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Caveat, November 7, 1977

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CAVEAT



Vol. XIII, No. 12
GOLDEN GATE UNIVERSITY

Golden Gate University School of Law

November 7, 1977

SBA DUES INCREASE?

OPEN LETTER TO THE STUDENT BODY FROM RICHARD WRIGHT

The subject of SBA budget requests and the fulfillment of these requests has been a hot issue recently, both in the Caveat and at the SBA meetings. One of the underlying reasons is that this year, for the first time, the SBA was faced with financial reality. In the past, there has been a surplus in the SBA account, left over from days when dues were \$5 per semester, which permitted SBA allocations to exceed the actual income from the \$2 per semester SBA dues. This surplus will be depleted at the end of the current year. (Why during MY term??)

One possible response to this is simply to cut future SBA budgets. Those of us who have attended the recent budget meetings would hesitate, however, to characterize this solution as "simple". There are more student organizations than ever this year, each with meritorious requests which will benefit the particular group as well as the student body as a whole. For example, because of inflation, the SBA operating expenses such as office supplies, and the annual picnic, and the Caveat budget (relatively uncontroversial expenditures of SBA funds) have been increased significantly. New organizations such as the Environmental Law Society and the Gay Students Coalition are requesting funds with which they will sponsor activities for the benefit of the entire law school community. YMCA passes were funded for the first time this year. Established organizations are expanding their range of activities. The Third World Coalition and the Women's Association are recruiting applicants to the law school with portions of their SBA-funded budgets. In light of the nature of the requests from these organizations, all of which seem equally justifiable, it is difficult to imagine making the cuts necessary to enable the SBA to stay within its anticipated receipts if the fee remains at \$2. By way of example, without the surplus, this year's budget would have needed to be cut another 40% to keep expenditures within receipts.

The response which I, with the support of the SBA officers and your representatives, find more realistic and hereby propose to you is to raise SBA dues to \$4 per semester. In the past, raises and reductions of this fee have been accomplished by administrative fiat. (There is no provision in the SBA Constitution which covers this.) However, in our version of a democracy, a vote by the entire membership of the student bar association seems more equitable than a simple declaration that dues have been increased. (This vote is still subject to ratification by the Dean's office presumably.)

The vote will take place next week so that, if the increase passes, it will be effective in time for January registration. The SBA Board of Governors, your elected representatives, urge you to part with an additional \$2 per semester in order to enable the student government to continue to function at its current level. (Any surplus that may result will NOT go into the building fund or to finance my Hawaiian vacation). Without this increase, necessity (and fiscal responsibility) will force some severe cutbacks next year. None of us wants to be responsible for determining which organizations or activities will have to be eliminated. It is our feeling that the increased student requests for SBA funds reflect increased interest on the part of the student body in the activities being funded. This is your opportunity to confirm that feeling by approving the dues increase.

Richard Wright

Committee Selection Inquiry Answered

A letter in the Caveat last month criticizing SBA President Richard Wright on the grounds of abdicating responsibility for the selection of student FSC committee members set off a series of events which have come to a tentative conclusion this week. The letter by students Connie Tavel and Mary Gerber expressed a concern that this year's open procedures for FSC committee member selection did not insure that the selection would be carried out by people who were necessarily knowledgeable in matters concerning school governance. This charge touched off a series of rumors and speculations among some members of the faculty to the effect that the new student members of the FSC committees were self-chosen and that the selection committees and the committees selected were composed of mainly first year students and/or students who were unqualified. It was reported to us that Tom Goetzl expressed concern over the selection of the two students on the 14 member Evaluations Committee which will decide on his tenure.

Dean Judy McKelvey and Mike Golden, head of the FSC, held a meeting with Richard Wright on September 30 expressing to Richard the concerns of faculty and requesting that he investigate and report to them on the outcomes and procedures of committee selection.

Richard's report to the SBA on these matters met with two reactions from the student association: criticism that Richard's committee selection approach left the SBA open to credibility challenges, and a conviction that in addition to whatever legitimate concerns the faculty and administration might have, that this probe into SBA procedures was also motivated by a desire by some faculty to diminish or eliminate student participation in school governance. The SBA then reviewed the selection committees and the student FSC committee members chosen up until that time. They found that while the selection committees were smaller than they should have been, that the interviewers were qualified to do a good selection. They also affirmed the selection of the FSC committee members up to that time. (There was one student still to be chosen for the Academic Standards Committee.) The student association asked Richard to write the response to Judy and Mike's request and make it public (see p.). Other pending SBA action in the matter is a proposed SBA Constitution amendment that would clearly spell out FSC committee selection procedures.

(Continued on page 2)

In Memorium

This issue of the Caveat is dedicated to the memory of Holly Bauman who died two weeks ago. Holly completed her studies at Golden Gate Law School this August. Her efforts to establish a child care center in the new building will be well remembered.

(Continued from page 1)

Dean Judy, in an interview with the Caveat, affirmed the need for student participation in school governance. She said that while she had reservations about the selection procedures, she was satisfied with Richard's response and that in her view the matter was closed.

D.C.

RICHARD'S LETTER

October 26, 1977

Dean Judy McKelvey
Golden Gate University
536 Mission Street
San Francisco, California

Dear Judy:

In response to the request made by you and Michael Golden at our meeting of Friday, September 30, the method by which the student selections for FSC Committee positions took place this year were virtually the same that they have been the previous 2 years, the only difference being that last year, only members of the Board of Governors voted. All students were allowed to participate in the interviews. This year, based on my suggestion which was adopted by the SBA Board of Governors, the selection process was again reopened to the Student Bar Association as a whole, including first, second, third and fourth year day or night students. This decision was based on my desire to secure the broadest possible participation and input by the student body about their representatives, who will in turn determine almost every aspect of their school life while at Golden Gate.

As you, Mike and a few of my fellow students have pointed out to me, this process, this year but not in the past, has now come under attack for a number of reasons: 1) possible packing of the Selection Committee by someone's friends; 2) possible overpopulation of the committees by first-year students; 3) possible selection of undesirable students; 4) possible selection of unqualified students, 5) possible selection of uninformed students; and 6) possible litigation by disgruntled faculty member(s).

As I stated to you, I can understand your desire to see that this institution is run in an efficient and effective manner. To this end, the avoidance of all the aforementioned probabilities is most desirable.

Attached, you will find the information requested, minus the actual names of the interviewers. All the interviewers and selected FSC Committee members are students in good academic standing.

As can be seen, there is not an overpopulation of first year students on the committees or involved in the selection process.

I hope that this letter is not interpreted as a justification for the selection process used by the SBA, because it is not meant to be. If a justification is needed by the SBA for every position taken by the student body, then it should be made plain and clear from the outset.

Golden Gate University gives the appearance of a great deal of student participation in the decision-making process within the law school. There is a lot of autonomy in carrying out administration of student government and in selecting its representatives to participate in joint committees which direct certain aspects of the law school's administration. The elected representatives of the SBA (Student Bar Association Board of Governors) have approved not only the method by which the FSC Committee members were selected, but they have reviewed the actual SBA members selected because of your request and wholeheartedly stand behind and support them.

Yours truly,

Richard Wright
S.B.A. President

INFORMATION INCLUDED WITH THE LETTER

77-78 FSC Selection Committees

EVALUATIONS COMMITTEE:

2nd year day - FSC rep, 76-77
1st year night - SBA rep, 77-78
3rd year day - SBA rep, 77-78
2nd year day - FSC rep, 77-78

ACADEMIC STANDARDS COMMITTEE:
2nd year night - SBA rep, 77-78
3rd year day - FSC rep 76-77
3rd year day - SBA rep, 77-78

ADMISSIONS COMMITTEE:

1st year day
1st year night - SBA rep, 77-78
1st year day - SBA rep, 77-78
3rd year day - FSC Admis. Comm. Member, 76-77

BUDGET COMMITTEE

2nd year night - SBA rep, 77-78
3rd year day - FSC rep, 76-77
3rd year day - sba rep, 77-78

This year's student committee members

ADMISSIONS COMMITTEE:

Dan Marshall 1st year night
Julia Kurlander 1st year day
David Rubinoff(FSC) 2nd year day

EVALUATIONS COMMITTEE:

Ron Schwartz 2nd year day
Connie Tavel(FSC) 2nd year day

ACADEMIC STANDARDS COMMITTEE:

Ruth Ratzlaff(FSC) 2nd year day
Martin Staubus 3rd year day
Bill Benjamin 3rd year day

BUDGET COMMITTEE:

Gail White(FSC) 2nd year night
Judy Middlesworth 3rd year day
Paul Kondrick 3rd year day

COMPOSITION:

1st year 2nd year 3rd year
Day 1, Night 1 Day 6, Night 1 Day 4, Night 0

Last year's student committee members

HIRING COMMITTEE:

Richard Wright 2nd year night
Mary Gerber 2nd year day
Carol Goodman 3rd year day

BUDGET COMMITTEE:

Richard Clark 1st year night
Wallis Gee 1st year night
Boots Whitmer 2nd year day

CURRICULUM COMMITTEE:

Judy Massong 1st year night
Jennifer Loucks 2nd year day
Robert Bruce 1st year night

ACADEMIC STANDARDS COMMITTEE:

Mark Derzon 2nd year day
Robbi Willenken 1st year day
Ruth Ratzlaff 1st year day

ADMISSIONS COMMITTEE:

Rod Pettis 1st year day
Paul Porter 2nd year day
Don Roszel 1st year night

EVALUATIONS COMMITTEE:

Connie Tavel 1st year day
Virginia Softlas(?) 2nd year day

COMPOSITION:

1st year 2nd year 3rd year
Day 4, Night 5 Day 6, Night 1 Day 1, Night 0

announcements

FINANCIAL AID APPLICATIONS

The deadline for Spring applications for financial aid is December 1, 1977. Applications are available in Room 107.

JUDICIAL EXTERN PROGRAM

There will be a meeting on Tuesday, November 8 at 3 PM in Room 205 to discuss the judicial extern program. All students are invited to attend, and those students who may be interested in a spring externship are particularly encouraged to come.

Any second or third year student with a good academic record who is interested in a spring semester full-time non-paying judicial externship with the US District Court in Los Angeles, please contact Les Minkus.

CHILDCARE COMMITTEE

The GGU Child Care Committee would like everyone to know that it has organized and has information on projected plans for the Child Care Center in the new building.

We encourage anyone who is interested in helping to coordinate the new center, both men and women, to contact either Melinda Thomas or Pat Warner via the Student Bulletin Board on the Second Floor.

WOMENS ASSOCIATION MEETING

The Women's Association meeting will be Thursday, Nov. 10 at 5:30 in Room 503. All law school women are encouraged to come!

NORTH CAROLINA BAR EXAM

Applications for the NC Bar Exam are now available from the NC Board of Law Examiners, PO Box 25427, Raleigh, NC 27611. Applications must be received by January 10. Details on Dean's bulletin board.

FROM WALLY'S OFFICE

National Labor Relations Board deadline for application form + form 171 + college and law school transcripts is 9 AM, Wednesday, November 9. On campus interviews will take place on Tuesday, November 15. See Wally if you have any questions.

Night students should know that the placement office will be open until 6:50 PM on Monday, November 7, and Tuesday, November 8. Please drop in with questions, comments, assistance needed.

LAW LIBRARY HOLIDAY SCHEDULE

The Law Library will be closed on Thursday and Friday, November 24 & 25, but will observe regular hours on Saturday and Sunday, November 26 & 27.

During Christmas time, the Library will be closed on Sunday, December 18, Saturday through Monday, December 24 through 26, December 31 through January 2. From December 19 to 23 (Monday to Friday), December 27 to 30 (Tuesday through Friday), and January 3 through 6 (Tuesday through Friday), the Library hours will be 8 AM to 5 PM. On Saturday, January 7, the Library will resume regular hours.

SBA AGENDA FOR 11/9 MEETING

- VP Appointment
- YMCA Passes
- SBA dues increase
- Casebook Section in Library
- SBA special meeting on affirmative action
- FSC Committee reports (All SBA FSC reps must attend and be prepared to report on committee activities.)
- SBA Financial Aid report
- Playboy subscription cancellation
- Selection procedure for FSC committees
- SBA evaluations of faculty
- Faculty/SBA Volleyball Game at YMCA
- Proposed work study changes
- Student Handbook

SECTION A SENIORS PARTY

Remember that fateful day of August 16, 1975. Apprehensively, we each filed into Room 205 and found a seat. Larry Jones walked in and greeted us and asked for someone to brief the first Torts case. A hand went up and Mr. Sullivan, the Great John L. briefed the hell out of that first case, and we (Section A) were on our way.

Do not fear. We will not relive the past! However, one of the original Section A "drinking chairpersons" is hereby calling for a Section A reunion and good-bye party for our December graduates. The festive affair will take place on Wednesday, November 23 at Breen's (on the corner of Jessie and 3rd), and will commence sometime in the afternoon. (Rumor has it that some of the more experienced Section A vets will commence partying promptly at 12 noon.)

Many notable Section A originals are graduating in December, including Steve McCarthy, Sharon Fisher, Virginia Saftlas Vogel, Ian McCrae, Gary Reing, and Mary Lou Wheeler. "The Pit" has promised to dress for the occasion, if Ted Rosenak will wear his 3-piece suit with a bow tie and bring the flag pole. A special invitation is extended to those wonderful 1975-76 first year Section A professors-- Larry Jones, Ted Rosenak, Bob Calhoun, Tom Goetzl, and Mike Golden -- although all faculty, staff, and student-types are welcome and encouraged to come. We will show you how a real section parties!

Cindy Duncan

STUDENTS ON LAW SCHOOL PAYROLL

You must submit time cards on the appropriate due date. Next date: Tuesday, November 8.

PRE-REGISTRATION THIS WEEK

Monday, Nov. 7	10 AM to noon 2 to 6:30 PM	Third and fourth-year night
Tuesday Nov. 8	10 AM to noon 2 to 6:30 PM	Second, third and fourth-year night
Wednesday, Nov. 9	10 AM to noon 2 to 6:30 PM	Third-year day
Thursday, Nov. 10	10 AM to noon 2 to 6:30 PM	Second-year day

All students beyond the first year must pre-register. First-year students' registration will be announced later.

WHOSE LAW IS DEAD?

review by David Cooper

Judge Lois Forer, author of The Death of the Law, spoke in the Auditorium on Wednesday, October 26. Her presentation which began ten minutes late was preceded by a somewhat pompous introduction by Tom Goetzl who is coordinating the faculty's speaker program. The program concerns how the law has failed to respond to peoples' needs.

Forer's prepared speech was marked more by questions and anecdotes than it was by answers or analysis. Her basic thesis is that in a country founded on the rule of law, the growing disrespect for lawyers and the legal system forebodes ill. In short, the law has lost its moral authority.

Judge Forer ascribes this loss of authority to an over-expectation by the public in the solutions that can be provided by the courts. It is not surprising for a judge with an overcrowded schedule to arrive at such a conclusion. She then attempts to expand her perception of the source of her scheduling problems into a thorough indictment of the legal system as a whole. Such an indictment is indeed necessary, however her limited perspective from the bench prevents her from venturing into a thorough analysis of the source of popular disillusionment with the legal process. Additionally, her few proposals were addressed to the limited community of lawyers and judges whom she apparently hopes will be the source of the solution to the problem. One question addressed to her (significantly by a non-lawyer, non-law student) was how she could expect lawyers and judges, who have a vested interest in the current complicated system, to in any organized way struggle to overcome and radically reform the judicial system. The judge failed to respond on point explaining that there are countries where there are fewer lawyers.

In all fairness, I have not read Judge Forer's book and people who have done so tell me that she did go into greater depth to outline solutions to the problems she perceives. Nevertheless, I feel that her analysis has one fatal shortcoming -- this is her failure to deal with the class (and for that matter, ethnic) nature of legal system. Even though she points out some prejudicial practices she persists in taking for granted the common assumption of many in the legal profession that this system is founded on the rule of law. In fact, the system has since its inception been marked by the rule of class through law. As this becomes more clear over time and through experience, it is not surprising that such rule loses whatever moral authority it might have had. In response to the Judge's recommendation that more policy decisions be made legislatively and less judicially, one student asked why this would make any difference (in people's respect for the law's moral authority) where the legislatures are dominated by the financially powerful. Her response was that she would rather see this domination where it was out in the open and that the judicial system was also dominated by the same interests. It is indicative that the Judge's analysis concerning the death of the law did not begin with this insight.

I spoke with a number of students and visitors after the talk and found that while there was some disappointment there was also much positive feeling about the specific problems the Judge raised, and the Judge came off as a very human person in contrast to the manner of many judges. Some beginning students expressed an appreciation for problems they had not yet heard of which Judge Forer raised. These included the fact that while no one social-economic group is overrepresented among criminal offenders, that jails are filled and overfilled by the poor and minorities due to prejudicial discretion in prosecuting and sentencing. Forer pointed out that arrests occur in less than 40% of reported crimes; that a quarter of these are dropped; that 90% of the remainder are plea bargained; and that of those that are not, only one half are tried before a jury. She emphasized that if most defendants demanded their full rights that the criminal justice system would grind to a halt. She illustrated how the pro-

cess for insuring defendant's knowing waiver of rights is essentially meaningless. Other problems she pointed out included that the inability to compromise was built into the adversary system; that public subsidy of the civil courts was in actuality a subsidy of the insurance companies; that lengthy pre-trial procedures financially and emotionally break down the litigants; that courts are frequently asked to furnish relief that is unenforceable; and that when judges are asked to rule on technical non-legal matters in which they have no competence, they base their decisions on expert testimony supplied by interested parties.

Some solutions the judge put forward included: encouraging law students to put out pamphlets on everyday transactions to aid lay people in avoiding litigation; courts declining to rule on "policy" decisions, and transferring these to the legislature; improving access to the courts for "justiciable" problems while transferring other problems to other forums; restitution by criminal offenders to victims as another penal form; and requiring illiterate and semi-literate sentencees to learn to read as a precondition to parole.

Despite disagreements I have with the content of Judge Forer's presentation there is no doubt that her talk provoked much discussion among students. Tom Goetzl's choice of speaker was indeed astute and we're looking forward to the next forum.

YMCA Passes, Lack of Administration Help

by Michael Rosas

I regret to inform the student body that a permanent location from which to distribute the YMCA passes has not yet been designated. The faculty center, through Mary Selvy, took on the task for October only, with the understanding that another location would be found.

Last Tuesday, I spoke with Associate Dean Golub, who told me that she put us on "notice" a month ago to the fact that we would have to find a location ourselves, or else have volunteers distribute the passes. That was a very disturbing development, since we understood the situation to be that the administration was on "notice" to find such a location for us.

The fact is that this program is one which the students paid for and showed an overwhelming degree of interest in. True, the YMCA organizers should have gone to the Assistant Dean last year when this idea originated to get such preliminaries out of the way. But Ms. Golub's argument that we are trying to dump this all on the administration is less credible when one realizes that Mary Minkus was the Associate Dean last year. In all probability any decision by Mary then as to the location of the passes would have been for naught since we would have had to discuss the situation again with Ms. Golub.

All that we are asking is that the administration provide us with a permanent location for our YMCA passes. The amount of time that would be spent would be a miniscule 10 to 15 minutes a day. How long can it possibly take to hand out a pass and take in an I.D. card and vice versa? There are three possible areas from where this can be done.

The Faculty Center is one choice. It is conveniently located and professors participating in the program have expressed a preference for having the passes there. Unfortunately, the Faculty Center staff will be typing exams this month and would only be able to distribute the passes at certain times of the day.

The library would be just as practical. There is an argument that the library has too many other things to attend to and that this is not within their jurisdiction. But are we getting enough services from our library that would justify the exclusion of this meaningful activity?

(Continued on page 5)

Letters

WE WON'T HAVE STEVE SIEGEL TO KICK AROUND ANY MORE

Dear Editor:

While considering whether or not to write a letter to the Caveat to express my dissatisfaction with SBA's committee selection procedures, I came upon an item headlined "SBA Holds Meeting" in the 10/31/77 edition. That article, which summarized the previous week's meeting, provided the additional impetus I required.

Although I am hardly shy when it comes to expressing an opinion, I have never been one to involve myself in school politics, or in the work of committees or other governing and policy-making bodies. This year I decided to change my apathetic ways and "get involved". So I began attending SBA meetings.

I realized that I had some strong feelings about the purpose and meaning of grades, so I applied for a spot on the Academic Standards Committee. After all interviews for this committee had been held, I was informed that the interviewers had filled two of the three vacancies, but were unable to decide between Chuck Greene and myself for the remaining slot. A final decision was to be made by the full SBA after that body conducted 'run-off' interviews with each of us.

During the fall break I received in the mail a statement of the Academic Standards that are presently in effect with a cover letter explaining very little about how the final selection would be made.

Chuck and I were asked to attend the next SBA meeting. On arriving at the meeting, we were informed that the budget proposals were taking longer than expected and that the selection of the remaining committee member was being postponed.

During the next two weeks, amid further delays and postponements, I learned that a third candidate, Bill Benjamin, had been added to the field for some reason. (My inquiries into this yielded responses which conflict with what we were told after the initial interviews.) Also during this period, I was unwilling to pass up opportunities on the mere hope that I would be selected to the committee, and so I increasingly committed my time to other activities, including employment and (perish the thought) studying.

On 10/26/77, I received a call at (groan) 8:30 AM informing me that the SBA would conduct my interview at 4:45 PM that same afternoon. This conflicted with a 4:30 medical appointment I had waited months to get, so, in my sleep and disgust, I informed the caller of my desire to withdraw from the running.

The other two interviewees did face the SBA that day, and Bill Benjamin was selected.

As a result, I found it amusing to read that Richard Wright sent a letter to the Dean "answering" her charges that committee selection procedures were poor, and that the SBA would change the procedures (which leads me to conclude that Richard's answer to the charges was "yes").

This experience has led me to the following conclusions: I remember now why I avoided participation in student government all those years. Committee selection procedures are indeed poor.

As a result I offer the following suggestions:

- 1) Adequate advance notice of interviews by the SBA should be given, in writing, to prospective committee members.
- 2) Unless avoidable, interview appointment times should not be changed without adequate notice.
- 3) In order to facilitate #2, where run-off interviews by the SBA are required, they should be scheduled at times other than during the regular SBA meetings so as to prevent conflict with regular business of a higher priority.

- 4) Standards and criteria by which to decide between two (or more) equally qualified candidates should be established, adhered to and made public.
- 5) There should be no secret treaties.

My brief foray into the world of politics at Golden Gate was nothing if not educational. Nevertheless, I hereby resign from public life in order to devote more time to the organization and management of my new special dis-interest group, Apathetics Anonymous.

Stephen S. Siegel

FIRST YEAR STUDENTS

Dear Editor:

Hurrah for Elliot Smith and his 10/31 Caveat article on first year students' efforts to better their lot!

First: The word tinker is catchy, but it carries a trivializing connotation more suitable to the anti-student point of view. Those for whom schedule-changing is a troublesome inconvenience would like us to think such efforts have trivial goals. The convenience and needs of a couple of hundred students is not trivial!

Second: The administration tells us that what we are paying to do is supposed to be a full-time occupation, whereas what teachers are paid to do is too often considered only important enough to fit in around teachers' other activities. Many teachers make themselves unavailable for the most convenient class times and office hours, or, in some cases, for any office hours at all. Who is this school run to benefit, anyway? Student fees are what pay teachers and administrators salaries!

Students need what teachers have to give, and so are presumably controllable due to the traditional scarcity of teachers' availability. But students have other needs as well, such as the income from outside work, quiet study times and places, babysitting services, reasonable commuting schedules, etc. Those needs are real and valid. Nothing in our admissions policy says we can't apply if we have such needs, or that we must commit our whole lives to classes.

It's silly to believe that teachers' and administrators' needs are more important than student needs. If we think of ourselves as a lower form of life, we can expect to be oppressed.

Okay first year students -- here's to more and better tinkering!

Georgia Schwaar

(YMCA passes, continued from page 4)

Finally, the Dean's office must be considered. Although it is the smallest area of the three possibilities, precedent indicates that size is not much of a factor. The Business School has operated their YMCA passes program distribution through Dean O'Brien's secretary in an area noticeably smaller and more congested than the Law School Dean's Office.

Richard Wright has indicated that he would speak with Dean McKelvey concerning this matter. In addition, I would recommend that the FSC consider this matter since many professors participate in the program.

In the meantime, the passes will be distributed daily in the faculty center from 8:30 to 9:30 AM, noon to 1 PM, and 5:00 to 6:00 PM only.

RESPONSE TO PITTS ON PRYOR

Michael C. Osborne
First Year Day

I would like to respond to Michael Pitts' article in last week's Caveat ("Why Can't Richard Pryor and Allen Bakke Be Friends?"), but quite frankly I don't know how to do so. I must candidly admit I was unable to grasp its general argument. Normally I would not attempt to analyze an essay the gist of which I did not understand -- but I do understand several points raised by Mr. Pitts and would like to respond to these, one by one. My apologies are offered to Mr. Pitts and to any of his article's supporters if I happen to misconstrue any of the points which I am removing from the context of the essay.

As I wish to write about Mr. Pitts' article, and not about the so-called performance of Richard Pryor, I hesitate in putting forth my feelings on Pryor. But since Mr. Pitts revered Pryor to such an extent that Pryor's appearance at the SOHR benefit became one of the major issues of the article I feel compelled to begin with a specific discussion of Pryor's appearance.

Pryor, while trying to find out where the gay audience was "coming from", instead showed the world where he was "coming from". Basically, Pryor appears to me to be a closeted sexist and anti-gay person (although his performance may well have blown off his closet doors!). Pryor dominated his appearance with references to gays as "cocksuckers" and with characterizations of gay life using the word "cocksucking". In doing so, he showed his adherence to, and helped to propagate, the age-old anti-gay tendency to define gays as nothing more than sexual animals and to completely disregard a truer meaning of homosexuality: the ability and desire to enter into a complete, loving relationship with a person of the same sex. Furthermore, to refer to gays as "cocksuckers" denies the very existence of gay women -- if referring to lesbians as "cocksuckers" were not so blatantly sexist it could almost be dismissed as an illogical absurdity.

Pryor also made the comment: "Where was the gay movement when Watts was burning down/" The stupidity of such a question is incredible. An analogy can easily be drawn by asking the questions: "Where was the black movement when the Nazis were methodically killing Jews and East Europeans (and gays)?" A movement cannot be faulted for not acting when it does not yet exist! Of course, many blacks fought courageously and paid dearly, both at home and abroad, to protect others' rights which they themselves did not have -- just like the many closeted gays who became part of the grass-roots civil rights movement of the 1960's, fighting for black rights when gays, too, were unable to enjoy the very rights for which they were fighting.

There were many more revelations of Pryor's deep-down sexist and anti-gay sentiments; the above are but two examples of the reason why I strongly disagree with the stature Mr. Pitts places on the "comedian". Whatever message Pryor might have been able to provide, it was effectively destroyed by the expression of his prejudice. It was not the gays, as Mr. Pitts contended, but rather it was Pryor who left the Hollywood Bowl indelibly stamped on the forehead with the proof of his own sexism.

I particularly objected to Mr. Pitts' incredibly patronizing attitude toward the gay movement. He wrote, "Mr. Pryor's 'shocker' was like a swat from a parent to a child warning that to be a part of the 'human rights' family requires more than the promotion of gala events for specific ends." In this excerpt, Mr. Pitts echoed the essence of one of Pryor's sentiments: that while Watts burned, gays were "parading down Sunset Boulevard." Gays are stereotypically viewed as frivolous, unconcerned-with-the-world, partygoers, who "parade" and throw "gala events". The Hollywood Bowl benefit was no gala event. It was not only an open attempt to raise badly-needed money, but it was also a small but impor-

tant symbol directed at Anita Bryant and her supporters -- and at America in general -- showing the backing the gay rights movement has in the entertainment industry, both gay and straight.

Any positive effect that press coverage of the heavily straight-supported event could have had was effectively destroyed by Pryor's "shocker", which has since absolutely dominated any discussion of the event. Mr. Pitts implied that gays must turn away from such frivolities and experience the "pain, suffering and degradation, as exemplified in the flames of Watts still fresh in (Pryor's) memory". Most political gays, however, choose to raise money, to fight Anita in the courts and legislatures, to politicize sympathetic straights and gays of every walk of life who fear the openness politicization requires -- all as a result of a desire to no longer experience the pain, suffering and degradation. Does Mr. Pitts expect "Castro" to burn down to prove the dedication of gays to achieving human rights? The goals are the same, the reasons behind them are the same; but the times have changed and the tactics are different.

I also object to Mr. Pitts' depiction of Pryor and the civil rights movement as the guardian angels equipped and prepared to show the way to the young gay movement. Like any recent minority's push for rights, the gay movement can learn a lot from the history of the civil rights movement. But, it cannot expect the members of the civil rights movement to join the gays' ranks as fellow-fighters for gay rights. Both need each other's support, but both must remain autonomous to accomplish each one's particular goals. There are different issues, different perspectives, different immediate needs -- it's a different struggle. (One example: the civil rights movement continues today fighting for better jobs, better housing, better education; the gay movement is at the moment for the right to have and keep jobs and for the right to have housing at all, and to be recognized as a discriminated-against minority by the courts and legislatures.)

Finally, I object to Mr. Pitts', and Pryor's, labelling of the gay movement as consisting of a "narrow position". Mr. Pitts wrote, "(T)he gay liberation movement cannot expect to win its cause from the narrow position of its own particular 'human rights'", and Pryor wanted to know where he, as a human, fits into the gays' struggle for "Human rights". Whereas the gay movement is narrow in the sense that it excludes all unsympathetic straights, such as Pryor, it is not narrow in the sense of for whom the struggle is fought. A quick tour of gay neighborhoods, of gay churches, of gay bars, of gay community centers will reveal the diverse nationalities, religions, races, income levels, social backgrounds, and political beliefs of the gay community and movement. Probably no other minority movement includes such a veritable cross-section of humans in general and of American life in particular. The "narrowness" rather fits such groups as the civil rights movement as it is analysed by Mr. Pitts. Where in the Grand Canyon would Mr. Pitts place the gay civil rights activist? Both Mr. Pitts and Pryor seem to forget that "gay" and "black" (or "civil rights activist") are not mutually exclusive. It is in that sense that the gay movement is a human rights movement.

In summary, beginning with his praise for Pryor, Mr. Pitts does injustice throughout his essay to the gay movement and continues and supplements the insulting anti-gay sentiments of Pryor.

I have been writing for some time now, and with no mention of Mr. Pitts' Bakke arguments. I feel truly incapable of addressing myself to this issue, for it seems to be dealt with by Mr. Pitts with even more confusion and contradictions than his Pryor/gay arguments (such as: what is Bakke doing on the Grand Canyon rim opposite from Pryor when earlier Mr. Pitts attacked the tendency to place them in "opposing camps"?). I would welcome further discussion and clarification as to the points I have neglected -- and as to the points I have raised.