

1-23-1974

The Caveat, January 23, 1974

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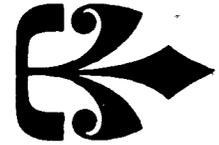
Recommended Citation

"The Caveat, January 23, 1974" (1974). *Caveat*. Paper 32.
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CAVEAT



VOLUME IX

No. 6

Golden Gate University School of Law

JANUARY 23 1974

BAR RESULTS

58.5% of the 118 GGU graduates passed the July 1973 California State Bar Exam. Takers graduating in the top GPA quartile of their class passed the exam at a rate of 93.6%. Those in the second quartile had a 60.0% passing rate. The third quartile passed at a rate of 51.5%. The bottom quartile zinged it in there at the rate of 22.2%. Thus, the top half of the class had a 77.0% rate, and the top three-fourths a 68.6% rate.

60.6% of the day division graduates passed, while night division graduates passed 6 and disappointed 8.

The cumulative rate for GGU from Spring 1971 through Fall 1973 was 56.9%. Comparative results from other California law schools are not yet available.



SPEAKERS COMMITTEE DISBANDED !!

The petition, signed by eleven students, asks for reinstatement of the Speakers Committee, and reads in part: "The motivation for the abolition of the Speaker's Committee arises from a desire to suppress unpopular political views." It further states that the abolition of the Speakers Committee places the "Student Bar Association as one of the few student body governments which does not support the idea and value of free speech."

MARIJUANA INIATIVE

If you don't help circulate the the Marijuana Initiative NOW, it won't even get on the ballot this year. 300,000 more signatures are needed statewide in less than a month. A lot of people haven't seen a petition yet because there aren't enough circulators. If YOU want a chance to vote to decriminalize marijuana in 1974, you've gotta help right now-- the final deadline to turn in petitions is February 18th. PLEASE HELP! Volunteer to circulate a petition-- CALL 841-1052.



The SBA voted to disband the Speakers Committee directly following the incident involving the Chilean speakers. In the first meeting of the SBA subsequent to the fracas, the decision was made to disband. As a result of these actions there is no officially sanctioned body to invite speakers.

On Dec. 5th, a petition was filed with the Judicial Council of the SBA to rule on the SBA's action. The council has taken no action to date.

January 21, 1974

This week, the halls of ivy will be disrupted briefly while the promised registration takes place. The scheduling is as follows:

Monday 1:00-5:00	First year day
5:00-7:00	First year night
Tuesday 1 - 5	Second year day
5 - 7	Second year night
Wednesday 1 - 5	Third year day
5 - 7	Third & Fourth year night

With all of our normal flexibility, we will attempt to accommodate those students who cannot register at the appointed time, but we will appreciate your cooperation. If day students cannot register at the appointed time, they may register on Wednesday between 9:00 and 12:00, in the Dean's office. Night students (e.g., 3rd or 4th year students who do not have Wednesday night classes) may register on one of the other evenings or on Thursday evening.

Graduating students who have not already checked their transcripts or work sheets should do so at that time.

But remember: No matter what your financial situation may be, fill out the registration form and turn it in downstairs.

February 1 is the deadline for late registration and for adding classes. Late registrations cost money.

By Friday, if not before, the place will be its same old serene self.

Molly Stollmack has assumed the task of monitoring the room schedules. If you have any questions about arranging for a meeting place, or if a class needs to be changed, please tell her about it. Well, not exactly if a class needs to be changed. You know.

It isn't that I haven't much to say; it's that I enjoy wide margins.

M.



LETTERS



Editor:

There have been any number of observations, reflections, and interpretations of what happened at Golden Gate when representatives of the Chilean Military Junta "visited." It has been claimed by some that these leaders' rights to freely impart their beliefs were denied, as well as those of the remainder of the university community present, who were to be listeners.

But throughout the spotty years of this American "experiment in democracy" both the Congress and Supreme Court have not treated free speech as an inviolable right, but rather more as a privilege. And to be more precise, a class privilege. Ask Mr. Justice Holmes who advised Mr. Debs of the Socialist Party that his attempts at speech were not protected, or ask the Congressional leaders who added the H. Rap Brown Amendment to the Omnibus Crime Control Act of 1968. And ask the warden of San Quentin prison, who despite a California State Court order still attempts to deny to the San Quentin Six their First Amendment "rights" to be interviewed. An if you're wondering about what is au courant on this matter in the nation's capital, ask Mr. Justice Burger why the majority on the Court has denied the right to have paid political advertisements on television.

So, of course, open-minded folks think even Rockwell has the right to speak (for there are at least 20 members of the American Nazi Party), and they also believe Berkeley students have the right to politically congregate. But should that congregation swell into a Movement, then that difficultly-won right is now only a privilege and it evaporates quicker than you could set fire to that part of you Con Law book which houses Amendments to the Constitution.

(continued on page 4)

Editor:

Andy Allen and the Caveat will undoubtedly win a Pulitzer Prize for the outstanding job of reporting the visit of representatives of the Chilean junta to Golden Gate as well as the impassioned defense of freedom of speech in the last issue. Such masterful use of the language, such quality of journalism, such fair, unbiased coverage are surely grounds for commendation. However, the articles do raise certain issues which the editor and staff of the Caveat should attempt to consider.

Aside from the fact that these speakers were blood-stained, murdering fascist dogs, here on a propaganda road-show to present their lies regarding the infamous "Plan Z" and the lack of faith of the Chilean people in Senor Allende, aside from the fact that these were actual members of the military units which butchered entire worker and peasant communities and bombed and shelled the Presidential Palace, aside from the fact that the president of the S.B.A. grossly misinterpreted the sentiment among the student body regarding this visit, we are told that the real issue is one of free speech. ". . . My right to hear them speak." Of course, the fact that my right to hear the other side of the story was violated by the slipshod apologetics of the S.B.A. in inviting the Progressive Labor Party to speak on Thanksgiving Day makes no difference.

Mr. Allen has a remarkable ability to take advantage of the disinterest of others to find areas in which he can assert his politics. We should perhaps learn from his tactics. However, it seems that the Caveat has made a severe error in allowing Mr. Allen to state his view in the way in which he did. Despite the presence of a byline, an article neither a column, an editorial, nor accompanied by a disclaimer

(continued on page 6)

I do believe (and I was not one of those folks that prevented the running-dog murderers from speaking) that free speech is merely a parcel of the conceptual mythological baggage that is dispensed to each citizen by the educational, cultural, and political tsars of this country, and graciously consumed by those who want to believe in the idealism of this land. To these non-controversial people free speech is cherished, and they traditionally have been able to exercise this part of their liberty.

But if they even should find themselves (as Dr. Spock and William Sloane Coffin did in the late 60's) as vociferous advocates, speaking or demonstrating one day in a "hot theatre," or on a "hot street," or express themselves in a manner threatening to the ruling interests of the country in "hot times," perhaps these people will see more clearly the "class nature" of this privilege.

Lee H. Adler



CAVEAT

is published
by the

Golden Gate Univ. Law School
Student Bar Association:
536 Mission Street, San Francisco,
CA. 94105

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JUR. & JUDS. --- A RAVING

The following was observed in San Francisco District Attorney's Office by a Golden Gate student who clerks there. It should be of special interest to those students in Jurisdiction and Judgment.

CONFIDENTIAL

Time Sheet for Abner H Dodge (Chief Counsel) Dist. 5: ITEM- \$43,089 for Special Outlay: to wit: Prosecution of defendant, R. Duke case #980-73. Special outlay for Investigator located R. Duke in a village on the north shore of an island known as Culebra in the Caribbean, where his attorney obtained a ruling that all further proceedings should be conducted in the language of the Carib tribe. We sent three men to Berlitz for this purpose, but nineteen hours before the date of opening arguments the Defendant fled to Colombia, where he established residence in a fishing village called Guajira near the Venezuelan border, where the official language of jurisprudence is an obscure dialect known as "Guajiro".

After many months we were able to establish jurisdiction in this place, but by that time the defendant had moved his residence to a virtually inaccessible port at the headwaters of the Amazon River, where he cultivated powerful connections with a tribe of headhunters called "Jiba". Our stringer in Manaus was dispatched upriver, to locate and hire a native attorney conversant in Jibaro, but the search has been hampered by serious communications problems. There is in fact grave concern, in our Rio office, that the widow of the aforementioned Manaus stringer might obtain a ruinous judgment due to bias in local courts far larger than anything a jury in our country would consider reasonable or even sane. It is therefore. . . .

The law student was unable to copy the rest of the memo.



A DEFENSE

In last week's issue of the CAVEAT, our colleagues Brown, Allen and Piker took to task the leftists who shouted down the Chilean speakers last semester. We feel that they were unduly harsh and we wish to argue in mitigation of their charges, and to defend these poor misunderstood lads and lasses of the left.

It might be said that it is proper and even imperative to permit one's political opponents to speak and assemble on the basis of old-fashioned principles such as free speech, open political process, common decency, and the like, but those principles are dated, Victorian, and prudish. We must look instead to the present and recent past for our new political ethics and norms.

The United States until relatively recently has been a backwater in the field of innovations in political morality, and the way has been led, as in many other fields of fashionable endeavor, by the countries of Europe.

The chic New Fashion became popular in Italy and Germany as early as the twenties and came into vogue in Spain and Austria during the thirties. It had been all the rage in Russia both before and after the Revolution. It has become ever so popular and modish nowadays in such places as Greece and Czechoslovakia (Curiously, the outmoded remnants of the Victorian Political Prudes persist in the silly notion that there is nothing to choose as between the bureaucrat-assassins of the former and the latter. How false this idea is can be seen in that the government of Greece purports to act in the name of Christianity though there is nothing Christian about it. On the other hand the government of Czechlovakia purports to act in the name of the People, and political repression apparently is perennially popular).

Such is the attraction of this stylish New Wave that it has penetrated to such faraway places as Brazil, Egypt, Chile (only recently) Korea Indonesia, Iran, and Iraq.

In the ever-dowdy and backward United States the New Fashion did not catch on until quite recently in spite of the efforts of such Avant-Gardists as the Silver Shirts, the Birch Society, and the Klan. Even as recently as the Sixties the country had to rely on such trend setters as the Weathermen, Minutemen, and Panthers.

By the middle and late Sixties these and other groups had done so much valuable groundwork in brutalizing American political life and in alienating the American people from their own political processes that the government could act with impunity and new-found legitimacy in the manner in which it conducted the Vietnam War. The lies, the Light at the End of the Tunnel, the conscription of opponents, the concealment of war aims, the prosecution of antiwar leaders on trumped-up charges, the surveillance and infiltration of antiwar and civil rights groups, were all very chic and were de rigeur under the New Fashion.

The present administration has shown somewhat more ambition in increasing the ambit of the New Fashion but has not improved its depth beyond a few burglaries, massive bribes, and espionage. So far we have seen little of those political assassinations which add that glamorous little fission of terror to political life, and which make the politics of Syria and Taiwan so debonair.

Thus our local leftists lads and lasses should not be abused by Brown, Allen, and Piker for their attempts to update G.G.U.'s atmosphere of political stodginess. After all, if the Ohio National Guard and the Symbionese Liberation Army can shoot their opponents, and the Black Panthers can physically intimidate and extort protection money from their opponents, then it is the very least our local leftists can do to throw vegetables at theirs.

-EDITOR-



is assumed to be "objective" reporting. This means that the article represents what the paper (the editorial staff) perceives as objective reporting, thus giving the article total weight of the paper's influence. If there is anyone who would consider Mr. Allen's article an objective report I would be shocked. Mr. Allen should be allowed to publish his tripe but he should be allowed to publish his tripe as an individual, not within the aura of newspaper. If the Caveat has no existence, but is nothing more than a collection of individual opinion, it should so state. Of course, if this is so I have no idea what it is. Certainly it is not a newspaper. If it (or Mr. Allen) had a commitment to objectivity, there would have been a report of the Chile forum presented one week after the junta's visit. At this forum all the reasonable and necessary safeguards regarding free speech were respected--speakers from both sides, an effective moderator, sufficient preparation and publicity and ample time for questions and limited debate. However, this does not allow a smokescreen of freedom of speech to obscure the real issue--what happened in Chile.

We should attempt to consider the political nature of the junta's attempted visit. This is a university, an American university, an American university in San Francisco. Why were three out of the four public contacts these people had scheduled in the Bay Area at colleges? Students have in recent history been considered the most active progressive force. Had the junta been cordially received by students, particularly Bay Area students, their perception of the support (or at least lack of antipathy) which their regime has within the United States would materially affect what is happening in Chile. It is clear from the continuing "White Ter-

ror" within Chile that resistance to the coup continues. Given the dependence of the junta on the support of the United States, there is a direct correlation between the political climate here and in Chile. OUR ALLOWING THESE FASCISTS A FORUM AT OUR

SCHOOL WOULD HAVE RESULTED IN A STILL MORE TERRIBLE TOLL ON THE LIVES AND SPIRITS OF THE PROGRESSIVE FORCES WITHIN CHILE.

I personally would have preferred it had the junta never been invited. What distresses me is the use of the free speech issue to drive a wedge between people at this school with similar needs and and goals. Free speech is a very relative term. The members of the junta certainly have all the free speech they need in Chile, but it is singularly lacking among the vast majority of the population. The junta can lay out its line to the Chronicle and have it published, but the contrary views of Non-Intervention in Chile (NICH) and the North American Congress on Latin America (NACLA) somehow do not find space. A well-balanced forum can take place at Golden Gate, and it will not be reported in the Caveat.

Viva Allenda! Viva MIR!

Neither fanatically nor self-righteously,

Randall A. Padgett

