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NEWSPAPER**

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**COMMENT AND OPINION**



MIKE RITTER, STATE PRESS, ARIZONA STATE U.

**Pornography shouldn't warrant our protection**

By Jason Toth  
■ The Daily Utah Chronicle  
U. of Utah

Freedom of speech is inextricably linked to freedom of thought and, as such, is given great deference within the American legal system. Under our Constitution, freedom of speech is extended to every form of expression until that expression dangerously transgresses another important constitutional value. Yet, if a protected nexus exists between speech and thought, it seems fair to ask what type of thought is encouraged by defending hardcore pornography with the First Amendment.

Even some of the most devout civil libertarians have become distraught by defenders of pornography who cite the First Amendment to protect their peculiar form of "speech." It is hardly conceivable that it was the intent of the framers to formulate a legal "catch-all" in the First Amendment. The First Amendment and the protections contained within it were designed not as absolute demarcations, but rather as ideals that could be balanced against other democratic values.

Certainly the jurisprudence of the Supreme Court, while giving substantial weight to "free speech," has never held that free speech reigned supreme over other equally important human and constitutionally enumerated values. Indeed, the Court's perpetual struggle to define the parameters of guidelines such as the "fighting words doctrine" and the "clear and present danger test" indicate that all speech is indeed not protected. Pornography reduces men and women to mere animals, incapable of intellectual,

spiritual or emotional intimacy. Irving Kristol, a legal philosopher, adds that the effects of pornography are particularly destructive and dehumanizing toward women. Pornography, as a profession (if such a term can be applied), is dominated by men, both as producers and consumers. Women in pornography are presented as animal recipients of grotesque acts of sexuality.

The usual response from defenders of pornography via the First Amendment is that if we leave pornography alone, it will disappear by itself. Consumers will see pornography for what it is and refuse to buy it. Simultaneously, we will exempt ourselves from the dirty task of regulating or restricting the purchase of pornographic material.

This is really quite unpersuasive. First, the primary consumers of hardcore porn are not curious, adolescent schoolboys; they are adults who enjoy pornography in and of itself. Would anyone suggest that a voyeur or rapist would be likely to "mellow" his sexual tendencies once he had "had his fill" of whatever he was seeking? Similarly, we have little reason to believe serious consumers of pornography will abandon it once they have "had enough."

When we argue for restricting pornography, we need not adopt some Victorian notion of morality. Quite the opposite is true.

In restricting pornography, we affirm that sexuality is, indeed, good and deserving of respect. We affirm that sex, when connected with intimacy and affection, is worthwhile.

We need not involve religious or parochial moralities to argue that pornography is degrading.

**Flag-burning is protected**

By Jack McPeck  
■ The Daily Beacon  
U. of Tennessee, Knoxville

By a 5-to-4 vote this summer the Supreme Court reversed the conviction and sentence of a man who burned the U.S. flag outside of the 1984 Republican National Convention in Dallas. In effect, the decision holds that flag burning is a legal and legitimate form of protest and, as such, is protected by the First Amendment guaranteeing freedom of speech.

The public outrage that followed the decision is not surprising. An opinion poll showed that Americans disagreed with the decision by an almost 2-to-1 margin and about 70 percent said that it should be made illegal to burn the flag.

Equally unsurprising is the speed with which the decision has become a political issue. President George Bush has called for a constitutional amendment to outlaw this form of protest, and Congress is debating a statutory ban on flag burning.

But in their zeal to flow with public opinion, our elected officials are ignoring the reason why such a decision is so key to the strength of the Constitution.

That a conservative court would render such a seemingly liberal decision (especially by the 5-to-4 margin that typically represents the conservative majority on the court) is a reaffirmation of the First Amendment. The court has refused to do exactly what Washington loves to do — make a political football of the Constitution.

The flag symbolizes the first ideal of America — that any person is free to think and express his or her thoughts, without reprisal from the elected government.

Despite the great power of the flag, we must resist the temptation to worship symbols and icons. In doing so, we may forget they are only representations of a higher ideal.

Letter to the editor

**Article was unfair**

Dear Editor:

I am writing to express concern over an article in your September issue about anonymous gay sex titled "Sex in men's bathrooms worries gay activists." The article is rank sensationalism. Though it does present the opinion of one gay student in a positive light as being against bathroom sex, the article overall is negative.

It promotes the concepts of gays as promiscuous deviants and gay sex as dirty and dangerous. Though I will not deny that anonymous sex does exist, to publicize it in this manner suggests that it is a mainstream lifestyle for gay men. And to publicize it on campuses only serves to promote negative self-concepts in those college students who are developing facets of their sexual identities.

I protest this negative stereotyping and want to strongly encourage you to follow up with a positive article about services and resources available to gay and lesbian students on college campuses.

Mark von Destinon  
Secretary, Standing Committee for Lesbian and Gay Affairs, The American College Personnel Association



**STUDENT OPINION POLL  
1-800-662-5511**

**Do you think date rape should be made a campus offense, punishable by the student court?**

(See related story on page 2.)

In September, U. asked students if the U.S. government should support the actions of Chinese student protesters. Seventy-four percent said yes, the government should support the protesters. U. also asked students if military or community service should be a requirement to receive financial aid, and while 83 percent opposed military service, only 60 percent opposed community service.