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■ In my opinion

## Is death a big deal?

The U.S. Supreme Court ruled Tuesday that executing criminals who were under 18 when they committed their crimes is unconstitutionally cruel, effectively commuting 72 death sentences in 19 states, according to The Associated Press.

Justice Scalia wrote a passionate dissent to the 5-4 decision, saying, "I do not believe that the meaning of our Eighth Amendment, any more than the meaning of other provisions of our Constitution, should be determined by the subjective views of five Members of this Court and like-minded foreigners."

To Scalia, the Constitution (and the Bible for that matter) is a dead document to be interpreted for all time exactly the same as it was when it was first adopted. For that reason, he has stated that the death penalty should be exercised for all felonies, including "horse thieving," so that it jives with what was considered cruel and unusual at the time when the Eighth Amendment was first adopted.

This "textualist" — or should I say "fundamentalist" — approach might seem more objective to Scalia, but as far as I am concerned, it is every bit as subjective as the "contextualist" approach adopted by the majority in this case. Society's definition of cruel punishment has shifted over the years, and the laws governing punishment need to keep up. I would much rather see America progress with the rest of the world than take one giant step back into the 18th Century.

Justice Scalia's not-so-hidden agenda is to more perfectly align U.S. law with his interpretation of divine law. He has said, "The more Christian a country is, the less likely it is to regard the death penalty as immoral. I attribute that to the fact that for the believing Christian, death is no big deal."

He should ask Justice Rehnquist and the families of victims of the Sept. 11 terrorist attacks whether they agree that



DAVID JAGERNAUTH  
CRITICAL MASS

"death is no big deal." The fact is death is a big deal, especially when the state is the one responsible for the killing. Since the death penalty was reinstated in 1976, the United States has executed 22 juvenile offenders, with Texas accounting for more than half. Support for killing juvenile offenders has placed the United States at odds with international norms (seven international treaties prohibit it) and has earned the United States odd company, especially for a Christian practice; the countries known for executing juvenile offenders since 1990 are the Democratic Republic of Congo, Iran, Nigeria, Pakistan, China, Saudi Arabia and Yemen. Isn't it funny that fundamentalist Christians and fundamentalist Muslims have more in common with each other than with secularists?

While the ruling means little for us in the Pacific Northwest (Oregon and Washington have already outlawed the practice of executing juvenile offenders), it does mean we are one step closer to an all-out abolition of capital punishment in this country. Unlike most of my fellow liberals, I do not believe that capital punishment is inherently cruel and, therefore, needs to be totally abolished. Do Saddam Hussein, Osama bin Laden and other homicidal maniacs deserve to get lethally injected? Absolutely. However, I do strongly believe we need an immediate and temporary moratorium on the use of the death penalty while we sort out a few significant wrinkles in our judicial system.

The most common arguments for a

moratorium are that the death penalty is expensive, there is no evidence that it acts as a deterrent and, in recent years, DNA testing has proved what many activists have been saying for decades: Our courts routinely sentence innocent people to death row.

But the most compelling argument for renewing a moratorium on capital punishment is the overwhelming evidence of racism that permeates the institution. Since reinstated, 80 percent of those receiving a death penalty sentence have been executed for murders involving white victims, even though blacks and whites are murdered in nearly equal numbers (blacks are approximately 12 percent of the population but are six times more likely to be murdered than whites), according to an Amnesty International report.

At least 20 percent of blacks receiving a death penalty sentence are convicted by all-white juries. Study after study show that white jurors place more value on the lives of white victims and white defendants than on the lives of black victims and black defendants, consciously or unconsciously, when it comes to decisions about capital punishment.

A temporary moratorium on the use of capital punishment is necessary until our justice system can find a method by which it can be administered without violating Article 7 of the Universal Declaration of Human Rights: "All are equal before the law and are entitled without any discrimination to equal protection of the law." The continued use of capital punishment, despite clear evidence of discrimination, is a crime against humanity. Whether philosophically for or against the death penalty, everyone should be able to get behind this pragmatic compromise.

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INBOX

**Emerald prints nice story, inappropriate photograph**

I'd like to give my thanks for your nicely written article on our sidewalk companion, Hatoon, who passed away Tuesday. I know I am not alone when I say I will truly miss her unique and often astute perspective on the complicated environment around her. I'm glad that the Emerald commemorated this loss for our University community.

That said, I am a bit dismayed at the image choice for this front page article. The scene showing Hatoon's clothing strewn about the cement with the vehicle in the background was insensitive and ignorant of the dignity present in Hatoon's life.

The photo itself certainly has journalistic impact and would-be poignancy. But in remembrance of Hatoon — my enigmatic friend who left bright pink lipstick kisses on each dollar bill she used, who loved children and sparkly hair ribbons, and who once helped me save a

baby squirrel that had fallen from her tree — I would like the image we use to remember her to be positive and affirmative.

I'm proud of the tolerance, appreciation and love our community (and the Emerald) is showing for a person like Hatoon.

Emily Rogers  
University Bookstore employee  
Fine Arts Major

**Hatoon's name to be remembered with respect**

Hatoon. I never knew her. She was always just the homeless lady by the bookstore who was really nice to people. But I never stopped to talk to her. Then one day I learned her name. I heard a rumor that she was told by the clouds that her new name would be two sounds: "Ha" and "Toon."

This struck a personal cord with me because Hatoon isn't gibberish; it's a Turkish word. I thought "Hatun" meant "crazy old lady"

because that's what my dad calls my great-aunt, who is a little senile. I always thought of Hatoon as the American version of my great-aunt.

But on Wednesday I started to wonder if I had the meaning wrong, so I called my grandmother to ask. "Hatun" originally was a title reserved for women in prominent social positions in the Ottoman Empire. Now it is used as a term of endearment for older women who are well respected and loved by the community.

I never spoke to Hatoon, but she always was smiling and I always liked her. In the last 24 hours I've learned just how many people did like her and love her. She touched a lot of people's lives. Her name may have sounded like gibberish to some, but coincidentally she chose a name that fit her perfectly: an older woman who is well respected and loved by many.

Sermin Yesilada  
Undergraduate

■ Out loud

"Long." — Kyle Davis of California-based a cappella group Everyday People on Saturday describing the trip from Stanford University to Eugene. Everyday People competed in the International Championship of Collegiate A Cappella at South Eugene High School.

"Teaching singers to dance is different from teaching dancers to dance." — Erica Barkett of University a cappella group Divisi on Saturday, explaining that the dance movements accompanying songs are smaller and more confined than most but are still an important part of the Divisi package.

"It's a really tight song for us." — Jacob LaCombe of Oregon State University's a cappella group Outspoken on Saturday, referring to "Don't Whiz on the Electric Fence" from "The Ren and Stimpy Show."

"I think I can hear crickets." — ASUO President Adam Petkun of one of the lengthy pauses during last Thursday's Program Finance Committee hearings.

"My suggestion is not voting on it, just doing it first. I just want to do it then figure it out later." — PFC member Khanh Le on Feb. 25 discussing how to remedy the PFC overspending its budget.

"This is the biggest crisis Lane Transit has been in, ever." — Carol Allred, executive board officer for the Amalgamated Transit Union Division 757 and LTD driver on Feb. 25 in reference to the impending drivers' strike.

"She didn't know what the hell she was doing." — former ASUO receptionist Laurie Rice, on Jenny Neiwert, who was hired by her sister-in-law, ASUO Accounting Coordinator Jennifer Creighton-Neiwert, to work as a temporary employee.

"All I know about Jenny is she showed up one day in the office. There was never an interview process, so she was hired without any competition." — Rice on Neiwert's lack of interview process.

"There are changing models of institution. Current models are a thousand years old, and we are in the 21st century." — Yolanda Moses, former president of the City University of New York and the American Anthropological Association and current special assistant to the chancellor for excellence and diversity at the University of California, Riverside, speaking about diversity issues in higher education at a forum Tuesday night.

"She would always compliment me on how I looked, and she would compliment a lot of people on how they looked. She loved little kids, and she would always go up to them and kind of coo and make funny little talks with them. She was just a part of our lives every day. I will miss her a lot, and it's going to be really strange going by there and not seeing all of her things there. It was great that people just let her be there and just sort of accepted her." — University student and bookstore employee Emily Rogers remembering community member Victoria "Hatoon" Adkins, who lived on the corner of East 13th Avenue and Kincaid Street and was killed in an automobile accident Tuesday.

"Hatoon was what everybody wants to believe a homeless person is in Eugene: a person who had a family, had a home, and for whatever reason developed some mental illness that caused them to decide that they needed to live a different lifestyle. But she functioned. She knew her Social Security, managed to take care of herself, never caused any trouble, never got herself arrested and was a good addition to the neighborhood. It's a damn shame." — Eugene police officer Randy Ellis, also remembering Hatoon, who he knew for 20 years.

— From Daily Emerald news reports

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