

# 'Rugged' Oregonians protect free speech

The Oregon Supreme Court last week overturned a 1973 Oregon obscenity law, saying that the Oregon Constitution provides more protection for speech than the First Amendment.

The ruling is a profound step toward preserving civil freedoms and limiting the government's ability to impose notions of morality on citizens in this state.

In 1973, the U.S. Supreme Court set a three-part definition of obscenity, saying that obscenity was not protected by the First Amendment. The Oregon court held that the Oregon Constitution provides blanket protection for expression of opinion, saying that obscenity is a form of speech, and is thus protected by the constitution, which covers "any subject whatever."

Justice Robert Jones wrote in the court's opinion that the drafters of the Oregon Constitution were "rugged and robust individuals dedicated to founding a free society unfettered by the governmental imposition of some people's views of morality on the free expression of others."

Oregonians today are no less "rugged and robust individuals."

The court did leave the door open for regulation of obscenity in the interests of unwilling viewers, captive audiences, minors and beleaguered neighbors — the issue before the court was not the regulation of pornography or its display, but rather whether pornography itself is protected.

The ruling comes as good news, then, for the two Oregonians convicted under the obscenity laws, but also as good news for anyone who dislikes the government setting moral standards on speech.

## Helms' capture of position raises ideological sword

It is with great disappointment that we watch Sen. Jesse Helms become the Republican leader of the Senate Foreign Relations Committee. The move was a politically motivated ouster of Sen. Richard Lugar, who made the mistake of bucking the conservative agenda on key issues.

Lugar led the rally on the Republican side to override President Reagan's veto of South African sanctions, and played a key role in persuading Reagan to give up support for Ferdinand Marcos. These actions angered Helms, who has attacked the "liberals" in the State Department for not being sufficiently anti-communist.

When Lugar fought for overriding Reagan's veto on the sanctions bill, many observers said it was political suicide, that Helms would pull seniority on Lugar to oust him from his position on the committee.

Now Helms has done so, and he will bring his own peculiar brand of combative, racist ultra-conservatism to the committee, replacing Lugar's proven ability to draft widely-supported compromises. Helms now will manage floor debate before the committee for the Republican side.

Despite what Republicans said after the vote to oust Lugar, the campaign on Helms' behalf was laced with political attacks on Lugar — casting doubts on the sincerity of the faith in the seniority system Republican senators expressed during the vote.

Seniority is now a two-edged sword for committee leadership — there is no guarantee for junior Senators that Republicans will wield seniority on their behalf if they don't meet ideological muster.



"I'd like to begin the State of the Union address... but first, a few anecdotes..."

## Letters

### Sidewalks

Does the University admit illiterate students?

Bikepaths are clearly marked, Eugene has more of them than any city in the country, jogging on concrete is supposedly harmful, and there are many jogging paths.

Must we be forced to add a skateboard lane too?

Sidewalks are for pedestrians — those of us who walk.

Douglas James Student

### Let him go

Silas Bissell is alleged to have attempted to bomb a Seattle ROTC building in 1970. As I recall, those were pretty wild times in America.

Granted, bombing buildings is not the most intelligent method of affecting social change, but it could be argued those who opposed the Vietnam war were expressing their true conscience.

Now, 17 years later, Silas Bissell is arrested and faces a possible 15-year prison term for his anti-war activities. Why bother to arrest a man so long after the fact when he has obviously given up his once-radical lifestyle?

What can be done to make him "repay his debt"? Silas'

James Parfitt Eugene

### Family first

The observation of and suggestions for the Westmoreland Cooperative Preschool (ODE editorial, Jan. 22) have no basis of facts or reality. It is difficult for me to believe that you do not understand that correct analysis cannot occur with limited information.

The only illustration of "glaring mismanagement and negligence" was that editorial! In your lofty editorial position, do you really suppose you are above accusations of defamation?

Head Teacher Julie McFarland is not a public figure. Her credibility is vital to her career. Contrary to your discrediting statements, McFarland was not responsible for administration of the poorly supported cooperative. Are such ill-founded accusations as yours the only reward for such competent, dedicated people as Julie McFarland?

Furthermore, your suggestions for establishing a new administrative position or hiring a consultant are ridiculous. You are suggesting expending thousands of dollars to solve a \$400 problem!

If you had done your homework, you would have known the issue was moot. The IFC doesn't lend money. The loan request was turned down before it got through the first step, which was at IFC.

Moreover, the Westmoreland Tenant's Council is establishing a satellite program of the EMU Childcare and Development Centers. Thus, the Westmoreland community will be approaching the IFC not just for a paltry \$400 bail-out of the faltering daycare cooperative, but for some substantial funding. We are entitled to adequate services here, where we live.

James V. Munyer Westmoreland Tenant's Council Daycare Committee Chairman

### Heavy thought

Let us honestly and candidly speak of the theory of Punctuated Equilibria. It will probably be quite foreign to everyone except science majors, therefore allow a brief elaboration, as it is generally not being taught in high schools.

The theory is held by the two foremost advocates of the theory of evolution: Gould and Eldredge. They believe that evolution did occur, but do acknowledge the fact that the fossil records do not support this.

Therefore, they propose that evolution occurred in "spurts" (punctuated), thus producing so few fossils that they haven't found yet. And, contrary to our own "expert" McCormick (ODE, Jan. 16), paleontologist S. Stanley of John Hopkins University, says this weakens the theory of evolution.

The objective of this letter is to inform you that should you, in fact, be keeping up with current science, you do not believe in gradual evolution. You instead believe that unexplainable, catastrophic changes occurred in the genetic codes of each and every intermediate species, but acknowledge that there is no evidence to support this. Leff (ODE, Jan. 14) is asking you to believe this with the same blind faith that he accepts this theory.

Brian Frary, biology Charlie Richards, economics

Tuesday, January 27, 1987

## Oregon Daily Emerald

The Oregon Daily Emerald is published Monday through Friday except during exam week and vacations by the Oregon Daily Emerald Publishing Co., at the University of Oregon, Eugene, Oregon, 97403.

The Emerald operates independently of the University with offices on the third floor of the Erb Memorial Union and is a member of the Associated Press.

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