

Custody of 'Baby M' went to right parents

A three-month court battle over custody of Baby M was put to rest Tuesday when Superior Court Judge Harvey Sorkow awarded the child to the adoptive parents. It was a good decision because the Sterns, the adoptive parents, clearly are more deserving of the child they call Melissa.

It was the nation's first ruling on surrogate parenting, and it should come as a victory for adoption advocates and childless couples who are considering surrogate parenting.

Sorkow upheld the contract signed by Mary Beth Whitehead, the surrogate mother, and William and Elizabeth Stern. He stated that "just as men have the constitutional right to sell their sperm, women can decide what to do with their wombs." Whitehead decided what she was doing with her womb when she signed a contract on Feb. 6, 1985 agreeing to be a surrogate mother.

Yet Whitehead claimed she did not read the contract until the custody battle began and used this argument in an attempt to win custody of the child. This was a weak legal defense at best, and echoes of the cliché that "ignorance is no excuse."

Moreover, Whitehead's attorneys attempted to sell Sorkow on the idea that surrogate parenting should be outlawed because no mother could be expected to give up her child before conception. Another weak legal defense that implies women lack resolve when it comes to signing a surrogate-mother contract. The fact that nearly 500 babies have been born through surrogate-mother contracts with only a few surrogate mothers renegeing on their contracts illustrates surrogate parenting is feasible.

But Whitehead had more going against her than merely a poor legal defense. The judge had learned the Whiteheads had separated during the 1970s, and that they still face losing their home through a mortgage foreclosure. Furthermore, it was disclosed Mr. Whitehead has battled alcoholism and that Mrs. Whitehead, a highschool drop-out, was once forced to seek employment as a go-go dancer.

It would be unfair to hold this information against the Whiteheads as people — after all, they're only human — but these revelations are serious drawbacks when attempting to convince a judge one is worthy of being a parent.

Perhaps the most damaging case against Whitehead was her panicked telephone call from Florida to the Sterns, when she threatened to kill the baby and herself. She had stated then, "I'd rather see me and her dead before you (William Stern) get her."

The Sterns, on the other hand, have proved to be mentally stable people. Both had shown understandable emotions during the many hours of court-room testimony, yet unlike Mary Beth Whitehead, they demonstrated "an ability to make rational decisions in the most trying of circumstances," according to Sorkow.

But the Sterns are not the only winners; little Melissa also is a winner. The year-old child deserved the best home possible, and the Sterns demonstrated they could provide a better home life than could the Whiteheads.



Letters

Scenerios

In the ODE on March 10 there was a newsletter insert from the Student Health Center (Well Now — AIDS) dealing with the subject of AIDS prevention.

In one section (How to Talk About Sex), fictionalized conversations between male/female sex partners appeared.

What the newsletter failed to print was the obvious problem with the spread of AIDS — homosexual partners.

Here is a more likely scenerio. Two men (John and David).

JOHN: "There is something I need to tell you. I really like you a lot and going to bed with you was great. I feel bad I didn't mention this before, but I want to tell you now. I had sex with 12 different guys last week. Over the years I've bedded down with hundreds of guys — we had oral-anal, fisted... you know, the usual. What I'm trying to say, David, is there might be a tiny, little chance I have AIDS."

DAVID: "Really? Well, it's not your fault. It's that damn Reagan Administration. They could be allocating more federal money to find a cure. Thank

goodness AIDS is a political disease — society will be forced to accept us. It's too bad people with the black plague or hepatitis didn't organize like our gay community and have the ACLU fighting for them... (cough, cough)."

Dan Goulet
Eugene

Richard Sharvy
Eugene

Itch to scratch

I can't remember who said "Scratch a liberal and you will find a totalitarian underneath," but the thought seems to get verified over and over again.

The major activities of the NAACP in recent times have included attempts to get "Huckleberry Finn" and "To Kill a Mockingbird" removed from libraries and to get a Baltimore police officer fired for recreating old Al Jolson routines in a night club act while off duty and on his own time.

President Olum and large groups of "liberal" faculty and students who would normally scream bloody murder in defense of academic freedom if anybody tried to dictate what kinds of research could and could not be done at the University are all for prohibiting research in areas that they themselves don't like, such as national defense.

State Senator Larry Hill, who represents the area north of 18th Ave., northeast Eugene, and Springfield, and who is a certified "liberal" supporting things like comparable worth, "fair share" tax shift schemes and so forth, has introduced a bill that would punish anyone entering into a surrogate mothering contract with five years in prison.

It's "immoral," he says. Apparently a woman doesn't own her own uterus after all.

Hill seems to have a peculiar fetish about bodily organs. He pushed through a bill two years ago to force hospitals to request

organ donations from relatives of deceased patients, and he actively opposed the Marijuana Initiative (apparently you don't own your own brain or lungs either).

Scratch a liberal....

Baby boom

Some people question the morality of advances in fertility research. Well, any society which permits 1.5 million abortions annually has little right to pass judgement on technologies which help create life, and give people the joy and satisfaction of raising children.

What's wrong with something like ovum transplantation? If a woman unable to ovulate wants to carry a donated ovum then that's totally her business. All we're talking about here is pre-natal adoption.

Some will say these technologies are unnatural. So what? Artificial birth control is unnatural. And I wonder if those attempting to question new technologies on Biblical grounds are as equally committed to attacking birth control — something never mentioned in a positive light by the scriptures.

Then there's folks who will say that maybe couples having trouble getting pregnant were meant to remain childless. Oh yeah? I wonder if a person with cancer should avoid seeking advanced medical treatment. I mean gee, maybe they were meant to die of cancer.

Adoption is extremely difficult. There's such a baby shortage that a black market has evolved in which healthy babies can sell for up to \$50,000!

Statements like "try adoption" or "learn to live childless" are not only simplistic (often reflecting an uninformed point of view) but down right cruel.

Lori Parkman
Elmira, OR

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