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# OPINION

editorials, letters, commentary and perspective

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## Smoke screen shields industry from lawsuits

■ **OUR OPINION:** *The recent deal about cigarette production doesn't do enough to punish the industry*

In America, most murderers don't get off easy. Brutal crimes tend to receive brutal punishments.

Given that vindictive tendency, one might expect an industry that has condemned an estimated 45 million Americans to greatly increased risks of lung disease, heart problems and cancer would receive some sort of punishment. Instead, tobacco industry lawyers and state attorneys general have negotiated a deal that does too little to stop smoking and punish cigarette producers.

The agreement calls for cigarette makers to pay \$368.5 billion for health care and anti-smoking education programs. Granted, that's a lot of money, but the sum is slight compared to industry profits. Additionally, payment is spread over 25 years, ensuring the companies involved can continue to report healthy profits to their stockholders.

In addition, the Food and Drug Administration will begin to regulate nicotine and be able to reject the use of any new ingredients in tobacco products. However, the FDA cannot ban nicotine until 2009. Despite this, the ability of the government to oversee the ingredients used in cigarettes is important; allegations of chemical "spiking" to make cigarettes more addictive was one catalyst for the string of lawsuits leading to this settlement.

If the agreement ever leads to a signifi-

cant reduction in tobacco use, it will be because the FDA eventually bans nicotine, the primary addictive substance in cigarettes. Considerably less worthwhile are bans on outdoor advertising and the use of human and cartoon characters in all tobacco ads. People learn to smoke from friends and relatives, as well as by seeing romantic images of smoking in entertainment. No ad ban can solve this influence.

Instead, such a ban raises First Amendment concerns. While the censorship is voluntary, companies may not wish to continue the ban indefinitely, at which point questions about free speech could arise and further complicate the deal.

Additionally, the government has also imposed a questionable restriction upon the ability of individuals to sue for damages. The compromise halts lawsuits by the states as well as several class action lawsuits by groups of smokers. The states will receive money for health care costs, but the individuals will go away empty handed.

Future lawsuits by citizens will be restricted to individual suits, thus pitting one person against the financial and legal might of a major company. Moreover, if such suits are successful they can still only result in compensation for the costs of

smoking-related disease; litigants cannot receive punitive damages. Such restrictions do not adequately punish the companies and are of dubious legality.

The compromise has lofty expectations about the reduction in juvenile smoking it will achieve. The industry will be fined millions of dollars if youth smoking has not dropped 60 percent within ten years. Again, such fines are inadequate, and such predictions underestimate the allure of smoking to teens looking for a way to rebel.

Until the government takes action to restrict the addictive properties of cigarettes and to stop the indiscriminate marketing of cigarettes overseas, tobacco companies will continue to rake in huge profits. Worse, with the new settlement, those profits are protected from legitimate lawsuits by people deceived by industry cover-ups of the true health risks of its product.

*This editorial represents the opinion of the Emerald editorial board.*



Photo illustration by CHAD PATTESON/Emerald

### LETTERS

#### Alcohol concerns

I am writing to express my concern about the new alcohol policy the University greek system is looking to adopt. Simply stated, the new policy says all persons over the age of 21 are allowed to bring a dozen twelve ounce beers or wine coolers for their own consumption. They will receive a numbered bracelet that indicates how many beverages they have and then the alcohol will be placed behind the bar. When the person would like a beverage they then take a number off of the bracelet and receive a drink. There will also be no hard liquor allowed at fraternity and sorority functions.

Currently, when a person over 21 enters a function, they receive a bracelet that shows that they are allowed to drink alcohol. When they would like a beverage, they are allowed to have anything that is provided at the function.

A few functions have used the new alcohol policy, which is scheduled to go into effect in the fall. These functions have had disastrous results. Many people opted not to go to these parties and those who did attend spent most of the time in a private room at the fraternity house where there was no security or regulations concerning the consumption of alcohol.

The money that both the fraternity and sorority spend on security and entertainment is wasted since no one is there to utilize it. These parties also segregate people instead of bringing them together because individual room parties do not include everyone, and if a person does not know anyone they are left to enjoy a lifeless party with no one to get to know.

In theory, the policy may be positive, but the actual results do not accomplish the goals it seeks to achieve. Taking away a provider does not solve the problem of underage drinking, which is one of the main objectives of the new policy. If people are not able to get alcohol at a function they are just going to go to other sources. Parties

providing alcohol to minors will not end with the policy.

Many problems concerning alcohol that can have severe repercussions in the future are being oversimplified with the greek system's new alcohol policy. Instead of implementing a policy that will bring about more harm than good in inter-sorority and fraternity relations, alternative options should be examined. In short, this policy is an extreme reaction to a problem that is not even that severe in the greek system. Therefore, I feel the new policy should not be put into effect and other ways of discouraging drinking should be considered.

Jenna Durum  
Beaverton

#### Disturbed

I am writing in response to the article about the rape of a University student in the May 27 issue of the *Emerald*. Hearing information like this makes me not want to be a part of the male gender. I say this because I am a facilitator in women's studies, and I have seen what the male gender has done and is doing to the women of our world.

Men do not know what type of damage they are doing when they participate in sexist jokes, staring at pornography, sexual assault and other forms of sexism. Men may not realize that talking about women in a sexual way, as if they were a piece of property, and staring at the bodies of women in such magazines as *Playboy* are harmful to women. This view of women makes some men think rape is acceptable because looking at *Playboy* and attending strip bars allows men to think women are there for pleasing men. Once men get this type of mentality in their heads, they are more likely to rape a woman.

What it does not say in those magazines is that by reading them the chain of effect: If it is okay to stare at them then why isn't the next step — for instance, rape — okay? And who is to say

where harmful actions are to end. It just promotes abusive actions to some men, and it is wrong to think these actions are acceptable. As a male I am tired of hearing about men abusing, beating and raping women.

The sad part of all this is that there are males out there who do care and would never even think about raping a woman, but every time another male does rape, beat or abuse a woman then the rest of us are stereotyped. I am not saying the women are to blame for the stereotyping of men, although I am caught, and so are other men, in the middle of these stereotypes. However, it is the males who commit these acts who are ruining for the rest of us.

I think men need to show women they do care and want to help end sexism. Men do so by participating in important rallies and other forms of eliminating sexism, such as Take Back the Night, by giving the women support for their cause and by helping them fight the fight. These rallies are there to help women fight against sexism, which includes rape and domestic abuse. There are also many organizations that exist to help women in times of need, and men are welcome to help these organizations.

So, to all males out there, do not just sit there and say there is no problem, or there is nothing you can do to solve the problem of sexism, because you can do something. Next time you hear someone talking about women in a poor manner, turn to that person and let him know you don't agree with what he is saying. Another thing you males can do is stop buying porno magazines or attending pornography shops, whether it be video or live. Those institutions may be there for your pleasure, but think about all the harm they do to women. So, please just think about what you say and do before you participate in those actions, and help stop the sexism in our world.

Sean Hollitz  
Eugene

#### Quoted

"Prostitution has been the splendid discovery of my middle years."

Gerald Hannon, journalist and prostitute, in the January/February This Magazine.

"We're in the middle of seeing if we're going to pull this off. There are enormous growth pressures. The money machine is relentless."

Lenny Pee, part of the Coalition for a Livable Future, talking about the anti-sprawl battle that led to Portland's being named on of the 10 Most Livable Cities in the May/June Utne Reader.

"Global capitalism is itself a reactionary system, despite the dazzling technologies of the so-called information age, for it drives human societies backward to face social questions we thought had been resolved."

William Greider, political pundit for Rolling Stone, in One World, Ready or Not.

"White-collar criminals do not really deserve to go to jail. Prison is expensive and, for such criminals, serves no useful purpose."

From Ronald TerMeer's handbook for white-collar criminals, quoted in the July issue of Harper's. TerMeer served 18 months for embezzlement.

"I think some mercy should be shown to you and other defendants in this case."

Florida Circuit Judge Bob Mitcham in Saturday's Oregonian. Mitcham sentenced three people to 15 years in prison each for stealing a stop sign at an intersection where three other youths later died in a collision.