonia" did not imply an attempt to align itself with Yugoslavia or the right to use the name "Macedonia."

The unanimous vote by the 15 council members sends the application to the General Assembly, where it must be approved by two-thirds of its 170 members. Passage is expected when the assembly meets Thursday.

Some delicate issues remain, however.

U.N. officials don't know when Macedonia will be seated in the General Assembly's alphabetical seating plan and among the Ms. or with the Ys next to Yugoslavia, or under F for "Former Yugoslav Province."

Under the agreement between Greece and Macedonia, an arbitration committee will decide the new name and other disputes within two months.

In Athens, Greek Foreign Minister Michalis Papapostolou said: "I consider this a satisfactory development, and from now on negotiations will begin which, I never hid, will be difficult."

The latest delay to U.N. admission was Macedonia's adoption last year of a flag that included the 16-rayed Star of Vergina, symbol of the Macedonian dynasty of the 4th century B.C. Greek warrior-king Alexander the Great.

Jackson says he’s not interested in NAACP post

**WASHINGTON (AP) —** The Rev. Jesse Jackson, citing a move by some NAACP board members to weaken the position of executive director, said Wednesday he is no longer interested in heading civil rights organization.

Jackson withdrew a letter to NAACP board Chairman William Gibson, dated Wednesdays.

Jackson wrote. "I had a chance to reflect on a proposed rule change that would make board members over day-to-day functions of the National Association for the Advancement of Colored People.

"The idea is a substantial shift from the current condition."

Jackson said. "A strong director — with meaningful powers and duties — is essential to a strong NAACP."

"I feel, then and now, that on the matter of constitutional changes, I would err on the side of conservatism because constitutional changes have such long-lasting effects," he said. "Although I have withdrawn my name from consideration, I have not withdrawn my love, my respect and my hope for the NAACP's future and progress."

"The NAACP is the nation's oldest civil rights organization, has half a million members."

Jackson indicated that he would not attend the Friday meeting in Atlanta. An ordained Baptist minister, Jackson said the meeting conflicted with his duties.

His withdrawal came amid rumors in NAACP circles that Jackson was no longer a player — as well as some black Americans who look to the NAACP for leadership — objected to Jackson's candidacy.

His supporters argued that Jackson's prestige and national visibility would be good for the organization. Opponents argued that the NAACP needs new blood among its leadership.

Howard University political scientist Ron Walters, a adviser to Jackson's 1988 presidential campaign, said Jackson's departure "really says more about the NAACP than it does about Rev. Jackson."

"Anyone would have to consider whether they would run an organization as big as the NAACP under those conditions," Walters said. "It's sad. Not sad for Jackson, but for all the rest of us."

Speculation about a Jackson-run NAACP collapsed last month after a search committee failed to narrow the field of four candidates to be named by Jackson.

The four candidates for the job are the Rev. Benjamin Chavis, 45, head of the United Church of Christ's Commission For Racial Justice; Jewell Jack McConnell, 47, founder of the National Coalition of 100 Black Women; and Earl Shinhoster, 42, NAACP Southeastern regional director.

Shinhoster said Jackson's departure does not detract from the NAACP's success.

"Whether persons stay in the race or leave the race is not the doomsday he said. "It's important to me that the NAACP draws people of note. I simply am the best person for the position."

**Budget continued from page 1**

Clinton's $590 billion budget for the Department of Health and Human Services — the agency that spends the most — is expected to boost spending for ways to cut the overall price tag by about half.

The other candidates for the job are the Rev. Benjamin Chavis, 45, head of the United Church of Christ's Commission For Racial Justice; Jewell Jack McConnell, 47, founder of the National Coalition of 100 Black Women; and Earl Shinhoster, 42, NAACP Southeastern regional director.

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"Whether persons stay in the race or leave the race is not the
Cuomo withdraws from Supreme Court picture

WASHINGTON (AP) — Mario Cuomo, the best-known candidate for the upcoming Supreme Court vacancy, formally withdrew Wednesday from consideration before President Clinton had narrowed his list of prospects.

In a letter to Clinton, Cuomo said wanted to remain as governor to help New York's economy. The governor had stayed in the political world to "continue to help the state," but said, "The letter was sent to confirm this decision." It did not say when the telephone call was made.

Clinton refused earlier in the day to confirm reports of the withdrawal, but said, "I think he's terrific." Cuomo's decision removes the only candidate with celebrity status in the list of five names earning speculation in Washington. It would appear to be an indication that Cuomo may run for a fourth term as governor.

Aides said Clinton is at least a month away from making his choice. There is no hurry, since White will not retire until the end of the court's term, usually late June or July.

Cuomo's decision, which Newday said was forwarded to Clinton last Thursday, was unknown to some of Clinton's closest advisers until now. That is an indication of how hard the president is working to avoid leaks that plagued some of his Cabinet selections.

Among the candidates being mentioned by administration officials are Judge Judith Kaye, chief judge of New York's highest state court; Judge Patricia Wald, who sits on the U.S. Court of Appeals in Washington; and Judge Richard Arnold of Little Rock, who sits on the Eighth U.S. Circuit Court of Appeals. Arnold is an old friend of Clinton.

Clinton has by no means limited his choices to those three people, White House officials say.

In the rampant speculation about the Supreme Court opening, Cuomo had emerged as the liberal wing's sentimental choice, though the Clinton inner circle never had tipped its hand about Cuomo's chances.

But the loss of a celebrity candidate in Cuomo could rob Clinton of one of the qualities he is seeking in a nominee. Another White House official familiar with the search process said Clinton wanted "someone who will be an asset to the court, 'Wow,' whether they agree with the person or not."

Clinton had said only that he wants a justice who will respect the right to privacy, an argument that is the underpinning for a woman's right to an abortion. Clinton said he would not directly ask any potential nominee his or her position on abortion.

White House officials said Clinton may be trying to make history with his first choice to the Supreme Court. That could help the chances of Amalya Kearse, a New York federal judge who is black.

She believes in abortion rights, but is considered a moderate-to-conservative. Sen. Arlen Specter, wrote two FBI electronic intercations involving a Robert Altman more than a year ago, but added he believes that Altman is a different person from the defendant.

On paper, Altman might be a fit for Altman and said, he had "another of what the FBI would call a 'concept.' " "I'm not sure that's its relevant anymore," Rauh said. "We're just enjoying the fact that the case has been dismissed. We think the Justice Department dinner." Rauh said.

A federal grand jury indicted Clifford, a former Defense secretary and adviser to several administrations, on charges of conspiracy to defraud the Federal Reserve Board by concealing the role of the foreign-owned Bank of Credit and Commerce International in acquiring U.S. banks.

Government asks for dismissal of charges

WASHINGTON (AP) — The Justice Department moved Wednesday to drop federal charges against Washington, D.C.-based powerbroker Clark M. Clifford and law partner Robert A. Altman, in connection with the scandal-plagued international bank, BCCI.

The government asked for a dismissal without prejudice, meaning it could bring the charges again. In addition, through agreement with Clifford and Altman, the government reserved the right to bring new, broader charges in the future through a criminal indictment, that, unlike an indictment, does not require a grand jury.

The prosecutors sought the action in a motion to dismiss the one count of conspiracy to defraud that had been electronic intercepts "over a dozen years ago," Rauh said, "none of the three electronic intercepts are "relevant" in any way whatsoever to any aspect of this case."

Clifford's and Altman's attorneys had pressed for the disclosures after prosecutors in the New York trial said they "had reason to believe" there had been electronic intercepts of conversations among some of the witnesses they planned to call.

Mark Dubester, an assistant U.S. attorney, said in an affidavit that the FBI electronic intercepts involving a Robert Altman more than a year ago, but added he believes that Altman is a different person from the defendant.

On paper, Altman might be a fit for Clifford, a former Defense Secretary and adviser to several administrations, on charges of conspiracy to defraud the Federal Reserve Board by concealing the role of the foreign-owned Bank of Credit and Commerce International in acquiring U.S. banks.

Correction

In a page one headline yesterday, The Observer ran a headline which inaccurately claimed that permission was granted to establish a women's resource center at Notre Dame. Rather, the Office of Student Affairs gave permission to the Women's Resource Committee to distribute a benefit assessment form to students. The establishment of the center is still pending permission. The Observer regrets the error.

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WASHINGTON (AP) — Between the Democratic-controlled House and President Clinton, it has been more back-and-forth than gridlock.

Despite a setback on his still-lingerings jobs bill, Clinton in 75 days won three important economic victories: the doubling of economic priorities and enviro-

gonomic rebates, reordering economic priorities and envis-
ing higher taxes, defense cuts and selected domestic spending increases. He and the lawmakers worked together to pass the family leave bill that Democrats had been seeking for years.

In addition, Congress sup-
ported Clinton in his plan to lift the ban on abortions counseling at federally funded clinics and on using Medicaid funds for the abortions of poor women, sharp reversals of 12 years of Reagan-

Bush policies.

\text{LOIS ANGELES (AP) — Armored personnel carriers have moved in. Police are patrolling neighborhoods in this city edgy as King verdict nears. Korean-American merchants have stocked up on guns, even churches are ready to make plans to stay open as long as necessary and patrol their neighborhoods.}

The city is nervous as the second Rodney King beating trial begins. The trial is determined to avoid a repeat of the devastating riots that followed this first trial last spring.

Los Angeles isn't the only western city nervous. King is among others cities hit by rioting last year, and at least one store there has begun boarding up its windows at night.

The deliberations in the federal trial are expected to begin on Good Friday and could continue through Easter. Almost every resident, from mayor to mayor, prays violence will not be.

Police Chief Willie Williams and Mayor Tom Bradley promised this week to send 6,500 uniformed officers into the streets at noon on delibera-
tions begin. Those officers will carry special riot-control gear with tear gas. With a voice full of emotion, Williams said Los Angeles was ready.

His predecessor, Daryl F. Gates, was accused of not caring and not acting quickly enough last spring when the state jury acquitted four white officers of all charges on March 3, 1991, beating the black motorist.

The events that occurred were three days of wanton lawlessness in which 54 people died and 10,000 people were injured. Damage estimates reached $1 billion.

People are afraid to lose anymore or any more damage done to their homes. The L.A. church spokesman, the Rev. Salazar, co-chair of Rebuild L.A., a private group of business and community leaders formed after the riots.

People in Los Angeles are generally tired of it and want to put the riots behind them.

Easier said than done. The federal trial isn't the end of it. On Wednesday, a trial was postponed until July 6 for three black defendants charged with attacking white trucker Charles Denny at the start of the riots.

Meanwhile, Los Angeles waits. Police patrolled with rubber bullets and tear gas. The National Guard has moved in. Church leaders have been meeting to discuss strategies for patrolling their churches.

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Police Chief Willie Williams and Mayor Tom Bradley promised this week to send 6,500 uniformed officers into...
Cheerleading coach unqualified

Dear Editor:

Imagine for a moment the hiring decision for its coach. Nonetheless, we find the university would hire a qualified coach, yet this simply was not done. The cheerleading coach must make many decisions which require knowledge of the sport. More importantly, the coach must ensure that all gymastics, partner stunts, and pyramids are performed with proper technique and safety standards. An unknowledgeable coach not only makes it difficult for the squad to present its best possible appearance, but also places the safety of squad members in jeopardy.

The cheerleading coach must have a graduate degree in athletic administration and a professional background in the sport. He or she must be able touality and objectively as possible. Unsigned editorials represent the opinion of the majority of the The Observer, Viewpoint Editor, News/Photo Editor, Accent Editor, Photo Editor, Sports Editor, and Saint Mary's Editor. Commentaries, letters and Inside Columns present the views of the authors, and not necessarily those of The Observer. Viewpoint space is available to all members of the Notre Dame/Saint Mary's community and to all readers. The free expression of varying opinions through letters is encouraged.

Letter-writers in Innsbruck need attitude adjustment

Dear Editor:

I am writing in response to the letter which appeared in Viewpoint on April 6 from William Partridge and William McDonald, two Notre Dame students who are currently in Innsbruck. I do not so much wish to defend the Viewpoint section of The Observer, which they accuse of "intellectual stagnation," as I wish to question the attitude with which their letter was written.

Granted, the ongoing debates concerning meal plan options, Saint Mary's, and other such issues, are not of the utmost importance in the international, grand scheme of things. Campus issues are indeed of a lighter nature than European unification or France's radical right wing.

Yet just because some issues are not mainstays in The Observer Viewpoint section, does it mean we here in South Bend are blind to current events. Surely these topics are discussed in many classes and students are exposed to them through other newspapers and media sources.

Furthermore, many of the debates which occur in Viewpoint are critical to our lives here at Notre Dame. While the international world moves along, so too must the Notre Dame world which we are all a part of. I resent being told to "Wake up!" when no waking is necessary.

Mr. Partridge and Mr. McDonald must think rather highly of themselves to refer to the students here as "boring people." They further insinuate we know nothing of the world where there is sex before marriage or young people exhibiting independence. I dare say that we here are not as ignorant as that. We do not need Mr. Partridge and Mr. McDonald "to bring to light" the world outside of Notre Dame.

Finally, the arrogant attitude which Mr. Partridge and Mr. McDonald seem to have acquired is not a goal of studying abroad. Spending a year overseas should broaden your horizons, not enlarge your ego as well. As a student planning to spend next year in Angers, France, I only hope that I do not grow cynical and condescending towards the very university which I owe so much to.

David Ring
Grace Hall
April 6, 1993

"I accuse the Catholic Church of infecting the world with its funeral morality of being the running sore on the decomposing body of the West."

Michel Mourre

Disagree. Submit:

QUOTES, PO Box Q, N.D., IN 46556
Editorial:

Taney was not a judicial activist

Dear Editor:

After reading Mr. Acker's article of April 2, 1993: "If Clinton Knows Wrong, Then He Won't Choose Left," we felt compelled to address his characterization of Chief Justice Taney as a judicial activist. Certainly Mr. Acker is entitled to his opinion regarding the validity of judicial activism and we do not write to dispute that point. In his article, however, Mr. Acker used the Supreme Court's decision in Dred Scott v. Sandford, as an historical example to illustrate "little danger of judicial activism and the correctness of the conservative position." Using this example, Mr. Acker propounded that "Taney's decision was based not on the text of the Constitution or any law, but rather his personal vision of social justice. The way in which conventional activists differ from Taney only in their political opinions. They fully agree with his vision of the role of judges." The fact of the matter is that Taney was not a judicial activist but rather an original intent jurist. When John Canning of the Dred Scott opinion, Taney, the judge, felt compelled to apply clauses of the Constitution to state he is in.

As a result, since his status depended, Taney explained that the Constitution and the Fugitive Slave Act barred slavery in the Territories; and a slave taken into a free state for a temporary sojourn is not necessarily freed as a result, since his status depended upon the laws of the state he is in.

In reaching his decision, Taney pointed to specific clauses of the Constitution to justify his position. Taney specifically referred to the Nonimportation clause of the Constitution for support. The Nonimportation clause reserved the right to import slaves until 1808 to each of the slave holding states. Similarly, Taney explained that the Fugitive Slave Clause was an "extradition" clause whereby states agreed to deliver runaway slaves to their home states and owners, thereby maintaining the right of a master to his "property." Taney believed that he was Constitutional support for slavery. Taney then undertook an in-depth examination of laws in several states regarding the Negro race. Taney noted that "when we look to the condition of this race in the several states at the time, it is impossible to believe that these rights and privileges were intended to be extended to them." Taney noted that statutes in slave holding states drew broad distinctions between citizens and the slave race. These distinctions resulted in Negroes" being treated as an inferior class.

Next, he examined the laws of several non slave holding states. From this he explained: "We shall find the same opinions and principles equally fixed and equally acted upon." In conclusion, Taney recognized that in some states slavery no longer existed, not because slaves were considered equal, but because slaves were unable to endure the colder climates. He added some of these "non-"Taney" persons engaged in the slave trade by transporting slaves to parts of the Union where slavery was prohibited. Taney wrote, "[if any of these non-]provisions are deemed unjust, there is a mode prescribed in the instrument itself by which it may be amended; but while it remains unaltered, it must be construed now as it was understood at the time of its adoption.

Black's Legal Dictionary defines judicial activism as a judicial philosophy which mandates judges to depart from strict adherence to judicial precedent in favor of progressive and new social policies which are not always consistent with the restraint required of appellate judges. Judicial activists tend to look beyond the text and original intent of Constitutional language to the underlying values of the document. Not only is Taney's opinion consistent with his prior slavery opinions, it is not in any way progressive. This is not Judicial Activism.

This brief review of Dred Scott opinion demonstrates that Taney rendered a decision which he believed was consistent with the text of the Constitution and the Framers' intent.

Mr. Acker's comparison of "today's judicial activists" with Taney is incorrect. In 1856 under an original intent perspective of the Constitution, slavery was legal (hence, the Thirteenth Amendment). We are shocked by Mr. Acker's comparison of Taney's Dred Scott opinion to judicial activism. Had Taney been a judicial activist, perhaps history would have been different.

Nancy Miller
Course Representative
Law School
April 4, 1993

Griffin insensitive to survivors of rape

Dear Editor:

In response to "Rape is a tragic misfortune" (The Observer, April 5, 1993), Father Griffin's initial comments on the letters and personal accounts that appeared last week in The Observer were accurate ("I think all those pieces are testimonials to pain which show us profiles in courage. To question anything in them would be to put the survivors at risk.")

Too bad you didn't end your article there, Father, because what followed did very little to support those who do speak out about rape and sexual assault.

No one is defending women who falsely accuse men (or women) of rape. How can we justify actions that only encourage the "cry wolf" attitude society holds? But to suggest that this occurs even half as often as rape is simply ludicrous. How many women do you know that would fabricate a story of sexual assault so they could repeat it over and over to police officers, lawyers, juries, judges, friends and family members? And you would forgive me if I'm a little short on sympathy for the man who ended up in prison after being duped by his girlfriend.

Communication is one of the main problems between men and women, and the "No means no" attitude that has arisen in order to clear things up has had to be revised to "No means no and only you may get it." You ought to enlighten those who still believe that women who don't speak forcefully enough, or who aren't sober enough are actually giving consent. At least we "militants" hope so.

I doubt that the women who shared their stories, signing only "A Survivor" were using the term to imply interest in rape, situations, as Father Griffin stated. (Although that may apply in many cases "victim" is a word that weakens, and "survivor" is a word that empowers. If you had lived through such a traumatic ordeal, which description would you prefer?) I'd be glad to "help you off that misfired". Father, but I think you've already stepped on one.

Sue Keilans
Off-Campus
April 5, 1993

Thursday's Verse

The Man of Learning one day came

By the Fool's small garden. Seeing

The poor man toiling,

He was very understanding.

"Yes, my man, that he did put to work;

You don't seem to be any better

than betting for eternal life,

in the equation's

difference there's?"

"No, sir!" said the waster.

"You and I are friends and relations:

Favoring a

Chaos.

"The Wager" Black's Legal Dictionary

Rafael Tarrago
Hesburgh Library

P.O. Box Q
Notre Dame, Indiana, 46556

Thursday, April 8, 1993

"The Wager"
A place of our own

After one year, Dalloway's Coffeehouse expanding, seeking larger audience by offering students a getaway

By ANNE DELANEY

Accent Writer

There are not many establishments that allow unlimited loitering without purchase in these United States, much less South Bend, Indiana, homes which are so versatile as to act as venue, theater, lecture hall and dance floor.

Yet coffeehouses are present on most campuses, acting as an integral part of college living. This opportunity is now easily accessible on Saint Mary's campus. Clarissa Dalloway's Coffeehouse offers a wide variety of entertainment and atmosphere as well as good coffee.

A coffeehouse is an excellent alternative to the more common but atypical of other campus establishments, a welcoming medium in which people can get away with excuses for not studying, and just get away.

Manager Megan Grogan, a Saint Mary's junior who has undertaken the large responsibility Peggy Abod left behind, is excited about the coffeehouse and its expansion.

"I'm glad that Saint Mary's has a place of its own, and it's encouraging that there is such overwhelming student support. But the students must get away with excuses for not studying, and just get away.

To come to Clarissa Dalloway's and see how the coffeehouse tradition has continued at Saint Mary's in a long time, although I'd hearing rug, you can music. The worldwide network of indie labels and fanzines gives people with a common passion for music a medium through which they can communicate with each other—through music.

"When I get that first tape or disc, it's amazing," Clary said. "Because soon, your music can be all over the country. There could be a tape or CD in Omaha. We don't have to be there for someone to enjoy our music.

Clary spends hours of time delineating Sudden Shame's path. His personal notebook is a mishmash of lyrics, ideas, and financial calculations. He tries to figure out how many discs Sudden Shame will need to sell in order to record another release. He doesn't work in accounting formulas or calculus. He doesn't think he just might be able to get out of this. There are an awful lot of people who leave on weekends because they aren't finding the social life they're used to.
MIAMI (AP) — Injury-plagued reliever Todd Worrell stranded his 12th bases-loaded inning Wednesday night as the Los Angeles Dodgers beat the Florida Marlins 4-2.

Worrell stripped the ninth, allowed a hit and two walks and got his second save in three tries, finishing off Dave Stewart in seven shutout innings.

Leiter, a 27-year-old right-hander with 12 previous saves since signing in May 1989, worked hard in anticipation that Duke will try to employ the same aggressive tactics in the form of a ten-man ride. This will be important for the Irish to handle better so that Duke will be unable to keep the game in the Notre Dame half of the field. A part of the game that could become important in the latter stages for the Irish may be the depth factor. With so many Blue Devils out and not at the Irish, the 2002 Florida may play a lot of fast break chances out of the Irish and try to keep their record old against a Top 10. If they can utilize their depth and quickness against Duke's size and not let the Blue Devils turn the game into a track meet, they may themselves with two more firsts when they return from Durham, victory over a Top 10 opponent and a Top 10 ranking of their own.

Cecil Fielder had a grand slam and drove in five runs for the Tigers yesterday, but they fell to the Oakland Athletics 12-7.

Continued from page 16 Corrigan.

Coach Corrigan will turn to his starting line of freshmen Rob Tobin and juniors Billy Allison and Willie Sutton to control the Blue Devil middies. "We're going to try and take the middles out of the game offensively by pressing them on the defensive end, thus keeping them out of the transition game," Corrigan explained.

Last week the Irish had trouble with Georgetown's pressure at midfield in the Big East. Again this week, we have worked hard in anticipation that Duke will try to employ the same aggressive tactics in the form of a ten-man ride. This will be important for the Irish to handle better so that Duke will be unable to keep the game in the Notre Dame half of the field. A part of the game that could become important in the latter stages for the Irish may be the depth factor. With so many Blue Devils out and not at the Irish, the 2002 Florida may play a lot of fast break chances out of the Irish and try to keep their record old against a Top 10. If they can utilize their depth and quickness against Duke's size and not let the Blue Devils turn the game into a track meet, they may themselves with two more firsts when they return from Durham, victory over a Top 10 opponent and a Top 10 ranking of their own.

The Observer Thursday, April 8, 1993

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Women's track at Sea Ray Relays

By MIKE NORBUT
Sports Writer

The Notre Dame women's track team will be travelling to Knoxville, Tn., Thursday thru Saturday for the 27th annual Sea Ray Relays, a prestigious meet featuring competition from across the country, including Marquette, Alabama A&M, and Ashland University.

The Irish will be hoping to continue their success outdoors this weekend, although they will also be hoping to find themselves in better weather conditions than they have experienced thus far this season. Split squads at Eastern Kentucky and North Carolina State both had to face horrible hail and rain two weeks ago, leading to many cancellations of late events. Nevertheless, the teams were excited about competing in their first outdoor meet in its competed well against powerful running schools like Miami (OH), Georgetown, and Providence.

"We had a lot of kids compete well against both Eastern Kentucky and North Carolina," said coach Joe Piane.

The action will begin today for the Irish, as several of the distance events will be run, including the 3000, 5000, and 10,000 meter runs. The Irish will look to Sami Riley, Stefanie Jensen, and Emily Husted for leadership. Husted took second in the 1500 meter run at Eastern Kentucky two weeks ago, while Riley and Jensen qualified for the NCAA Outdoor Championships, to be held in New Orleans, La., June 2-5, in the 5000 meter run while competing at the Raleigh Relays.

Freshman Erica Peterson will lead Notre Dame in the sprinting categories. Peterson won both the 400 meters and the 400 meter hurdles at Eastern Kentucky March 27, and was the sole Irish representative at the Texas Relays last weekend.

Karen Harris and Susan Maher will compete in the field events. Harris took second in the shot put at the Raleigh Relays, while Maher won the high jump at Eastern Kentucky.

The meet will continue on Saturday with several scheduled relays, events in which the Irish are hoping to be successful. Notre Dame's main concentration this weekend will be on competing well as a team, along with trying to qualify individuals for the NCAA Championships in June.

A very exciting weekend.

Almost the entire rotation will see time on the mound over the Easter weekend.

The schedule for the LaSalle games are as follows: Friday's games start at 7 p.m. Saturday's doubleheader starts at 1 p.m. while Monday's doubleheader against Cleveland State starts at 1 p.m. with all games at Clevelands Stadium.

Webber bouncing back

LOS ANGELES (AP) — Shed no tears for Chris Webber. He's going to be just fine. Who says so? Chris Webber.

"I'm still a little bit depleted, but I'm OK," Webber said Wednesday at the John R. Wooden Award ceremony. "It's still kind of hard to swallow. It's just real hard. I sort of want to crawl under a rock. (But) Chris Webber, he can deal with it.

Webber attended the ceremony at the Los Angeles Athletic Club less than 48 hours after committing one of the biggest mistakes in NCAA tournament history. His infamous timeout call with 11 seconds left Monday night gave Michigan a chance at the title. Although obviously still feeling the effects of his gaffe, he was pleasant and gracious as he patiently answered questions from reporters.

In addition, the bald, clean-shaven All-American showed he hasn't lost his sense of humor. "I think I'll grow long hair and a beard and move out to the California desert and wait for the basketball season to begin," he said with a smile.

Webber is recovering from a broken left middle finger. He had surgery on his left hand while he was at the ceremony last weekend in Los Angeles.

The Irish have a day of rest before traveling to Big Ten with a 2 for 2 performance including a double last night. Danapilis went 2 for 2 while Topham and junior Matt Haas notched one hit each in the game.

Purdue is ranked second in the Big Ten with a 5-3 conference record behind an 8-0 Minnesota squad.

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The Observer/Saint Mary's and Notre Dame Women's tennis teams have been placed well enough at the Barry and Michelle Meadows Tennis Pavilion to qualify several riders for regional competition.

Eric Ivanovich, Megan Turpin, Katie Bradley, Julie Barry and Michelle Meadows all placed well enough at the Culver Hunt Seat Show to qualify for regional competition.

Turpin placed fifth and sixth in the novice flat and second and third in the intermediate fences on Saturday and Sunday, respectively. Turpin placed second and fourth in the intermediate flat, second in the intermediate fences, and Meadows, who placed fourth and fifth in the advanced fences, and Meadows, who placed first and second in the novice fences, and third in the intermediate fences.

Also qualifying were Bradley, who scored second in the intermediate flat and novices fences, and Meadows, who placed first and second in the beginning walk-trot. Also in the Regional meet, Lesley Kokoska placed third and second in the advanced walk-trot-canter, while Meaghan McCue placed first and third in the open flat and third and fourth in the open fences.

The Regional show will be held this weekend.

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**By RIAN AKEE**

Sports Writer

For almost the last month, the 21st-ranked Notre Dame women's tennis team has been safely tucked away in the friendly confines of the Equestrian Center. The team recently placed well enough at the Barry and Michelle Meadows Tennis Pavilion to qualify several riders for regional competition. The team has continued to improve throughout the season and has maintained a high level of consistency.

Though there is still work to be done, the team has shown significant improvement in key areas. The women have been working hard to improve their consistency and have shown a willingness to learn from their mistakes. The team has also been able to develop a strong sense of camaraderie and unity, which has helped them to stay motivated and focused.

The team has several important matches ahead, including a crucial conference tournament. With a strong showing in this tournament, the team could earn a spot in the NCAA championships. The team will need to continue to improve and remain focused if they hope to achieve this goal.

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**Women's tennis travels to down tobacco road**

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Continued from page 16

Irish softball challenges DePaul

By DOMINIC AMOROSA
Sports Writer

While most Notre Dame students will pack their bags for Easter weekend, the Notre Dame softball will be in action against Chicago and face perennial Midwestern powerhouse DePaul in a Saturday doubleheader.

"One of our big goals was to come out strong against the Big 10," said coach Liz Miller. "Dominating Michigan State was very big in our minds. We were pleased with our performance.

In Tuesday's first game, junior Carrie Miller fought off a hamstring injury to pitch four innings and record her fourth win. She yielded only one unearned run on five hits while striking out one. Senior co-captain Ronnie Alvarez recorded RBI singles, while junior Liz Goetz walked in the bases loaded for the third run.

"The key to our winning streak was the Indiana State game, because it brought back our confidence at the plate," realized Miller. "We need to continue to stay loose at the plate and keep our confidence high."

Saturday's doubleheader against DePaul will be a rematch of the championship game of the Subway Classic last weekend, which the Irish won 1-0. The Blue Demons enter the contests with a 9-14 record, and are led by pitcher Suzanne Wiegner. Wiegner defeated the Irish 2-1 last Saturday in the first game of the Subway classic. DePaul also boasts a talented infielder in Missy Nowak.

"DePaul has strong pitching and great hitting," explained coach Miller. "These will be tough games for us."

"We need to let DePaul know what we are all about," added Keys. "We just need to be strong and tough."
Today

Thursday, April 8, 1993

SPELUNKER

I WANT TO ASK A question.

THE FAR SIDE

CALVIN AND HOBBES

I ALSO HATE IT WHEN PEOPLE LOOK AT ME ALL SLEPTY.

IT'S SO DUMB. WHY DO THEY THINK I'M TALKING TO THEM?

YOU KNOW WHAT? I HATE IT WHEN I'M TRAPPED AND SOMEONE THINKS IT'S THEIR BUSINESS TO CONSIDER.

HANK BEGINS TO TAKE CERTAIN SUBSTANCES FOR HIS CHEMISTRY TEST.

I'M NOT SURE WHAT THIS IS.

BILLY'S A TRICKY ONE.

I WILL TRY TO WATCH OVER ME.

JAY HOISER

WILL I BE OK?

GOING TO BE A LOT OF WORK.

BILL WATTERSON

I'M NOT SURE I'LL BE ALL RIGHT.

IT'S A TRICKY ONE.

TODAY HANK BEGINS TO TAKE CERTAIN SUBSTANCES FOR HIS CHEMISTRY TEST. 

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Baseball edges Purdue, faces six-game weekend

By JENNY MARTEN
Associate Sports Editor

It was a battle of pitchers and Purdue's Todd Jensen was the first to weaken. He also weakened the most as the Notre Dame baseball team (11-8) put two runs on the board in the fifth on a Ryan Topham triple for a 2-1 victory over the Boilermakers (21-6) today in West Lafayette, Ind.

The fifth inning was the only inning in which either team scored. Irish junior Tom Price pitched the complete game allowing only one run on three hits with seven strikeouts while Jensen also went the distance giving up two runs and five hits while striking out 10.

"Last year, I pitched against Purdue both times and the first time he (Allensworth) was up he hit a home run against me," said Price. "I had a good idea of how I was going to pitch him away and make him go after them."

Notre Dame started out the fifth with men on third and second. Topham hit a deep right field center field to drive in the two runs.

"Last night and earlier in the game I was pulling up on the ball a bit. I worked on keeping myself in there," said Topham. "But last night and earlier in the game I was pulling up on the ball a bit. I worked on keeping myself in there."

The Irish started the rout off by scoring six runs in the third on a single by Senior forward Brian for 1-0. Price pitched the complete game and went the distance giving up two runs and five hits while striking out 10.

"I feel comfortable out there going to pitch him away and make him go after them."

Price (3-1, 4.20) has struck out 19 and walked only three in his last three outings and has lowered his ERA from 5.20 to 4.20. Jensen also went the distance giving up two runs and five hits while striking out 10.

Irish starting pitcher Tom Price

Singles

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