

PERSPECTIVES

Reasonable doubts?

The jury needs to focus on the facts in a landmark abortion case

In a country that so prides itself on free and open discourse as the United States, it seems ridiculous that people turn to violence as a means of self-expression.

Sadly though, they do.

Wednesday a Portland jury began deliberation in *Planned Parenthood v. American Coalition of Life Activists*, a case that many agree will have far-reaching implications in the national debate on free speech and abortion.

At issue in the case is whether a series of anti-abortion materials that features information about abortion doctors — Wanted-style posters, a “Deadly dozen” list of abortion providers and a

Web site called the “Nuremberg Files” — constitute a threat to the safety of those doctors.

Legally, these materials have been difficult to stop because they avoid language that implicitly calls for violence, which places them under the wide umbrella of free speech.

But the principle of free speech has always been a difficult one. The fact that doctors and clinic workers who have been featured on the posters and the Web site have been wounded or killed certainly does muddy the waters.

The Web site is of particular interest in this case. While the site does not call for violence against abor-

tion providers outright, it does proclaim them guilty of “crimes against humanity,” lists their full names, the cities in which they practice and the names of their spouses and children.

The most disturbing aspect of this site, however, is the one that is most cited by the plaintiffs and the media. When one of the people listed on the site is wounded, the name is listed in gray. When one is killed, the name is crossed out and noted as a fatality.

It is not just tactics like this that make the site and the other materials threatening, argue the plaintiffs. This is where things get sticky. Their argument is that the current climate of the abortion debate is so charged that anything that advocates violence toward abortion providers, even indirectly, can be construed as threatening.

This is the issue the jury has taken up.

Violence against abortion providers and their families is reprehensible and should be punished to the fullest extent. But if Planned Parenthood or anyone else believes that the violence will end if the “Nuremberg Files” Web site is taken down or if anti-abortion groups are prohibited from producing and distributing posters, they are mistaken.

The criteria the jury must apply to this case is whether a “reasonable person” would view the materials as a threat.

If the jury finds in favor of the plaintiff, it will send the message that the perception of the doctors has more credence than the intent of the anti-abortion activists — whatever it may be. This would open a door that a society that prizes free speech should be wary of walking through.

This is a case where, more than anything else, the jury needs to be focused on the central issue. We hope they will find it beneath the layers of rhetoric, emotion and subjectivity.

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



Bryan Dixon/Emerald

Letters to the Editor

Bike theft

Your article on theft (ODE, Jan. 22) noted that bike theft is a problem on campus. The good news is that we can reduce bike theft by doing a few simple things. First, DO NOT use a cable as the primary means of locking your bicycle. Cables are just stands of wire that are very easy to cut. A cable will attract a would-be thief while a solid steel U-lock or O-lock will most often deter one. Second, lock an enclosed part of your bike's frame — not

just the wheel. Third, register your bike. It is required on campus. In case your bike is stolen and recovered, the registration provides us with a way to locate you. Registration is available at the Office of Public Safety (OPS) and it is free. If you have any questions about how to reduce the chances of your bike being stolen or vandalized, please contact me at 346-5425 or email: bikes@oregon.uoregon.edu

David Niles
University Bicycle Coordinator

Editorial accurate

Regarding the editorial article entitled “Who's watching the kids?” (ODE, Jan. 26): This very accurately represents the issue at hand: that hundreds of students here at the University are struggling to keep their heads above water when it comes to balancing school, work and caring for their children, not to mention the countless other factors that affect all of our lives.

Although some may feel detached from this issue, I can guarantee that it

affects all of us, whether it's yourself, a friend, family member or even that person who sits next to you in your 11 a.m. class. Please ask yourself what you can do to help. Simply volunteering a couple of hours at the ASUO can make all the difference in the world. That is what I did, and I have come away with a satisfaction that far outweighs what I put in.

Devon Streed
Freshman
Political Science

Thumbs



TO MORE MONEY:

The University's plan to offer automatic \$1000 and \$2000 scholarships to incoming in-state freshmen with high grades should go a long way toward attracting top students.

TO CUTTING SOME SLACK:

Though they don't want it to happen again, the Chinese government allowed the results of a recent township election to stand, even though it took place without formal government approval.



TO REMOVING RIGHTS:

A recently proposed bill in the Oregon Legislature would make it illegal for teachers to go on strike.

TO MOVING BACKWARD:

Some Oregon restaurateurs are seeking exemption from paying their employees minimum wage. At \$6.50 per hour, Oregon boasts the highest minimum wage in the country.