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■ In my opinion

Morality police assault free speech

Under the leadership of chairman Michael Powell, the Federal Communications Commission has lost its bearings as the protector of America's airwaves. Instead, it has taken on the role of morality police, responding to the arbitrary whining of the religious right.

Powell, the son of lame duck Secretary of State Colin Powell, has presided over a cynical and opportunistic assault on free speech. Powell's campaign began in earnest after the exposure of Janet Jackson's nipple at the Feb. 1 Super Bowl. The "wardrobe malfunction" cost CBS \$550,000 and probably drew more attention from Americans than the genocide in Sudan.

Perhaps the most publicized flap was a Monday Night Football promotion for the ABC show "Desperate Housewives" in which actress Nicolette Sheridan, seen nude above the waist from the rear, leapt into the arms of Philadelphia Eagles wide receiver Terrell Owens. The incident caused an outrage that resulted in more than 50,000 complaints to the FCC. The FCC has not yet sanctioned ABC for the skit, but Powell has appeared on TV to Kimberlin about it.

The FCC's censorship campaign continued last week with the agency levying a record \$3.5 million fine against corporate radio giant Viacom for racy content on its Opie and Anthony Show. The program's broadcast of a purported sex act in New York's St. Patrick's Cathedral crossed the FCC's vague line of "indecentcy." Opie and Anthony was quickly pulled off the air following the incident and has since joined XM Satellite Radio.

Similarly, the FCC has led Howard Stern, a frequent target of the



CHUCK SLOTHOWER
TAKING ISSUE

agency's indecency actions, to abandon public airwaves altogether and join a satellite radio station. Stern's show isn't a huge loss to the public airwaves, but it raises a red flag when people on the edge of culture begin abandoning media to avoid censorship.

The FCC's campaign has already had a chilling effect on television. Sixty-five ABC stations refused to air Steven Spielberg's World War II film "Saving Private Ryan" on Veterans' Day, fearing possible FCC sanctions. This is slightly more damaging than Howard Stern's loss. Shock jocks are one thing, but when TV stations feel compelled to airbrush history to appease the FCC, we have a problem.

The FCC's campaign represents an unholy alliance between a regulatory agency of the executive branch and the religious right. Essentially, a few self-appointed guardians of public morality — Powell, his two consistent allies on the commission and religious conservative groups such as the Tradition Values Coalition — have effectively been given a veto over the First Amendment. This is a turn of events that could not have been foreseen by the founders of this nation, who thought free speech was so important that they made it part of the First Amendment to the Constitution. It was part of the purpose of the First Amendment to guard free speech from the

whims of a moody public.

The FCC's charter provides its own contradictions. It holds that "whoever transmits over any cable system any matter which is obscene or otherwise unprotected by the Constitution of the United States shall be fined not more than \$10,000 or imprisoned not more than 2 years, or both." It also maintains that nothing in the FCC's charter "shall be understood or construed to give the commission the power of censorship" and that the agency may not "interfere with the right of free speech by means of radio communication." In effect, it gives the FCC the power to regulate obscenity but not to censor.

This inherent contradiction plays out now by giving the FCC the power to impose huge fines after the fact, but not to censor anything before it is broadcast. This inevitably results in a chilling effect, which leads to the bland, inoffensive programming we see and hear on the radio and TV every day.

The idea of free speech lies at the heart of America. The idea of federal regulation protecting public morality came much later. In any contest between the two, free speech must win. In the end, Nicolette Sheridan's naked back doesn't hurt anyone. Censorship can. European programming proves that TV can show nudity and edgy programming without the sky falling.

The first step in fixing this situation would be removing Powell, who has become an embarrassing publicityound. The second would be a congressional law or executive order that would resolve the contradiction inherent in the FCC's charter.

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■ Editorial

Unstable Iraq is not ready for democracy

In just over two months, Iraqis are scheduled to participate in national elections. United States officials have expressed confidence, at least publicly, that the elections will proceed as planned.

"We're working hard on it," Secretary of State Colin Powell said Monday. "The U.N. has increased its presence. There are thousands of Iraqis who are working on registration and getting ready for the elections."

But a growing number of political leaders in Iraq, mostly members of the Sunni religious minority, are demanding a delay. They say that continuing violence and instability in the so-called Sunni Triangle, and elsewhere, make free and fair elections impossible.

This month, U.S. troop deaths in Iraq are approaching a record high. As of Monday, 133 troops had died, according to the Associated Press.

Shiite majority parties say this is simply a Sunni political stunt designed for them to hold onto power for as long as possible. Sunni Arabs make up about 20 percent of the population. Two Kurdish parties have also come forward in support of delaying the elections if other parties desire a delay.

Iraq needs elections — it is the first step toward freedom. If those in the Sunni heartland choose to boycott the elections, as they have threatened, or simply cannot participate in elections due to violence, Jan. 30 will go down in history as a huge step backwards. If you think the country is in chaos now, you would be right, but it is nothing compared to the chaos that would follow an election deemed rigged.

The last thing America needs is to be connected to an Iraq government that is viewed as illegitimate or a pro-U.S. puppet. President Bush should delay the Iraq elections, even by a year if necessary. Time is needed to negotiate with minority parties, quell the insurgency, train Iraqi forces, increase U.N. participation and set up the infrastructure necessary to hold truly democratic elections.

INBOX

'ASUO scandal' reports equate to tabloid trash

I am appalled at the uproar the ASUO has suffered over the drinking infractions at Sunriver. This minor infraction of rules would have resulted in a simple resolution in any legal court. Because the ASUO is responsible for self-regulation in these cases, the mandate for radical punishment of offenders comes from all angles. This fails to serve the student body of the University.

Every hour our student representatives spend trying to mollify the bloodlust of the Emerald is taking away from the execution of their offices. The Emerald itself claims that "... members' relentlessly immature actions prove they don't deserve to be treated as serious politicians — or as adults for that matter." Yet nothing published thus far has shown that these activities, in any way, negatively affected the senators' ability to do their jobs.

When the ASUO maturely brought this issue to a press conference to avoid a repeat of last year's controversy, it made no difference in the calls for extreme action. If the ODE is interested in benefiting the student body of this

university then bring issues of interest to light in the proportion to which they will effect the average student. If the ODE is interested only in propagating controversy and ridiculing those hired to protect those interests then refund the incidental fees that support the ODE, move off campus and take your place amongst the tabloids where you will be in like company.

David Watson
Environmental Science

Give thanks to those who make our campus beautiful

A few weeks ago, I was working so late at night that I was still in my office at midnight when the custodian showed up to begin his shift. We spoke briefly. He mentioned that he juggles classes as well as working nights, and I commiserated on the challenges of working the graveyard shift and thanked him for his efforts.

The next morning, a post-it note was attached to my computer screen with the following message: "It isn't every day that someone takes time to say thanks and show even a shred of empathy toward our line of work. Most

people turn and look the other way. Thanks, Your Custodian."

I've thought of that message many times since then and reflected on its implications for the campus as a whole. Do we, as a University community, take the time to thank the custodians, members of the grounds crew and other staff members who keep this campus running? Do you?

My challenge to everyone who reads this letter is simple. Look around. If you see litter on the ground, take a moment to pick it up. The next time you bring some food with you into a class, be sure you bring the trash out with you as well. One of the easiest ways to show you appreciate someone's work is to make a little extra effort to lighten that person's load. Notice the people who work hard to make this campus one of the most beautiful in the country. Thank them.

Julie Alonzo
Eugene

Drinking fosters hostile environments and violence

Drinking is definitely a problem for some people, and alcoholism is a very serious situation. I find that the article

addressing student drinking ("The allure of alcohol," Nov. 23) missed the point by a long shot. Drunkenness degrades the quality of human interactions and often fosters a hostile environment. Aggression, violence and sexual assault were all listed as negative effects on the community but there was a major oversight in expressing who is being violent and who is being victimized. All of us can see a mile away that when the article describes rape it means men raping women. But why ignore this fact of gender discrimination? Why gloss over reality and say that men are more apt to become aggressive when drunk and fight each other?

There are much deeper social norms at work here than the "social norm theory" that the administration uses to discourage excessive drinking. Perhaps we should begin to question the concerns of gender roles that require men to be aggressive in order to be masculine and that require women to be sexually available and used as eye candy. Could these two pervasive themes of this society be connected to create a rape culture that is greased by alcohol?

Michelle Hansen
Eugene