



Nebraska Report

There is no Peace without Justice

JANUARY 2005

VOLUME 33, NUMBER 1

2005 LEGISLATIVE SESSION

One more year has passed, and it all seems eerily familiar.

The Legislature is convening (for a sixth straight session) in the midst of a state budget crisis. Drought is still bedeviling the state's agricultural economy. High energy and fuel costs are stunting economic recovery. LB 775 Big Business tax breaks continue to raid the state treasury at a clip of \$70 million annually (Legislative Fiscal Office estimate, 2001) while depriving many communities of significant revenues from sales and property taxes. Education and social services are again on the chopping block as the Governor's Office has flatly rejected tax increases as a means of raising more revenue.

And an end to this budgetary nightmare is nowhere in sight.

Oh, it's true that tax receipts for the fiscal year that ended June 30 exceeded the Economic Forecasting Board's gloomy estimate by a substantial \$197 million. And receipts in the current fiscal year are coming in above projections.

But state spending commitments are outpacing revenues by almost two-to-one. Just three programs—state aid for K-12 education, higher ed and Medicaid—together account for nearly three-quarters of the current state budget. The growing costs of these "three big elephants" (as Legislative Appropriations Chair Roger Wehrbein has christened them) are expected to more than eat up any surplus.

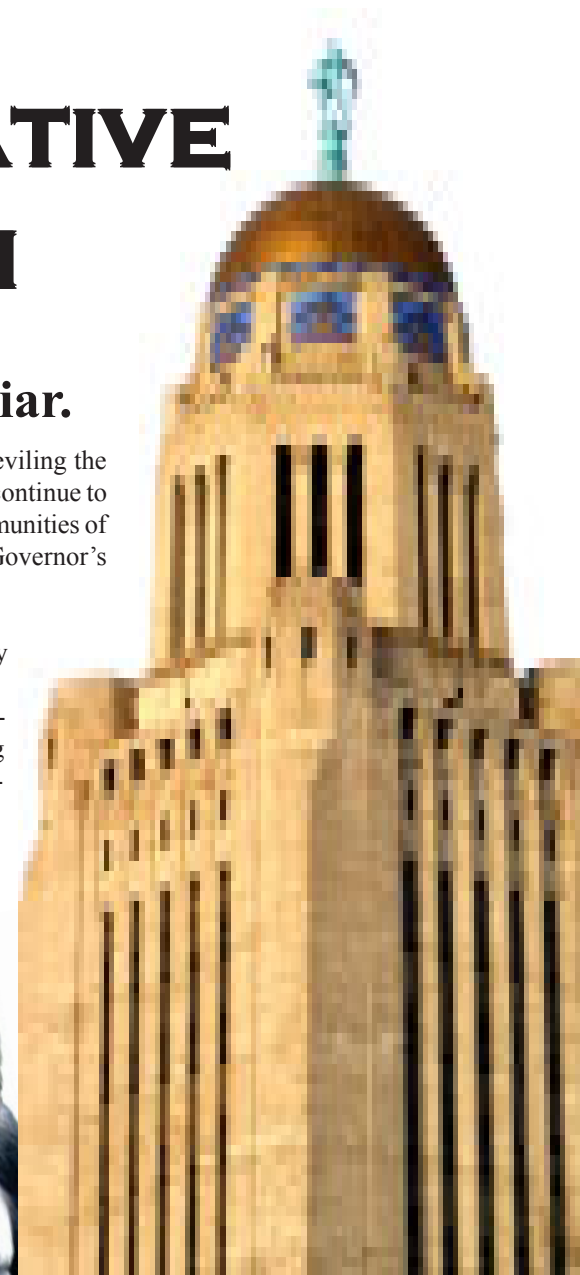
And that doesn't include the \$141 million the Legislature has to come up with to pay for the low-level nuclear waste settlement. Or any funds needed to settle pending lawsuits over the Legislature's alleged failure to meet the terms of the state aid to education formula.

Sen. Wehrbein has warned his colleagues at their November pre-session symposium that after four years and \$400 million of budget cuts, the Legislature will be making its toughest budget decisions yet. And they want to make them without the possibility of tax increases. "If this dilemma is solved," he announced to the group, "it's gotta be cuts."

Elephants vs. Gorillas

We hear plenty from our elected officials about the "three big elephants" in the budget (state aid for K-12 education, higher ed and Medicaid) that serve the young and vulnerable.

But why isn't anyone talking about the 775-pound gorilla? The LB 775 gorilla whose annual cost to the state is still not included in the budget? *(continued on page 3)*



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Nonprofit Org.
U.S. Postage
PAID
Permit No. 310
Lincoln, NE

Nebraska Report

The *Nebraska Report* is published nine times annually by Nebraskans for Peace. Opinions stated do not necessarily reflect the views of the directors or staff of Nebraskans for Peace.

Newspaper Committee: Tim Rinne, Editor

Mark Vasina, Sarah Disbrow, Bud Narveson, Marsha Fangmeyer

Typesetting and Layout: marketing assistants plus!

Printing: Fremont Tribune Circulation: 6,500

Letters, articles, photographs and graphics are welcomed. Deadline is the first of the month for publication in the following month's issue. Submit to: *Nebraska Report*, c/o Nebraskans for Peace, 941 'O' Street, Suite 1026, Lincoln, NE 68508.

Nebraskans for Peace

Nebraskans for Peace is a statewide grassroots advocacy organization working nonviolently for peace with justice through community-building, education and political action.

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The Great Plains Environmental Law Center Protects the Public Interest

Until recently, environmental advocates in Nebraska had limited resources available to address the legal and regulatory issues that affect community well-being. But now they do.

Earlier this year, the Great Plains Environmental Law Center started its work as a statewide advocate on environmental quality. Founded by Steve Virgil, an Omaha attorney who has worked with Nebraskans for Peace on tax equity issues including LB 775, the Great Plains Environmental Law Center was organized to address the lack of adequate environmental protections in Nebraska and spur public involvement on the issue. The center opened its Omaha office in September and hired its first staff person the same month.

Nebraska faces many environmental issues, including water quality and availability, environmental justice and air quality. In many parts of the state, the most pressing environmental issue is the impact of "confined animal feeding operations" also known as "CAFOs." These operations show how environmental protection is a social justice issue.

CAFOs are industrial-styled operations where thousands of animals, mostly hogs and cattle, are concentrated in small areas and fed to prepare for slaughter. There are CAFOs in Nebraska housing more than 100,000 cattle and 40,000 hogs in one operation. And each of these animals produces manure.

Each year, communities in Nebraska, particularly low-income communities in rural parts of the state, subsidize these industrial models of "agriculture." Mostly in the form of large-scale CAFOs, these communities are forced to live with impaired water quality, polluted groundwater and air pollution, all associated with the huge waste "lagoons" that collect animal manure. Some of these lagoons can be as large as small lakes, holding millions of gallons of untreated manure containing a stew of chemicals.

The livestock producers who profit from these facilities do so while communities suffer. Waste lagoons create sickening smells that drive families indoors and can ultimately force families to move. Pollution from these lagoons is suspected by some to contribute to groundwater pollution, contaminating drinking water for families in rural communities. While the reports of degraded air and water quality associated with CAFOs and their waste are often heard, the story that is not being told is how these operations rob the public of resources and threaten the long-term health and fairness of Nebraska's communities.

Large-animal feeding operations are only profitable because their owners do not pay the costs for adequately managing the pollution they create. By shifting the cost of air and water degradation to the community, the public is forced to underwrite the profits of these large livestock feeding operations. If a CAFO had to pay the cost of protecting the community's air and water, they could not operate. A 50,000-head hog CAFO, for example, generates as much waste each day as the City of Lincoln. But CAFO waste doesn't go through a wastewater treatment plant where it can be cleansed before being returned to the streams and rivers that we all enjoy. Instead the waste is collected in open, unlined lagoons and is never treated to address pathogens or pollution.

Regrettably, Nebraska's lax enforcement of environmental regulation and protections continues state policies that shift public wealth to private benefit. Since 1986, Nebraska has transferred hundreds of millions of dollars from the public good to a few private corporations through LB 775. LB 775 disrupts the fundamental fairness of Nebraska's tax systems by giving a preference to some taxpayers while denying others needed services, such as adequate health care and opportunities for education. By doing so, LB 775 affects the state's ability to support programs that help communities, support families and provide for a more fair and just government. As many NFP members know, LB 775 is nothing more than a way to take from the poor and give to the rich. Although less blatant than LB 775, Nebraska's inadequate environmental protection particularly in the area of large-scale animal feeding and waste management has the same effect.

Every time a rural community is forced to accept a CAFO, it is being forced to exchange its air and water quality, along with its quality of life, for the benefit of a few rich and powerful livestock producers. And all of this is done in the name of economic development.

When Nebraska subsidizes the wealthiest and greatest among us we are sacrificing the future of the least among us. The Great Plains Environmental Law Center will level the field to protect the public's wealth, health and the air, land and water for ourselves and our children.

2005 LEGISLATIVE SESSION, CONCLUSION

Through five rounds of budget cuts, the senators have repeatedly placed the interests of Big Business over those of children, leaving corporate tax incentives absolutely untouched while funding for the young—education and other services—has been cut every single session. Horrific as this record is, the 2005 Session promises to be even worse.

The Legislature, responding to pressure from the State Chamber of Commerce, appears ready in the coming session to devote time to devising the ‘next generation’ of business tax breaks. In a year when state government can’t pay its bills and is planning yet again to balance the budget on the backs of children, the senators will be asked to dig us even deeper into debt in order to subsidize Big Business.

Expanding incentives for small and medium-size firms, for example, may help correct the bias in favor of Big Business found in the twin “gorillas” of Nebraska’s business tax incentives—LB 775 and the Invest Nebraska Act. But such an initiative does nothing to address the harm to our state’s economy caused by existing programs. It is our hope that the senators will keep three things uppermost in their minds during deliberations on new business tax incentives.

First, new incentives must reward business expansion which would not otherwise occur. Providing tax expenditures in exchange for business as usual—which accounts for most subsidies under LB 775—is unacceptable fiscal folly.

Second, new incentives must pay for themselves. Existing programs divert tens of millions of dollars of tax revenues from state and local budgets each year. Enacting additional tax incentive programs means even lower state tax revenues—you can count on that. Fiscal prudence, particularly in a budget crisis, dictates that new incentive programs which do not have demonstrably short payback times must be paid for by cutbacks to existing incentive programs.

Third, we must fix the most alarming flaw in existing programs: poor accountabil-

ity and disclosure. The LB 775 repeal petition drive showed us how widespread public outrage is about the secrecy of this program. An overhaul of our business tax incentive programs may provide our best opportunity yet to get some meaningful accountability and disclosure about their cost and effectiveness.

Over the course of the coming session, Nebraskans for Peace will publicly advocate for ‘sunshine’ and ‘right to know’ provisions in any ‘new, improved’ incentive package. We will also be urging that any new incentives should be financed by cutbacks to current ones. Until we know what we’re getting for what we’re already paying, new programs should not be allowed to syphon additional dollars from the tight tax revenue stream.

Whiteclay

The Legislature has shown its willingness to throw money at Big Business. But when it comes to appropriating funds for law enforcement in Whiteclay, our senators plead poverty. For the third year in a row, the Liquor Control Commission, in its “legislation letter” to the senators, will formally request appropriations for full-time law enforcement in Whiteclay during the hours alcohol is sold. Implicit in this request is the recognition by the Commission that law enforcement in that tiny reservation border town is woefully inadequate.

The Oglala Sioux Tribe (from Pine Ridge Reservation) appears ready to take on policing duties in Whiteclay under the terms of a cross-deputization agreement being negotiated with the State of Nebraska. But there’s a major hitch. The OST, which occupies two of the very poorest counties in the United States, must find the \$250,000 annually (as estimated by the Nebraska State Patrol) needed to do the job. Federal funds of \$100,000, secured by Rep. Tom Osborne in November, may be available for this purpose. But NFP seeks a state appropriations bill to provide additional annual funding to ensure adequate law enforcement in Whiteclay.

But appropriating money for adequate

law enforcement in Whiteclay is not the only thing the Legislature can do about the public health problems caused by the sale of alcohol in that lawless village. And it is probably not the most important thing.

State law must be strengthened to give the Liquor Control Commission sure authority to restrict licensing whenever inadequate law enforcement clearly threatens public health and welfare, as in Whiteclay. State liquor laws should also be amended to control *license density* (the number of licenses per capita in a community) and to incorporate *dram shop liability* (the imposition of civil liability upon the party which illegally sold alcohol to someone who later operated a motor vehicle while intoxicated, thereby causing a collision in which an innocent third party was injured or killed). NFP will be encouraging and supporting bills on each of these issues.

NFP will also be encouraging a bill to prohibit the sale of alcohol within five miles of a dry Indian reservation. President Teddy Roosevelt in 1904 illegally removed a buffer zone south of Pine Ridge approved by Congress in 1889 to prevent liquor sales to natives on the reservation. A modern alcohol-free *buffer zone* would recognize the intent of the 1889 federal legislation—to restrict alcohol sales in close proximity to the Pine Ridge. State and local laws already use buffer zones to restrict alcohol sales near schools, churches and residential areas.

With these measures we can get the State of Nebraska out of the business of profiting from Indian misery at Whiteclay (from the \$250,000 it

annually collects in sales and excise taxes for beer sold there). Just as Nebraska is soon to have a new governor, Dave Heineman, the tribe has just elected a new president, Cecelia Fire Thunder. If ever there was an opportunity for a fresh start, this is it.

By the time the bill introduction period is over in mid-January, we will have undoubtedly identified a number of other bills NFP will want to support (or oppose). Legislation addressing women’s issues, Gay/Lesbian/Bisexual/Transgendered rights, racial and economic justice, the environment and the concealed weapons ban will merit and require our involvement. The state budget crisis and the senators’ mania with pleasing corporate power in the state will once again be driving the legislative agenda. But, as always, we will be watching for opportunities to talk about the multitude of economic and social issues crying out for attention.



Tom Osborne Requests Federal Funding for Whiteclay Law Enforcement

Third Congressional District Representative Tom Osborne announced November 20 that H.R. 4818, the Fiscal Year 2005 final spending bill, included \$100,000 to help pay for the additional law enforcement presence needed in the Whiteclay area.

“For the last several years, the State of Nebraska and the tribal council from Pine Ridge have worked to address the painful situation in Whiteclay caused by widespread alcoholism and lack of law enforcement. A full time officer is necessary in order to stop the sale of alcohol that violates Nebraska state law (such as sales to inebriated persons), document violations of liquor licenses, and halt the transport of alcohol from Whiteclay onto the Pine Ridge Reservation, which violates tribal law. I am pleased this funding will aid in this much-needed effort.”

Lawsuit Challenges the Constitutionality of LB 775

by Steve Virgil

The challenges to Employment and Investment Growth Act, better known as LB775, Nebraska's biggest corporate tax giveaway, continue. Last summer John DeCamp, a Lincoln lawyer and former state senator, filed a lawsuit in the Lancaster County District Court challenging the legality of LB 775. While the suit received some attention when it was first filed, it has been largely ignored for the last several months.

Now that the parties in the suit have filed their initial briefs in support of their positions, however, it is worthwhile to look at the issues being raised by DeCamp.

In filing this suit, John DeCamp is directly attacking Nebraska's biggest largest and most expensive corporate tax incentive program. Not an easy task given the support LB 775 receives from Nebraska's most powerful and influential politicians and corporations. For DeCamp however, the issues involved are worth the fight. "I just get mad as hell when I think about what LB 775 does to this state," says DeCamp. "I'm a businessman and a landowner, and I have to pay more than a fair share of taxes because the Unicameral decided years ago to give big businesses an unfair advantage. That's just not right."

DeCamp isn't the only one who is critical of LB 775. The law has been criticized for years by people who see it as a means of shifting public wealth away from public benefit and to some of the largest, most powerful corporations in Nebraska and the nation.

LB 775 does this by giving businesses that are large enough to invest a minimum of \$3 million in equipment in Nebraska tax "credits" that can be used to offset tax bills. Until very recently the state advertised that these credits could significantly reduce or even eliminate any state or local tax liability for the companies that benefit. So, if a company is large enough to invest millions of dollars in new equipment, it can avoid paying any taxes due to LB 775.

But this is a small group of businesses. For example, more than 85 percent of the businesses in Nebraska are not large enough to make these types of investments. In fact, only a little more than 120 businesses have benefited from LB 775 since 1987, a very

small percentage of all taxpayers in the state. While there may be reasons for giving these 120 businesses huge tax breaks (usually described as giving the tax credits to encourage corporations to "create" jobs), those reasons don't change one basic fact. Every tax credit that is given to a corporation under LB 775 means that some other taxpayer is required to pay a higher burden of state and local taxes.



John DeCamp

As unavoidable as death, we all must pay taxes. If one class or group of taxpayers is given a break from paying taxes, however, that means the rest have to pay more. The bills for the roads, schools, police and public health services don't go away; there are just fewer people who pay for them. And this basic, inescapable fact is at the root of DeCamp's challenge to LB 775.

DeCamp filed his challenge on June 22, 2004 and raised two arguments. First, he alleges that LB 775 violates the "special legislation" clause of the Nebraska Constitution, which is functionally equivalent to the federal Equal Protection clause. Both the Nebraska and federal constitutions contain a simple mandate, which can be paraphrased: Justice requires that things that are similar should be treated similarly, while things that are dissimilar should be treated dissimilarly only in proportion to their dissimilarity. The problem, according to DeCamp, is that LB 775 does not adhere to this rule.

Simply put, LB 775 treats similar citizens in different ways. Some citizens have the benefit of avoiding all state and local tax liability, as long as they are companies that can qualify for credits under LB 775. Other citizens, mostly families and homeowners, do not get any of these benefits, yet have to pay for the roads, schools, police and everything else. What results is a system where one select group of citizens is given special benefits based on an arbitrary distinction.

What makes the distinction arbitrary, and therefore arguably unlawful under the Equal Protection clause, is that the only purpose behind LB 775 is to benefit companies within the state of Nebraska. LB 775 serves local Nebraska business interests. It doesn't serve businesses in other states and it doesn't serve the thousands of other Nebraska taxpayers who don't qualify for ben-

efits under LB 775. LB 775 gives preferences that promote Nebraska companies, and only Nebraska companies.

The United States Supreme Court has repeatedly held that the Equal Protection clause of the Federal Constitution prohibits a state from promoting in-state industry in a discriminatory manner, such as by giving tax benefits based on making investments in the state. In his brief on the case, filed in October, DeCamp argues that LB775 violates the Equal Protection clause because it discriminates in an unlawful manner against interstate commerce.

Second, DeCamp argues that LB 775 violates the Nebraska Constitution because the law releases a select group of taxpayers from their proportionate share of taxes. Article 8 Section 4 of the state constitution prohibits the Legislature from discharging any taxpayer from "their... proportionate share of taxes to be levied for state purposes." DeCamp's lawsuit contends that LB 775 does just this by providing tax credits that discharge taxpayers from paying their fair share of taxes. DeCamp would seem to have a valid point here. The Nebraska Supreme Court has repeatedly said that any law that makes it possible for a taxpayer to escape his tax obligation to the state violates the Nebraska Constitution. If LB 775 does nothing else, it allows some taxpayers to escape their tax liabilities. And this is at the expense of other taxpayers.

Every time the Legislature gives to one taxpayer the ability to avoid paying their fair share of taxes, it is as if the Legislature is taking a dollar from one person's pocket and putting it into another's. And that is why DeCamp filed the lawsuit. "It isn't right when the small business owner, or small farmer or family has to pay for everything," he says. "Nebraska has completely bent over backward to give everything they can to Big Business, but the state ends up shortchanging the common Nebraskan."

Shortly after DeCamp's complaint was filed, the Nebraska Attorney General filed a motion to dismiss the case. The motion was argued last August in Lancaster County District Court and on December 6 the court overruled the Attorney General's motion. Having survived this challenge, DeCamp's amended petition remains before the court. Whichever way the court decides on the petition, John DeCamp remains committed to fighting for the case. "I have been through this before and it takes time to change things," he says. "And I am in this thing for the long run."

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HARD TIMES FOR THE UN

Call for Clear Thought and Smart Speech

by John Krejci, President
United Nations Association, Chapter 100

Kofi Annan is under attack from those elements in the U.S. that would like to force his resignation and scuttle the United Nations. No matter that he is arguably the most able and courageous Secretary General in recent UN history. In truth, his sole offense was to say publicly what most governments, world leaders and legal scholars have been saying: The Iraq war was illegal, a violation of international law.

In the April 2003 *Nebraska Report*, Nebraskans for Peace State Board member Paul Olson wrote, "We urge that at some point in the near future, the UN determine whether the

United States claim of a need to go to war was in fact accurate." Paul should feel some satisfaction that his soft-spoken plea was heeded. However, despite the unveiling of the deceptions used to go to war and the almost unanimity of world opinion against the war, UN opponents are seeking to make the UN the scapegoat for the chaos created by the U.S. in Iraq. Most recently, they cite the problems of the "Oil for Food Program" as the reason Annan should resign his post. (The Oil for Food Program will be addressed briefly in this issue and more fully in the February *Nebraska Report*.)

Late last fall, an international panel, which included Brent Scowcroft, national security adviser to President George H.W. Bush, declared, "Today's threats recognize no national boundaries, are connected, and must be addressed

at global and regional levels. No state, no matter how powerful can by its own efforts alone make itself invulnerable to today's threats." This implies that even if the Iraq war was not illegal, it was and remains an ineffective means to fight terrorism. A multilateral approach involving the UN seems to be the only viable option.



Kofi Annan
U.N. Secretary General

But how can we communicate this message? Many of my liberal friends have recounted their (mostly unsuccessful) attempts to convince their conservative relatives of the need for a stronger UN to address world problems. The discussions generally end in shouting matches or uncomfortable silences. Even John Kerry and the Democratic Party, despite spending hundreds of millions of dollars, could not convince enough Americans. We need both clear thought and smart speech.

How do we go about this? First, we need to begin by striking a positive note. We should refrain from grouching and complaining, from purely negative criticism, from partisan attacks and, above all, from despair and apathy. A positive note begins with trying to figure out where the opponents of the UN are coming from. What are their experiences? Their fears? Their ultimate goals?

Before we overload them with facts and crow about the illegality of the Iraq war, we must establish common ground. For example, aren't we all working toward a more just and peaceful world? Don't we all want to promote the best interests of the United States? In a global economy, most would admit that cooperation is necessary. We all have a major stake in the welfare of our children and grand-

children. We can all agree that the U.S. is the most powerful country in the world, and by this very fact we have obligations to use our power for good. It is, in fact, to our advantage to work with other nations. Diplomacy is preferable to war. When we have established some common understandings there may be a chance for dialogue.

At this point, we might be able to suggest that a strong United Nations is in the best interests of all of us. It might help to enumerate the successes and contributions of the United Nations, which so often go unmentioned:

- The weapons inspections in Iraq, which despite problems, successfully kept Iraq from producing weapons of mass destruction after the 1991 war.
- The UN helped maintain peace between Iran and Iraq in the 1980s. It facilitated withdrawal of the Soviets from Afghanistan and mediated the civil war in El Salvador.
- UN peacekeepers are currently controlling the violence in Haiti.
- Peace in the Balkans is being maintained by the UN.
- And the solution to the crisis in Darfur, Sudan is dependent in great part on the United Nations.

If we look at other UN activities, where it focuses 80 percent of its resources, we can note the following:

- Aid for 22 million refugees
- Food for 83 million persons in 80 countries
- Help for 1 billion people in gaining access to potable water
- Through the World Health Organization (WHO), increased vaccination levels against six diseases (from 10 to 75 percent), the eradication of smallpox and reduction of polio by 99 percent

conclusion on page 6

SOME FACTS ABOUT THE 'OIL FOR FOOD' PROGRAM

Little discussed facts about the Oil For Food Program:

- Despite the abuses, the Oil for Food Program accomplished its goal of lessening the negative humanitarian impact of the sanctions against Iraq. "Enough food was imported to feed all 27 million Iraqis, and their average daily caloric intake increased by 83%... malnutrition rates among children under age 5 in the center/south region in 2002 were half of those in 1996... [I]n the Kurdish region chronic malnutrition decreased by 56%... the program substantially improve health services by expanding surgical and laboratory services... Oil for Food contributed significantly to de-mining and an increase of agricultural production and helped prevent further degradation of the country's public service." (UNA-USA Policy Brief by John Ruggie, Harvard, J.F. Kennedy School of Government)
- The Oil for Food program was not designed by the UN bureaucracy, but by the 15 members of the Security Council, "of which the United States was by far the most influential... The United States is also on record as the committee member that most consistently and actively scrutinized Iraq's dealings under the Oil for Food Program." (Joy Gordon, "The U.N. is U.S." *Harpers*, December, 2004)
- "There is no doubt that the UN oil-for-food program was manipulated by Saddam Hussein to generate substantial sums... But the ever shriller attacks... on Mr. Annan play down the fact

Iraq accumulated far more illicit money through trade agreements that the United States and other Security Council members (Russia, France, and China) knew about for years but chose to accept." (*New York Times* editorial, 12/5/04)

- The United States permitted its allies (Turkey and Jordan) to violate the sanctions and import huge amounts of Iraqi oil. At one point, 1000 trucks a day carried oil through Turkey. (Gordon in December, 2004 *Harpers*)
- The UN Multinational Interception Force, charged with interdicting smuggling, was composed almost entirely of U.S. Navy vessels. "If Saddam Hussein did indeed smuggle \$6 billion-worth of oil... he didn't do it with the complicity of the U.N. He did it on the watch of the U.S. Navy." (Gordon in December, 2004 *Harpers*)
- To blame Kofi Annan for the alleged improprieties of his son Kojo is like blaming George W. Bush for the improprieties of his brother Neil in the Silverado Savings and Loan scandal.

There are six independent investigations going on focusing on the Oil for Food Program. And there will be plenty of blame to go around. Stay tuned and keep an open mind.

HARD TIMES,

conclusion

- Protection of the environment through the Kyoto Protocol
- Promotion of women's rights through the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)
- The advancement democracy through education, combating poverty and programs for development

However, those of us who support a strong UN must also be open to just criticisms. Like any human institution the UN has flaws, has made mistakes, has failed to act when people were dying and has some blame in the death of the half million Iraqis who died as a result of the sanctions imposed after the first Gulf War. As it approaches its 60th anniversary in 2005, the UN is in need of reform.

Kofi Annan has made UN reform his number one priority for his last term in office. It is obvious to all that the structure of the Security Council is too prone to inaction. In late November, Annan's high-level panel made its report outlining suggestions for a major restructuring. The panel suggested two options:

1. There should be six new permanent members of the Security Council two from Asia, two from Africa, one from the Americas and one from Europe as well as three non-permanent members serving two-year terms.
2. There should be a new tier of eight semi-permanent members serving four-year terms and open to re-election, plus one non-permanent member.

In 2003, Michael Kelly, Associate Professor of International Law at Creighton University, suggested a way to make the Security Council more representative. He quipped in an *Omaha World-Herald* op-ed that the five permanent members (Britain, France, the U.S., China, and Russia) reflected the 1945 structure of power, i.e., "four white guys and an Asian." As an alternative, he endorsed Russia's proposal for expansion of the Security Council: "Include Germany, Japan, add one Asian, one African, and one Latin American country." This is termed "the 2, plus 3 program." It would make the Security Council more geographically and culturally diverse while maintaining a small number of permanent members. These proposals make sense, but any restructuring presents a major, major challenge.

Meanwhile, those of us who want to see both a re-structured, stronger and more effective UN, will need to keep talking, writing and acting. Short-sighted critics will continue to seize the opportunity to lessen U.S. support, to weaken the UN and if they can bring down the UN. Much as we might disagree with their perspective, it is essential we listen to them and try to understand where they are coming from and what's motivating them. Then, maintaining a positive manner, we in turn should approach them with respect, reason and factual information. There is strong popular support for the UN among U.S. citizens. But they need to hear again and again what the UN has done and is doing for all of us. If the UN did not exist, we would have to create it.

The United Nations Association is an independent, non-profit membership organization working for a more effective United Nations through advocacy and education. For more information on the United Nations and the United Nations Association, check: www.UNA-USA.org.

NFP POSITION STATEMENT ON PALESTINE AND ISRAEL

Recognizing that the plight of the Palestinian people is one of the fundamental sources of resentment and anger in the Muslim world and that, until this situation is fairly resolved, the prospects for peace are minimal, the Nebraskans for Peace State Board voted last year to develop a formal position statement on the issue. After months of discussion about the substance and language—including a workshop on the topic at the Annual Peace Conference in October—the State Board unanimously adopted the following statement this past November. Our thanks to board member Henry D'Souza for his efforts in facilitating the process.

In order to eliminate individual, group or state terrorism in the Palestine/Israel conflict it is first necessary to end the occupation of Palestinian territory. It is mandatory that the Palestinians be allowed to fulfill their aspiration for an independent and sovereign state, in compliance with international law, United Nations' resolutions and human rights conventions.

To achieve a durable peace in the Middle East, it is essential that any future resolution of the Arab-Israeli conflict be founded on international law and human rights conventions, rather than on the present power asymmetry between the Palestinian people and Israel. This means, among other things, the implementation of all UN resolutions relevant to the conflict. Israel is accountable to the same human rights standards as all governments and is obligated to:

- Withdraw fully and unconditionally from all of the territories occupied in 1967, including East Jerusalem.
- Comply with international law, including the Universal Declaration of Human Rights, and with United Nations resolutions aimed at resolving the conflict, including UN Resolution 242, mandating an Israeli withdrawal from the West Bank, Gaza and East Jerusalem.
- Call for negotiations as stipulated in UN Resolution 338 to establish "a just and durable peace in the Middle East."
- Find, in conjunction with the international community, a fair and workable response to UN Resolution 194, which resolved that Palestinian refugees "wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property..." (Resolution 194 was clarified by UN General Assembly Resolution 3236, reaffirming the inalienable right of the Palestinians to return to their homes and property from which they have been displaced...); Article 13 of the Universal Declaration of Human Rights, which affirms the right of every individual to leave and return to his country.
- Adhere to the Fourth Geneva Convention governing the behavior of occupying powers.
- Abide by International Court of Justice (ICJ) ruling of July 9, 2004, declaring the "separation wall" being built by Israel in the West Bank illegal and calling for its dismantlement (The U.N. General Assembly adopted the ICJ's ruling with 150-6 votes with 10 abstentions).

The Palestinian leadership and all Palestinian factions are also accountable to international standards of human rights and humanitarian law. That means:

- An end to the targeting of Israeli civilians. Violence against civilians, whether perpetrated by Israeli or Palestinian forces, is a grave violation of human rights that must be opposed.
- An acknowledgement of Israeli statehood and right to exist.
- The promotion of democratic policies and institutions within Palestinian society, including an end to policies that discriminate against women.

In view of the above:

- We call upon the U.S. government to make all military and economic aid to Israel contingent upon conformity with U.N. resolutions and international law.
- We call upon the investment companies, business companies, public and private pension funds, universities and any institutions with investments in Israel to divest their funds until there is a peaceful resolution of the issues.
- If the facts on the ground make the two-state solution envisioned in the UN resolutions not viable, we call upon the United Nations to consider the establishment of a federated, multi-ethnic state, inclusive of Israel and Palestine, with equal citizenship rights for all the people and constitutional guarantees to protect the ethnic and religious rights of all the groups.

NFP's Criticism Prompts Response...

Regent Defends UNO Afghan Center

University of Nebraska Regent Drew Miller sent the following letter to Nebraskans for Peace in response to our October 2004 Nebraska Report article entitled, "The UNO Center for Afghan Studies—The Perversion of a Public Institution of Higher Education." The adjacent reply to Regent Miller was authored by UNL Foundation Professor Paul Olson, who also serves on the NFP State Board.

October 18, 2004

TO: Nebraskans for Peace
RE: Article on UNO Center for Afghanistan Studies
CY: Regents, President JB Milliken, Chancellor Nancy Belck, Dr. Tom Goutierre

The negative lead-in commentary to your article on UNO's Center for Afghanistan Studies in your latest newsletter was nonsense and not at all supported by the article from the Center for Public Integrity that followed. The article about the UNO Afghan Center's involvement in a variety of projects in Afghanistan and its use of federal and non-taxpayer funding sources painted a very positive picture of the Afghan Center's work.

There was nothing in the article I was not already aware of, and certainly nothing that any Nebraskan should be anything but proud of. I went through the article a second time trying to figure out why the lead-in commentary suggested that there was "perversion of public institution of higher education" and found not a single thing that I'd criticize the Afghan Center for.

Your intro condemns UNO for "openly collaborated with the CIA in expelling the Soviets from Afghanistan" are you saying that it was wrong to work with the CIA, or wrong to help kick the Soviets out of Afghanistan? Either way, you're wrong. Would you be more pleased if the Center for Afghanistan Studies had abandoned Afghanistan completely while the Taliban were in power, or continued to try and support projects that might help Afghan's [sic] citizens? The only conclusion I could draw is that the person who wrote the intro to this article just hates the CIA, private companies, and the U.S. government in general and perhaps admires the Soviet Union. Apparently any institution that would provide information to the CIA or assist the U.S. government must be an evil, untrustworthy group?

How is the UNO Center for Afghan Studies "openly perverting the principles of academic teaching"? You specifically allege violation of the standards of Tier One academic universities. Name the standards that were violated, or admit that the idiot who wrote this introductory paragraph didn't know what he or she was talking about and issue an apology.

Tom [Goutierre]: please pass on my congratulations to your associates and keep up the good work.

(signed) Drew Miller

NFP State Coordinator Tim Rinne wrote the lead material for the Center for Public Integrity report on the UNO Afghan Center, but I might well have written it. I am personally writing this reply to Regent Miller (whom I respect in other areas) because of my long experience with higher education, especially with significant federal projects and commissions on higher education's values and responsibilities.

Perhaps Regent Miller and I did not read the same report from the Center for Public Integrity. I did not see it praising the Afghan Center. Regent Miller in any event seems to be suggesting that NFP is wrong to question the Center's collaboration with the CIA and Unocal. In his view, NFP criticizes the Center because it (NFP) admires the Soviet Union and hates private companies.

But NFP does not hate private companies that support ethical practices. Indeed, it has had sessions on investment in ethical private companies at many of its annual meetings. Most of us invest. NFP did not love the Soviet Union nor does it hanker for its return. It has always condemned the USSR's militaristic policies, its nuclearization of military strategy, and its brutality against its citizens and satellites. And NFP supported the Nuclear Freeze calling for both sides to slow the rush to Armageddon. My deceased wife, Betty, led tours of the Soviet Union exposing the Soviet peace movement's hollow rationalizations of Soviet militarism. What NFP questions is the *kind* of role that the University of Nebraska has played with the CIA and the *kind* of company that it assisted in Unocal.

UNO served the CIA

Regent Miller is proud of the Afghan Center's role in Afghanistan. He sees no reason why First Tier universities should not do what UNO did for the CIA (and USAID U.S. Agency for International Development). However, the CIA is by definition a group that

seeks through covert action to destroy countries and forces opposed to what the administration perceives to be enemies of the United States. It has tried to assassinate foreign leaders until forbidden by Congress, arranges for coups, and has books ghost written to undermine a country. It will do 'anything necessary' to achieve its goal.

In contrast, a university is an institution that by definition seeks



Drew Miller
UN Board of Regents

the truth and only the truth without fear or favor, as numerous professional conduct codes within all Tier One universities, including the University of Nebraska, require (Cf. 1990 UNL Professional Ethics Statement). In the 1970s, Derek Bok, the president of Harvard, forbade CIA projects on the Harvard campus:

Harvard President Derek Bok convened a committee to draft a report on CIA operations at the college and guidelines regulating such activity. In return, the CIA launched a massive campus lobbying effort against the adoption of similar measures. During this effort, from June 1978 through 1979, the CIA held a series of "special briefings" with various University presidents in an attempt to work out secret arrangements for campus recruiting.

The CIA promised that Harvard's rules would be ineffective, as the Agency would simply ignore them... The CIA has kept its promise to violate Harvard's guidelines, with at least two known cases... In 1986, professor Nadav Safran resigned as head of Harvard's Center for Middle Eastern Affairs after revealing that he secretly received payment from the CIA to write a book about Saudi Arabia and to stage a conference about the Middle East at the University. In 1985, an official of the Harvard Center for International Affairs was embroiled in a similar controversy (www.cia-on-campus.org/witanek.html).

Harvard has recognized that there is a conflict between the demands of a First Tier university and the demands of the CIA. That Tier One universities cannot be agents of the CIA and retain their credibility has also been recognized by the national American Association of University Professors (AAUP), which has organized the faculty on the UNO campus. As one commentator puts it:

The general lack of action and concern clearly worries the American Association of University Professors, which argues that unless the academic community learns to end its covert relationship with the CIA, it has no hope of retaining any credibility. "Secrecy," says Dr. Morton Baratz of the AAUP, "necessarily woven into the fabric of intelligence activities, is basically antagonistic to the free and open exercise of teaching and inquiry by members of the academic profession."

Tier One universities are free and open. In working with the CIA the University of Nebraska pub-

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The Dangerous Story That Won the Election

by Don Tilley, *Prairie Peace Park*

The Republicans told a story and told it well. Behold there is George Bush standing tall on the ashes of the World Trade Center—he'll protect us from terrorism. See George Bush leading the troops with a saber held high, our soldiers charge into Afghanistan and Iraq—they will conquer all and make us safe.

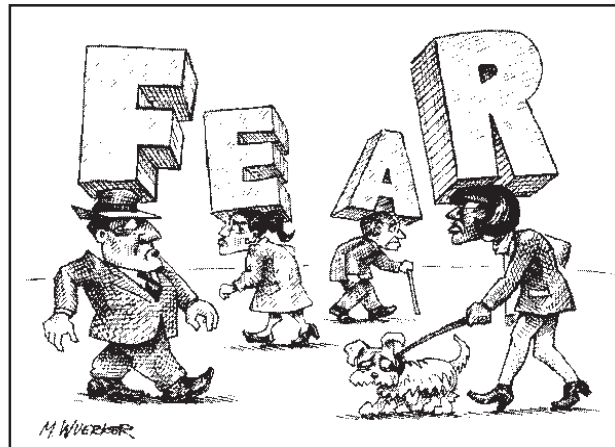
The Democrats had no story. They appealed to a number of grievances of the Bush Administration, 'small items' like violations of rights guaranteed by the U.S. Constitution, loss of confidence and trust in the U.S. government by other major nations, the slippage of personal expendable income driven by huge deficits and cost of war, etc.

The Greens, few in number, tried to raise issues that seemed important for the welfare of the general population, but were shutout from exposure. They spoke messages that the ears of the nation were not ready to hear.

Why was the story told by Republicans so effective? It was based on fear. People were scared. Our country was portrayed as vulnerable to immanent attack. We were no longer safe, invincible. Remember 9/11.

The fear twisted minds, set aside reason. A huge propaganda machine blasted forth through virtually all the major media and painted exaggerated dangers that required only an imagined, superman president to save us from being controlled and destroyed. We were told that we must stay with the president who took us into war, the 'War President,' our Winston Churchill.

Americans forgot who we were. We turned away from our original vision (Jefferson, Franklin, Adams, Madison)



and concocted a fallacious belief that we could only protect ourselves by a vast military mobilization against terrorism. Even many stalwart supporters of Nebraskans for Peace became caught up in the frenzy to protect ourselves at all costs. Our prophetic voice that had cut through to the truth on so many issues became somewhat muted by the horrors depicted by the propaganda machine cranking out lies and misinformation, and neighbors accusing us of being weak, soft, not being true patriots when we deviated from the will of the U.S. President.

Fear, pure fear, motivated and then framed our upset emotions, ignoring the high-cost consequences of living in fear in the future. We blundered ahead. But by realigning our U.S. institutions around fear, converting our resources to fight fear with fear, where does that eventually lead us? If a family lives in constant, horrendous fear, it becomes dys-

functional, seeks escapism and does unthinkable things. So will a nation committed to fear. We'll make inferior decisions and select inferior persons as leaders. When fear dominates, it's a small step from being impatient with the slowness of democracy (and the United Nations) to allow dictator-like rule that can act efficiently. The story we were told that was based on fear was compelling. But do you see why it is a dangerous story? Let's hope that the toxic story of fear has not imbedded itself into our national psyche on a permanent basis.

If Nebraskans for Peace dares to follow the lessons I learned as a boy in the Baptist Church and one-room school in central Nebraska—that we should love, and meet hate and violence with acts of love and caring—Nebraskans for Peace would be jeered, derided and ridiculed by people filled with fear as were the ancient prophets who spoke of peace and justice. Fear speaks with scorn, "Who really believes that love works?" (Well, some still do.)

Perhaps it's time Nebraskans for Peace constructed its own story—not one based on fear, but on the greatness of the human spirit—and challenge people to become truly great (do we even know what that means?) and build the kind of society that most people truly desire. Certainly then, we would stop the silliness, craziness and insanity of current scared sentiment that drives us toward more militarism and nuclear weapons. Those who fear have forgotten who they are and are building fanciful, unworkable scenarios that will not last and could eventually lead to our destruction. Americans desperately need to confront their fears—and move beyond them. It falls to groups like NFP to craft the message that will help them through the process.

Speaking So That Our Thoughts Will Be Heard

by Don Tilley

With the Bush Administration gearing up for a second term, the task of communicating our message of peaceful resolution of conflict and economic and social justice has never been more urgent.

Or, in today's hostile political climate, more daunting.

After the November election though, three of us from Nebraskans for Peace attended a conference in Iowa City, Iowa where we were briefed on some communication techniques that might aid the effectiveness of our work.

John Krejci, Steve Larrick and I were among the 34 people who were invited to participate in the *U.S. in the World Talking Global Issues with Americans* conference managed by The Stanley Foundation and promoted by United Nations Association. The presentation, based on a new manual pub-

lished by Rockefeller Brothers Fund and The Aspen Institute, provided recommendations on how to reach voters with moderate and ideologically flexible views not those on the extreme right of the political spectrum.

Throughout the event, the conference leaders cited current research showing that if we're to be effective communicating with this moderate segment of the electorate, we need to emphasize 1) the positive (especially a positive context) and 2) our 'connected-ness' when we 'argue' with people or write articles about issues.

The main presenter, Heather Hamilton, vice president for programs at Citizens for Global Solutions from D.C., said that much of the American public has become numb (or even repulsed) by the fragmented, negative reporting of the news in the media, especially TV. In crafting and conveying our message, she said, Peace & Justice advocates

should not make the same mistake of talking doom and gloom and emphasizing what's wrong. It's important to be positive while still asking the hard questions.

Listening to her speak, I was reminded that I myself have several friends from Lincoln who refuse to watch the news anymore. They don't want the litany of bad news to dominate their thought and emotional life. And in my own experience, I've found that if I let my emotions flow into each disaster or death that I hear on the evening news, I am drained by the end of the newscast. Becoming numb is a form of self-defense.

Below are five recommendations Heather Hamilton proposed for talking about global (and Peace & Justice) issues with politically moderate Americans. Consider trying these out for yourself when you next sit down for a meal with your relatives or when writing a letter to the editor.

Point 1. Be positive when presenting your message, and don't start (as we're prone to do) with all the 'bad things' that might happen to people and the earth, whether we're talking about terrorism, poverty, trade agreements, global warming, etc.

For example, in talking about the environment, you may not want to make the grave dangers facing the ecosystem the lead-in or even the main focus of your presentation. A better approach might be: "My dad took me fishing each week on the rivers and creeks in Nebraska, and now I take my son fishing. I'm working on saving our waterways from pollution because I want my son to be able to share the same joys with his children." Or "This is about the legacy we leave for future generations."

For our part, the three of us found it very difficult to change our behavior when we spent some time doing role playing at the conference it was so natu-

HOT AT THE POLES

NOT AT THE POLLS

by Mark Zimmermann
Treasurer, Nebraska Green Party

The day after the presidential election, coal stocks rose an average of 5-7 percent across the industry. Whether in response to the prospect of at least four more years of deregulation, lax enforcement and extensive tax subsidies, or the fact that outgoing Secretary of Energy Spencer Abraham was touring swing states in the weeks before the election handing out federal tax dollars for coal projects, it is an unfortunate indicator of what to expect in a second Bush Administration's dealings with global warming. By contrast, actual discussion of global warming or any environmental issue during the actual campaign was as rare as an unscripted comment. It wasn't seen among the thousands of ads, it wasn't heard in stump speeches, it wasn't asked in interviews. It was given a couple of sentences worth of lip service in the second debate, but not mentioned in either candidate's opening or closing statements. But this is an issue which will not be ignored. "Red" vs. "blue" politics is going to look pretty petty when the country becomes divided into crispy states vs. soggy states.

In assessing what to expect from a second Bush term with regards to global warming, we can learn a lot from the track record of the first term. And the first lesson one learns doing that is to not trust his promises. In his 2000 campaign, candidate Bush promised to regulate carbon dioxide (CO₂), the primary contributor to global warming. Less than three months into office, President Bush, listening to his primary contributors, reversed his position without even telling, much less consulting with, his EPA administrator, Christie Todd Whitman.

Another lesson to glean from the last four years is that information on global warming that is not in line with administration policy

may be ignored, dismissed, altered or made unavailable. Following is an example of each.

In attempting to justify his withdrawal of the United States from the Kyoto Treaty in the spring of 2001, President Bush and his advisors relied on a single Department of Energy (DOE) study of its economic impacts, which was put together by partisan staffers and without a single scientist. This study upon which Bush continually relied was contradicted by other DOE studies and analysis by his own EPA, both of which were ignored. (See the *New York Times* 10/19/04 for more details.)

The following year the EPA, in its "Climate Action 2002 Report," actually admitted for the first time that the growing evidence of global warming was "likely due mostly to human activities." When asked about this by the media, Bush dismissed it as "something put out by the bureaucracy."

In 2003, the EPA issued a two-year comprehensive 'state of the environment' report. Its section on global warming was so altered by White House agencies like the Office of Management and Budget and the Council on Environmental Quality, that the EPA deleted most of the section rather than issue something that would be ridiculed by the scientific mainstream. EPA head Whitman resigned shortly thereafter.

That same year John McCain (R-AZ) and Joseph Lieberman (D-CN) proposed their "Climate Stewardship Act," basically a weaker version of the Kyoto Treaty. When they asked the EPA for an analysis, they were refused outright. Their complaint was echoed by Dr. James Hansen, director of NASA's Goddard Institute for Space Studies, who said, "In my more than three decades in government I have never seen anything approaching the degree with which information flow from scientists to the public has been as screened and controlled as it is now." ("The

Bush Record" www.nrdc.org)

A third, but obviously not final, lesson to be learned from Bush's first four years is that when this administration does propose anything regarding global warming or clean energy, it is important to read the fine print. For example, the global warming plan they eventually did offer would only attempt to reduce CO₂ as a ratio of economic output.

Since CO₂ as a ratio of economic output had already been declining as a result of manufac-

ing in Alaska National Wildlife Reserve (ANWR). Bush has highlighted his support for hydrogen, but doesn't mention that he wants it to be provided by nuclear power rather than by renewables, as they are doing in Europe. (Hydrogen itself, incidentally, takes energy to create as an isolated element.)

So between Bush's election and gains by Republicans in the Congress, the short-term future for anything meaningful on global warming appears rather grim. The misguided energy bill in Congress

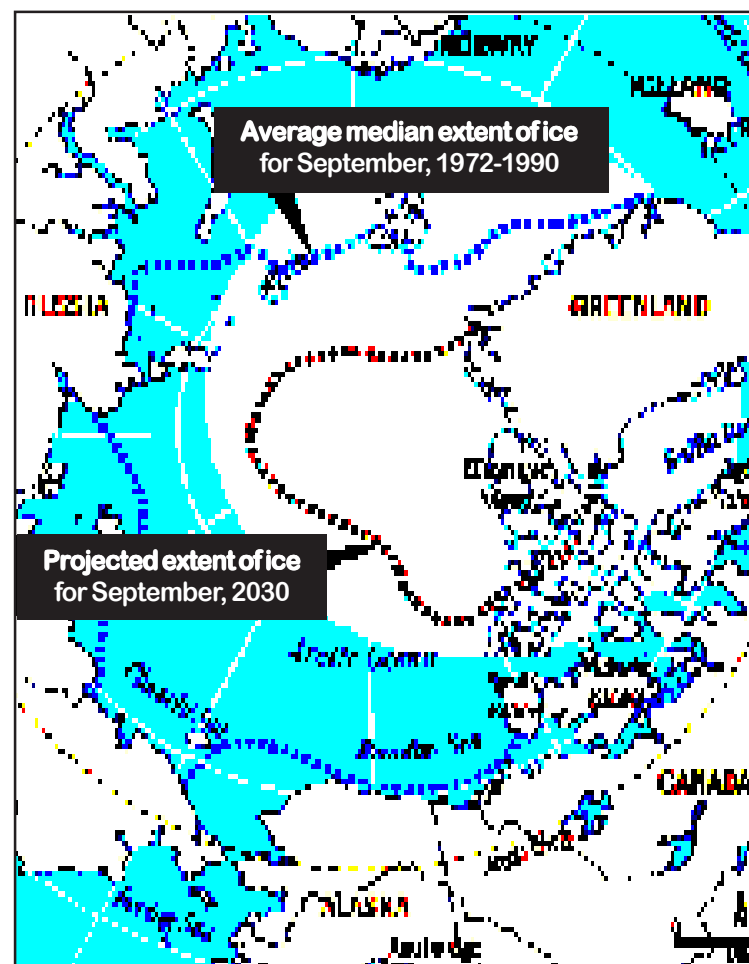
would be less effective than actual enforcement of the current Clean Air Act. So where can environmentalists look for countervailing influences? The good news is: almost anywhere else.

While not in the majority, there are some moderates in Congress who might be influential among them John McCain, who in a Senate hearing two weeks after the election called Bush's inaction on global warming "disgraceful." But whether the moderates expend their political capital on the environment, or whether they view it as something they need to save for fighting Supreme Court nominations, is anyone's guess at this point.

Continuing to take a tougher and more realistic approach than the federal government, states are still working their way around the roadblocks thrown up by Washington. Two years ago California passed the first state law to regulate CO₂ emissions from motor vehicles. (In the U.S. roughly a third of all CO₂ comes from transportation.) The rules to implement the law are due to be finalized this January 1. And even the Hummer-driving governor of the state has said he will defend it in court from threatened lawsuits by automakers. But its biggest hurdle will likely be a jurisdictional battle with the EPA, which itself won't regulate CO₂ but may decide no one else can either. California, since it already had tougher air standards than the first federal ones, was allowed to set its own regulations. So far.

In Colorado this past November, voters approved a ballot initiative requiring the state's utilities to provide at least 10 percent of their electricity from renewable sources by 2015. Commonly referred to as a "Renewable Portfolio Standard" (RPS), at least 23 states have such laws, but

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Source: Office of Naval Research, Naval Ice Center, Oceanographer of the Navy and the Arctic Research Commission / Ron Engstrom, *Anchorage Daily News*

turing jobs moving overseas, it meant nothing. And of course it was only voluntary. Other examples can be found in the \$31 billion-worth of fine print that is the House energy bill (H.R.6). Funds for renewable energy projects can only come from royalties from drill-

ing was only blocked by a two-vote filibuster in the Senate last time. With Republicans picking up four seats there, it's no surprise coal stocks rose. Also expect renewed efforts to enact Bush's "Clear Skies" proposal, even though it

UNO Center, conclusion

lished textbooks whose content was not dictated by scholarly concerns or a will to communicate scholarly findings (see *infra*; cf 1990 Statement).

UNO served a company off the ethical investment screens

Unocal 1997 training in Afghanistan was not offered to employees of all companies evenhandedly or even to the employees of companies given sanction by the screens of ethical investment. By 1997 Unocal had been given cleanup directives from the EPA for violations at 41 sites. It had been sued by dozens of human rights and environmental organizations, defiled the Burmese rainforest and used forced labor supplied by the left-wing Burmese military in its construction of facilities. It had collaborated with the Taliban to build its pipeline in Afghanistan taking Central Asian oil through that country. *These are not ethical actions.* Though not all universities have required ethical investment and ethics in their business, Oxford, Cambridge, Leeds, Yale and many other First Tier universities have ethical investment policies that would sever connections with Unocal and its likes (cf. http://www.share.ca/files/pdfs/02_05_06alert7.pdf).

UNO supported gender discrimination

The Unocal contract trained only men. Since all Tier One universities must, by law, have in place affirmative action plans that espouse equal rights for women in hiring and treatment, it is a violation of Tier One principles to sanction the subservience of women in Afghanistan. Women's groups have agreed: "On June 1, 1998, women's rights organizations, including the Feminist Majority, the National Organization for Women and the Women's Alliance for Peace and Freedom in Afghanistan, voiced their concern at a Unocal stockholders meeting. Newspapers nationwide covered the issue. Four days later, Unocal announced it would not renew its contract with the Center [at UNO]."

The UNO textbooks espoused religion

The Center produced 4-12 million textbooks, characterized as Jihadist-Islamist, for the Taliban and other Afghan regimes, texts that were taught in the male-only schools of the Taliban. These violate the Tier One university commitment to state neutrality with respect to religion. Tier One universities are committed to the development of knowledge in free debate, not by violence, coercion or coerced religion. Further, the texts that UNO produced for the mujadheen were filled with images of hate for the West and support for the ideas of Jihad.

According to *Washington Post* investigators, over the past twenty years the U.S. spent millions of dollars producing fanatical schoolbooks, which were then distributed in Afghanistan.

"The primers, which were filled with talk of jihad and featured drawings of guns, bullets, soldiers and mines, have served since then [i.e., since the violent destruction of the Afghan secular government in the early 1990s] as the Afghan school system's core curriculum. Even the Taliban used the American-produced books..." (*Washington Post*, March 23, 2002)

The *Post* reports that these violent Islamist schoolbooks, which "served... as the Afghan school system's core curriculum" produced "unintended consequences." As one writer put it, "Core curriculum? Unintended consequences?" (http://prisonplanet.com/bush_and_the_media_cover_up_the_jihad_schoolbook_scandal.html).

Part of the harvest of hate that began in the UNO textbooks used by the Taliban has come back to harm us from 9/11 on, even if we only intended to teach the Afghans to hate Soviets.

The texts violate law separating church and state

USAID has rules that prevent the use of AID funds to promote religion, though President Bush's White House has defended the texts. ("But even without the violent images, the content of the books sparked controversy because they still contained Muslim tenets and verses from the Koran. Organizations that receive USAID funding must prove that tax dollars will not be used to advance religion. A U.S. federal appeals court had previously ruled in a 1991 case that taxpayer funds could not be used for religious instruction, even overseas."). The University of Nebraska should not be doing overseas what it is illegal for it to do in Nebraska. It could not, under Nebraska law, publish religious textbooks espousing any religion, including Islam. Both Nebraska and federal law forbid using public funds to advance a particular religion.

In summary, NFP believes that Tier One universities do not violate the spirit or the letter of the law, encourage gratuitous violence, promote the subjugation of women, or lend their staffs, facilities and intellectual integrity to the CIA or like groups. They do not serve corporations that destroy the environment, use forced labor and cooperate with tyranny. Section 4.1 of the University of Nebraska Regents by-laws speak of the academic community's responsibility to respect others' dignity, their right to differing opinion and free inquiry, their right to be free from violence and personal abuse and their right to religious difference. The Center for Afghan Studies may say that it acted to find a place in Soviet-resisting Afghanistan, then in Taliban Afghanistan, and, finally, in Mohammed Karzai's country. It has said as much in the past. It may also say that it didn't do any of these things, that proxies did them.

But the University of Nebraska's name appears on the projects and books. We are responsible. To dignify the Unocal and CIA actions as a "necessary effort" in a world-wide power struggle is to do what a certain pimp did when questioned by Dr. Samuel Johnson in the Strand in London. Dr. Johnson said, "Why do you do that kind of thing?" The pimp replied, "A man *has* to live, sir." To which Dr. Johnson replied, "Sir, in your case, I fail to see the necessity."

Sir, in the case of Afghanistan and the Taliban, I fail to perceive the necessity for our actions even if the University of Nebraska needs funding and loves its country. It is no service to our country to violate its or our deepest principles. "Have we no shame?" the great Army-McCarthy prosecutor asked, and did not receive an answer. *Have we no shame?*

Speaking So... conclusion

ral and easy to talk about the negatives.

Point 2. At the outset, frame your arguments by presenting the overall picture to tell your audience. As a general rule, it's better to start with the big ideas and context, and then give specifics. Don't get sidetracked by the details before you have a chance to present your primary thesis.

Point 3. Put your proposals and arguments in the context of an interconnected world. Emphasize the values, aspirations, challenges and outcomes we share with other countries around the world. We succeed or fail together. The global environment affects everyone on the planet. A healthy economy benefits all. We all want the same things for our kids.

On Foreign Policy, for example, you might say, "Here is why I think we need a good foreign policy that connects us closely with other nations. We know how to be good neighbors in Nebraska. We value teamwork to make our Nebraska football team the best over the past two decades. America is at our best when we build structures and habits of cooperation with other nations and do not try to do it all ourselves. America is smart to connect itself with other nations – what happens abroad affects our security, our jobs, our health, and our way of life. What are ways of connecting ourselves with other nations that we ought to explore?"

Point 4. Explain why your ideas are workable. Give examples where such ideas have been implemented successfully. Show how they are pragmatic and how their implementation could make a difference to people.

To demonstrate 'cooperation,' for instance, you could use the example of the nations of Europe, who were at war with each other for centuries but are now learning to work together in the European Union. They feel safer and they are building better economic, health, trade, and labor programs now.

Point 5. Show how your proposals (or ideas) seem to be the right thing to do. The issue of "moral values" is larger than either the issue of abortion or gay rights. Americans want this nation to be a force for good in the world to do the right thing. We want to put America's strength to great purpose: fairness, justice, being ethical, common decency, doing our share, living up to our values, the American way. For example, the Golden Rule. We need to respect others and take their needs into account.

As a means of "asking the hard questions" while still being positive, we found the following "Yardsticks" to helpful in getting people to evaluate the policies and actions of our government:

- Are our policies and actions consistent with what America stands for?
- Are we making the right choices to get results in an increasingly interconnected world?
- Are we building the kinds of relationships with others that we need to solve problems more effectively?
- Are we making the choices that will leave the world a better, safer place for our children and grandchildren?

While we can't expect to be successful with every audience in every situation, anything we can do to make our message more accessible worth pursuing. The times certainly warrant it.

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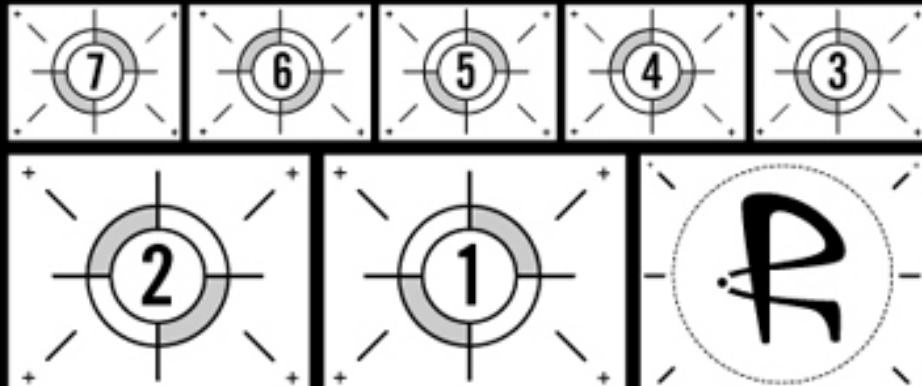
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HOT AT THE POLES, conclusion

Colorado's was the first to be demanded by voters after their legislature failed several times to enact such a bill. New York state this year enacted one of the more stringent RPS standards in the country requiring 25 percent renewables by 2013. The measure was not just supported, but proposed by the Republican governor, George Pataki.

Here in Nebraska, home of public power, repeated attempts by State Senator Don Preister have met continued resistance from other legislators and the utility boards. A hearing on the subject at the Capitol on November 18 generated a good deal of support from the public in attendance, and from expert witnesses such as Dan Juhl, a wind farmer from Minnesota. But there was mostly silence from the Natural Resources Committee which heard the testimony.

Another source of influence comes from the increasingly dire predictions of scientists studying global warming. The most recent and prominent example of this came from a major study of the Arctic, which was officially released just after the election but leaked just before it. The "Arctic Climate Impact Assessment" was sponsored by eight nations with territories above the Arctic Circle (U.S., Canada, Russia and the Scandinavian nations) and six indigenous groups from these regions. It was conducted by 300 scientists over several years and they found that the Arctic is warming ten times faster than the rest of the planet. Sea ice has decreased about 8 percent in the last 30 years, which translates to 386,000 square miles. While this might sound fine for ships looking for a short cut, the study warns it could push polar bears, ringed seals and some sea birds to the brink of extinction. And though Arctic sea ice, since it is already in the ocean, will not contribute to raising sea levels as it melts, it's a very different and very dangerous story if we start melting ice that is on land in the region such as the two-mile thick ice sheet covering Greenland. That represents 25 feet of sea level rise. Summaries of the report are at <http://amap.no/acia/>

Even though no specific courses of action were proposed by the participating sponsors, the study's release did garner a fair amount of attention to the subject and is helping keep international pressure on the U.S. And it turns out there may be a perverse sort of silver lining to some of the issues raised. Under Alaska state environmental rules, oil companies on the north slope, and thus in the ANWR, can only use their heavy equipment when the tundra is frozen a foot thick and covered with a half foot of

snow. A couple decades ago, that was the case more than 200 days a year. Today it's less than 100 and shrinking. And though Alaska's drill-happy Governor Frank Murkowski will almost certainly try to slip around these rules or somehow change them, there's been enough attention to the issue of drilling in ANWR that their efforts won't go undetected.

The other significant source of pressure on the White House is that of the world community. Even Bush's staunchest ally, Britain's Tony Blair, has called global warming his nation's single biggest threat in a speech last September. Lest anyone think they had somehow exempted terrorism, his science advisor, David King, said specifically they felt it was a bigger threat than that. Already, King has warned, there is enough CO2 in the atmosphere to melt all of the ice on earth, flooding many of the world's coastal cities.

The big news on the world stage was of course Russia's ratification in October of the Kyoto climate treaty. Russia's participation was necessary for the treaty to have enough signers to go into effect, ever since Bush withdrew the U.S. shortly after taking office. Now the treaty will go into effect on February 16. This leaves the U.S. and Australia as the only major industrialized countries outside the pact.

While Kyoto is only a small first step, it will at least begin the process of setting a price on carbon emissions and make it harder to conveniently externalize their cost when proposing power plants or motor vehicle standards. Hopefully, it will also spur both the development and more rapid deployment of clean energy technologies, a huge economic incentive that the current White House never seems to mention.

And while it is true that Bush has never seemed to be bothered about what the rest of the world thinks, the real sleeping issue that may finally have some effect is, ironically, the very one Bush champions most strongly market forces. By now some 43 percent of our staggering national debt is held in treasury securities by foreigners. If it wanted and was united, the world community might bring enormous economic pressure to bear on the U.S. in seeking our cooperation. Already there is some indication that this is not just a theory. Tony Blair, who will become head of the G-8 economic group this year, has said he will make action on climate matters his first priority. Probably a wise move for a man whose nation is also an island vulnerable to rising ocean levels.

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CORRECTION:

The cartoon "Real Democracy in Iraq," featured in the Nov/Dec issue of the *Nebraska Report*, inadvertently deleted the name of the cartoonist who drew it—John Jonik of Philadelphia, Pennsylvania. Our apologies to John, and our thanks for permitting us to reprint his excellent work.

Will He Be a White Knight or a Waterboy?

With the dollar down relative to foreign currency—maybe facing serious devaluations like the yen and the peso at the end of the last century—and the balance of agricultural trade in the red for the first time in decades, Secretary of Agriculture-nominee Mike Johanns has to know the job he faces is not for sissies nor his Senate confirmation painless. I think the governor knows that too. He's been quick to talk of burying the hatchet, post-election. That would be the same hatchet that the governor—in his GOP enthusiasm—buried in the back of Matt Connealy in the First District race for the House of Representatives.

The governor burned a lot of bridges with his unfair characterizations of Senator Connealy and the Unicameral, after a session featuring a severe drought and a state budget crisis, when Governor Johanns was unhelpful to say the least, and seemed most interested in his own no-new-taxes record. This cabinet port may be the governor's reward from the Bush Administration for Johanns' important role in electing the an extreme right-wing Republican to Congress.

Ben Nelson surely was ap-

proached by the White House about this post, as the press speculated. For Nelson, there was nothing to gain by going to U.S.D.A., just the thankless task of carrying out the same failed export-oriented ag policy Republicans hold dear—policy that's gutted the value of every major farm commodity by a third in real dollars and forced thousands of farm and ranch families off the land.

Maybe the governor was in on the Ag Secretary deal all the time. Heads, you're the next junior senator from Nebraska. Tails, you're Secretary of Agriculture. It's good to be Mike Johanns, for now anyway. The governor has strengths I can't deny. He is a pragmatist, and he likes to ask practical questions: What are the obstacles to this enterprise? How can these obstacles be overcome? This method is extraordinarily effective. Also, because he is a pragmatist, he is difficult to provoke beyond a decent civility—he's no Dick Cheney.

But like Dick Cheney, the governor keeps his eye glued to the main chance. The governor has long supported ethanol, and he will continue to, because ethanol is one of the few real bright spots in the whole agricultural landscape. Still nobody, not even ethanol producers, thinks ethanol is THE ANSWER to energy or ag income problems—and Governor Johanns needs to make his position on structural issues clear for the record.

The governor signed into law a state ban on meatpacker feeding of cattle, a few years back, that became the model for federal legislation. This year the governor aided and abetted the latest attempt by agribusiness to erode Nebraska's anti-corporate farming law, I-300. The governor hoped to leverage a consultant's report with recommendations to amend I-300, but he was defeated. He needs to be asked straight up where he stands on mandatory country-of-origin labeling, on packer feeding, on price reporting, on check-offs and producer referendums, on enforcement of the Packers and Stockyards Act, on national versus continental cattle herds and on bovine spongiform encephalopathy.

For environmentalists, the governor's record is not encouraging. Since 1998, when large-scale hog confinement operations began an assault on Nebraska, the State of Nebraska and the Department of Environmental Quality have maintained that counties are responsible for saying yea or nay to livestock operations. Accordingly, most Nebraska counties have organized, planned and zoned, to the lasting benefit of everybody but large livestock confinement wanna-builders. The governor aided and abetted the Livestock Friendly County designation, which does nothing to help a county, but helps end-run local land-use control.

The governor's weakness is an un-

quenchable ambition that can lead him astray. Governor Johanns sometimes mistakes a PR campaign for scientific study. This has caused real problems in Nebraska, including the recent one-sided dust-up between Harvey Perlman and the community colleges. I am assuming old hands at U.S.D.A. will nip that problem in the bud.

Ambition is a whole 'nother ball game, and this character issue will be central to Mike Johanns' performance at U.S.D.A. Will the governor treat the next four years as a resume builder—so he has ANOTHER happy choice in four years, to take a seven-figure retainer as counsel to ConAgra or to run for the open Senate seat left by Chuck Hagel when the senator runs for President in 2008? Will Johanns be able to withstand the pressure from the White House to stay the course on ag policy which destroys rural jobs and economies for a globalism that benefits only the rich?

The governor is nothing, if not a Team Bush man. The governor likes to speak of his childhood on an Iowa dairy farm. Like Willa Cather, Johanns came as far and as fast away from his beginnings as his talent could carry him. Like Cather, he is sentimental and trades on his roots. I am cautiously pessimistic. Frankly, I don't expect much.

Of course, you never know with great opportunity. People blow chances, often spectacularly. Then again, a guy can surprise you. I hope it happens. I really do.



From the Bottom by Sally Herrin
The real political spectrum isn't right to left... it's top to bottom.