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President Ford and congressional spokesmen favoring investigation of the Hays case have stressed the strict taxpayer interest in what was bought with Elizabeth Ray's $14,000-a-year salary. Their disclaimer of any other interest in Mr. Hays's off-hours proclivities perhaps makes legal and political sense in the circumstances.

But we are uneasy with the rationale that there has to be some public-financing or other case but an

One's performance. The American people obviously bought with Elizabeth Ray's direct governmental concern to make national stress the strict taxpayer interest in what was ary. Their disclaimer of any other interest 

**Confirming Dr. Berman**

It was an even four months ago that President Ford sent Dr. Ronald Berman's name to the Senate Committee on Labor and Public Welfare, nominating the distinguished analyst of contemporary culture for a second term as chairman of the National Endowment for the Humanities. It's still there.

The committee's failure to act on the appointment in a third of a year reflects neither inefficiency nor an overcrowded agenda. Rather, it's the deliberate tactic of Sen. Claiborne Pell, who heads the subcommittee on education where action must begin. He doesn't like Dr. Berman. Seemingly, however, Sen. Pell doesn't trust his ability to persuade the rest of the committee to drop him — not enough, at least, to risk open hearings.

Using official prerogatives to obstruct the intended workings of the congressional system is despotism of a sort that seems particularly incongruous applied to an institution as elevated as the Endowment. The chairman's personal vigor is such that he has not sunk into the lame duck limbo Sen. Pell appears to want for him. But his indeterminate status is bound to erode his authority and, with it, the effectiveness of the organization, if it goes on much longer.

If Dr. Berman is the right man for the job — and we think he is — his renomination should be confirmed without further delay. If he isn't, there should be hearings to show why.

**A classic in Boston**

The fidelity of athletic endeavor to the daily activities of life — those at once more important and more mundane — was captured in the multigame in the Boston Celtics-Phoenix Suns championship series.

A part of that fidelity, of course, is that there are winners and losers in all competition; yet most significant is the way victory is attained at a loss sustained. In that sense, failure can be consequential. Dignity and effort can trump result.

The tenacious Boston Celtics, as any casual observer of the sports pages is aware, finally set Phoenix Suns, to win their 13th National Basketball Association championship in 20 years. But it was that fifth game in Boston that was an unqualified classic — a ace, draining contest that went into three time periods before Boston prevailed. That was, simply, magnificent. To appreciate it, it requires that one be a basketball aficionado. The court merely was the focus of

humiliating as what the Californians did last year to our Bullets.

In the raucous Boston Garden, though, on Friday with the best-of-seven series at two games apiece, the fellows from Phoenix made an indelible claim on memory. After 63 ferocious minutes of basketball, the Suns were on the deficit end of a 128-126 score. To recite the final score, however, is as pallid as saying the North won the Civil War.

The Suns were down by 22 points in the second quarter; they clawed back to tie the game at the final whistle. Ah, the drama of that second overtime: Trailing by three points, Phoenix battled to a single point lead — only to have that splendid geriatric John Havlicek toss an off-balance shot that dropped home in the terminal seconds. A technical foul call against Phoenix, a brilliant bit of strategy by John McLeod, the Suns's Icarus, put the Suns behind by two points but gave the team the ball at half court with one (1) second on the clock.

Yet in 1967 it was Experience hospital would be its model of its kind, an interest and invest federal government lumps of mental health need and that control of would eventually prat of Columbia for great majority of its p

In 1973, Dr. Bertral that the main reason had not been acc "the complexity of we rangements." Now, later, the hospital re the control of NIMH which has been desc limbo.

It is obvious that dec taking place and it a reasonable and unfair D.C. Health Department spoility for it at thinning much of the time of Elizabeth has had by its superintendents for various including the present ti an undesirable administrati on, regardless of the consequence of the incumblings.

Six years ago, the tr geriatric patients at S reported in leading pr journals, and the hospits recognized for its lead dico-legal problems. R ility concerning geri prisoner patients has been

A lawyer's view of uninhibited p

In your story on the 37th D.C. Judicial Conference you stated that I urged "that orders ever be imposed as news media and that if the judges never use the tempt power to enforce s." That statement is hal Id urge that no that should be imposed again against media. However, I recognize judges may, on occasion, it orders against lawyers, co sonnel and others under t powers of the courts, as guished from the news Where reporters are able information from individu spective to such orders, I suggest reporters not be cited for co but that the judges enforce orders only against those it als at whom they were directed.

Joseph A. Califf Washington, D.C.