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OPINION

editorials, letters, commentary and perspective

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Sex policy not equal to assault problem

OUR OPINION: The University's proposed student sex code is on the right road but moving in the wrong direction

It is a rare campus issue that attracts national attention. We all know it doesn't take much to stir University debate when one Christian men's group using campus facilities can cause a collective uproar. But for "Good Morning America" and CBS News to come calling, the issue needs to amount to more than campus figureheads' meaningless ramblings. It actually needs to be important.

So when a campus task force revised the Student Conduct Code so students must receive explicit permission from their partner to have sex and then announced the proposed changes, the reaction was understandably surprising.

News of the proposal, along with the usual sound bites from directors, deans and students, appeared in publications across the country. The fact that a university may be willing to go as far in preventing sexual misbehavior as Antioch College did in 1991 was important to not just one campus but to the whole nation.

We think the issue is important too. Any student who has had sex, is having sex or is even thinking about sex would be crazy not to think the same. In the proposed policy, students would have to communicate very clearly their request and/or their permission to their partner to have sex. It wouldn't matter who they were, where they were or what kind of relationship they had with our partner. The permission would need to be communicated verbally, perhaps even on paper.

To call this policy extreme is easy and in many ways, the label is true. But keep in mind what the task force was up against when drafting the policy. On a campus where 78 survivors of sexual assault sought help last year at Sexual Assault Support Services but only ten percent reported it, the policy almost seems valid — almost.

One of the major changes in the new policy is the specific definitions of "sexual as-



CHRIS HUTCHINSON/Emerald

sault" and "explicit consent." But ironically, this alteration is also the policy's primary weakness. They are too broad and too dangerous.

Currently when sexual assault survivors report the crime, they open themselves up to mass confusion and ultimately, a war of words. The burden of proof is on them. Survivors must prove they were assaulted

or violated in some way by the suspect. Often, the suspect denies the assault. And more often than not, the survivor feels more vulnerable and like a target than during the actual sexual encounter.

This is why survivors don't usually report the incident. And who could blame them? The new policy would attempt to

eliminate this gray area, an area where the truth is so hard to find. But what the task force failed to realize was the gray area will still exist, no matter how many restrictions are placed on sex.

Sexual assault is, by nature, a private crime and hard to prove physically — especially if actual intercourse did not occur. No matter how many questions are asked and precautions taken, ultimately a sexual crime will come down to one person's word versus another's. The new policy would simply shift the questions to "Did Partner A ask before he or she initiated?" and "Did Partner B give consent before Partner A initiated?" instead of "Did he or she rape you?"

Proving or disproving sexual assault will never be simple. And throwing some formal language and regulations into the mix won't make the process any easier.

On a wider level, the new policy is glaringly impractical; no one will follow it. Sex is not only inherently private but most often spontaneous. Asking for permission just doesn't happen and won't happen — at least not in so many words. Even authors of the new policy admit that believing its rules will be followed by most of the student body is close to delusional. Fortunately, common sense has prevailed somewhere. At small Antioch College where it all began, they recently changed their policy to include "non-verbal, verbal, physical gestures or other previously agreed upon communication" as consent. In other words, sexual permission — as right-minded, ordinary students perceive it — was finally included in the policy.

Until changes similar to this one are implemented into the new policy, displaying some level-headedness and respect for the nature of most sexual encounters, the University will be making a mistake.

The world of sexual assault is an extremely terrible and confusing one and can only be fought by taking equally extreme measures. Some aspects of it, like prosecution, may never be solved. But by being extreme in our solutions, we can't forget how to be smart.

This editorial represents the opinion of the Emerald editorial board.

LETTERS

No fear

This is concerning Rodney Schaffer, the "smart and safe" doctor who wanted to remind the lone, young and vulnerable women of the University that they are not safe (ODE, Oct. 21). How is it that he can run where he likes, yet women cannot?

Being a woman, I never "took back the night" because I never denied my freedom in the first place. I stay at work after dark and make evening runs to the grocery store or to meet friends for coffee. My morning runs and evenings have always been a time of peace and unwinding for me. I will not give that up.

Who says it is my own fault if I am attacked? Do you? Why then am I to take the blame and not the attacker? If I lived in fear the rest of my life, I am still not guaranteed to be safe. I will not live in fear because someone tells me to. Statistically, I am more likely to be assaulted by someone I know, and I have known women who have experienced this to be true.

Schaffer did not indicate whether he ran at night or during the day. Regardless, as his letter stood, the tone was condescending and full of blame and fear on the part of women.

Sita Perez
English

Voting will

Even the Krishnas and panhandlers have been outdone this year by the fervor and intrusiveness of the student voter registration drive. I would like to remind the student body that no one is compelled to talk God or give change and that registering to vote does not compel one to participate in this election.

If you are unhappy with the presidential choices selected for you by faceless party officials, advertising agencies and their business sponsors, or if you are apathetic about politics in a world ruled by money and bullets, not votes, then refusing to vote is a legitimate option. You may refuse to choose the lesser evil.

Your duty is not to cast your ballot as the University's "Register & Vote" propaganda claims, but to do with it as you see fit. You may write in your own candidates, "none of the above," or any other comments. Or you may refuse to cast your ballot at all.

I won't be wasting my vote on a system that elects unwanted bosses and decides irrelevant issues, and I reserve the right to complain. Feel free to join me.

Jesse Harrington
Journalism

SETA table

Students for the Ethical Treatment of Animals invite you to take advantage of a rare opportunity taking place on Oct. 30-Nov. 1. In the EMU main lobby, we will have a table where we'll be accepting any cosmetics and toiletries that were tested on animals. Then in protest of animal testing for vanity, we will send these products back to the companies

along with a petition you can sign to make a stand against these cruel tests. We will also be providing cruelty-free shopping guides and other information.

Animal tests are painful and extremely inhumane. We want to call attention to the fact that there are a number of cosmetic and toiletry companies that don't test on animals, which proves that these acts are undoubtedly unnecessary. This is a perfect way to become an educated and conscientious shopper. So stop by!

Megan Petersen
Psychology

LETTERS POLICY

The Oregon Daily Emerald will attempt to print all letters containing comments on topics of interest to the University community. Letters to the editor must be limited to no more than 250 words, legible, signed and the identification of the writer must be verified when the letter is submitted. The Emerald reserves the right to edit any letter for length or style.

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