

CONTACTING US

NEWSROOM: (541) 346-5511
 ADDRESS: Oregon Daily Emerald
 P.O. BOX 3159
 Eugene, Oregon 97403
 E-MAIL: ode@oregon.uoregon.edu
 ONLINE EDITION: darkwing.uoregon.edu/~ode

PERSPECTIVES

EDITOR-IN-CHIEF
 Sarah Kickler
 EDITORIAL EDITOR
 Mike Schmierbach
 NIGHT EDITOR
 Holly Sanders

Don't make excuses for sexual assault

AN EMERALD EDITORIAL

The Register-Guard was wrong to focus on the sexual history of two students who claim they were raped

The Register-Guard pledges on its editorial page to be "candid but fair and helpful in the development of constructive community policy." In a Dec. 19 editorial, the Guard was certainly candid, but the only thing it helped develop were flawed attitudes about sexual assault.

The Guard was writing about the case of Danta Graham-Preston, a University student who was suspended by the school on the basis of two separate charges of sexual misconduct. A hearings board considered the charges and ordered the suspension, a decision that was recently upheld by the University Appeals Board.

According to the Guard, this suspension and the case as a whole represent a "miscarriage of justice." We don't claim to be familiar with the specific claims of the case, and we certainly wouldn't decide upon its merits without having been present for all testimony. Nevertheless, we have serious objections to certain aspects of the editorial.

Whether the Guard is right in saying this particular case is unfair, the arguments it gives to defend Graham-Preston are profoundly flawed and even offensive. The editorial focuses upon the past sexual contact that took place between the accusers and the accused, something all parties confirm happened.

This contact is irrelevant. Both women claim Graham-Preston engaged in sexual intercourse with them without their consent. In addition, both say they told Graham-Preston, either at the time or earlier in the evening, that they did not wish to have sex.

The question the hearings board needed to answer was simply whether these claims are true. The Guard obviously thinks the claims are false. Fine. Newspapers and the public as a whole are always welcome to debate about hearings and court cases.

The Guard goes beyond simply arguing the claims are false, however. According to the Guard, this case would not have gone to criminal trial and lacks legal merit because "the acknowledged prior sexual intimacy and the voluntary nature of the overnight visits in both cases would destroy the credibility of any charge of sexual assault." In short, the Guard is suggesting that either the women lied or that what they say happened would not be considered rape.

False claims of rape do occur. According to the November/December Columbia Journalism Review, the FBI estimates that roughly 8 percent of rape reports are false. That means, of course, that the vast majority of rape claims are true.

Moreover, according to a 1993 Senate Judiciary Committee report, only 16 percent of rapes are reported to the police. Despite the Guard's suggestion that the women would have gone to the police if their claims were legitimate, the fact is many women are reluctant to report rape for a number of reasons.

According to that 1993 report, one of the biggest reasons is that 69 percent of rape victims worry people will blame the victim. With its rhetoric about destroyed credibility and its emphasis on past sexual intimacy, the Guard is helping to perpetuate the mentality that leads to this reluctance on the part of victims.

If the Guard wants rape claims to go through the justice system and receive the fair treatment it apparently believes occurs there, it shouldn't insult rape victims, women and society as a whole by continuing to use the tired and destructive "she asked for it" attitude. A 1985 survey by Mary Koss found that 84 percent of rape victims knew their assailant and that 57 percent of rapes occurred during dates.

This survey and others with similar results suggest the circumstances of the case, far from destroying the credibility of the claims, are similar to incidents of confirmed rape. It is not uncommon for people to remain close to those with whom they were once sexually intimate. It is not uncommon for people to spend the night at a friend's house or even in a friend's bed without there being any sexual context.

All that matters in claims of rape and sexual assault is whether both parties were capable of giving and gave explicit consent for physical intimacy. If the victim said no, it doesn't matter how many times he or she might have said yes in the past; it doesn't matter what the person is wearing or where he or she is sleeping. Rape is, as Elaine Green, associate dean of student life, said, "Simply about an issue of 'no' means 'no'" (ODE, Jan. 5).

It is precisely to clarify such issues and set a clear standard of consent that the University passed its new conduct code. While Graham-Preston is being tried under the old code, the focus of the case or any such case should still be on the question of consent — a yes or no question.

Nevertheless, many people still believe that rape can somehow be justified if you find enough excuses. Jerry Lidz, Graham-Preston's attorney, said women

shouldn't "tempt biology" by sharing a bed with a man. The Guard goes into great detail about prior sexual acts, telling its family audience that one of the accusers "on occasion ... had oral and anal sex with the man." In other cases, lawyers and reporters emphasize what a woman was wearing, where she was walking or whom she had had the "poor judgment" to speak with.

As a society, we cannot afford to continue to hold such ideas. The Koss survey indicated that 15 percent of women in college will be raped and that another 11 percent will be the victims of attempted rape. The key to reducing the number of these horrific events is teaching people not to make excuses for rape and mentalities that accept rape.

The particular case at the University may or may not fall within that 15 percent. The Guard asked University President Dave Frohnmayer to take up the issue. When and if he does, Frohnmayer needs to consider only the question of consent, not the relationship between the parties in question. To do anything else would be to succumb to the ignorant attitudes the Guard endorsed in its editorial.

This editorial represents the opinion of the Emerald editorial board. Responses may be sent to ode@oregon.uoregon.edu

LETTERS TO THE EDITOR

Recognize donation reality

The letter from Claudia Villena (ODE, Jan. 5), which labeled as "misleading" my comments about a recent student protest on so-called corporate influence, deserves a response. I present it here, in the faint hope that repetition of the truth somehow will overcome the consistent and, on occasion, purposeful distortion of fact.

To head the long list of errors cited as fact, University President Dave Frohnmayer has not received a "\$1 million salary increase." My, that would be news! In fact, President Frohnmayer has received no salary increase at all from the Knight gift, which was given from private, not corpo-

rate, sources. There is provision for the eventual creation of a Knight Chair for all University Presidents, which would amount to an average \$40,000 supplement to salary, expenses or programmatic support. In any case, such increases would require the approval of the state system's chancellor. No such chair has been put in place yet, as the first 15 Knight Chairs are still in the process of being funded.

I must add that the editors of the Emerald should be more careful readers of letters sent to them. The ludicrous nature of Villena's statement deserved an immediate postscript from them, which is common journalistic practice in alerting the public to such errors.

Given her inability to recognize fact, it makes my assessment of her other allegations problematic. I would appreciate receiving specifics from her about which corporate ties — exactly — have bound us so? It has been my long experience, as professor, dean and now a vice president that donors have been reluctant — even shy — about receiving notice and honor for their quiet philanthropy. Villena wants to create a student group to review private donations made to this university; no doubt she is unaware that in the first five years of this capital campaign, which has made transforming support available to students, faculty and our many programs, more than 150,000 donations have been received. Of

those, fewer than 9 percent came directly from corporations — frequently as gifts to match those of private donors.

It's time to face the truth, Villena. Many students and faculty I talk to regularly are fed up with the constant agitation that takes place on this issue. Like me, they realize the dialogue from these groups that want to "save" the University ranges from disingenuous to dishonest. The real heroes here are the thousands and thousands of alumni and friends who want nothing more than to make our University a stronger place — and to do it without notice or favor.

Duncan McDonald
 Vice President, Public Affairs & Development

DRAWING BOARD

