

9-15-1976

Caveat, September 15, 1976

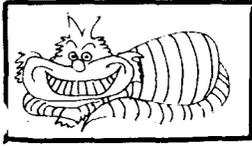
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CAVEAT

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Vol. XII, No. 6

Golden Gate University School of Law

GOLDEN GATE UNIVERSITY September 15, 1976

WANTED: THIRD WORLD PROFESSORS

By Patsy Turner

In the past, Golden Gate Law School has been a very non-supportive place for Third World students. In fact, there are many Third World students who consider Golden Gate a racist institution, insensitive to the needs and desires of its Third World populace. Recognizing that the law school was not complying with their affirmative action obligations, the Affirmative Action Committee has for the past two years actively pushed for change within the school in order to create an atmosphere that is conducive to making law school more tolerable and relevant for its Third World students.

One area of grave concern to the AAC has been the past hiring practices of the school. Up until very recently (this academic year) there were no Third World faculty members, and there has been only one full-time Third World faculty member at the law school in the 47 years of its existence. Thus, it was behind this state of affairs that the AAC last academic year resolved to concentrate its efforts.

Basically, it was the consensus of the AAC that the administration should show some good faith and affirmatively commit itself to the hiring of full-time Third World faculty members.

Last year there were many efforts made by the AAC to insure that at least one full-time faculty member be chosen to teach at GGU this academic year: Upon request by the AAC, the Hiring Committee invited Bill Taylor (member of AAC) to interview in conjunction with the hiring committee, any Third World applicants who applied for a teaching position. However, because of his ad hoc position on the committee, he was not allowed to vote along with the hiring committee members on any Third World applicant whose name might thereafter be submitted to the FSC for final consideration. He could, however, submit recommendations to the committee to act upon, if they so chose.

Thereafter, Bill Taylor, along with AAC members actively recruited Third World applicants. The AAC considered it very important that a

Third World student be involved with the possible hiring of a Third World person. It was felt that in addition to being qualified to teach, it was important that any Third World person selected be also cognizant of Third World concerns and identify with Third World needs.

In spite of the efforts of the AAC to have a full-time Third World professor teaching at the law school this academic year, no one from the pool of applicants interviewed was chosen to teach full time. No one was chosen, even though, the students on the hiring committee felt strongly about one particular applicant's ability not only to teach, but this person's cognizance of Third World needs and concerns both within the law school environment and the community as a whole.

On April 13, 1976, an appeal was made by the AAC, the SBA, and the hiring committee directly to the FSC, as the last remedy available within the law school to insure that Third World people be given opportunity to

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MAO IS DEAD — HIS TEACHINGS LIVE

By David Cooper

The materialist doctrine that people are products of circumstances and upbringing, and that, therefore, changed people are products of other circumstances and changed upbringing, forgets that it is people that change circumstances, and that the educator needs educating. Hence this doctrine necessarily arrives at dividing society into two parts, of which one is superior to society. -- Karl Marx

Mao Tse Tung died on Thursday. It was foreseen, but nevertheless, hit many of us in a strong way. His death aroused a series of feelings in me that reflect contradictions. It is difficult to see beyond our own perspective. We take for granted our assumptions, but when a society and a world are in flux, sometimes these assumptions lose their transparency and become opaque. In the world view that

we grew up with, human nature is seen as inherent and that it cannot be changed. We are taught that people will always be and have always been inherently motivated by greed; the great historical changes are a result of the actions of unique, strong individuals - the "giants": Jesus, Confucius, Jefferson. They are portrayed as being above and beyond the society they have changed and superior in their motivations to the common mortal. But in Mao's way of thinking, these assumptions were to be challenged. Human behavior might be better understood in terms of being subject to changing as human societies change. The source of revolutionary historical changes might be better analyzed as deriving from the contradictory forces inherent in the societies from which they arose.

It is within the context of these two ways of thinking that I look at

Mao's life and death and weigh their significance. Is a Mao a "giant" of history? If it is only historical imperatives that move history, then why make a big to-do about Mao? Why all this concern about "China after Mao"?

MAO'S DILEMMA

These were problems that concerned Mao as well. A long working humanist, he had a personal stake that his own hard work would not come to naught. He was concerned that the "Democratic Dictatorship" he helped establish would become more democratic in time, rather than become its own opposite. Mao was not alone in his concern. Many of the old guard had marched too far -- their callouses and flat feet would not let them allow the revolution to become its own opposite, as they felt had happened in the Soviet Union.

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PLACEMENT NEWSAlum Panel -- Setting Up A Law Practice Without Missing Many Meals

Panelists include:

Harriet Parker-Bass and Suzanne Chapot, class of '76, general civil practice in Walnut Creek for three months;

Cindy Lee, '75, civil practice in San Francisco for nine months;

Robin Orme, '74, San Francisco criminal practice, one year.

Mel Honowitz, '73, three years in civil and criminal practice in San Francisco, Berkeley, and Marin.

Wednesday, Sept. 29, 12 to 1:30, Room 205.

If you're considering starting your own practice as more and more of our alums are doing, plan to attend this informative panel.

Graduating students: applications/resumes for the following agencies need to be turned into Wally by the dates indicated for forwarding: --

Los Angeles City Attorney - Monday September 20.

Federal Communications Commission Wednesday, September 22.

SBA ELECTIONS

Nominations papers are currently being accepted for the following Student Bar Association (SBA) positions:

First year Day Section A Rep.

First year Day Section B Rep.

First year Night Rep.

Second year Day Rep.

Second year Night Rep.

The nomination paper should contain the following information:

Candidates name.

Position desired.

Home phone number.

Signatures of ten classmates.

The deadline for filing is Friday, September 17, at 3:00 PM. Either give them to Mark Derzon personally or place them in the SBA box in the faculty center east, located on the second floor.

In addition all candidates are urged to submit a campaign statement of any length for publication in the Caveat (Due to space limitations, the editors request that the statements be short). The deadline for submission of the statement is Tuesday, September 21, at 10:00 AM. Either give the statement to Mark Derzon or place them in the Caveat box in the faculty center east. Arrangements

SBA REVIEW

By D. Carlos Kaslow

The SBA voted (5-2) to allow all interested students to participate, in an advisory capacity, during interviews of persons wishing to become members of the school - policy and action committees. Students may participate in the interviewing and discussion of the candidates, but will not be allowed to vote in the selection. Most SBA members seem to feel this method would provide maximum student input into the selection process, and maintain ultimate SBA responsibility.

UNEMPLOYMENT PROJECT

The Unemployment Project of the National Lawyers Guild is presenting a training seminar on unemployment insurance benefit law. The seminar will focus on the substantive California law, as well as the procedure for appeals before administrative law judges. Training is free and primarily for persons interested in working with the project to aid U.I.B. claimants.

Date: Sat., Sept. 25

Time: 1:00 - 5:00 P.M.

Place: Room A, Hastings Law School (Hyde & McAllister, S.F.)

For more information about the project (or if unable to attend the training session on 9/25) leave a note for Terry Koch (or call 658-4191).

NEW GRADING OPTION

The final set of exam grades for the Summer Session has been posted to the bulletin board (9/8/76). Thus, the grading option of changing a letter grade to Credit/No Credit will expire on September 22, 1976.

are being made to allow those candidates so desiring, to speak to their classes and answer questions. The date for the forum would be sometime in the latter half of the week of September 20. Election days will be Monday and Tuesday Sept. 27 and 28.

The winners of the election will take office in time to participate in the selection of this years student members of the various school committees, one of the SBA's most important functions. Here is an opportunity to influence the future of GGU Law School. Avoid the rush, file early.

FSC SUMMARY

By Howard Moskowitz

The Faculty-Student Committee held its first meeting of the year on August 31.

Prof. Mike Golden, Campaigning on a platform of "Golden for Golden Gate" was elected without opposition as this year's chairperson of the FSC.

All but one proposal that the FSC establish criteria to be used by the SBA in selecting student members of certain committees were defeated or withdrawn following student protests that such action would unnecessarily infringe upon SBA prerogatives. The one proposal that passed was a formalization of existing SBA policy that student committee members must be in good academic standing.

The formation of a Clinic Committee consisting of two faculty and two students was authorized. Dean McKelvey announced that the Evaluations Committee would not begin to function until its standards and procedures were thoroughly re-examined in light of an arbitration panel's finding this summer that the Committee's practices lacked fairness.

A proposal to add a seventh student to the FSC was discussed, but not voted upon.

TRANSFER CREDIT

Students who were enrolled in courses at other Law Schools during this past summer session and who have been granted permission to receive transfer credit at Golden Gate should be sure to see that an official transcript of work completed (or a letter from the Registrar or Dean) at the host school be sent to the Registrar at Golden Gate. Transcripts or letters should be received here by December 1, 1976 to insure that the credit will be posted to your academic record.

For the next issue of the Caveat, turn in all items for publication by 10 AM on Tuesday, September 21, to the faculty center east in the Caveat box or to one of the editors.

Please bear in mind that views expressed in the Caveat are not necessarily those of the law school nor the Student Bar Association.

Co-Editors: Diana Baker
Cindy Duncan
D. Carlos Kaslow

Editors this issue: D. Carlos Kaslow
Cindy Duncan

Staff: Mark Derzon, Bonnie Maly, Mary Gerber, Sandra Golvin, and Diane Baker

B.A.R. REVIEW COURSE INFORMATION

How to Get Through This Thing in One Piece (Peace)

--OR--

You Pays Your Money and You Takes Your Chances

B.A.R. Course Director Steve Daitch will be at Golden Gate to talk about the course and the Bar Exam:

Wed., Sept. 15
1:00 and 6:00, Room 207

Steve will be in the room one-half hour beforehand to answer questions.

What else: The B.A.R. Professional Responsibility lecture.

When: Sat., Sept. 25, 12:45 - 4:00.

Where: Golden Gate University

Who: For B.A.R. course enrollees of GGU (including those who enroll at the door).

Why: To prepare for the California Professional Responsibility Bar Exam!

Note: B.A.R. practice exams in professional responsibility will be distributed, along with answers and explanations.

Did You Know: That if you are graduating in May, 1977, you are eligible for B.A.R.'s "Early Sign-Up." You need pay only \$50 down, on enrollment (if you enroll by October 31); then \$100 on issuance of 1977 edition outlines (approximately April 1); then the \$215 balance 20 days before the Summer 1977 course begins.

Note: This \$365 total includes the \$40 book deposit which will be refunded to you upon return of the outlines if returned within 4 weeks after the course is over.

For More Info: See your student representatives at the information table on the 2nd floor or call them:

Day Students:

Michael Joseph (Hassan) 431-4993
Maggie Kaplan 346-1771
Dan Burke (Winter Graduate) 776-8136
Kathy King 647-4730
Mary Mattson 843-9759

Night Students:

Fran Ternus (Winter Graduate) 848-7481
Pat McGinnis - Mon., Tues., Wed., 9 - 5: 391-9672 (leave message for her to call you)

B.A.R. S.F. OFFICE: 220 McAllister, 681-6820 -- Near Civic Center BART Station and Hastings.

(from page 1)

teach full-time at the school. The FSC thereupon passed a resolution to leave the last available full-time teaching position slot open until a Third World applicant could be found to fill it. They also resolved that a special search committee be formed, completely separate from the hiring committee, whose function would be to seek out, interview, and screen Third World applicants, and thereafter, present the candidates chosen directly to the FSC for final determination.

Although the resolution passed by the FSC seemed to insure that GGU would at last have at least one full-time Third World faculty member, it was thwarted with complications:

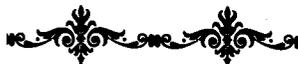
First, the slot which the FSC resolved to leave open to be filled by a Third World person for this academic year depended on whether or not Bernie Segal would be retained by the school. Since Bernie has been retained, the next available slot is for the academic year, 1977-78. Thus it is unclear whether the effect of the resolution passed last year will be to reserve the next available opening for a Third World faculty member or will a new proposal regarding the hiring of a Third World person have to be submitted and passed?

Second, members of the search committee talked with different people at the EEOC office about the legality of a separate committee to do the initial interviewing and screening of Third World applicants. It was the opinion of the various people spoken to at the EEOC office that even though the ideas and theory promulgated within the resolution were good, by-passing the regular process for hiring professors made the school vulnerable to a reverse

discrimination law suit by white applicants. Thus, at the next meeting, the FSC amended the resolution, whereby the search committee would no longer be delegated the duties of interviewing and screening Third World applicants. This procedure would once again be handled by the regular hiring committee.

However, since one of the main reasons for a special committee was to devote more time to the recruitment of potential Third World applicants, the committee has remained in existence just for that purpose. The search committee has formulated two letters, one for institutions and one for individuals, to be used as an invitation to Third World people to submit resumes for full-time positions. The Dean's office will keep an alphabetical list of all individuals and institutions to whom the search committee sends letters, thereby avoiding any duplicate efforts by the committee members. So far, letters have been sent to 161 nationwide law schools, and to about 229 individual Third World faculty members across the nation. In addition, letters will be sent to Third World judges, local Third World politicians, organizations, and public interest groups.

The committee members have also expressed that the recruitment procedure now underway is not restricted to committee members. Students at GGU are urged to submit names of possible Third World applicants and organizations who might be interested in submitting a resume or who could pass the word on to others.



LETTER FROM THE EDITORS:

Dear Law School Community:

Thanks for all the positive feedback (both praise and criticism) regarding our Big Caveat issue. Hearing so many good comments certainly makes our efforts worthwhile. We appreciate your interest in your paper and your offers to write articles. We look forward to putting together the next big issue with many articles and many bylines.

Diana, Cindy & Carlos

(Ed. - Cindy: My apologies to all who were offended by my usage of the adjective, "spry" in my article entitled "NOW v. Marin." I think of the word as meaning the same as "very active." In no way did I mean to convey any ageist connotations. In the future, I will try to be more sensitive. Thanks for calling my attention to it.)



Mao

(from page 1)

How does a leadership, given a society long under the burdens of scarcity, imperial rule, and autocracy, educate the people so that they are capable of checking the bureaucratic and elitist potential of a party hierarchy? Do you do it by decree? What changes are necessary within the thinking and behavior of people - within their very assumptions - that will insure that they will determine the direction of society? How do you make them aware that they have more at stake in their history than do the old guard themselves?

This is a difficult task when people have been alienated - trained to think "I don't make a difference." Mao felt that the people must be taught to understand their own worth: that they cannot be complacent just because they are no longer hungry. They must develop the skills to think critically and creatively so that others will not be allowed to think for them and use the creative power of people against the people. Is this done by edict? "Now children, today we will learn to think creatively..."

Mao's role in the party was diminished in the mid-sixties, but he managed to mobilize the Cultural Revolution by going over the heads of the party leadership. He went to the people. "Bombard the headquarters" was the byword. "The people, and the people alone, are the motive force in the making of world history." Let people figure out what this means through struggle. Years of chaos might be better than centuries of tyranny.

There were many excesses during the Cultural Revolution that grew out of the Chinese people who were straddling two very different ways of thinking. Mao's thought contained in the Red Book was worshipped as the word of the gods. But slowly the portraits of Mao are losing their fetishistic function as people are coming to realize that it is they who are changing the courses of rivers and the patterns of their own behavior. Mao has become a symbol of their collective efforts.

Educators can tell people about doing their own thinking, they can even help mobilize people to change the circumstances which provide the context of their behavior, but they cannot make anyone think. Well, it will be a while before any of us can ascertain whether these efforts are or will be successful. In the meanwhile, I listen to the radio and it is with feelings of irony that I hear of world leaders pronouncing that Mao Tse Tung was one of the giants of history, singlehandedly revolutionizing a quarter of humanity.

The philosophers are busy interpreting Mao's changing the world; the point, however, might be to change it ourselves