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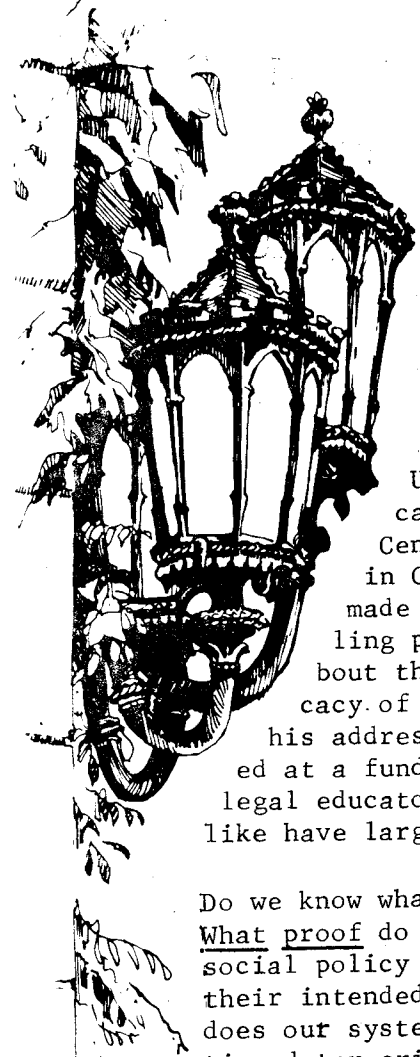
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LIFE... AND DEATH



Although Professor Frank Zimring of the University of Chicago Law School Center for Studies in Criminal Justice made no novel or startling pronouncements about the deterrent efficacy of capital punishment, his address here Monday hinted at a fundamental question legal educators and students alike have largely ignored:

Do we know what we are doing? What proof do we have that our social policy enactments achieve their intended results, e.g., does our system of criminal justice deter crime? Merely positing these questions stresses the need for increased collaboration

in research efforts between law and the social sciences.

Zimring, author of an about-to-be-released book billed as the first major American study of deterrence, has also written on such topics as the effects of gun control legislation on the incidence of violent crime.

His talk on capital punishment, a subject which he began seriously studying earlier this year, primarily recounted others' research, and unfortunately his own original findings on deterrence in general remain a mystery pending publication of his book.

Zimring, however, like most good behavioral scientists, was careful not to say more than he said; and as far as he went he conducted an important and worthwhile exercise in appreciating the mammoth difficulties of empirically validating complex social policies.

He emphasized that the issue raised by capital punishment is not whether it deters crime, but whether it adds measurably to the deterrent impact of other available penalties--the incremental deterrent value of the death penalty over protracted imprisonment.

Relating empirical studies to ethical considerations, Zimring took issue with philosopher Ernest VanderHaag's position that "since victim lives as a class are more worthy than offender lives, we must risk the possible ineffectiveness of executions to protect victim lives."

According to Zimring, VanderHaag is saying that "we are ethically obligated to participate in a permanent experiment in killing people without ever knowing if it has a salutary effect in deterring homicide."

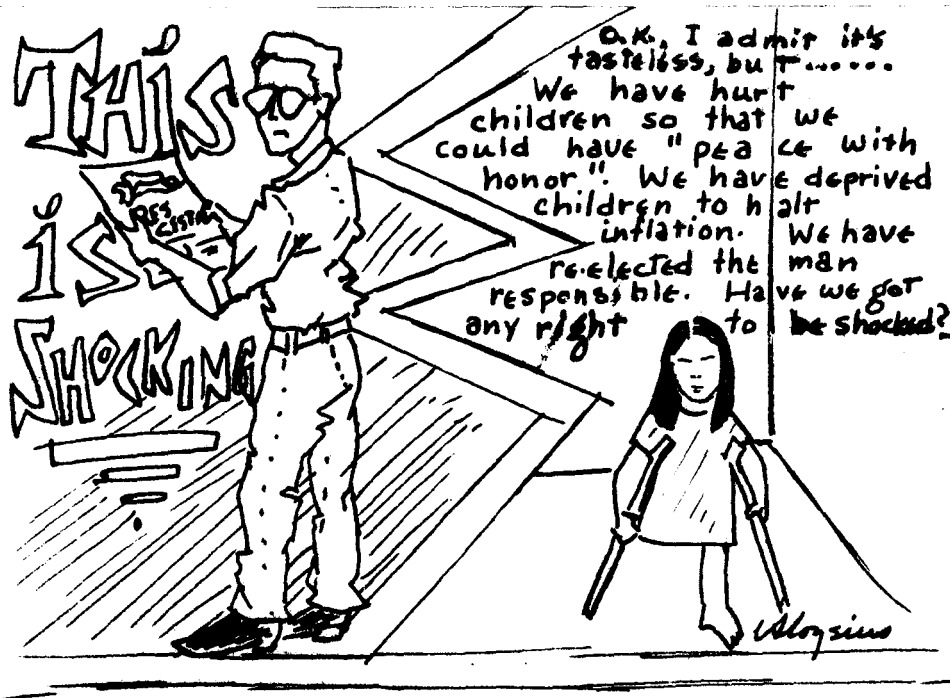
Alluding to an analogy he made comparing the death penalty to the state lottery, Zimring said that by failing to empirically validate our policy choices we are "not only entering the state lottery, but they never hold a drawing--we never find out who won."

Zimring said that whatever the imperfections of studies to date, they clearly show that capital punishment as presently administered when compared with protracted imprisonment cannot have either a major or a consistent, measurable influence on the homicide rate. However, it is not possible to say conclusively that it has no impact or even some very small impact.

And unfortunately, no studies done are able to answer what promises to be a major question as a result of the Furman v. Georgia death penalty decision--What about mandatory death penalties? "You can't prove tomorrow's policies with today's data," Zimring said.

LETTERS

In Re THE CARTOON



Dear R.G.:

RE: the letter submitted by John Rogers in the Nov. 17 & 24 issue:

While it may be a bit presumptive to make such a suggestion, Mr. Rogers' writings might be a little more persuasive, at least to the intended readership of this newspaper, if he let some small knowledge of the law temper his indignation.

In his haste to express his horror at the cartoon on the front page of an issue rightfully conceived in some agony, Mr. Rogers either chose to ignore or was unaware of the nature of "obscenity" in this country. The Supreme Court, fortunately, doesn't equate politically distasteful with obscene. The latest information I have indicates that to qualify as obscene it is still necessary, among other things, that a writing appeal to the prurient interest of the average citizen in the community, I have no knowledge of Mr. Rogers' reaction to the cartoon on that level, but I do suspect that the community at large would be less than aroused if exposed to the work.

It might also be worth bringing to Mr. Roger's attention that he may indeed cancel his subscription to the R.G. by the simple device of withdrawing from the school...

/s/ James Forsyth

ETHICS LECTURES

Judge Horace Gilmore

Monday, December 4

Tuesday, December 5

ROOM 150

7:00-8:30

Some states require the Law School to certify that the applicant for the bar has completed training in legal ethics. These lectures will satisfy the requirement. Information on the rules for each state bar is available from Mrs. Betts in 304 Hutchins Hall.

No other ethics lectures will be offered until Fall 1973.

PRO SE

For at least the past two years Res Gestae has tacitly followed a general editorial policy of total inclusion of material submitted in order to provide a forum open to all members of the Law School community.

Now seems an appropriate time to put out unarticulated policy on record. It is that all material received over the author's true name will be printed. Material without attribution will only be printed if reasons for anonymity are set forth in an accompanying note by the author and are acceptable to the Editors.

The underlying principle of this policy is simply that coupled with the right of free expression is the responsibility of acknowledgement.

The only editorial discretion which we will continue to exercise outside of adherence to the foregoing policy will be arrangement of contributions in each issue. Thus, our readers are assured RG will maintain some distinctive flavor, however unpalatable.

- Eds.



Big Sis

SIS decided to commission a special four-year Big Sister Is Watching You Award in recognition of the President's latest expression of leadership reported in last Sunday's New York Times.

Among others chatting with the First Man on a visit to New York, "Julie Darco, 13, said she wanted to go into politics. You're too pretty," Mr. Nixon said playfully, "You'll probably get married instead."

FAMILY LAW ESSAY CONTEST

Junior and senior year law students have until next April 16 to enter the ABA's Howard C. Schwab Memorial Award Essay Contest in the field of family law.

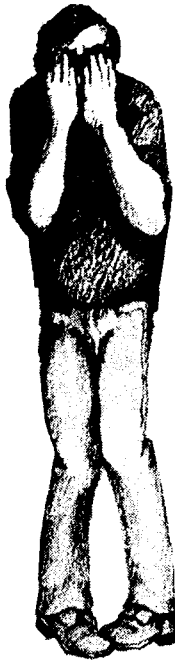
The contest is sponsored by the American Bar Association's Family Law Section in cooperation with the Toledo and Ohio Bar Associations.

Contestants may write on any aspect of family law. Suggested length is about 3,000 words. Essays which have been or are scheduled to be published are ineligible for consideration.

First, second and third place winners will receive cash awards of \$500, \$300 and \$200 respectively. The winners will be announced and the prizes awarded during the Family Law Section's 1973 annual meeting next August in Washington, D.C.

Law students who wish to enter the contest should request an entry form from: Division of Legal Practice and Education, Howard C. Schwab Memorial Award Essay Contest, ABA Section of Family Law, American Bar Center, 1155 East 60th St., Chicago, Ill. 60637.

All student chairpersons of Senate committees will be asked to submit activity and projected activity reports through March, 1973 to the President of the Senate.



what are you doing in law school?

For those of you sourly contemplating interviewers' looks as they peruse your grade report, take heart from the New York University Law School transcript of one Fiorello H. LaGuardia:

<u>1907-8</u>	<u>credits</u>	<u>grade</u>
Contracts	2	D
Torts	2	D
Property	2	C
Sales	1	C
Code Civil Pro.	3	A
Criminal Law	1	C
<u>1908-9</u>		
Contracts	2½	C
Property	2	D
Agency	1	B
Quasi Contracts	2½	A
Equity Juris.	2	D
Wills	1	D
Const. Law	1	C
<u>1909-10</u>		
Equity Juris.	2	D
Evidence	2	D
Bills and Notes	2	C
Mortgages	1	nc
Pr. Pleading	1	C

From LaGuardia by Arthur Mann who stated, "the wonder is, not that he did so badly, but that he earned a degree in spite of the demands of a full-time job. The LL.B. was conferred in June, 1910, and he was admitted to the bar the following fall."

