

Voices & Commentary

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Iowa View

Our state's constitution deserves to be celebrated

On Constitution Day on Monday, we celebrate the 225th anniversary of the U.S. Constitution and the 155th anniversary of the Iowa Constitution.

I expect there will be quite a lot of attention given to the federal Constitution in the National Archives in Washington, D.C. I want to take this opportunity to celebrate the Iowa Constitution, which is on display in the Iowa Capitol in Des Moines. The Iowa Supreme Court relies on both documents to decide cases brought before us.



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These Iowans met for 39 days and debated many issues of the time before agreeing to a new Iowa Constitution. Since then, our constitution has endured, with 47 amendments, promising a future of much hope and prosperity. You can read about the debates of the 1857 constitutional convention online at tinyurl.com/7qlnnj3.

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The Iowa Supreme Court uses the U.S. Constitution, the Iowa Constitution, and the laws passed by the Iowa Legislature and signed by the governor to resolve disputes between Iowans. The U.S. Constitution is the supreme law of the land, but a state, through its own constitution, may provide citizens with greater protection than the U.S. Constitution.

When Iowans ask the Iowa Supreme Court to resolve a dispute, our decision is based strictly on the facts presented to the court and on the applicable law as reflected in our constitutions and statutes. When disagreements occur about the meaning of a law or its application to a case, we refer to prior judicial decisions known as legal precedent. We also research for the intent of the law when new facts and our growing understanding challenge our precedent. In the last 12 months, 24 Iowa Supreme Court opinions involved constitutional questions. The cases included questions about free speech, due process, equal protection, eminent domain, home rule, illegal search and seizure, the line item veto and the free exercise of religion.

When a case involves a constitutional question, we look to previous interpretations of the constitution used to resolve other cases with similar facts. Often, parties will argue that both their state and federal constitutional rights were violated.

In one recent case, involving the warrantless stop of a vehicle, Justice Edward Mansfield wrote the final decision. It was a 26-page opinion that cited 11 Iowa Supreme Court decisions and seven U.S. Supreme Court



Sue Savage-Rumbaugh is seen in 2011 with Teco, a baby bonobo, inside the Great Ape Trust. MARY CHIND/THE REGISTER

SUE'S CIRCLE

Savage-Rumbaugh's version of control is straight out of the bonobo playbook.

Primatologist Sue Savage-Rumbaugh has been removed as director of the Great Ape Trust due to a complaint by 12 employees that she's mentally unfit to run the lab and is a danger to the seven bonobo apes living there.

I worked with Sue, Bill Fields and Heidi Lynn — two former Great Ape Trust directors who later left the lab — for four years when it was in Atlanta and part of Georgia State University.

The charges that Sue is mentally unfit aren't surprising. What is more surprising is that everybody else is so surprised.

If you watch video of Sue, you see her calmly describing why the charges against her are "crazy" and why she is willing to wear a wire and be filmed 24/7 to show the world not only that she is fit to take care of the bonobos — the family includes the famous Kanzi, his sister Panbanisha and baby Teco — but that with the possible exception of her sister Liz, she's the only one who can.

When we think about people who are mentally ill, usually what comes to mind is a person completely out of control. Yelling, abusing substances, freaking out at odd moments, muttering to themselves. But Sue doesn't present as someone who is out of control. In fact, her version of control is the hallmark of both her career and her personal life, and it makes a whole lot of sense if you're her — it's straight out of the bonobo playbook.

Bonobos form matriarchal societies. Those lovely photos of apes lolling about on the Great Ape Trust's grounds show them as docile, loving, enjoying food, art and games and solving interpersonal problems with a lot of sex. We lose sight sometimes of the



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but it also freed her up a bit to focus less on research and more on running the apes' actual lives.

Look at those lovely photos The Des Moines Register took of her last year, showing her raising the adorable Teco a lot like you would a human baby and looking very much the part of doting mom. I'm sure if Teco could form human words, he'd call her a wonderful mother. She's with him all day, every day, and she sleeps in his enclosure at night. It's not that Teco needs special care. She does that with all the bonobos in her care, and has for years.

What the pictures can't show is the constant behind-the-scenes maneuvering of both bonobos and people in Sue's circle. And to call it quiet is not to say there aren't occasional, well-timed freakouts, with Mom suddenly screaming and throwing things in loud, crazy displays that make the humans in the room run, thinking she's nuts. That may be true, but being nuts is also a big part of the plan.

I saw it blow up in her face once, and I know that former members of the Atlanta lab directly blamed Sue for at least one ape escape. As the story goes, Sue was angry at Matata, a female who was mother to Kanzi as well as several other apes at the lab. So she had Matata moved to another building away from her children, and left her there screaming, to teach her a lesson. Matata got out that day and reportedly came looking for Sue.

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This week's turmoil recalls another time, another place



KENNETH QUINN of Des Moines is a retired Foreign Service officer who served the United States in such hot spots as Vietnam and Cambodia. He was ambassador to Cambodia from 1996-99 and now is president of the World Food Prize Foundation. Contact: kquinn@worldfoodprize.org

The storming of the American Consulate in Benghazi and the killing of U.S. Ambassador Chris Stevens and three of his colleagues brought home to me the memories of my own embassy confronting multiple threats during the time I was ambassador in Cambodia from 1996 to 1999.

Our embassy in Phnom Penh was a makeshift arrangement thrown together following the re-opening of the country to an international presence just a few years earlier. It consisted of a series of small single-family houses in the center of town around which the United States built an 8-foot-high wall. On all four sides of the compound were busy streets with constant flows of traffic. A gas station sat ominously on one corner.

This was a period of considerable political volatility in Cambodia, with remnants of the genocidal Khmer Rouge still operating furtively in urban areas, rival political factions driving around in large armed gangs and criminals roaming the city at night. Given the perception of American influence, the U.S. Embassy was a constant target for demonstrating crowds either seeking U.S. support for their side in the conflict or criticizing us for some aspect of our policy.

As a result, violent clashes would often occur right outside the embassy wall, and on several occasions, rifle fire sailed across the compound and protesters were beaten or shot within eyesight of embassy staff.

Apart from actions at the embassy, our staff of approximately 35 Americans lived in houses scattered around the city, each of which could be vulnerable to criminal assault or just being caught up in clashes that might erupt in their neighborhood. My own residence was hit with a rocket and ringed in gunfire for more than two hours, with my wife and three children inside.

What made the situation even more difficult was that we had no U.S. Marines to guard the embassy, nor any type of armed protective force. We did have a group of local Cambodian guards, but none of them carried weapons. We were essentially on our own.

When terrorist bombers struck the U.S. embassies in Kenya and Tanzania in 1998, it brought home just how vulnerable our own situation was. We began taking all the actions that we could locally to try to improve the situation. I went to the Cambodian government to demand that some of the streets running by the embassy be closed, since any terrorist with a truck bomb could have literally driven up to our front door and detonated explosives. Security experts estimated that in such a situation, every person in our embassy would be killed.

It was difficult to get the government to go along with shutting down its main streets (it would be the equivalent of blocking off parts of Grand Avenue in Des Moines), but I succeeded. In addition, I approached the owner of the gas station that was right next to our facility and convinced him to lease the property to us so we could close it.

At first he demanded \$1.3 million, but after a frank conversation he cut the price by a million dollars. It's not too often you get to save the taxpayer a million dollars, but in this case it wasn't the money that was important, it was the safety of all our employees.

Even with all of these improvements and the greatly increased intelligence activities that we carried out to try to identify would-be terrorists in the country or coming into it, the embassy was still incredibly vulnerable. As a result, we initiated urgent requests to the State Department in Washington to approve our immediately finding a new location with more "setback" to provide a buffer zone against any would-be truck bombing terrorists.

Budgets were tight and department officials told us that there was no money nor would we even be on the list for new construction over the next five to 10 years. Given the immediate threat, I felt that that was way too long and that we could not leave our employees at such risk. My deputy ambassador and I made trips to Washington to plead our case and sent message after message explaining our situation, but this was to no avail.

Washington, D.C. I want to take this opportunity to celebrate the Iowa Constitution, which is on display in the Iowa Capitol in Des Moines. The Iowa Supreme Court relies on both documents to decide cases brought before us.



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The rule of law ensures that judicial decisions are based upon our constitution and our laws, not individual views, outside influences or opinions of the day. The judicial branch of government can only perform its mission when courts impartially interpret and apply the U.S. and Iowa constitutions and the laws of the land.

The original Iowa Constitution those 36 Iowans signed is kept in a display case at the entrance to the secretary of state's office in the Capitol, and I have a bound reproduction on the table in my office.

You can also find the Iowa Constitution published in the Iowa Code (Volume 1) in your local library and online at tinyurl.com/9sel7dt.

It is a document that contains great riches and explains our proud history.

It should be read by all, and celebrated often.



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Sue told me more than once that she feels she's more bonobo than human, and over the last several decades, she's become the mother figure to her family of apes. But time and time again, when she tries to exert the same control over a group of human beings — be they caretakers or graduate students or board members — all hell breaks loose.

Sue spent years fighting a belief among scientists that her work, which focused on apes having culture and the ability to make art, wasn't real science. That distinction probably hurt her psyche,



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Sue is a respected scientist with several books to her credit. She's given TED talks. She wasn't named one of Time Magazine's 100 most influential people last year for nothing. Now she's locked out of her lab.

It bears mentioning that while not all primatology labs end up this way, a lot of the ones run by women do. Sally Boysen at Ohio State University chained herself to the lab's gates when she lost her funding and they shipped the apes she worked with for more than 20 years away in a truck. Penny Patterson was publicly vilified when former caretakers charged that she'd made them bare their breasts to Koko the ape (apparently Koko liked it).

Because it's not about craziness; it's about control.

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Budgets were tight and department officials told us that there was no money nor would we even be on the list for new construction over the next five to 10 years. Given the immediate threat, I felt that that was way too long and that we could not leave our employees at such risk. My deputy ambassador and I made trips to Washington to plead our case and sent message after message explaining our situation, but this was to no avail.

Finally, the State Department sent me a cable message signed by the secretary of state instructing me to proceed with limited security improvements to our compound and to remain there. Those improvements could not be made without my agreement. After thinking about it overnight, I called a meeting of my staff and told them that I was faced with two choices: to accept the orders from Washington and go forward with limited but inadequate enhancements to our compound, or to refuse the State Department's orders. I told them that I was choosing their safety over complying with the instructions from Washington.

I next sent a personal message to the secretary of state saying that I put my employees' safety above all other considerations, and while I understood the ramifications involved, I could not in good conscience follow her orders and thus refused to do so.

My deputy, a very brave young officer, then sent a follow-on message in which she said, in effect, "If the ambassador is removed, I won't follow the orders either."

It's a big deal to refuse to carry out the State Department's orders. But in this case, it got action. There is now a new, very safe embassy in Phnom Penh with a great deal of setback and Marines guarding the compound.