

# opinion

## Oregon's rape shield law is essential

The Emerald applauds the Oregon Court of Appeals for resisting a recent attack on the Oregon rape shield law based on its constitutionality.

The appellate court upheld a state law that directs courts to determine in secret whether a rape victim's sexual history is relevant to the

ours

assailant's trial.

"The constitutional right to a public trial," Judge Edward Warren stated, "does not include the right to smear the victim with irrelevancies."

At present, Oregon is among only a number of states that have rape victim shield laws. Without such a law the rape victim is often times on trial as a criminal, more so than the rapist.

The rape shield law still doesn't protect the victim from the ruthless tactics of a defense attorney. Defense attorneys are notorious for twisting a rape victim's innocent remarks (or

yours

### Olum's reply

I don't usually write to disagree with editorials, but your editorial about the Pacific Northwest Resources Center and my relationship to it is so badly skewed that I feel I must respond.

Without dealing with all of your misstatements (such as what my "reasoning" is, or the reference to "Aaron Jones' dangling a \$250,000 pledge" toward us), I do take strong issue with your repeated indications that I am knuckling under to business pressure, e.g. "Olum is willing to sacrifice this program rather than antagonize private business interests;" "Olum's actual purpose is to cater to the whims of private business and close PNRC;" "the evidence indicts him as being too sensitive to business pressure to take a firm stand in favor of PNRC;" "He would rather sacrifice a valuable law program than dare incur the displeasure of business interests."

That's an extraordinary amount of nonsense and I resent it. Furthermore, the most intense pressure and most of the threats now are coming from the other side. But, apart from that, I am by my own background, nature and commitments far more sensitive to the views of faculty and others in the University community than to outside pressures. My own ability to function in this position and to try to build this into a stronger and better academic institution depends far more than anything else on faculty support. A lack of confidence by the outside world would be troublesome, of course, but a lack of confidence by the faculty would be decisive. So, from my point of view, it would be far easier for me to make a decision unpalatable to outside interests than one unpalatable to our own people.

But none of that matters, because so far as I am concerned, there is only one way to make decisions in a university, and that is on principle. There are real principles at stake here — principles having to do with the integrity of the institution and with what are the possible real threats to academic freedom. There are arguments on both sides and they are discussable, but this is not the time or the place for that since I earlier requested a meeting with the faculty and students of the School of Law in order to have a thorough discussion of the positions involved.

One more thing: we must make decisions that are proper and principled for the University. If, after we have done so, someone or some group wished to give

### Correction

Due to a typographical error in Tuesday's Emerald a paragraph in the letter "Fair share" was garbled. That paragraph should have read:

...Those that protest the requirement call it "taxation without representation." I call it paying their fair share. The fact of the matter is that they have been freeloading off the rest of us, and would be doing so once again if decertification succeeds. A better description of the situation would be called "representation without taxation."

We regret any misunderstanding this may have caused.

genuine cries of fear) into words that encouraged the rape. The present law provides that any sexual conduct by the victim will first have to be reviewed in private session. Thus, a victim's entire sexual past isn't recklessly interpreted by a defense attorney in open court.

The appellate court opinion stated the rape shield law presumes that prior sexual conduct is irrelevant to the specific case of rape. If a defendant wants to introduce such evidence, they must show its relevancy in a closed hearing.

We believe the Oregon Legislature, by enacting the rape shield law, was trying to strike a balance

theirs



us, or not to give us, money, that is their choice and they are surely free to make it. But we cannot let what we do be influenced by the threat of that choice — whether it comes from a corporate executive or from the National Wildlife Federation.

Finally, I did not earlier make and have not since made any final decision about what is to be done. I had hoped that we could consider the issues thoroughly at the meeting I have asked for. But if you and others have decided that polemic and misrepresentation are to replace any effort to sort out the arguments in a reasoned debate, then you will have set up confrontation where I had wanted to have a serious discussion.

I would have hoped that we had a better way to solve our problems in the University.

Paul Olum  
President

### Cheerleaders

We have lousy cheerleaders! Cheerleaders should jump up and down, do flips in the air, wave their arms in excitement, and perform other perilous acrobatic feats. The girls should use colored pompoms and bounce around endlessly. The guys should yell through colored megaphones to lead the crowd in cheers. Further, cheerleaders need spectators.

The cheerleaders here at the University rarely jump up and down, or do anything else to stimulate the crowd. Instead, they throw out their arms in short, sharp movements, appearing nothing short of muscle spasms. Their movements are too choppy and their bodies too rigid (this may be okay for modern jazz dancing, or a Bob Fosse film, but not cheerleading). The cheerleaders are not smooth — they stink!

Oregon's cheerleaders also hold up signs that spell out GO DUCKS in attempt to razzle the crowd. Unfortunately, no one watches. They are dull. They do not move the crowd and seem bored themselves. We need more exciting cheerleaders — cheerleaders like University of Washington has.

Doug Wolens  
Senior, political science, English

### Non-union

I am a member of the Oregon Public Employees Union (OPEU) and have signed the petition to reject the portion of the new contract which requires union fees to be paid by non-union members.

Believe it or not, there are workers out there who perceive organized labor to have a strong political bias, and who don't want to be a part of it. I am concerned for those people who don't support OPEU, don't want its representation and yet are forced to fund something they don't believe in.

The state law requiring OPEU to represent all employees in the bargaining unit is the real problem. It is in OPEU's interest to lobby to change this law.

Even if this proves difficult or impossible, the union has no right to take money from people who never asked for its services.

"Fair share" is a subtle example of the coercive tactics that too too many people give organized labor a bad name.

Dave Puckett  
Admissions

## letters policy

### Write us

The Emerald will accept and attempt to print all letters containing fair comment on issues, ideas and topics of interest to the University community.

The letters **must** be limited to 250 words, signed, and the identification of the writer must be verified when the letter is turned in to the Emerald offices, EMU 300.

The Emerald reserves the right to edit any letter for length, style or content. Publication of letters is dependent upon the space available.