

Confusion abounds over the WRC question

■ A Columbia University law professor claims the WRC already meets University requirements

By Andrew Adams
Oregon Daily Emerald

The legal fog surrounding the Worker Rights Consortium became even thicker Monday, when a WRC official issued a statement saying the organization has already met the University's conditions for membership.

University President Dave Frohnmayer said in an Oct. 25 statement that the University could not pay its membership dues because the WRC was neither an incorporated entity nor had tax-exempt status.

Citing a legal opinion written by University Counsel Melinda Grier,

Frohnmayer also said the University could not move ahead with joining the WRC because of state laws governing the University's contractual powers and liability issues.

But Mark Barenberg, a law professor at Columbia University and chairman of the WRC Board of Directors, released a statement responding to each reason why the University said it could not pay an invoice for membership dues to the WRC.

Barenberg made his statement to clarify the WRC's position in the hopes that "the president of the University of Oregon will reconsider his decision and will honor his commitment to affiliate with the WRC."

He then stated that the WRC is "a fully certified corporation, incorporated pursuant to the not-for profit corporation law of New York state," and that the "purposes and activities of the WRC fall well within the federal requirements of a ... tax exempt organization."

Two of the main reasons for the University's decision not to pay the WRC membership dues arose from its belief that the organization had not

become an incorporated entity and that it did not have non-profit tax status.

Barenberg replied to those points, as well as to University's chief argument that it could be held liable for the WRC's actions.

"The WRC is not a membership organization," he writes. "Universities which contribute to, and affiliate with, the WRC are therefore not legally liable as members for any conjectured legal liabilities that the WRC may incur."

Frohnmayer returned to Eugene after attending a medical symposium in the Netherlands and said he stood by his decision despite Barenberg's assertions. He said the University was bound to Grier's opinion, which has been publicly confirmed by the state Attorney General's office. To pay the WRC, Frohnmayer said, would be a violation of state law.

"We don't have any choice in the matter," he said.

He said that while Barenberg may be highly educated in law, his arguments are only assertions, and the University can't ignore its general

counsel in matters regarding the WRC.

In regards to Barenberg's argument about the University not being held liable, Frohnmayer said it was open to interpretation.

"Notwithstanding an organization's attempt to shield its members, a court could impose liability anyway," he said.

Frohnmayer added it would be highly irresponsible to expose the University to even the slightest chance of the "significant, if not crippling" liability that could be incurred through WRC actions in foreign countries, which have different court systems than the United States.

While reaction on campus to the impasse between the WRC and University has been subdued, a few faculty members and students have expressed their confusion about where exactly the University stands on the issue.

Frohnmayer said progress in the relationship between the two largely depends on how the WRC responds to the University's criticism.

"We've been trying to work with

them since last April, and much of our correspondence hasn't been responded to," he said.

He said issues over the group's refusal to allow input from the garment industry and its lack of openness to the press still remain unresolved, and new issues have just been raised.

Philosophy professor Cheyney Ryan, co-chair of the Faculty Advisory Council that meets with Frohnmayer each week, said the council had not discussed the matter officially, but said he personally thinks the issues surrounding the WRC need to be clarified.

"One thing we're just trying to get clear ... is what the University's concerns about the WRC are, and what [its] position is," he said.

He said the recent flare-up of disagreements between the University and the WRC doesn't make sense, given the long process it has taken to join in the first place.

"It's obvious the WRC is a group in formation, but that's something we've always known," Ryan said. "I don't understand why now that is a problem."

Genetic rally

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He said when people consume these "marker genes," which are often bacterial genes, it may reduce their antibodies' ability to fight off disease, because the diseases will figure out how to get around the antibodies.

OSPIRG has a long history of defending the consumer right to know and protecting the health of consumers in public health issues.

Jessica Smitana
OSPIRG

However, he said "the only studies that have been done [on whether these bacterial genes lower antibiotic resistance] were done on rats."

Tuesday's event was one of many events sponsored by the Oregon Student Public Interest Research Group this year about health, the environment and consumer safety.

"OSPIRG has a long history of defending the consumer right to know and protecting the health of consumers in public health issues," said OSPIRG organizer Jessica Smitana, speaking about why the rally was organized. "People need to be informed that these products are out there, and that they represent a potential risk."



Calendar

Wednesday, Nov. 1

— Film: Sergei Paradjanov's "Shadows of Forgotten Ancestors." 6:30 p.m., 115 Pacific Hall. Free.

— Literary arts: Ralph Salisbury signs copies of "Rainbows of Stone." 7:30 p.m., Knight Library Browsing Room. Free.

— Film: "The Canterbury Tales," 1998 version of Chaucer's classic work. 7 p.m., 180 PLC. Free.

— Lecture: Carol Silverman discusses "Gender Display in the Diaspora: Performance and Music Among East European Roma (Gypsies)." Noon, 330 Hendricks Hall. Free.

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