

Editorial

Religious garb law is unconstitutional

Can a teacher instruct students in an Oregon public school while wearing religious clothing? Not according to a state law that has been in effect since the 1920s. The state law calls for the automatic invalidation of the teaching certificates of public school teachers who wear religious garb in the classroom. But Wednesday, the Oregon Court of Appeals ruled that the mandatory revocation of the certificate is unconstitutional. The court said this part of the statute is too harsh.

And that is precisely where the ruling stopped.

The decision overturned the revocation of the teaching certificate of Karta Kaur Khalsa, a former Eugene public school teacher who lost her certificate last year after refusing to stop wearing the white turban and garments associated with the Sikh faith. Khalsa believes the law violates her First Amendment right to freely practice her religion.

But because State Superintendent of Public Instruction Verne Duncan already reinstated Khalsa's certificate on the condition that she not teach in Oregon wearing religious clothing, the court simply supported an action that has already been enacted.

And because the court ruled only on the constitutionality of the penalty, it failed to address the larger question: Does the law restrict the constitutional right of individuals to freely practice the religion of their choice?

We think it does. We strongly advocate keeping church and state separate, but we also support the right of individuals to practice their religion. The line between the two is often fuzzy, but not so in this case. This state law is clearly a violation of First Amendment rights and a definite case of discrimination.

First, the law does not define what religious dress is. The law is open to interpretation and is left vulnerable to being used to discriminate against particular groups. And because of the degree of ambiguity, the state could have to decide what is and what is not religious garb, and therefore become involved in religious decisions.

Ironically, supporters claim the law is necessary to maintain the wall of separation between church and state. They appear to be afraid that religiously dressed teachers will pass their religious biases on to their students.

But simply wearing a particular style of dress will not influence the attitudes of students. At most, it is simply a statement of one's religion, much the same way as wearing the Star of David or a cross will indicate religious beliefs. Simply stating "I am a Catholic" or "I am a Sikh" is free of subjectivity as far as school lessons are concerned.

Of course it is possible for a teacher dressed in religious garb to taint school lessons with a particular bias. But it is equally possible for a teacher not dressed in religious garb to bias teaching material.

The law discriminates against religions that require a particular dress because it assumes that people dressed a particular way will necessarily present biased information; almost to suggest that they are completely inseparable from their religion. It also assumes that they are guilty before any crime is committed.

In addition, because public school teachers are already prohibited from presenting religious material in the classroom, the law is superfluous.

Khalsa reported that she intends to appeal the decision. We hope that eventually the law is declared unconstitutional in its entirety.



Letters

Don't separate

In the article, "Committee seeks change in Emerald policy," which appeared on the front page of the Oct. 28 Emerald, Cindi Kim, a member and co-founder of the IFC and former director of the APASU, charged the Emerald with lacking an understanding of racism. I believe Miss Kim lacks the understanding.

"...anything that portrays a certain ethnic group in stereotypical terms is inherently racist," Kim says.

First of all, stereotypes are usually based on majorities. How else should a group be portrayed if not by majority? And doesn't the portrait reflect a general reality that even those stereotyped perceive?

Secondly, is unifying the various "ethnic" groups a move to protest or support racism? Ignorantly uniting groups only draws a line between the perceived "US" (ethnic groups) and "THEM" (racists). This dividing line only breeds racism by separating further people who possess natural differences. The formation of "ethnic" organizations, while doing good, also feeds racism.

In reference to the China Delight ads, I agree they aren't amusing, but I doubt if any ad is ever meant to be derogatory. I think the restaurant's name and the contraceptive ad (p.3, ODE, Oct. 28) are more offensive.

Racism won't end until people stop seeing differences in

each other and start seeing the bonds that should unite us. Unity of all people, not of a particular people, will end racism and possibly more.

Paul Kim
Eugene

Nice try

Did anyone read the Hold Your Nose Commentator this week? Read the one about the Somocistas being the true Contras? After wading through two and one-half pages of unsupported, extremist, right-wing verbiage, I discovered something interesting. The story is by-lined by Eden Pastora, a leader of Reagan's American terrorism squads. Eden lends credence to the story because he gives us first-hand accounts of battles and how our money is needed to win their "freedom." The story begins in the first person using the pronouns I, we, and us. Then on page 12, column two, the last paragraph, Eden Pastora all of a sudden refers to himself as "Eden Pastora."

What's up guys? Do I detect a lack of intellectual integrity? Who's really writing your stories? It wouldn't happen to be coming from a CIA puppet, would it? Or a CIA concubine?

This seems to dampen your self-righteous, front-page attempt at calling sin: sin. That article was simple and unsupported nice at best. The fourth column was full of false equivocations, gaps in logic and guilt by association. Then page two was a complete contradiction reverting to your situational ethics saying that the lesser of two evils makes South Africa OK.

Nice try Commentator. I was holding my nose.

Eric Johnson
English

No stereotype

In response to the "Street-wise" column in the Oct. 28 Emerald:

Sorry Charla Parker. There have been cases where an accused rapist was also a taxi driver, just as there have been cases where the accused was an accountant, banker, congressman, doctor, electrician, football player, minister, national guardsman, or almost any other type of vocation or profession you might wish to name.

Many men are certified or even licensed members of the establishment. And nowhere does it say that just because a man has some social seal of approval, he can't also be a rapist. Most rapes are not committed by the stereotypical shaggy-haired drifter. There is no physical description that describes all or even most rapists.

Think about it. Even be concerned about it.

My second comment, and it's not in response to Ms. Parker, is that there is little reason for the driver, male or female, to have to be some massive, armed and dangerous guardian of good. The point is that rapists do not tend to attack groups. The risk gets too great. The shuttle program is designed to group together individuals who would otherwise be walking at night alone.

Third. The idea is to protect women from rapists. If that excludes males, so be it. Rape is the primary violent crime that occurs on the U of O campus, and that is what the shuttle program is being designed to reduce.

L.S. Leuthold
Senior, Business

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Letters to the editor must be limited to 250 words, typed, signed and the identification of the writer must be verified when the letter is turned in. The Emerald reserves the right to edit any letter for length or style. Letters to the editor should be turned into the Emerald office, Suite 300, EMU.