

Time to decide

How long does it take an attorney general to reveal a final draft of a ruling?

Too long. The state Attorney General has been working — or not working — on his opinion in the controversial divestment of the State System of Higher Education's stock in firms doing business in South Africa since Dec. 6. The issue has been stagnating in the Attorney General's office for almost four months, and the delay appears likely to continue for at least two more weeks.

The issue is clear, but it unfortunately has become a Catch-22 because of the legal intricacies of the relationship between the State Board and the Oregon Investment Council. The debate centers on whether or not the Board has the authority to direct the investment council to sell stocks for policy reasons. By adopting the proposal to divest the stocks, the State Board essentially made a policy decision. Although it has a general policy against making political statements or taking action for political reasons, it has the authority to do exactly that.

If the Attorney General rules that the Board doesn't have the authority to divest, the control over investment policy will then be placed squarely on the shoulders of the investment council. That would indeed be a peculiar arrangement, since the investment council is clearly subservient to the State Board. If the State Board doesn't have the authority to set policy, then who does?

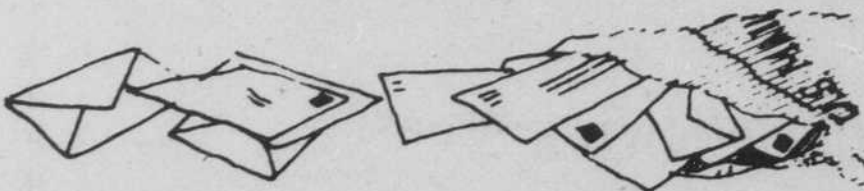
Apparently, the opponents to divestment believe their decision should be made by the investment council. The council invests state money using the "prudent man" rule as a guideline. That rule states that the investment should be made with good reason in companies which have a stable record. But if the investment council has the power to invest in any company, it is conceivable that it could profit immensely from — in a perhaps slightly exaggerated example — illicit drugs. Great profit. No ethics.

Similarly, the investment council, if the Attorney General rules against divestment, may become the policy setter for the state system of higher education. But that obviously subverts the authority of the agency which to date has been, as it should be, the policy setting agency — the State Board.

When the state board went beyond the question of whether or not an investment is prudent and raised the question of whether or not an investment is right, it made a policy decision which must be carried out. The Board consists of 11 members appointed by the governor and approved by the Senate to serve as policy makers for the state system. The policy to divest was made by a majority of the members in accordance with its authority to make policy.

To the extent that the Attorney General's office is bogged down with other cases, the delay is somewhat understandable. But a four month delay is inexcusable. The divestment decisions made in Oregon and other states, coupled with anti-Krugerrand statements, have brought more attention to the plight of black South Africans than any other anti-apartheid actions. Perhaps it is the politics of the issue which make the Attorney General delay such an important decision for so long. We hope not. But at any rate, the decision on the authority of the state board to divest the South African stock is long overdue.

Letters

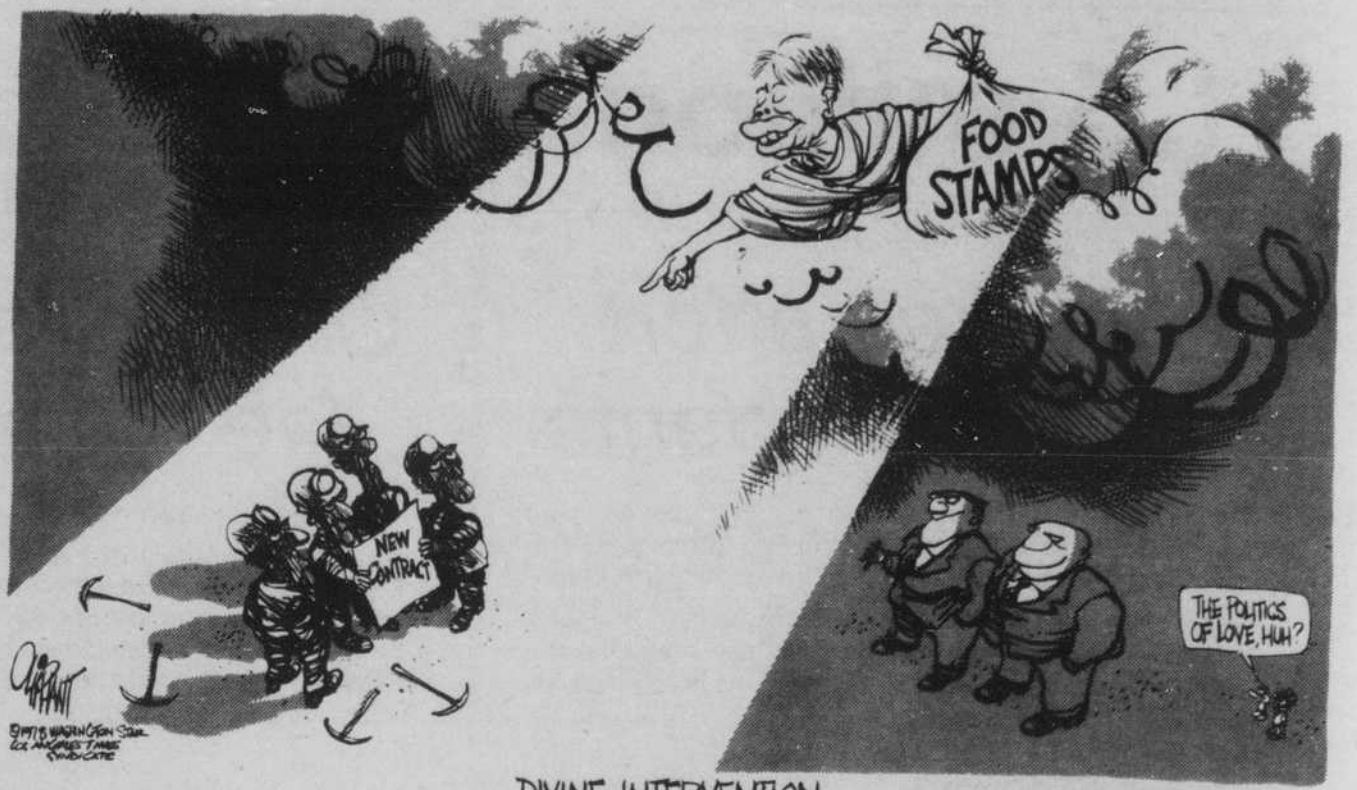


Improve the guide

Many faculty members at the University would like to offer new or experimental courses from time to time. Such courses enhance the curriculum and are surely generally to the advantage of students. The problem with offering such courses, however, is that it is difficult to publicize them adequately. Faculty members are generally therefore, I think, delighted that the ASUO publishes its course guide each term. This guide seems to be widely used and provides an excellent opportunity for students to learn what

new and experimental courses are being offered.

It is thus extremely disconcerting and frustrating when the editor of that publication seems routinely to drop notices submitted to him of new and experimental courses in one or more departments. Winter term, our department scheduled a course on the inter-relationship between, on the one hand, religion and ethnicity and, on the other hand, Marxism/Leninism. This should have been a very interesting course for persons who wanted to get some idea of different ethnic groups within the Soviet Union and some of its allies; but the course description was omit-



DIVINE INTERVENTION

ted from the ASUO Course Guide and only two people registered for it.

This term, a new course offering, An Introduction to the Study of the Bible, has been scheduled for 14:30 MWF, R 199, TLN 2963, and the description has again been omitted from the ASUO Course Guide. The purpose of the course is to acquaint students relatively unfamiliar with the Bible with its general content and with scholarly methods and tools used in the academic study of the Bible. It is not a "religious" course, and persons who are Jewish, Christian, or neither should be comfortable in the course.

The ASUO should be thorough in the publication of its guide or relinquish the responsibility to someone else.

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A positive view

As a reader of the Daily Emerald, I've come across many negative views of the CETA Program here in Lane County. Many of these pointed opinions were voiced by individuals who were neither employed by CETA nor were they participants within CETA's various programs. Apparently their view were based on their personal feelings, hearsay and probably good old gossip.

Now, surely any type of a large scale self-help government program is open to criticism, justified or not. On one hand, government financed programs (our tax money) are ripe for non-constructive criticism. Such is the bread and butter of some politicians. But on the other hand, is the adverse criticism launched at Lane County CETA justified? I for one must say NO.

Here in Oregon each year there is a large rainfall, however some areas remain hardly touched and as last year proved, the lack of rain affected everyone. Lane County CETA is a rainfall for Lane County residents and fortunately a constant and ever increasing one. It is impossible for CETA to satisfy everyone who comes in for assistance. Thorough knowledge of CETA's available programs, an understanding of how you, if you are chosen, to participate could most benefit best plus patience will help smooth out most dealings with this highly beneficial government program.

Positively, CETA develops jobs in existing agencies, Public or Private and assists other boot-

strap ones in broadening their service or work output by totally paying its participants' salaries. Many a small business here in Lane County have become solvent due to this kind of direct assistance.

Because CETA's present program is divided between Youth and Adult services, all segments of the County's residents are among its active participants. Because CETA like any other program is limited to a specified budget, a selection process must be maintained in order to be just and fair to all who apply for participation. Applicants should always consider this point when applying for any of CETA's programs in on-the-job training, work experience, public service employment, public service employment or special educational and training under the four main titles.

The plain facts are that: 1. CETA is working for the many people whom it presently assists. 2. Permanent positions are being developed in agencies, where in some cases none existed before. 3. Millions of dollars are being circulated through the participants in salaries to local business and services (public and private). 4. And as a participant secures a permanent position his/her CETA position is quickly filled with another qualified person.

In closing, surely CETA can be improved and it is constantly undergoing improvements so that it will become a more comprehensive Public Service. The public and applicants should however be more considerate, patient and thankful for the positive gains of Lane County CETA. For like the rain, if we didn't have it, we would most certainly miss it.

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Review inaccurate

Apropos Fassbinder's "Jail Bait", I wish to point out certain inaccuracies in David Coursen's otherwise informed review of the film:

1. "Jail Bait" is a chilling picture of valuelessness and moral chaos." Coursen does not substantiate his claim and the film is neither devoid of value nor does it express moral chaos. Fassbinder's characters are never mixed up about their values; it is just that they are prevented from vindicating them. Franz tells Hanni — when they discuss the ramifications of her pregnancy — that his main concern is that he

does not want to lose her. And Hanni too, in response to her mother's inquisitive concern about her intimacy with Franz, responds — "What do you expect? I love him." Fassbinder's target is not individual morality, but rather the strictures that an unrelenting and uncaring society imposes on the individual. Moreover, Fassbinder's universe is consistently oppressive; it is not chaotic. Fassbinder is a romantic and Coursen — who evokes "Ali: Fear Eats the Soul" — should at least acknowledge it.

2. "The film is maddeningly claustrophobic." Here again, Coursen ignores the function of counterpoint in Fassbinder. Specifically, he overlooks the tonality of the opening scenes. The opening shot of the castle is anything but claustrophobic, and Hanni's parents' conversation in the bathroom is markedly casual. Also, the scene which depicts Hanni's first encounter with Franz, is free from oppression or claustrophobia; her emergence from darkness into the square has a strong stepping-out-into-the-world quality to it — in fact, it is strong enough to evoke Alice in Wonderland. Society, in Fassbinder's world, closes in on the individual gradually and unobtrusively — with the inevitability of fate. The "fate" in Fassbinder, however, is man-made; much of the subversive quality in his films derives from this connotation. Coursen's comment seems to imply an unvarying tonality (and milieu?), and ignores the function of counterpoint that invariably accentuates the sense of alienation that emerges at the end of a Fassbinder film.

Fassbinder "grand theme" is loneliness — and in "Jail Bait" it comes across best in the scenes between the mother and the daughter. And all Fassbinder films end on a note of inefficacy of isolated instances of rebelliousness. The squelching of individual aspirations is accentuated by the inflexibility of Fassbinder's portrayed society.

The individuals in Fassbinder's films never break through, but his sympathies come across unequivocally nonetheless. His films are awedly subversive and Fassbinder has gone on record saying that he endeavours to elicit antagonism among his audience rather than work towards a resolution by portraying it on the screen; and much of the "generalized despair" in his films derives from this unresolved tension.

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