

OPINION

THE BATTALION

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A PRO-CHOICE CHRISTMAS?

In case anyone has not noticed the inflatable Santas, artificial snow in windows and cheerful holiday decorations plastered on anything that will stay still, Christmas is approaching. Behind all of the commercialism that encompasses the holiday is a simple story about a frightened woman giving birth to her child, who Christians believe to be the Son of God. Whether people choose to acknowledge the most widely celebrated American holiday is based on the foundations of Christianity or not, it is an indisputable fact. Regrettably, many people see the season as an opportunity to get the gifts they desire, charities push for more fundraising and businesses further their capitalist aims. One such organization guilty of this is Planned Parenthood, the nation's leading abortion-rights group.

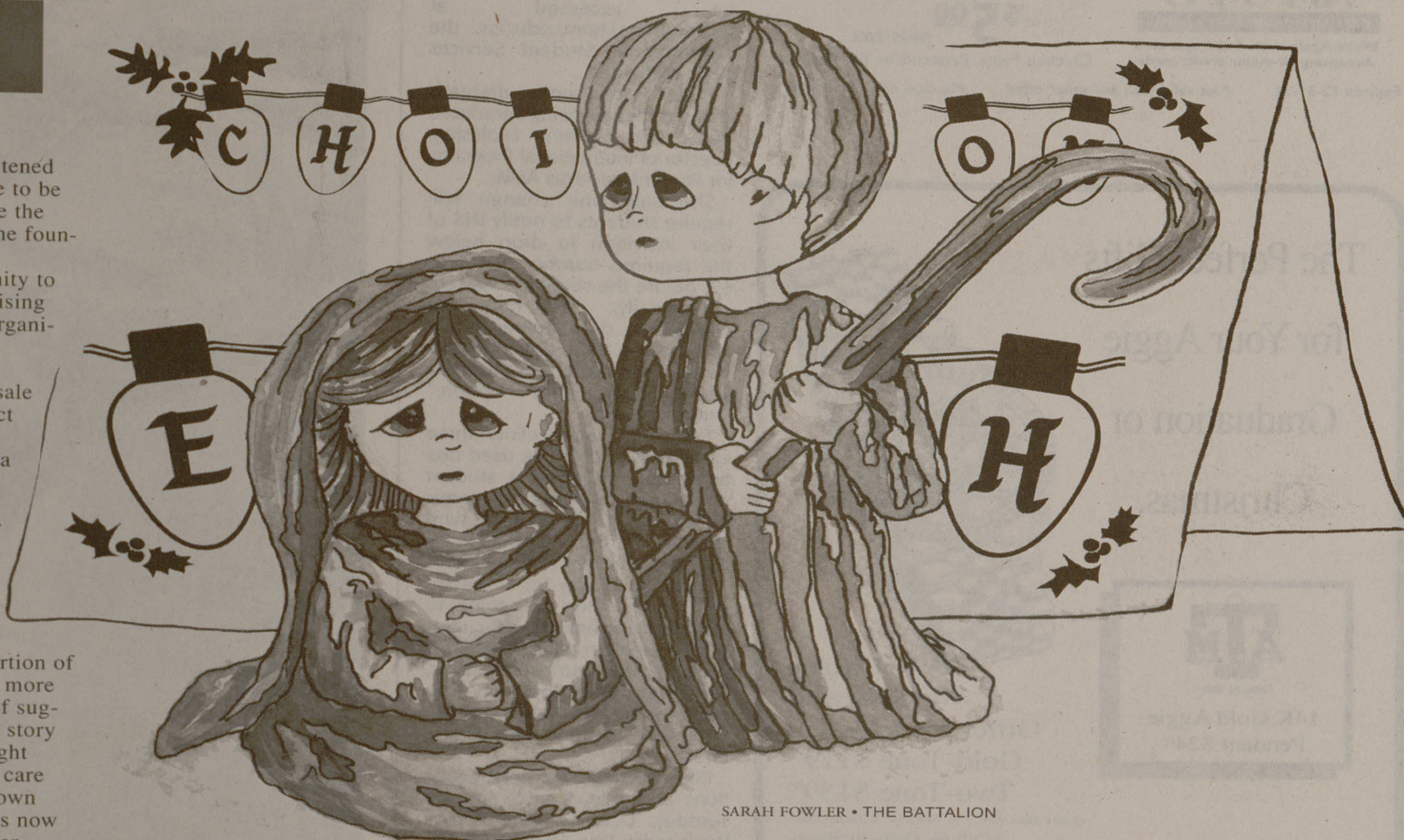
Planned Parenthood has produced holiday cards for sale that may seem like any other card in the stack but reflect a message contradictory to the entire meaning of Christmas. The card has a design of snowflakes amidst a blue backdrop, and along the bottom corner reads, "Choice on Earth." The phrase, replacing the word "peace" for the word "choice" as an attempt to push for abortions' rights, reflects a lack of understanding and sensitivity from the creator of the cards.

More importantly, the card contradicts itself. A card created for a holiday celebrating the birth of a child and how that birth brought great peace, is being sent out to further the aims of a group that promotes the abortion of unwanted children. If the card creators had done a little more research, they might have understood the implications of suggesting abortion on a holiday where a main piece of the story is focused on Mary, the mother of Jesus, who surely might have had doubts about her ability to carry her child and care for him. Many women, in fact, have doubts about their own abilities to care for children and support them, and it has now become more acceptable to abort these children. However, mixing this message with the message of Christmas brings about contradictions, the likes of which Christians will not be happy with.

Furthermore, many Christians are against abortion. The issue at hand is not necessarily abortion, but sending a card that openly antagonizes Christian beliefs on a Christian holiday. Producing these cards is the most inappropriate action the organization could possibly take.



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Although the cardmakers may have had good intentions by providing an avenue for their supporters to endorse their message through personal greeting cards, they have clearly left out some considerations. Not only have several religious and moral idealist groups protested the cards, but reactions from the actual recipients of these cards have yet to be factored in. Families who are religious or sensitive to the topic of abortion due to personal loss or inability to conceive children could

respond abrasively to such a message in their mailboxes. Although women may currently have the right to make choices about abortions, individuals promoting this right of choice during a season that concentrates on the significance of a child is an unethical and thoughtless message.

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Repealing sodomy laws

Recently, the Supreme Court announced it would reconsider the constitutionality of anti-sodomy laws by hearing *Lawrence v. Texas*, No. 02-102, a Houston case in which two men were arrested for having sexual intercourse. The case began in 1998 when sheriff's deputies were called to the residence of John G. Lawrence by a neighbor who reported a "weapons disturbance." The report was later found to be bogus and the neighbor, who was spurred by a personal dispute, was later charged with giving police a false report. The couple, however, was later arrested for violating a Texas law, which prohibits "deviant sexual intercourse with another individual of the same sex," according to CNN.

In asking the Supreme Court not to review the case, the state of Texas claimed in its court brief it has a right to implement morality and may "sanction deviation from those (moral) standards." It also claims the law "does not impose unrelated or irrational penalties upon persons of homosexual origin."

But that is exactly what the law was designed to do. The Texas sodomy law applies only to gay and lesbian couples; it permits heterosexual couples to participate in the same behavior without any fear of punishment. It allows the state to label homosexual citizens as criminals.

As Justice John Anderson of the Texas Court of Appeals wrote in his recent dissent, the law "cannot ... be explained as anything but animus toward the persons it affects." The legislation was simply a piece of hatred.

In hearing the case, the Supreme Court will have to decide whether or not to overturn a previous decision. In 1986 with *Bowers v. Hardwick*, the Court decided a Georgia law, which allowed the state to imprison a person for up to 20 years for a single private, consensual act of sodomy was not unconstitutional. The 5-4 majority found homosexuals have no right to private sex lives, while ignoring the fact the Georgia law technically applied to both sexual orientations, but was only used to prosecute homosexuals. According to one of the concurring opinions in the case, the punishment for anal and oral sex in the privacy of one's home under the Georgia law was comparable with that of aggravated battery, first-degree arson and robbery.

Justice Lewis F. Powell later publicly regretted his majority vote in the case, according to the *New York Times*, and a state court has since declared the Georgia law unconstitutional.

One of the majority arguments in the *Bowers* decision and the recent Texas Court of Appeals decision in *Lawrence* is that sodomy has long been considered a crime. It's described as an "abomination" in the Bible (Leviticus 18:22). It was a high crime in Rome and during the English Reformation, it was "the infamous crime against nature" and an offense of "deeper malignity" than rape, according to Justice Burger's concurring majority opinion in *Bowers*.

However, to say the law should remain because that is the way it has always been is not a valid argument. If the purpose of the Supreme



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Court to maintain the status quo, then civil rights and women's rights would be greatly different today. The use of a handful of biblical arguments to justify the mistreatment of homosexuals doesn't fly, either. Leviticus 11:10 classifies eating seafood without fins or scales as an "abomination" as well, yet people who enjoy shell-fish are never arrested and jailed for violating the "moral code."

In a secular society, Americans must rely on the Constitution and the Fourteenth Amendment clearly says all citizens should have equal protection of the law. Making an act illegal for a particular group of society and not the rest just because some legislators don't like homosexuals violates the equal protection clause.

At the time of *Bowers*, only one-half of the states had anti-sodomy laws. Now, according to the *New York Times*, only 13 states do; in four of those states, including Texas, the laws specifically apply to homosexual couples only. Other laws apply more heavily to homosexual couples.

The state of Kansas was ordered to respond to another gay rights case involving a statutory oral sex law, which carries much softer punishments for heterosexual couples than homosexual. An 18-year old was sentenced to 17 years in prison for having consensual oral sex with a 14-year old boy. If the partner had been a female, the penalty would have been probation.

The disparity in sentencing is ludicrous. To take away someone's freedom for a consensual act simply because of his sexual orientation is an affront to the basics premises of liberty and the right to privacy.

The Supreme Court has continually limited the right of states to interfere with American's right to personal privacy, especially regarding family matters and intimate relationships. *Skinner v. Oklahoma* in 1942 confirmed the rights of citizens to bear children if they so desired. *Loving v. Virginia* in 1967 allowed the marriage of biracial couples; *Griswold v. Connecticut* and *Roe v. Wade* asserted the right to decide when to have children.

If Americans have the right to decide who they want to marry and if and when they want to have children, they also have the right to decide who they can have sex with. Justice Blackmun summed up this right beautifully in his *Bowers* dissent. "The fact that individuals define themselves in a significant way through their intimate sexual relationships with others suggests, in a Nation as diverse as ours, that there may be many 'right' ways of conducting those relationships, and that much of the richness of a relationship will come from the freedom of an individual to choose the form and nature of these intensely personal bonds." Blackmun said. Americans have the right to control the nature of their most intimate associations with others, and the Supreme Court must strike down the laws that unconstitutionally limit those rights.

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Times coverage biased

Whether it is *The Battalion* or *The Wall Street Journal*, the job of any newspaper is to report the news, not to create it. But *The New York Times* has recently found itself the subject of many headlines. The new focus on "The Old Gray Lady" has come about due to its controversial coverage of the current debate surrounding the Augusta National Golf Club. The club only allows males to join and the chair of the National Council of Women's Organizations, Martha Burke, is leading a charge to make the club admit women as members, according to cbsnews.com.

The *Times* has made its position on the issue clear. It wants to see Augusta, a private club, integrated by gender. It has even singled out golfer Tiger Woods as the person who should lead the campaign to see Augusta integrated, suggesting he boycott the upcoming Masters tournament to be held at Augusta next year. In a Nov. 18 editorial, the *Times* said, "A tournament without Mr. Woods would send a powerful message that discrimination isn't good for the golfing business," according to *The New York Daily News*.

Every newspaper is afforded the right to declare official stances on important issues via its editorial page. Actually, the *Times* expressing its opinion on the editorial page is not the issue. The source of the controversy is many critics' assertion that the *Times'* bias on the Augusta and other issues has seeped into its news coverage and has seriously affected other editorial decisions. No matter how its editors may feel on certain subjects, the *Times* must learn to control its bias so it may preserve whatever journalistic integrity it still has left.

Many blame *Times* executive editor, Howard Raines, for the biased coverage of Augusta and other subjects. Raines believes in "using all the paper's formidable resources to

pound away on a story," according to *Newsweek*. Raines even has a specific term for this tactic — "flooding the

zone." Sometimes it is necessary for a newspaper to aggressively pursue a story — otherwise the public would remain ignorant of some important issues and events. But the *Times* is going overboard in its coverage of the Augusta controversy. For example, a Nov. 25 headline claimed "CBS Staying Silent In Debate On Women Joining Augusta."

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This is ridiculous. It is not news if CBS doesn't say anything on the issue, it is only news if CBS actually says something regarding its position about the Augusta controversy. It is obvious the *Times* was trying to punish the broadcast network for its plans to broadcast the Masters tournament in Augusta. If the *Times* continues to attempt to enact change through its news coverage, its journalistic integrity will be seriously undermined. In fact, a *Times* staffer told *Newsweek* with regards to the CBS article, "It makes it hard for us to have credibility on other issues."

The article critical of CBS isn't the worst thing the *Times* has done to ensure only one point of view is received on the Augusta issue. Early this month, the *Times* killed two columns on the Augusta controversy that were scheduled to run because they disagreed with the *Times* opinion, according to *The New York Daily*

News. If this is so, then the temerity of Raines and other *Times* editors is outrageous. One of the columns, written by Harvey Araton, argued there were much more important issues feminists should be focusing on. Araton cited the battle over Title IX — the 1972 controversial law that made it illegal to discriminate based on sex in schools receiving federal funds, according to The Associated Press. The other column was written by Pulitzer Prize winner Dave Anderson who argued in his article it is not Tiger Woods' responsibility to campaign for an integrated Augusta. Ironically, "Anderson ... has written previously that Augusta should admit women," according to the AP.

Raines offered an official explanation for killing Anderson's column. He said its focus on the newspaper's editorial board made the paper appear "self-absorbed", according to the AP. But the *Times* cutting the columns was a self-absorbed act, therefore the description is appropriate. With regard to Araton's column, Raines said there were problems with "structure and tone."

Under increasing public scrutiny, the *Times* capitulated and decided to run both of the columns in a later edition. But a newspaper shouldn't have to receive national attention before printing opinion pieces that disagree with its positions.

According to Jack Shafer, who is a press critic for online magazine slate.com, the *Times* does everything in its power to deflect criticism of its press coverage. Meanwhile, other major newspapers, such as *The Washington Post*, have many mechanisms in place to ensure readers have the opportunity to express their views on the paper's news coverage — whether it is good or bad. It is unfortunate the *Times* does not have such a system in place. The newspaper that touts itself as "the paper of record" needs to learn the first responsibility of a newspaper is to serve the public and not itself.

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