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■ In my opinion

Eminent Domain

Matt Dery's home is his castle. He lives next to his parents in the Fort Trumbull neighborhood of New London, Conn., where his family has lived for a century. But Dery and his parents may be on the move, and not because they want to.

The city of New London has invoked its powers of eminent domain, an important constitutional exception to property rights that lets government-affiliated agencies seize property in the interest of the public good, given that they compensate the owners accordingly.

Authorities have traditionally applied the rule to private property in two situations: to install new public works — like schools and highways — or as a first step to revamp and replace "blighted" neighborhoods.

But New London has considered its powers more broadly, and has prepared to kick Dery and his neighbors off their property to make room not for public works, but for a conference center, hotel complex, offices and an aquarium, all to be owned privately. Seven families who own 15 homes were uninterested, and the state tried to condemn the embattled property. The Supreme Court's 1954 *Berman v. Parker* decision found that cities can apply eminent domain to raze crime-ridden or decrepit areas, but city officials have only labeled Fort Trumbull a "depressed" neighborhood.

Eminent domain has found its way to the land's highest court again — arguments in the New London case



TRAVIS WILLSE
RIVALLESS WIT

were heard Tuesday — and the case may prove to be one of the year's most important. While the Court sympathized with the plight of the 15 homeowners involved, it regrettably hinted that precedent may not favor them.

The gist of the city's arguments, which held up in the Connecticut Supreme Court, were this: The newly installed businesses and offices would create jobs and cash flow for an economically stagnant town, and that economic benefits certainly satisfy the public use requirement of eminent domain, particularly after swollen tax coffers are spent in the public's interest.

Justice Sandra Day O'Connor asked Wesley Horton, the lawyer representing the city, "So if you took away a Motel 6 and replaced it with a Ritz Carlton. More taxes. That's OK?"

Horton agreed, and Justice Antonin Scalia asked more generally, "So if B pays more than A, that's acceptable?"

Horton assented again. To dispute his argument is more than to reject a slippery slope: It's to protest a fundamental shift in the country's interpretation of property rights. If cities

need only to contend that taking and selling land to private developers would produce some economic benefits felt by the public — as there would almost always be — there's only the intervening money (and the risk of residual unpopularity in later elections) to prevent cities from forcefully redistributing land as it sees fit. Individual property rights, particularly in low-income neighborhoods, are left secondary to a dubious and nebulous concept of public good.

Scalia voiced the best summary of the problem: "What this lady (one of the homeowners) wants is not more money. There's no 'public use.' You're just giving one individual's private property to another private individual."

The case has drawn attention outside Connecticut, too: The city of Riviera Beach, Fla., is likewise planning a \$1 billion redevelopment project, but would first need to condemn 1,700 homes and apartments. While the city insists it would only apply the powers of eminent domain as a last resort, it is worrisome that it would apply them at all to livable neighborhoods against inhabitants' will.

Eminent domain is one of the most important tools of land (re)development, particularly in cities, but as such a potent tool — and as a potential threat to the spirit of property rights — city governments ought to be more careful than New London when applying it.

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■ Guest commentary

'Vagina Monologues' shows strength

I wonder if columnist Gabe Bradley has ever seen "The Vagina Monologues." I wonder if he has sat next to any of the hundreds of audience members who felt uplifted by the performance, who cried at the sad stories and laughed at the funny ones, who felt like maybe their stories were worth telling too. Those were the women and men I saw during the performance.

The women in this year's production were teachers, full-time mothers, traditional students, nontraditional students, students of color, queer students, actors, activists and the list could go on and on. Most importantly, the women in this year's show embodied the ideals of V-Day, an international movement to end violence against women that raises millions of dollars every year for the cause. Proceeds from this year's

show will go to help organizations here in Eugene.

Bradley's synopsis of the show in his column ("Vagina Monologues' misspeaks," ODE, Feb. 15) — "The first half is everybody giggling about the fact that an adult just said 'pussy' out loud while the second half of the play is everybody crying and feeling miserable about violence against women" — makes me think he wasn't there to see it. None of the actors cried in the second half. They were talking about real violence that happened to real women — that still happens to real women. The monologues are real stories. If they make the audience cry, then maybe they deserve to be grieved.

Yes, the mayor, the dean of students and the ASUO vice president were all in the production. But do you know how amazing it is that these positions

are held by women? Do you realize what an honor it is for the mayor to participate in an amateur theatrical production? These women are working to end violence, working toward equality with real fervor. What's so wrong in celebrating that? That's what "The Vagina Monologues" is: a celebration. In the end, it doesn't have anything to do with giggling about saying "pussy." It's about showing how strong and beautiful women can be. It's about sharing stories and helping each other to find solutions.

As a husband, I would have thought Bradley would be more ready to celebrate women. And as far as the vagina fan club, I don't want him anywhere near it. I am calling for his resignation.

Sarah Wells is a student senator

INBOX

It is for them that the Women's Center insists on producing this play year after year.

Dana J. Gorman
Eugene

Bradley's eyes shut for campus theater at its finest

The recent production of "The Vagina Monologues," sponsored by the Women's Center, was perhaps the best community theater experience I have had in Eugene. What made the evening especially memorable were the astonishing, heartfelt, riveting performances by my students, neighbors and

colleagues. I was dazzled and moved by the utterly professional quality of every woman's interpretation: participatory theater at its finest. Felicia Perez and the Women's Center are to be commended for making this year's Monologues one of the most moving, inspiring, affirming and expertly presented shows to appear on this campus.

I can only guess that columnist Gabe Bradley had his eyes — at the very least — closed during the performance.

Louise M. Bishop
Assistant professor

■ Editorial

DPS policy discourages safety and inspires fear

Why is the Department of Public Safety acting like it cares less about the safety of the public than it does about issuing citations?

As reported Wednesday, "DPS automatically issues a municipal citation when responding to calls where a student potentially has alcohol poisoning if that student is under 21 years old and is sick enough to need transportation to a hospital, DPS Interim Director Tom Hicks said at a Public Safety Advisory Group meeting Tuesday" ("Two University alcohol policies conflict," ODE, Feb. 23).

The Office of Student Life, in an effort to encourage students to seek help, contradicts the DPS policy and promises students there will be no consequences for reporting potential alcohol poisoning.

DPS Cpl. Michael Eppli expressed concern that failing to penalize really drunk students would encourage other students to drink more in order to avoid citation. But it is ridiculous to think that somebody would potentially poison themselves simply to avoid a fine. What could happen is that students who need to seek medical help will not do so in order to avoid an automatic citation. This kind of chilling effect is very real and potentially deadly.

Each year 1,400 students nationwide die from alcohol related causes, according to an Emerald report ("After the party," ODE, Nov. 24). Usually students do not realize their peers are suffering from alcohol poisoning and elect to let them sleep it off. To combat this, students should be encouraged to overreact when they suspect alcohol poisoning. The DPS policy, on the other hand, encourages students to do nothing and hope that everything will turn out okay.

Working with students to deal with their drinking problems proactively and anonymously would be a much more effective response following alcohol-related incidents. However, DPS seems to view students as enemies that deserve to be punished at all costs.

Don't get us wrong. Alcohol abuse is a serious problem, not simply for the individual but for the community as a whole. Drunk driving, rape and alcohol-fueled riots are just a few of the problems DPS deals with because of student binge drinking. But issuing citations for those with alcohol poisoning is not a solution.

Underage students should be free to seek medical help for any reason without fear of DPS's reprisal. If not, the University might be dealing with one or two cases of alcohol poisoning in the residence halls each week; the University might be dealing with one or two cases of alcohol related deaths.

That's a hell of a tradeoff for handing out a few more citations.

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