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■ In my opinion

Manufacturing murder?

Avoiding responsibility when best laid plans go awry is human nature. Whether the motivating factor is psychological solace or an attempt at moral coherence, things are just easier when they're someone else's fault.

This problem has likely bugged humans as long as we've been around to wrong each other (and harm ourselves) and inevitably point the finger elsewhere.

But recent years have seen a grip on American legal consciousness tighten to nearly asphyxiating proportions — not the regular avoidance of responsibility, but our willingness to accept it at a cost of clarity of reason, and more to the point, (relatively) innocent parties.

Naturally, this shift in lay philosophy has surfaced where it is most profitable: the already waterlogged legal system. Increasingly, poorly measured decisions promote a "compensation culture" that offers individuals compensation for infringement (perceived or real) on their livelihood, even if those forced to pay aren't those who should.

On Monday, the U.S. Supreme Court declined to consider dismissing a lawsuit that would hold responsible companies involved in the production



TRAVIS WILLSE
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and sale of a gun used in a 1999 rampage. Buford Furrow killed one and injured five at a Southern California daycare center. The Court's go-ahead leaves open a possibility for a bizarre, dangerous and absurd precedent.

Court records show that the gun in question, which was sold by the wholesaler to the Cosmopolis, Wash., police department, was later sold to a gun shop, where it was sold to a collector, who in turn sold it to Furrow at a gun show. The convoluted history of the gun's ownership, however, didn't stop Judge Richard Paez — of the jurisprudentially loopy Ninth Circuit Court — from opining that the manufacturer's marketing strategy creates a "supply of post-police guns that can be sold through unlicensed dealers without background checks to illegal buyers."

Even if police departments sell guns

in a secondary market, and even if some of the intermediate dealers are unlicensed, and even if background checks are for some reason skipped, and even if the final buyers can't legally make the purchase, it's inconceivable to hold the manufacturer culpable for any of this, let alone the final result of what may be others' improprieties. Moreover, if a wholesaler selling a firearm directly to a law enforcement agency doesn't constitute a reasonable firearm sale, what does?

What actually constitutes causality — in the world that the courtroom attempts to address, anyway — is a subjective point, and what makes up responsibility even more so. But this ambiguity can walk so far before it exits completely the realm of plausibility. And recognition of this fact is encoded into law. In his dissent in the circuit court case, Judge Consuelo Callahan captured this point, cautioning courts to be wary of "adopting broad new theories of liability."

Our legislature and culture should do the same, and trade a philosophy of "broad new theories of liability" for one of cleaner courts and defensible legal and ethical reasoning.

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■ Guest commentary

Embrace biases to reach neutrality

I have noticed issues around race and racism, among other systems of oppression, arising in the ASUO Senate in the past few months. There will be conflicts in any organization where people of a wide range of experiences come together, but I don't think we have been doing enough to examine these conflicts or how institutional systems of oppression are influencing them.

Dealing with race and racism can be quite stressful for those who have not dealt with it in any significant capacity before. I have been told by some white members of the senate that they have a strong fear that they might be called a racist. But there is so much fear around issues of racism that it becomes a crime to call someone a racist or to point out the racism influencing a decision. I recall several occasions when someone was called to task for bringing up issues of racism. The one who points out racism becomes the target of the debate for making "inappropriate personal attacks," and any racism, real or imagined, goes unexamined. Under such a dynamic, we remain blind to whatever racism may truly exist.

It is important to recognize that racism does indeed exist. It's such a strong, widespread system that it is impossible to not be affected by it. Even having spent years confronting issues of racism myself, I can still see where I am affected by it. We need to start with the assumption that we all, as individuals and as a student government, have been affected by

racism. Under such an assumption, we need to seek out how we have been influenced by racism and account for it instead of simply pretending it isn't there.

This has important implications for how we address viewpoint neutrality, which we are all mandated to maintain in our work. I've seen many in the ASUO attempt to maintain their viewpoint neutrality through a simple assertion that they have no biases and abstain from voting when they are paid by the group being voted on. This concerns me because it is simply not possible to have no biases. While being part of a group is a bias, never having been to that group's meetings is also a bias. People are pressured to reject any specific knowledge they have in order to attain neutrality, but that knowledge might be important to making an informed decision. Uninformed does not equal neutral.

The belief that one can have no biases is the most dangerous bias of all. We cannot leave our biases at the door. It is only when we identify our biases, acknowledge them and account for them, that we can achieve viewpoint neutrality. Accounting for a bias may mean abstaining from a vote, but it could just as easily mean acknowledging that we're not the experts in a certain area.

An unfortunate event that happened recently highlights the need to acknowledge we all have our own biases. A member of PFC, Mason Quiroz, was confronted during his office hours about his supposed conflict of interest regarding voting on

the Multicultural Center's budget. The official rules set aside for addressing conflicts of interest only apply when someone is receiving financial compensation from the budget they are voting on. Quiroz was still accused of having a conflict of interest, even though he doesn't, and never has, worked for the MCC. His supposed conflict wasn't even that he held an official capacity there. It was solely based upon the fact that he has been associated with the communities that organize around the MCC.

From this perspective, the only people capable of being neutral toward the MCC would be those who have never attended a meeting, never been to a meeting of any student union and have no connection to campus communities of color. Essentially, the only neutral perspective is the white perspective.

That is what happens when we do not seek out and address our own biases. We try to achieve a "neutral" perspective without examining exactly what "neutral" consists of. Yet, when taking race into account, it becomes apparent that there is no neutral race and there cannot be a "race neutral" perspective. Race will influence any perspective, but we must explore how it influences our perspectives and account for that, instead of simply pretending it has no effect. There is much more to explore around maintaining viewpoint neutrality. As a student government, and as a campus population, we need to be engaging in this conversation.

Toby Hill-Meyer is a student senator

■ Out loud

"I've taken some comfort at the thought that the public's memory is short." — University Vice President of Administration **Dan Williams**, speaking to the Public Relations Society of America monthly luncheon at the Downtown Athletic Club about issues concerning University development and community relations.

"This is a 60,000 square-foot building jumping around like it's on a pogo stick." — Community activist **Zachary Vishanoff** on the uncertainty of the future location for the Oregon Nanoscience and Microtechnologies Institute, previously slated for the Riverfront Research Park.

"A student who is threatening suicide every night actually is creating a crisis in the community around them." — Vice President for Student Affairs **Anne Leavitt** on students who show suicidal behaviors. State legislation has been drafted in response to a proposed University policy designed to shift the "mandatory leave" decision from health center personnel to the Division of Student Affairs.

"Get some devastation in the back." — U.S. Sen. Majority Leader **Bill Frist**, R-Tenn., to a staff photographer during his recent trip to tsunami-ravished Sri Lanka. Is this what they mean by compassionate conservatism?

"I wouldn't call it a tragedy. ... We shouldn't be spending a nickel on this." — More tsunami-inspired compassionate conservatism, this time from radio host and Satan mouthpiece **Michael Savage**, on why America should only spend taxpayer money to kick ass.

"Don't cheerleaders all over America form pyramids six to eight times a year? Is that torture?" — **Guy Womack**, attorney for accused Abu Ghraib prison abuse ringleader Charles Graner, equating the piling of naked, shackled prisoners to a dance demonstration.

"If there was, I wish someone would tell me what it is or show it to me. I'd like to see it." — U.S. Rep. **Howard Coble**, R-N.C., a Republican and close ally of President Bush, referring to the post-Iraqi invasion strategy that he wrongly assumed the administration had when he voted to give the president sweeping war-making powers. Coble is now calling for the United States to withdraw from Iraq.

"What the hell are we doing in Iraq? No one can explain to me in a reasonable manner that I can accept why we're there, why we went there, and why we're still there." — **Mel Gibson**, giving middle America a collective heart attack, describing why he feels a "strange kinship" with fellow filmmaker Michael Moore.

"I will remove judges from the Supreme Court quickly, and their successors will refuse to sanction the attacks on religious faith." — **God**, speaking through his earthly vessel **Pat Robertson**, offering a heavenly ultimatum. Justice Rehnquist was only the beginning.

— Gathered from **The Associated Press** and **Oregon Daily Emerald** news reports

CORRECTION

The graphic "Under Construction" on page one of Wednesday's paper was inaccurate. The graphic listed the amount of state bonds for the Health and Counseling Center as "\$1,350,000" and the amount for the EMU heating ventilation air conditioning system as "\$9,080,000." The figures were reversed. The Emerald regrets the error.

OREGON DAILY EMERALD LETTERS POLICY

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