

the collegian

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saint mary's college of california

friday morning, may 7, 1971

“I am not long for this world.”

As white as the mantle that covers this field in winter,

as clear as the sparkle of dew in forest's green,

as vast as the pores of my mind which wrap

me in--I am not long for this world.

I do not seek the happiness that evaporates

under my feet on its path to loneliness:

I do not hear the gentle cry of gushing streams

which promise hope and change;

and I do not taste the sweet honey that falls

from a lover's lips--I am not long for this world.

Oscar P.

DRAFT LAW

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Each week The Collegian offers a Draft Law Column to its readers. The column is written by John M. Striker and Andrew O. Shapiro of the Military and Draft Law Institute, New York City. Striker and Shapiro are the authors of a recent draft law guide,

"Mastering the Draft: a comprehensive guide for solving draft problems," published by Little, Brown and Company.

This column is offered as general advice; for specific questions on the draft, a draft counselor should be consulted.

"Games Draft Boards Play"

.. "Beat the Draft" has become a national sport for many young registrants. Their tactics have been widely publicized. Relatively little attention, however, has been paid to plays executed by the home team--the local draft board.

.. Draft boards play "Beat the Registrant." For a draft board member there is only one requirement to make the team: immaculate ignorance of the Fifth Amendment to the Constitution. That Amendment contains the Due Process Clause, guaranteeing citizens "basic fair play" at the hands of federal agencies. If draft boards had to provide registrants with basic procedural due process, the Selective Service System would break down completely. To avoid such an eventuality, the Due Process Clause is not allowed to delay the game when "Beat the Registrant" is played.

.. What are some of the plays to watch for in "Beat the Registrant"? One favorite is "forfeit." In "forfeit" the play actually begins with you. One day you submit a documented request for reconsideration of your classification. The board simply does nothing; it doesn't even bother to meet in order to consider whether your case should be considered. Perhaps, the draft board clerk will look over your request; she may even telephone one or two board members. But essentially the home team just fails to show up. The immediate result of "forfeit"--unlike in most sports--is that you lose: you stay in the same classification without really knowing why.

.. Another common maneuver is known as "wrong signal." Once more you initiate the play. Say, you visit your draft board office and seek legal information or advice. You may be counseled (contrary to all judicial precedent) that a conscientious objector must believe in a Supreme Being. Or you might be told that you cannot qualify for some deferment if you failed to report within ten days the facts on which your claim for deferment is based. The key to a well-executed "wrong signal" is to mistate the law in as authoritative a manner as possible. Then the registrant may be so encouraged that he will not even bother making his claim.

.. Aficionados of "Beat the Registrant" are always thrilled to see a well-trained draft board pull off "call from the bench." Unlike "forfeit", where the draft board avoids any decision by simply not showing up, "call from the bench" is used to let someone else make the decision. "Call from the bench" is run in many different patterns. For example, the board may tell a registrant, "The case is out of our hands now; we're just going to send it off to the appeal board." Or, perhaps, the board will abdicate its own judgement and blindly follow the advice of its State Director. In either instance, the board abjures the authority and responsibility that Congress gave it.

.. Sometimes, a calculated "delay of the game" leads to victory in "Beat the Registrant." This particular play differs from both "forfeit" and "call from the bench." The draft board actually deliberates and comes to its own decision. However, it waits so long to do so that the decision, when finally rendered, appears to be of no use to the registrant. For example, a board waits until after the registrant's school year ends, before deciding there is no longer any reason to reclassify him from I-A to II-S. The decision not to reclassify unfairly denies the registrant his right to a hearing and an appeal.

.. Perhaps, the most deceptive play in the game is the "silent huddle." It keeps the registrant in the dark. He is not informed when, unbeknownst to him, damaging evidence has been slipped into his file. He is never given any specific reasons why he was not deferred. He is denied the benefit of counsel to cross-examine the board members and elicit their thoughts. As a result, the registrant is deprived of a fundamental right: the right to know and rebut evidence and reasoning that may cost him his life.

.. "Personal fouls" abound in "Beat the Registrant." One draft board was so prejudiced that it denied a II-S to a qualified student simply because he belonged to S.D.S. Another board became hostile over the time taken up in considering a registrant's C.O. claim. This board, after threatening to resign, asked the Appeal Board to give the case "quick action because of its moral status in the community, which...is undermining the integrity of Selective Service..."

.. If you feel you have been the victim of some unfair play in "Beat the Registrant," you had better seek

INTEGRATED PRESENTS 'THE BIRDS'

In a dramatic attempt to change its image, the Integral Department is presenting a play for the enjoyment of all and the astonishment of many. For tax purposes, the play will be put on by a dummy company called "Proteus Productions." There have been many attempts to stifle this production, and many tragic accidents have plagued rehearsals. Many high level people have attempted to stop the "show from going on" because of the highly controversial topics and the openness with which they are discussed. Such matters as the actual physical beating of a poet and a priest, when it is obvious that Saint Mary's is synonymous with peace and non-violence. Does a lawyer have the right to sell laws? Birds know how to nest, but can they build a wall? Did Pisthetarios really crap in court? Mr. Norman Springer and Brother Mel Anderson would not comment on the answers to these questions, even though they were never asked. The director, Miss Theo Carlile, is responsible for the modern translation that is sprinkled with four letter words and obvious references to sex. The entire is asking itself and Mrs. Carlile what went wrong with her daughter, Theo, a simple country girl from the midwest.

Brother Robert Smith, the high dealing financeer and main backer of the play has his entire life savings of \$5.36 invested in the play. There has also been the typical Hollywood ego conflicts. Jim Smith insisted that a skateboard be provided at his doorstep to transport him to the amphitheater, while the all-bird chorus insisted on an endless free supply of sunflower seeds. Despite the attempt of KKK and many of the cast to stop the play, it will go on Sunday May 9, in the amphitheatre at 2:30. It is called "The Birds" written by Aristophanes. Although the rumors have persisted, Tony Perkins will not make a personal appearance. Admission for students is free, adults one dollar. It is a comedy well worth the price of admission.

Bob Montgomery

legal counsel. Only he can advise you whether your board's gamesmanship was so unfair as to violate the Due Process Clause and nullify your induction order. .. Courts are regularly voiding induction orders that were issued after a shameful disregard for procedural due process. In so doing, one court recently warned: "The draft board's overzealous, highhanded and erroneous handling of this (registrant's) plight hardly inspires confidence in the system. Rather, it is this kind of mistreatment which has alienated the youth of the nation, bred disrespect for the law, sparked the disorders which have torn a gap between generations and ripped open the very structure of society. It feeds the clamor for the abolition of the whole selective service system....At the very least, those entrusted with the awful power of (drafting) the nation's young men...owe a duty of the most searching examination of the facts, scrupulous fairness, sensitive care, compassionate hearing, patient consideration, cautious action and deliberate and rational decision within the law. We afford no less to the worst criminal in our society."

.. We welcome your mail addressed to "Mastering the Draft," Suite 1202, 60 East 42nd Street, New York, N.Y. 10017.

LETTERS TO THE EDITOR

Sir:

.. The remarks by Mr. Blell in the April 30 COLLEGIAN cannot go into history without some response on behalf of the Christian Brothers. I appreciate Joe's concern that he may have been slighted or overlooked in the transition from one student administration to another. I can assure him that any such "oversight" was in truth and in fact an oversight. I might add that I personally am the object of at least a dozen such oversights in any typical year. I do not believe that a contribution to the well-being of the campus would be the result of my crying out each time such an instance occurs.

.. My chief concern, however, is about the notion that "strictly business" is a worthy way to conduct the College's relationships. Were this code to reign in the relationship of the Christian Brothers to Saint Mary's, the first item of "business" would be to close the College and dispose of the real estate. But the fact is that the total dedication of the Christian Brothers, the free giving of self without counting the cost, is what keeps St. Mary's alive.

.. To reduce this dedication to a purely economic term, hardly an adequate measure, \$308,000 in salary gifts were given to the College by the Brothers at Saint Mary's College in 1970-71. 1969-71 also saw a cash gift of \$1,500,000 for capital improvements from the Christian Brothers (money which was borrowed and will be repaid over years to come). Further gifts to the scholarship fund were received from Mont La Salle Vineyards. No, fortunately for Saint Mary's, the relationship of the Christian Brothers to the College is not "strictly business," nor has it ever been nor will or can it be.

.. I should also like to point out that the most recent budget calls for \$224,210 for the College scholarship program and an additional \$23,710 as the College contribution to loan fund, work study or other aid programs. Additional student aid is also in the athletic budget. The increase of \$60,800 over last year's student aid is nearly 30 per cent while tuition increased 16 per cent and room and board only 5 per cent (less than cost of living increase). This large increase in aid was predicated especially on the needs of low income students.

.. In a time when the survival of the College must be the concern of us all, "strictly business" must not, and I really believe does not, govern the relationships of the constituent elements of Saint Mary's College.

Brother Cassian
Director, Christian
Brothers Community

Dear Editor:

What the --- is wrong with arguing and dissension within the editorship of your paper. It makes you think. It makes you alive. It's only now that I'm starting to read it. And you want compatibility????!! That's what makes your paper worse not better. If you go back to that now you'll have the same Tweedle-Dee Tweedle-Dumb bull--- paper you had before. By all means keep it extreme and as incompatible as possible, and if at all possible make it extremist. Freak out.

Vaughn Misak Hogikyan

Gentlemen:

Of all the problems confronting us today litter seems to be very trivial. Or is it really? The paper cups and other debris that can be seen on any section of the campus represents an attitude which is reflected throughout the whole campus. The same students that wish to take more responsibility in the running of the campus, which includes a million and a half dollar student union, fail to respect the campus enough to walk ten feet to dispose of refuse. Is it all just talk?

Those students who wish to show through action, not words, that they respect their campus environment can do so by helping in the campus cleanup. Over the next week read the signs and posters and come out and help the dorm council clean the campus. Look for the newly painted tables in the Quad....somebody cares; do you?

Steven Peters
Member of
Dorm Council

P.S. Dinner on Friday on May 7, 1971 will be served in the Quad for all resident students at 4 o'clock.

This has all been set up with the food service. The dorm council is having a clean-up that day.

NON-COMMITMENT TO THIRD WORLD PEOPLE

I am addressing myself to the entire Saint Mary's Community, students, faculty and administration. First of all I want to make it clear to all of you that I do not particularly indulge in exchanging useless Mickey Mouse letters buried in rhetoric, read by rhetoric-indoctrinated minds--especially dealing with the important issue I am informing you about. Consequently, the serious purpose of this article is to thoroughly inform and expose to the entire college community the hypocrisy and non-commitment of this college to Third World People's needs and its inability and indifference in judging the most urgent and delicate priorities of this community.

Especially I am referring to the need of Third World faculty and personnel as pointed out to the administration by a letter which came from the Assistant Deans Office and Third World students approximately six weeks ago. What followed was a promise by the administration to halt and cease all hiring of general personnel until a recruiting process of Chicano and Black faculty members would take place. Lack of moral commitment, lack of social awareness, tokenism: these things were demonstrated by the administration, because at that time most if not all of the hiring and vacant positions had already been filled-in by Anglo personnel. The college went through the steps and motions of recruiting Chicano and Black people when in reality there were no serious intentions of hiring these people since there were only one or two full-time faculty positions open.

Later on, as time progressed in the "recruiting process", various reasons and excuses were given by the administration and department chairmen as to why a considerable or meaningful amount of Black and Chicano personnel would not be able to be hired. First of all the traditional and systematic indifference and even hostility towards hiring dedicated, effective Third World faculty to Chicano and Black students here at

Saint Mary's, was shown when hidden unconscious or conscious reasons and restrictions were put up. Some of these obstructions, unfulfilled promises, and non-moral commitment were displayed by pointing out current "budget restraints", "academic validity", questions of "standards", "scholarship criteria", and other reasons which merely cloak racist attitudes and assumptions in dealing with Chicano and Black people.

As a consequence, Saint Mary's College by its omission to react to the needs of Third World Students has shown a lack of sensitivity to the issue and present vacuum existing here in this community. Saint Mary's College as a whole believes itself to be progressive in the issue of race and ethnic quality. Lack of commitment in its past history (institutionalized racism) has made it the complete opposite: reactionary and passive. It shares and harbors the more reprehensible idiosyncrasies of the general society as it deals with Third World People's needs.

If this institution is to survive and keep itself in business, it soon better reorient its goals and priorities in the future. From here on funding and the "lack of money" should not serve as an excuse to keep Third World Students and personnel out. The availability and number of Third World Students and personnel who qualify to come to Saint Mary's, should determine the funds that must be procured by this institution in providing for personnel and programs to Third World People. It is totally unacceptable that funds continue to determine the enrollment of Black and Chicano Students and hiring of personnel.

Another area of complete lack of understanding and sensitivity to Third World needs by this college, deals with the hiring practices and criteria in getting "qualified people". An effective recruitment of Chicanos and Blacks--World faculty to Chicano students and personnel--cannot take place until

there is a satisfactory and meaningful relationship between recruiting programs on the one hand and hiring, admissions criteria, and decision making on the other. It is assumed that this private institution has greater administrative and financial flexibility than state institutions, thus it has the ability to exercise its responsibility to a long forgotten segment of society.

Let me make clear that by meeting its responsibility to Third World People, this college would gain much and lose little, at the same time it would insure its existence as an educational progressive institution. Some of the positive results Saint Mary's College stands to gain would be: 1) funding by the federal government and flow of capital into the institution, 2) awareness and exchange on a cultural level, broadening the institution's capabilities as a learning center, 3) understanding and sensitivity to the background of Black and Chicano people--social suppression and history, 4) sensitivity to the general evil of racism in this society, 5) fill in the vacuum, lack of social commitment, apathy and Saint Mary's "syndrome" by members of the college community, 6) a Third World faculty to compose a broader academic view of society's problems.

Saint Mary's College would also gain, as the idea has been shared and expressed in the past, a compulsory seminar on racism for the entire student body or community, which would insure an exchange of ideas and feeling of co-operation instead of competition and non-communication which presently divides this campus.

In order to gain this, the entire community of Saint Mary's College as an educational institution should exercise its responsibility to Third World People. This responsibility can be summarized three-fold: education, research, and public service to the community of Third World People in the general society. In order to meet these responsibilities and realizable ends, the college must act in the following: 1) admission and recruitment of Third World Students, faculty, administrators and staff, 2) a curriculum program and academic major relevant to Third World People's (Black, Chicano, Indian particularly) cultural and historical experience, 3) support and tutorial programs, 4)

research programs, 5) publications and programs to expand into Third World People's communities, 6) getting Third World speakers and contemporary policy makers, and 7) programs that serve and integrate the outside community into the academic community.

If no action is taken on the program outlined, Saint Mary's College can expect extinction and the fate of near-by colleges such as Holy Names College, burying themselves in passivity and non-sensitivity to today's

vital issues.

No immediate reaction or positive response can be expected from the administration to the state of emergency pointed out by this article, but it has served the purpose, to expose the false, lying, racist-toned, token efforts of this college concerning the most important issue of survival in this century. I am talking of everybody's survival, and society's ability to accept and live in co-operation with different races and diversified opinions.

Alejandro Contreras
Con Safos

NOTES FROM THE REGISTRAR

TRANSFERRING TO ANOTHER SCHOOL?

LEAVING SCHOOL ALTOGETHER?

Any student who does not plan to return to Saint Mary's for the Fall Term should file a petition for honorable withdrawal in the Registrar's Office before he or she leaves campus for summer vacation. No final transcripts can be released to other colleges until "official withdrawal" has been completed. Withdrawal petition forms are available in the Registrar's Office.

All students are urged by the January Term

Committee to check the "dry run" January Course Catalogues about campus (library, brickpile, resident assistant's rooms, Registrar's Office), and then to file their preference cards at the Registrar's Office.

INCOMPLETE GRADES FOR SPRING TERM

Any student who wants to receive and "I" grade in any Spring Term Course must submit a petition for same, approved by the instructor, to the Dean of Studies (Brother Cassian). Petitions are available in the Registrar's Office.

INTERESTED?

.. Anyone interested in the position of Editor for either the Gael Yearbook or Collegian, you must submit your policy statement to either John Neudecker or leave it in Box No. 1 at the post office. The deadline is this Sunday, May 9th.

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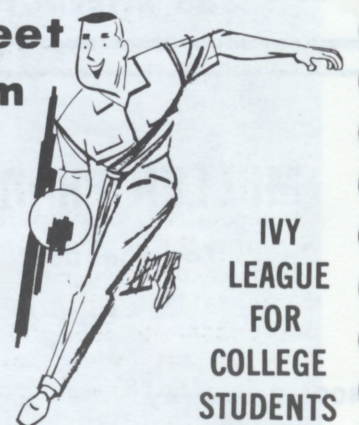
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PHOTOGRAPHERS:

DAVID MONTERO

SEMESTER EXAM SCHEDULE

.. Monday, May 17 8-10 All classes scheduled TuTh 10:30 10-12 Business Administration 123 sec 1,2 in Room D204 1-3 All classes scheduled MWF 1:10 3-5 Economics 1B, sec 1,2,3 in G 201-202

.. Tuesday, May 18 8-10 All classes scheduled TuTh 8:20 10-12 Business Administration 115b, secs 1,2 in Room D 204 1-3 All classes scheduled MWF 10:40 3-5 Economics 106, sec 1,2 in Room G201 Math 160 in Psy Lab

.. Wednesday, May 19 8-10 All classes scheduled MWF 8:20 10-12 Business Administration 124, Secs 1,2 in D 204 1-3 All classes scheduled TuTh 1:10 3-5 All classes scheduled MWF at 9:30

.. Thursday, May 20 8-10 All classes scheduled MWF 11:50 1-3 All classes scheduled MWF at 2:20

.. Friday, May 21 8-10 All classers scheduled TuTh at 2:20

.. Friday, May 14, will be "Dead Day". No classes or examinations are to be scheduled on May 14.

.. All examinations are held in regularly scheduled classrooms unless otherwise noted in this schedule.

.. Classes in the evening or late afternoon not covered in the above will be scheduled by the instructor at a time not conflicting with other examinations.

.. Four-day-a-week classes have their examinations at the MWF time.

.. Be certain to check through this entire schedule for examinations at special times and for room changes.

.. Graduating seniors' grades will be due in this office by May 21st at the latest. A list of students in this category will be given to you with your grade cards.

.. Note Academic Regulations:

.. When final examination has been missed without adequate excuse, the highest grade on the make-up is a "D".

.. Incomplete grades (I) are only to be given after a student has consulted with the instructor and filed a written petition approving the Incomplete status with the Office of the Dean of Studies.

GAEL SPORTS AWARDS

Wednesday May 5, the athletes and coaches of Saint Mary's held a Sports Awards Banquet; this is another Gael first for Athletic Director Dr. Donald McKillip. Main Speaker for the dinner was Mr. Elwood Lang, better known as "China Lang". Mr. Lang is Chairman of the Department of Health, Physical Education and Recreation in San Francisco.

The following awards were presented:

FOOTBALL: outstanding back; Julio Lopez, outstanding lineman; Kevin Hagerty, most inspirational; Don Hensic, the Toby Hunt Award (for Defensive play) Dan Ferem, Red Dog Award; Don Hensic,

Pirate Award; Jim Datrice, Raul Rames, and Greg Schneeweis, and Captain Awards Jerry Murphy, Pat Madison, and Don Hensic.

SOCCER: outstanding forward; Joe Blell, outstanding defender; Lake Tengun, and Most Improved Player, John Chapman.

BASKETBALL: MVP; Sam Hill, Captain Award; Chris Dayak, and Best Foul Shooter also Chris Dayak.

TENNIS: Captain Award; Rueben Hunter, Most Improved; Don Byrd.

GOLF: Captain Award Barry Brynjulson, MVP (Low Medalist) Jim Kolbus.

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THE COMING OF THE AMERICANOS

The economy of the rancheros of the San Francisco Bay Area, like that of the almost eight hundred other rancho owners in the Departamento of California, was dependent upon commerce with Yankee trading ships: Industrial products of New England were exchanged for the hides and tallow of the California's herds of long horned cattle.

The liaison man with the rancheros was an agent for the shipping line, or even for a single vessel. He was known to the cattlemen as the "supercargo." His job was to persuade the rancho to consign next year's production to his particular boat or line. Part of the persuasion was a display of sample merchandise aboard the floating emporium that was to load this year's purchase of hide and tallow; another might be a sale on credit. Often, however, the supercargo endeared himself to the

ranchero by accepting his hospitality and perhaps visiting him with a mule train in tow that carried samples from the merchant ship.

One of the supercargoes who had long beat the trail from adobe to adobe in the hills of the East Bay was William Heath Davis who terminated his peregrinations when he became a victim of love and settled down as the husband of a daughter of Jose Joaquin Estudillo of San Leandro Rancho. (The headwaters of San Leandro Creek are the streams of the Moraga Valley.)

In his memoirs, "Sixty Years in California," Davis recalled his inventory of the livestock of his former customers. Among ten in the East Bay who sold to him there were only two rancheros whose herds of cattle numbered less than a thousand: Felipe Briones (who had been killed by Indians shortly after settling) and Joaquin Moraga. Others, Ignacio Martinez, and the

Peralta Brothers, for example, had herds numbering 8000.

Davis lists Moraga's holdings at 800 cattle and a few hundred horses. One of the Peraltas, Antonio Maria of Rancho San Antonio, (Oakland), said Joaquin had 1000 cattle and 400 horses.

That was before the Yankee imperialists conquered both the Territory (Departamento) of California and the Central Government thousands of miles away.

A few days after Joaquin died (June, 1855), an American tax appraiser appeared at the Moraga Adobe to count his assets. There he found only eighty head of "Spanish" cattle; sixty horses, wild and tame; one hundred "California" sheep; 20 hogs; and two wagons. (Spanish or California stock was appraised at a value much lower than that of American origin.)

The advent of the Americanos brought a strange and confused admixture of blessing and curse upon the conquered race.

There would have been little of the latter had not an accident occurred: Four months before the Mexican Government had put its pen to the Treaty of Guadalupe Hidalgo (May 30, 1848), gold had been discovered in "Nueva California" (January 24). It was the discovery of gold and the subsequent pressure of an influx of tens of thousands of gold seekers who had to be assimilated into the social and political structure of an infant government that were responsible for most of the misfortunes visited upon the native Californians.

As a result many of the blessings that some of the pro-American natives had anticipated remained but the promises of such after they had been promulgated on paper.

One of these was the assurance through the Treaty that the decisions of Mexican courts or legislatures would be honored; another, that the Californian was now an American citizen whose rights would be protected by American courts of justice.

Another source of anticipated blessing was the rancho's possession of two commodities which would be shortly in great demand by the newcomers: food and land. If he could survive economically, there was a chance that he would in time become an integrated member of the new society.

However, it was in these very areas from which such blessings had been anticipated that the scourge of curses originated.

For Joaquin Moraga they became incarnate in the form of horsemen in black: rustlers, squatters, tax collectors--and, impoverished by these, the money lenders (7½ per cent per month) and the lawyers.

NEXT WEEK:
MORAGA IN THE
NEW SOCIETY

CANDIDATE ADDED

This Monday, May 10, there will be another candidate interviewed for the office of Academic Vice President. The candidate is Donald M. Lowe, Associate Professor of History at San Francisco State College. He will be here Monday and so the following schedule has been set up for Professor Lowe's visit: at 10:30 a.m. Professor Lowe will meet with the Executive Council, student body officers and represen-

tatives of other student organizations. This meeting will take place at Dryden Hall. At 11:30 he will meet with the Academic Council, Rank and Tenure Committee, and other academic departmental chairman, for lunch in the President's Dining Room. At 1:30 p.m. there will be an Open Forum in Dryden Theater; all students are invited to be at the 1:30 p.m. meeting.

GOLF TOURNEY

Monday, May 3, the WCAC Golf Championship was held at Silverado Country Club. Host for the Tournament was the Saint Mary's College Team.

The Gaels who finished fifth in an eight team field had the low round of the tournament, a 74 turned in by John Mathews. Unfortunately Mathews had opened with a disastrous 87 in his initial round. USF easily won the team title, with Santa Clara a distant second, University of Nevada Las Vegas third, Pepperdine fourth; the hosting Gael squad ended up fifth, followed by University of the Pacific, University of Nevada-Reno, and finally the Lions of Loyola University of Los Angeles.

NOTICE

College students seeking employment during the summer months and-or the fall semester, September 71, should come to the Food Service office the week of May 10th thru May 14th, and fill out an employment application.

Job confirmations will be available the week of May 17th thru the 21st. At the present time 25 percent of the food service workers are students, hopefully by the fall semester there will be 45 to 50 students employed in the food service, over the present 25 now employed.

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