

Editorial

High court should nullify sodomy laws

Can two consenting adults be arrested for participating in oral or anal sex in the privacy of their own home? In 26 states — yes. In five of these, only people of the same sex are subject to arrest. But are the laws enforced? Yes, and primarily against homosexuals.

In 1982, Michael Hardwick was arrested for sodomy in Georgia. A policeman saw the man committing a homosexual act through a partially open bedroom door and arrested him. Hardwick challenged Georgia's statute, which prohibits "any sexual act involving the sex organs of one person and the mouth or anus of another," on the basis that it violates his constitutional right to privacy.

A federal appeals court supported Hardwick's claim and the prosecution appealed to the U.S. Supreme Court. In an unusual move, the high court decided Monday to rule by July on the constitutionality of the sodomy statute.

If the Supreme Court declares the sodomy statute to be unconstitutional, which we sincerely hope it does, similar statutes across the nation would be invalidated. These archaic and discriminatory statutes should have been condemned long ago.

You may very well ask: What exactly is sodomy? According to the statutes of five states, Massachusetts, Michigan, Mississippi, Oklahoma, and Rhode Island, it is the "abominable and detestable crime against nature." Others define it as the "infamous crime against nature," or as "deviate," "perverted" or "unnatural" sexual intercourse.

Only 13 states define sodomy as specifically oral or anal sex, and five of these specifically apply the law only to people of the same sex.

Oregon, fortunately, has no such law.

And what are the penalties if convicted of sodomy? In three states, Michigan, North Carolina and South Carolina, sodomy is a felony. In three others a conviction carries a maximum sentence of 20 years. Fines vary, but in Montana the maximum fine is no less than \$50,000.

Most of the statutes apply to couples who are married or unmarried, heterosexual or homosexual. A couple still would be guilty under all of the laws even if both of the people had given consent, and all of the laws pertain to acts in complete privacy as well as in public.

Also, because enforcement of the statutes aims at homosexuals, the laws are discriminatory. Even without a criminal penalty, a conviction or even an indictment could damage an individual's employment prospects. The very existence of the laws serves to propagate prejudice against homosexuals, and because homosexuals are often the only targets of enforcement, they are being deprived of the constitutionally-guaranteed right to equal protection of the law.

That we think these statutes are ridiculous would be an understatement. We adhere to the notion that the Constitution was based on the principles of autonomy and thus inherently protects a citizen's right to privacy. We accept that the right to privacy includes the right to choose a sexual partner and private sexual practices.

The Supreme Court explicitly recognized a constitutional right to privacy in 1965 and has since strengthened the stance with decisions regarding the right to use contraceptives and obtain an abortion. We strongly encourage the court to extend it to protect the right of consenting adults to participate in oral or anal sex if they so choose. State governments have no place in deciding the private sexual practices of consenting adults.



'SOMEBODY TELL THOSE JOKERS WE'D RATHER NOT GET INVOLVED!'

Letters

Nasty tone

I was shocked by the vindictive and nasty tone of the Emerald's editorial about IFC chair James Randall and the free coffee "perks" given to EMU administrators.

I realize that a few members of the Emerald staff are very angry that the IFC, as a committee, has raised the issue of student representation on the Emerald's board of directors.

I also realize that there may be some hard feelings toward the IFC members who are part of the diverse group that is giving the Emerald a hard time on the issue of insensitivity toward minorities.

But the fact of the matter is that the IFC is in the process of taking a hard look at where and how student fees are used in the EMU. This includes the forthcoming audit of EMU operations. This is a good thing, not a bad thing.

Your absolutely unprofessional personal attack was worthy of a name-calling rag like the Commentator, not of a real newspaper.

Roscoe Caron
Student Senate
Education

Let's not forget

Ronald Munion, once again the message that you need to convey to people is lost in your usual political garble. You are a champion of free speech, and

anyone who has talked or taken a class with you will attest to this. David Herman is also for free speech.

You attack Herman for not boycotting films like "The Deer Hunter" or "Apocalypse Now," but you wonder why he didn't boycott these two fine films. In the case of "The Deer Hunter," we are given an accurate portrayal of the Vietnam experience for Americans in a historical framework. "Apocalypse Now" portrays the brutality of what was Vietnam.

It is immoral to advocate the message that Vietnam was acceptable and that the typical vet is a crazed survivalist who will jump at the chance to solely rescue the remaining POWs in Vietnam.

The defeat that America suffered in Vietnam should remind us that we have no right to trespass on other countries' developing political systems. This country fought for the right of self-determination and let's not forget that. Yet it has been our policy, and especially the current Administration's policy, to inflict its will on other nations of the world. We need people like David Herman to raise the political consciousness of others so that the U.S. government's activities in Grenada, El Salvador, Nicaragua and Vietnam will not go unnoticed or condoned by the American people.

Blake Louis Sliter
Political Science

Build a 7-11

Steve McCurdy has a point (ODE, Nov. 4) in his letter. After all, a tennis court is no place for a game of tennis anyway. One suggestion Steve: Take a closer look around campus. There is an obvious theme that pervades area development. In keeping with this theme, I suggest a 7-11 store be built at the tennis court location. Hospital expansion was under serious consideration.

I respect his priorities in placing student parking before recreation, but the lack of a "freedom store" in one three-block area of campus is of grave

concern to the convenience-conscious Eugénian.

Paul Sullivan
Journalism

Like Caesar

Gee, I sure wish I were editor of the Oregon Daily Emerald! Why, if I were editor, I would be something more than an "ordinary" student — I would be like Caesar! With my journalistic objectivity, I could stand in the middle of a crowd of students, say at an apartheid rally, and not feel anything! And the next day, I would tell the whole student body, on my editorial page, just what a useless rally it really was.

I could express whatever political view pleased me that day, and not even have to sign my name to it. If anyone should complain, I could again seize the editorial page for my rebuttal: "The Emerald no longer will tolerate these sweeping stabs of racism and sexism, born out of misunderstanding and nurtured in ignorance." Hah! To be editor of the Oregon Daily Emerald...

But then, maybe I would grow tired of feeling so powerful and long again for the simple life of an "ordinary" student.

Steven M. Richkind
Eugene

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Letters Policy

The Emerald will attempt to print all letters containing fair comment on topics of interest to the University community.

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.

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