

Professor supports plaintiffs' fight

# Recalling Penk lawsuit revelations

It was in February 1984, after a long delay, that the non-jury trial known officially as "Penk vs. the State System of Higher Education" began in the Portland courtroom of U.S. District Judge Helen Frye (formerly of Eugene).

On Feb. 15, Judge Frye issued a decision to the effect that, overall, she had found no convincing evidence of a pervasive pattern or practice of bias against women in the State System of Higher Education.

While I would have been pleasantly surprised had the ruling in this

## Commentary

lengthy, landmark sex-discrimination lawsuit been in favor of the women plaintiffs, I agree with the comment reportedly made by Oregon Attorney General Dave Frohnmayer after the Frye decision had been released. He has said that with expensive lawsuits as complex and highly charged as the Penk case, "there are no real winners."

In the spirit of that observation, in the aftermath of the yearlong Penk proceedings, I find myself reflecting anew

on a number of revealing vignettes that can be labeled "curious."

For example, Ruth Waugh, a recently retired faculty member from the University's College of Education (and one of the few named plaintiffs in the Penk lawsuit to testify in open court), reported that she was hired by the University along with a male teacher under an identical job description.

However, her compensation at the time was only 75 percent of her male counterpart's — although she had nine years of experience in comparison with his six years. Even after 20 years of successful faculty performance, Waugh's salary was still lower than her male colleague's.

She stated that throughout her employment as a University faculty member she had been paid significantly less than men with similar or inferior qualifications and responsibilities.

Another pithy revelation involved Anna Penk, a mathematics professor at Western Oregon State College in Monmouth, after whom the historic case in question has been named. In October 1984, Penk testified that her annual salary after 12 years of teaching is only

\$73 more than that of one of her former students, hired this year by WOSC.

According to an Associated Press news item, Penk, who received her doctorate in mathematics in 1973, was offered a salary of \$23,073 for the 1984-85 academic year. She later learned that a male former student of hers had been hired as an assistant professor for \$23,000. He earned a master's degree last August and is now beginning preparation toward a doctoral degree.

Of course, the rationalizations offered by administrators to justify such gender-related salary differentials invariably center on so-called "market conditions" and other idiosyncratic/experiential variables that, it is alleged, frequently tend to favor male academicians.

But on the face of it, the kinds of payment discrepancies cited by some of the Penk plaintiffs in their sex-discrimination lawsuit seem, to me, to be curiously revealing.

As a University male faculty member, I wish to commend those stouthearted plaintiffs in the Penk

litigation who have endured no little financial and emotional discomfort in their courageous struggle to ease the way for other women coming up in the Oregon State System of Higher Education. And in the process, males, too, may have been helped to acknowledge the entrenched attitudes of gender bias that are still evident in our community.

For example, during the course of the Penk proceedings it was reported that in the early 1980s, University President Paul Olum and Provost Dick Hill both resigned from "The Roundtable" — a local, social-intellectual (town and gown) caucus of about 100 members, whose bylaws prohibit the participation of women!

In early 1985, I can't help wondering whether "The Roundtable" is still an all-male anachronism — and if so whether other male academicians from the University who might once have belonged have now prudently followed Olum and Hill and given up their seats, too, in such a sexist, chauvinistic enclave.

**Ron Rousseve**  
Professor, counseling psychology

## letters

### Mandatory

I believe the viewing of "The Times of Harvey Milk" should be mandatory for all. After recovering from this film's devastating reality, I feel myself rise up with even more conviction than before to educate.

Harvey Milk was a blatantly open-minded, minority-concerned, community-entrenched and, yes, gay man on the Board of Supervisors in San Francisco. He was gunned down in cold blood. This was five years ago. Today, the killer is out of prison. Judged by a jury of his peers, Dan White received one of the least serious sentences of killing in the infamous "Twinkie Trial." A white man with too much white sugar in his system who has mercilessly murdered a gay is as guilty as an individual who has accidentally killed someone with a car. This society condones, almost rewards, the wrongs done to lesbians and gays by creating precedent for ludicrous stances to soften the punishment for these offenders. I am outraged. I refuse to accept a society that pats Dan

White on the hand and says poo-poo. We, as lesbians and gay men, must not stand for this offense. We must unite to educate a society that treats us as non-people, as lepers in a "clean" world.

I will not be closeted in any shape or form, on any level, under any circumstances. We are strong and brave to love the way we do in the face of such opposition.

Harvey Milk is dead and I am mad. Education must become the soul of the community.

**Chris/Jovanno Gonzalez**  
Creative Writing

### Can't give up

Dear, dear, Judy Gilliland: I applaud your opinion about being a community and just getting along with each other, but it's not that simple. While you may not be an "obnoxious Het" while in a gay bar, there are those who come to Perry's knowing that it is a gay bar and react negatively when they see a gay.

While I too am tired of it I can't afford to just forget about debating the issue as easily as



you can because you see I am gay and by being the person I am I have almost no legal protection against discrimination. So I can't just give up the issue of this (Perry's) situation or any other situation where the issue still boils down to the same thing.

I can't afford to give up the issue until I can go to the Lone Star or O'Callahans with my

boyfriend and not be beaten up or thrown out.

**Storm Fawcett**  
Gala Co-Director  
and faggot

### Case of overkill

What's this I hear the president talking about the need for strength against the Russians? It appears that the name of the capitol, "Washing"-ton, has gone to his head because he is so intent on developing nuclear detergents in space as well as on Earth. I had heard the defense department had a lot of problems that needed cleaning up, but I think that his is a case of overkill.

Granted that the mess of blood is hard to clean, as "out damn spot" MacBeth would attest to. But to destroy the item to be cleaned hardly would sell a common detergent. Why then does President Reagan seem to believe that a nuclear detergent would do justice to removing a spot which he considers to be staining the world?

Notice that there is an apparent error in the terminology, but as an analogy with

homophonic qualities it well illustrates my desired point.

**Scott Brandt-Erichsen**  
Political Science

### Act of violence

In responding to Andreas Mueller's letter of Feb. 26, I would like to make the following comments:

The basic question is not whether or not a woman has the right to control her own body — it is whether that right extends to the taking of another human life that is living inside of the woman.

The time for a woman to exercise her legitimate control over her body is before conception occurs, by using birth control or by abstaining from intercourse. After a life has begun, it is too late to talk about her "right to control her body," because the fact is that another body beside her own is now involved — that of the child.

Depriving an unborn child of the right to live is the ultimate act of violence against the defenseless.

**William Moore**  
Eugene

## oregon daily emerald

The Oregon Daily Emerald is published Monday through Friday except during exam week and vacations by the Oregon Daily Emerald Publishing Co., at the University of Oregon, Eugene, Oregon, 97403.

The Emerald operates independently of the University with offices on the third floor of the Erb Memorial Union and is a member of the Associated Press.

### General Staff

Advertising Director  
Production Manager  
Classified Advertising  
Controller

Susan Thelen  
Russell Steele  
Vince Adams  
Jean Ombey

Advertising Sales: Laura Buckley, Tim Clevenger, Jennifer Fox, Marcia Leonard, Rick Martz, Nancy Nielsen, Laurie Nobel, Roberts Oliver, Brett Pickman - Intern, David Wood.

Production: Kelly Comyn, Stormi Dykes, Julie Freeman, Kathy Gallagher, Dean Gutendy, Susan Hawkins, Rob Kraft, Ross Martin, Karin McKercher, Lauri Neely, Kelly Neff, Kara Oberst, Curt Penrod, Michele Ross, Alyson Simmons, Peg Solonika, Tim Swilling, Colleen Tremaine, Hank Trotter.

Editor  
Managing Editor  
News Editor  
Editorial Page Editor  
Photo Editor  
Sports Editor  
Sidelines Editor  
Friday Edition Editor  
Entertainment Editor  
Night Editor

Michele Matassa  
Mike Sims  
Michael Kullaga  
Cecilia Christ  
Michael Clapp  
Brent De La Paz  
Sheila Landry  
Kim Carlson  
Michael Duncan  
Michael Clapp

Associate Editors  
Administration  
Higher Education  
Politics  
ASUC  
Student Activities  
Community  
Features

Jolayne Houtz  
Michael Hosmar  
Paul Ertelt  
Julie Shippen  
Diana Elliott  
Cynthia Whitfield  
Lori Steinhauer

Reporters: Sean Aumaker, Dave Berns, Kirsten Bolin, Michelle Brance, Dave Carlson, Robert Collins, Thomas Henderson, Robin Joannides, Allan Lazo, Capi Lynn, Scott McPetridge, Stasia Scarborough.

News and Editorial  
Display Advertising and Business  
Classified Advertising  
Production  
Circulation

686-5511  
686-3712  
686-4343  
686-4381  
686-5511