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HOYA

Court Rules For GPGU

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Gay groups on campus won a partial victory Monday when D.C. Superior Court Judge Leonard Braman ruled that Georgetown University has violated the D.C. Human Rights Act by refusing to charter the Gay People of Georgetown University (GPGU) and the Gay Right Coalition (GRC) of the Georgetown Law School. However, he denied another part of the summary judgement motion which the two gay issue groups had filed.

A summary judgement is issued by a judge without trial when there is no doubt as to the concrete aspects of the case.

Therefore, the case will move to trial, as the University has urged. September 21 was set as the trial date, with pre-trial sessions set for August 26 and September 9.

The D.C. Human Rights Act of 1977 forbids discrimination in education, housing, and employment on the basis of sex, race, creed, sexual orientation and other arbitrary classification.

Charles Wilson, one of the University lawyers, argued that Georgetown's refusal to charter the gay groups does not constitute discrimination. He said that University policy is neutral and applies equally to all groups: if the philosophy of any group conflicts with Catholic tenets, it will not be officially recognized.

Judge Braman did not accept this argument, pointing out that the D.C. law prohibits not only discriminatory intent, but also discriminatory effect. He termed the University's interpretation "untenable as a matter of law" and went on to say that "discrimination is not saved from condemnation because it is applied uniformly."

GPGU lawyer Ron Bogard argued in favor of a summary judgement by contending that the University did break the law, and since it has accepted large amounts of federal money it has waived its right to exemption based on the First Amendment guarantee of free religious exercise.

Judge Braman agreed that the Georgetown has broken the law, but he said the issue of whether or not the requirement of the law are a violation of the religious freedom guarantee of the First Amendment cannot be decided summarily.

"Summary judgement is a drastic form of relief," said Judge Braman. "It can only properly be utilized where there is no genuine doubt as to material issues of fact. Where there is doubt, the court can't take away the right of a party to a trial."

In another issue, the Judge ruled against the University's claim that the gay groups should not be able to use the words "Georgetown University in their names. Judge Braman said that the University had not proven that any confusion or injury resulted from the use of the name.

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not use our tuition dollars for their fight against the GPGU.

In twice voting to charter the GPGU, the Student Activities Commission recognized the educational value of the group and activities it sponsors. But in this case, the University is clearly not concerned with the question of what is best for the education of Georgetown students. Rather, the University is fighting to preserve its own interpretation of Catholic doctrine.

Since the welfare of the students is not an issue here, the students should not have to pay the tremendous legal costs the upcoming trial will require. Rather, the Catholic Church, the Jesuit Order, or some other body of "Christian Soldiers" should pay for the crusade.

We reaffirm our support of the GPGU as a group which is an asset to this community. Having none of the financial resources that the University does, we only hope the group can overcome its monetary handicap and thus allow the University to win the case by default.

This week Judge Leonard Braman ruled that the administration's refusal to charter the GPGU (Gay People of Georgetown University) does constitute discrimination based on sexual orientation, and therefore violates the D.C. Human Rights Act. The question which remains to be answered is whether or not application of this law to the University violates the constitutionally protected right to free religious practice.

In other words, Georgetown's claim that it did not break the law has been overruled, and the only defense which remains is that it does not have to obey the law because it is a religious institution.

As a Catholic university, Georgetown has two purposes: the secular one of promoting liberal arts education, and the sectarian one of promoting the Catholic faith. Now that the judge has said Georgetown definitely broke the law, the only element left in this case is religious in nature.

Given this, we feel that the University should