

The Daily Tar Heel

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Present laws should apply to date rape

Date rape. It's real. It's happening. And University students should be concerned.

The term is misunderstood by some who think of it as a lesser form of rape. But rape is rape, regardless of whether the victim knows the assailant.

Last week, Orange-Chatham District Attorney Carl Fox proposed amending present laws to include a charge of third-degree rape.

The charge of third-degree rape would carry a lesser sentence than first- or second-degree rape and would not require that the state prove force was exerted. The law instead would mandate that consent be given before the act, eliminating the need for resistance. Fox's objective is to encompass cases of date rape that are dismissed under existing laws.

But new laws are simply Band-aid solutions slapped over societal problems that will not be solved by changing the rule book. The fact is that the present laws are broad in their definitions of force — broad enough certainly to be applied to instances of date rape. Furthermore, problems arise from the fact that juries, reflecting society's views, are defining force narrowly and ignoring many of the factors present in a date rape scenario. Because Fox's proposed law would carry a lesser sentence, it would appear to classify date rape as something other than *real* rape. Date rape can be as frightening and as serious as any other form of rape and should be treated as such.

Polly Guthrie, community education and outreach coordinator for the Orange County Rape Crisis Center, said Fox's proposal would be beneficial because it would include characteristics of date rape that are often ignored in other trials. She said threats such as "I'll break up with you if you don't" are dismissed by juries who do not view the statement as a threat of force. Guthrie said weapons seldom are used in rape cases — 90 percent of the time, victims are subjected to physical or verbal force.

Both Fox and Guthrie said that evidence of physical resistance was required under the present laws and that it should not be necessary to prove resistance to show a person did not consent.

But while Fox's proposal may bring more convictions, implementing new laws when potentially effective ones already are in place is not necessary. Educating society and jurors about the broader forms of force is the answer.

"Force as most people hear force is not present (in date rape cases)," Guthrie said. The solution lies in a clear interpretation of the law — and an understanding of force as not necessarily physical.

Under N.C. general statute 14-27.2, first-degree rape is defined as intercourse by force and against the will of the victim. First-degree rape also includes use of a deadly weapon, infliction of serious personal injury, or aiding and abetting by another person. Second-degree rape, under statute 14-27.3, is defined as intercourse by force and against the will of the victim. Force can include fear, fright, duress, threat to injury and general fear of a person. Additionally, consent may not be inferred from a person who is mentally incapacitated or physically helpless.

Despite Fox's justified concern that date rape cases are falling through the cracks of the present laws, it still is imperative that the state prove some kind of resistance — with the juries' understanding that saying "No," even in the absence of physical resistance, is enough. Because intent must be proven for all crimes — and intent in rape cases is inferred by the act itself — the component in the law dealing with acts of resistance cannot be removed. If it is, the law implies intent to rape by the act of intercourse alone.

Solutions must come from a much broader base than law books. It must be understood that women rarely fabricate stories of rape. As with all other felonies, national statistics show that only 2 percent of the reports are false. Just as crucial is an understanding of the situations that accompany date rape. Physical force is seldom needed in these cases — force takes the form of coercion. But people must understand that date rape is rape nonetheless. And victims must learn to make their desires known — by saying no.

The laws are in place. Society simply must become educated enough to enforce them.



Bush's environmental apathy must end

Since the end of the Persian Gulf War, President Bush and Secretary of State James Baker have been promoting their vision of a New World Order. Unfortunately, it seems as though the environment has been left out of the equation and sucked up by a black hole formed when one of Bush's "thousand points of light" imploded.

In June, 160 countries will send representatives to an environmental conference in Rio de Janeiro. The Bush administration's attitude toward this conference and the global environmental movement in general has been hypocritical and shameful.

The Rio de Janeiro conference would be a wonderful opportunity for Bush to show Americans and the rest of the world that his desire to be remembered as the "environmental president" was not just campaign rhetoric. But as five weeks of preparatory negotiations come to an end this week at the U.N. headquarters in New York, the aims of the conference are being undermined because of the president's unenthusiastic approach to several issues that will be discussed at the conference. Last week, Bush said that "running for the presidency" might prevent him from attending the Rio de Janeiro meeting.

The United States is the only nation attending the conference that has not given its support to the focal point of the meeting: an international pact intended to stabilize the world's environment by placing limits on the production of greenhouse gases. Even Japan, a country the Bush administration chastised during the Persian Gulf War for not paying its "fair share" of the costs, has agreed to this international pact. But Bush objects to the agreement because it would limit the use of gasoline in the United States.

Bush's desire for an agreement that does not include limits on gasoline consumption should be an embarrassment for the U.S. The European Community, one of our major industrial partners, has criticized Bush's position on the pact issue by calling it "an attack on the very heart of the Rio conference."

This pact on global warming illustrates international attempts to act in concert even at the expense of reduced economic growth. The U.S.'s refusal to lend support to the agreement destroys such cooperation and discourages other nations, especially developing countries, from making sacrifices of their own in the name of stabilizing the global environment. Although 159 other countries will be at the conference, none of them have as much influence as the U.S. Unfortunately, Bush still has not said he will attend the conference. Such indecisiveness reflects an irresponsible attitude. Even an appearance by Bush would help take the global environmental movement out from the shadows cast by other world issues and place back it into the spotlight.

If Bush continues to show an apathetic attitude toward the Rio de Janeiro conference, the world will be forced to conclude only one thing: The U.S. is not committed to global environmental reform. Sadly enough, environmental problems do not now seem to be as tangible a threat to our "environmental president" as Saddam Hussein once was.

Well-versed students can respect differences

I was elated. By my sophomore year in high school, I had won the school's highest theater award for my portrayal of a Jewish teacher in the school's production of "I Never Saw Another Butterfly." My love for acting had forced me to audition for parts in every play produced by my school. Naivety had allowed me to accept blindly the roles and to ignore the questions gnawing away at me. Why was I allowed to play a Jewish teacher during the Holocaust but not an American femme fatale? I had been taught by my parents that there were some similarities between the Holocaust and slavery, but all of my knowledge of the Holocaust and Jewish people came from television and two Jewish friends.

I remember we took our show to a local synagogue, and I put my entire heart and determination into the performance. When we finished the show, which ended with the solemn fact that there were very few survivors of this catastrophe, the audience was silent. Quiet. Not a clap, not a cough, not even a loud "Booo." The rabbi came from behind the closed curtain to address our bewildered faces. He explained that there were several members of the audience that had been held captive in the Holocaust.

Years later, that silence has gnawed away at me much like my ignored questions. The audience members offered us nice congratulations, but I could see the reservation in their eyes. They said our performance was realistic, but I felt guilty. I did not ask what I had done wrong for fear that I would offend someone. I still wonder how these people felt having me, the ignorant one, express the fear, pain and heritage.

Occasionally, I still feel guilty for not knowing. But more often than not, I

am angry. Angry about being taught I was a part of that group of "others" and being told I should know about all members of this minority group by osmosis. It still bothers me that I don't know too much more about Jewish people than I did then and that as far as any culture other than Western goes, I am semi-ignorant.

I know I should take control of my own education, and I believe in some ways I have. However, I have had to play so much catch-up in learning about myself, that I have not had the time to learn about anybody other than the required white American society. Oh — I have taken a random course in minority culture other than my own, but this cannot provide anyone with the needed understanding of culture.

Here at UNC, we are timidly approaching a respect for other cultures. Slowly but surely, we are seeking out other people. I emphasize we because I believe all people need to move toward learning about other people, even those people who are members of that huge and diverse minority group. We all need to actively seek out different cultures and learn about them. And while we are actively learning about each other, please stop lumping people in groups. Just because I am African-American does not mean I know about the Jewish experience or the Hispanic experience or the Asian experience or any other experience. People are equally different and should be re-

spected for the separate difference, not lumped together in order to bring about added support. It bothers me that Chancellor Paul Hardin feels that one minority is not important enough, but three or four minority cultures might equal white American culture. Most African-American students cannot speak for a multicultural center. We are not multicultural, we are African-American. We only barely have been taught about ourselves and cannot presume to know too much about other minorities based solely on the fact that we share a common isolation.

It is sad that the idea of a building dedicated solely to African Americans is inherently evil to some people. It is also sad that people think that African-American culture is some strange conglomeration of Malcolm X, elephants, lions, drum music and Martin Luther King. Sadder still is the thought that people still believe students are going to learn race relations by being housed in the same building. I spend three-quarters of my day in the Student Union, and I still do not know about all of the minority or even non-minority groups housed in the Union.

I hope that someday UNC will achieve a general respect for all of the members of its community. I hope that one day the average student will be a well-versed and intelligent person who knows about more than him or herself. I also hope UNC remembers we cannot afford to do one or the other. A Black Cultural Center does not negate the possibility of a culturally respectful community or a multicultural center. I hope the powers that be realize we cannot afford one or the other.

Erika Campbell is a senior English major from Chattanooga, Tenn.



Erika Campbell
 With No Assistance

READERS' FORUM

ROTC an important part of University tradition

Editor's note: The author of this letter is a first lieutenant in the U.S. Marine Corps.

To the editor:
 As an officer in the U.S. Marine Corps, I am often confronted with such amusing and creative labels as "short-haired, brutish war-monger," "Neo-Nazi," etc. The list is indeed long and imaginative. However, as a graduate of this fine liberal arts university, I like to think of myself as a fairly open-minded individual who happens to believe strongly in America and her ideals. Perhaps it is naive of me to think so, but it has been my belief while at this university, that UNC is a place that prides itself on its diversity and welcomes the open exchange of ideas and culture. Apparently Rudy Brueggeman (March 27) has different ideas.

Perhaps Rudy is unaware of it, but the ROTC units at UNC have a long and important tradition at this university. The Navy ROTC unit here is among the best in the country and has graduated more commissioned officers than all but a handful of other schools. During World War II, this campus was the site of a major pre-flight program that schooled such "ROTC troopers" as President Bush. And a number of important contributions to the University are a result of the ROTC units here — perhaps Rudy has played on Navy Field or swam in the Navy Pool behind Woolen Gym.

Crucial to the ROTC programs on campus is training for their careers as military officers. And perhaps the most difficult training done here is that of the Junior-Marine option midshipmen preparing to attend Officer Candidates School this summer. While Rudy may believe that since there is no war going on the military will be "bored" this summer, these young men and women will be shown otherwise. To properly prepare them for this grueling test, the NROTC unit trains them long and hard. Unfortunately, we do not have a forest on campus to send them to, so they must train around the campus area. Inevitably, this means that some people will see them. If that offends Rudy, then perhaps Rudy should consider it yet another lesson in diversity. They have a right to train here, indeed a need to do

so, and have done so for many years without incident. Rudy, broaden your horizons a little, enjoy our diverse campus and lighten up!

MICHAEL RICHARDSON
 Graduate Law

Obnoxious Dookies don't deserve anyone's respect

To the editor:
 Durham is my hometown as well as home to Duke University, but I am ashamed to admit it. Duke may be the number one team in the country and on their way to the Final Four again this year, but take a look at how they got there:

In the game against Kentucky, All-American and All-ACC teams member and ACC Tournament MVP Christian Laettner deliberately stomped on a Kentucky player while he was on the floor. This kind gesture earned him a technical foul, which he so richly deserved. None of the Duke players can be called good sportsmen. Whether it be Brian Davis' foul mouth, Grant Hill's quick temper or Christian Laettner's constant abuse of other players, this team certainly has a bad attitude. The coach is no exception. During pre and postgame interviews, Coach K rarely compliments his opponent's performance. A little common courtesy never hurt anyone. Do the Duke players ever help an opponent up or even dare to be humane after an unintentional foul where someone may have been hurt? I've never seen it. I've only seen the snide looks and heard the rude remarks made toward the opponent.

Duke has gone all season remaining number one with only two losses. These two losses came to ACC teams UNC and Wake Forest. Before the UCLA game, Christian Laettner said something to the fact that it would be a challenge for them to play a team outside the ACC. If Duke doesn't think ACC teams are challenging enough for them, why don't they look for a conference elsewhere? It seems to me ACC teams are teams to be reckoned with. So far, they are the ONLY two teams to hand Duke losses this year. Duke is an embarrassment to the ACC conference, not because of their win/loss record, but because of their attitude. No other team

in the conference displays such behavior.

There is no justice in this world if Duke is allowed to win the national championship again this year. How can a team with their bad attitude and sportsmanship continue to win? I'll tell you how. It is because Duke usually has eight people on the court — their five players and the three officials. There is no way a team of five can beat a team of eight, especially when the officials call the game. I am not certified to officiate a basketball game nor have I been to school for it, but some things are blatantly obvious. When there are three to four Duke players slapping at one opponent, there is going to be a foul committed, yet one is rarely called. The announcers for these games often comment on the lack of calls made against Duke. They say there is no way contact can be made, such as the way Duke does, and there are not some sort of call made. Officials are not supposed to be biased, but many of them are. The officials just seem to overlook any mistakes made by Duke — or maybe they think a number one team doesn't make any mistakes. Either way, they're dead wrong. Just because Duke was number one last year doesn't mean they should be number one this year, but obviously nobody has told this to the officials. With eight to five odds, the game will never be fair.

If Duke becomes the national champion this year, this Durham native will not be celebrating. I will be hanging my head in embarrassment. I do not want to be associated with a team that beats and badgers its opponents and has such a bad attitude. Durham may be known for Duke, but Duke is known for bullying, and there is no room for bullies in the sport of basketball. Apparently Duke thinks they have to "step" on other teams to get to the top. If that is what basketball has come to, I'm glad UNC isn't number one. Carolina doesn't have to win for me to be proud of them. Their positive attitude and good sportsmanship stand out among all the rest. Durham may be my home, but Chapel Hill is where my heart lives. As for Duke, you'll never be number one in my book, unless it's in rudeness, obnoxiousness and arrogance.

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