

Commentary

# Commentary about homosexuals didn't rise to level of hate speech

In the three years I have been working at the Emerald, I have never once shied away from honestly expressing my opinions. I think this is a good thing — the world would be a better place if people would be more upfront with each other about what they think is right and wrong.

I'm about to do it again, although it may not be an answer some of our readers want to hear. So what's the question? Well, on Friday, we printed a guest commentary by Vincent Martorano ("Homosexual men should hide their disgusting acts") that has created a bit of a ruckus.

I have received e-mails and phone calls about the piece, some supportive and others admonishing me for printing it. For the record, I directly decide what to print on the Commentary page every day. So far this year, we haven't rejected any submissions based on content.

Before I gave it the go-ahead, I scrutinized Martorano's piece and gave extensive thought to the pros and cons of running it. The arguments I've heard against publishing the piece run like this: It was homophobic, it creates an environment for hate crimes, it was poorly argued, it was a personal attack — and we would never have run the piece if it picked on some other group,

such as people of color.

I considered those issues, and in this particular case, I respectfully disagree. I am gay, I have been the target of homophobic violence, and I agree that our community standards shouldn't include allowing people to express hatred toward any individual group.

However, Martorano's piece does not rise to that level. He does not express hatred or include any sort of call to action against homosexuals (whether a physical attack, a legislative change or anything else); rather, he offers his own opinions about homosexuality — that it is morally wrong, and as such, that seeing it displayed publicly offends him.

Do I disagree with him? Absolutely. There are logical holes in his argument, and I think his opinion displays an incredible amount of ignorance. But it isn't my place as a newspaper editor to say he doesn't have the right to say it in public.

Actually, I am offended by the number of open-minded, tolerant people who have said that Martorano should have been silenced. I would agree if he had told others to be violent. Interestingly, we received two items of feedback on our Web site suggesting violence against Martorano. Even if in jest, such suggestions are inappropriate, and as soon as I discovered them, I removed them.

I readily acknowledge there is a fine line between hate speech and one's personal disapproval of others. It's a difficult rope on which to balance, but the U.S. Supreme Court has set a high bar for determining

what qualifies as hate speech, and I agree with that principle. (For a further discussion of this issue, see the American Civil Liberties Union's "Hate Speech on Campus" at <http://www.aclu.org/FreeSpeech/FreeSpeech.cfm?ID=9004&c=87>).

I am a big fan of John Stuart Mill. One of my favorite parts of his "On Liberty" is Chapter IV, where he talks about the proper authority of the public to legislate or disapprove of personal conduct. While we should not have the right to make illegal personal conduct that does not involve others, Mill argues, we have the right, and perhaps the duty, to tell people when we think their behavior is wrong.

That's the joy of this entire situation. Here's an opportunity to express to the community different, contrasting opinions about homosexuality. So step forward and tell Martorano that he is wrong. Educate him, make friends with him, tell him his ideas are ignorant — if that's what you believe.

But please don't say I should have told him he wasn't allowed to express his opinion. After three years of speaking my mind on the Commentary page, I would have been hypocritical to do so.

P.S. Letters and guest commentaries about this topic are forthcoming, and many of them were written before I wrote this column, so they aren't necessarily engaging my argument directly.

Contact the editor in chief at [editor@dailyemerald.com](mailto:editor@dailyemerald.com). His opinions do not necessarily represent those of the Emerald.



**Michael J. Kleckner**  
The editor's office

## Gleason commentary shows loyalty to Nike

### Guest commentary

Journalism Dean Tim Gleason's May 1 commentary ("Ruling against Nike would have chilling effect on speech") is a blatant testimonial to just how far University officials will go to kiss Phil Knight's pinkie ring as if he were the Godfather.

I'm simply baffled about the controversy over the Nike v. Kasky case. It all seems extremely clear-cut to me. Nike is first and foremost a money-making machine. Whether it's a 30-second shoe commercial or an image-boosting public relations campaign, the company is still trying to sell products. I am glad that false advertising is prohibited, and it needs to stay that way.

Don't get me wrong: I totally don't agree that corporations should be silenced in debates of great public interest — overseas sweatshops, for example. But we cannot ignore Nike's intentions. They don't want a bad reputation because they don't want a drop in sales. If they choose to give an opinion about labor conditions, it's completely understandable and should be warmly welcomed. However, the campaign in question strongly asserted so-called facts about the manufacturing of their

products, not political opinion.

The most disturbing aspect of Gleason's argument is he implies that corporate executives should have free reign to lie all they want. If the "facts" in the Nike campaign were substantially true, the whole case would be a non-issue. But now it comes down to whether or not the court will allow them to lie.

Don't take my word for it. Gleason basically admitted it himself. He hopes the court will "demonstrate its belief in the ability of the journalists and the public to sort out truth and falsity in the marketplace of ideas." Translation? It's not the responsibility of corporations to accurately represent their products and practices. It should be left to the public to play guessing games. Oh yeah, that sounds ethical.

Gleason thinks that business sources will have to resort to "no comment" when speaking to journalists if Kasky wins his case. Well, if they become speechless because they are not allowed to give out completely false information to the public, then so be it.

I may be old-fashioned, but I still believe if you can't say something honest, don't say anything at all.

Lori Musicer is a senior journalism major.

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