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Res Gestae

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1972

February 25, 1972

University of Michigan Law School

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# RES GESTAE



the law school weekly

Ann Arbor, Michigan

"Turn Un"

February 25, 1972

## LAW LIBRARY Of Carrots, Sticks... FEB 28 1972

I am a marked iconoclast. Yeah, I'm the dude riding in black that nobody really digs too tough, because he rarely utters a compliment of any sort and is uncommonly sarcastic. So??? At least you know where I'm coming from. You can walk with me or run from me, but you have a choice.

But, how do you deal with a cat who insists upon inculcating legal credos within one from dusty memories and then insists upon evaluating his success according to some equally primitive system of great, good, not-so-good, bad, gold star-on-the-forehead lunacy. Certainly, I can't whip a "Z" on the fat cat's belly and sneer in disdain at his inadequacies. I know! I'll try moral suasion (listen to me talk like a lawyer?)

Certainly he is not an infidel. He can see the virtual robots that he is creating; their taut mouth, reddened eyes and this affliction for idle chatter about grades and that great messianic document, the Michigan Law Review (see Res Gestae, 11/19/71, "Five Easy Leases," Robert Rubenstein). Poor stifled souls. Nasty man. Certainly, he's noticed it. What's he trying to do??

He'd say that he's creating a lawyer, whatever species of man that is. I'd say he's creating a calculus, an ulcer and/or an incompetent.

The man's grading system, that great academic religion, leads from one

SEE CARROTS cont'd p. 6

## NEW BAR REVIEW

By Dick Ginsberg

If you are a third year student, for the past two months your mailbox has been full of little goodies from your friendly local bar review course people.

Who wants to pay \$200.00 to learn how to study for another damned law exam. Indications are that the local bacchanants would overwhelmingly prefer another type of bar review course -- one which reviews local drinking establishments.

The following introductory lecture will attempt to give a broad review of the drinking institutions in and around Ann Arbor. Later lectures which are still in the process of distillation will focus on particular establishments to enable us to give a more in-depth report. Since on-site research is still in progress, any comments or suggestions would be appreciated. Because of the enormous expenses involved in doing research of this kind, contributions which would help to defray the costs of this worthy project should be sent to me at home.

Liberty Bar -- Located just two doors east of Mr. Flood's Party, you can stop in and have a few beers while your friends wait in line to worm their way into Floods. Not many students, or customers in general, but the beer is cheap and the lighting dim -- not romantic, just dim.

SEE REVIEW Cont. pg. 9

# FAN MAIL

February 14, 1972

Res Gestae

To the Editors:

The enclosed anecdote is both true and disturbing (the woman in question was not me). If this is the general PIRGIM attitude to women, they are in trouble before they begin.

Publication of this story may (may) get them to thinking about this sort of thing. If PIRGIM does not want women, except in menial capacities, they should not advertise in university areas. Like the woman in the anecdote, I also am not likely to offer them my services.

Sincerely,

/s/ Susan Holtzer

[enclosure:]

The following incident is true. PIRGIM take note:

A local woman enrolled in a journalism course noticed a PIRGIM flyer on the bulletin board which said in bold letters at the bottom: "WRITERS WANTED." She called the PIRGIM office and volunteered.

About two weeks later she received a call:

"Would you be able to provide a cake for a bake sale?"

"No!" said the woman writer angrily. "I don't contribute to any bake sales. Don't you have any men to do that?"

The voice on the other end, nonplussed, paused a moment and asked:

"Well, would you be willing to sell things at the sale?"

The woman, speechless, hung up. She is not likely to volunteer for PIRGIM work again.

## A REPLY

Dear RG:

As a member of the organizing committee for the PIRGIM I appreciate Ms. Holtzer bringing the matter of our "sexist" bake sale to our attention. There is no question that she is right about what happened, we can only apologize and agree about the need to further sensitize ourselves concerning this subject. I do feel it is significant that four of the eight "temporary leaders" of PIRGIM are women. That fact, however, does not condone our mistake.

Sincerely,

/s/ John A. Watts

[The following note was offered to R.G. in answer to the anonymous writer who inquired on these pages (see R.G. "Letters" Feb. 4, 1972 p. 2) about the Law School clock]

2/14/72

To The Editors:

The Building Services Section of the Plant Department is responsible for the operation of the outdoor clock on the Tower of the Legal Research Building.

The clock is now operating. Thank you for bringing this to our attention.

/s/ Jim Gribble

[The pigeons, Jim. What happened to the pigeons?

-- Eds!]

Cont. pg. 8 SEE MAIL

### MEET THE PLAYERS

M. Hall, passes to B. Hays, who flips over to H. Forsyth in the corner who shoots, rebound off to J. Scott underneath, who shovels ball back to the key to J. Serritella, who fakes right and trips over J. Newman, M. Slaughter recovers feeding Marginal Argie for the easy lay-up.

# McCauley replies . . . . & finds a secret admirer

To The Editors,  
Respectfully:

I have some small fish to fry,  
but it may take me a paragraph  
or two.

Your article on me. I know  
of no faster way to discover  
just exactly what a well-  
loved campus character one is  
than to be called a strange nick-  
name in a farewell article. "M(a)c"  
indeed!

There are two minor clarifications  
I would like to make concerning  
the article. At one point the  
Dean is induced to comment about  
some complaints from women. These  
complaints are not known to me,  
and I should be happy to discuss  
them with the interested parties.  
It should also be noted that no  
part of our admissions procedures  
is derived from the procedures  
at the Harvard Law School. "The  
happy bottom quarter" is a notion  
I picked up in college, and while  
I continue to believe it sound  
as an abstraction, my comments  
to your reporter were intended to  
indicate some reservations which I  
have come to have about such an  
approach in practice. Of late this  
idea has seemed to me unduly manip-  
ulative, and not respectful of the  
abilities and aims of the applicants.

grades. Ever since I became the first  
person with a 2.5 average to be stuffed  
and put on display for succeeding gen-  
erations, I have sought in vain for  
some special contribution which I  
could make to the continuing dis-  
cussion of grades, jobs, and related  
subjects. The emotional dimensions of  
the problem, illustrated by Mr.  
Harrington's unfortunate letter, are  
well known to me. I pulled almost  
straight C's after what I thought  
had been a reasonably diligent first  
year. I took that average into the  
job market and learned the hard way  
of the talismanic significance

see "M[A]C" REPLIES cont'd p. 4

TWO CHEERS FOR McCAULEY

I have always been disgusted by the  
tendency of people who are closely akin,  
in one way or another, to reserve their  
harshest criticism for each other. The  
Socialist Party vice-presidential candi-  
date journeys to Ann Arbor to level his  
most astringent attacks on George  
McGovern. Super-exploited poor whites  
exhibit the most virulent racism in  
America. And blacks seem to reserve  
their most pungent epithets for the  
dread "white liberal."

What causes this almost fratricidal  
impulse, I do not know, but that I am  
guilty of this malady seems clear. I  
have doled out much of my bitching,  
carping and grumbling to McCauley's  
admission's policies. Now that McCauley  
has decided to step down (or step up),  
I think that it's time to give him his  
due.

McCauley has done a pretty good job in  
a painfully rough period. He has taken  
the pressure of blacks, women, dyed-in-  
the-wool elitists, faculty, alumni, and  
red-headed-kinky-haired-disaffected-  
freaks and still persevered to help  
construct a student body that we can,  
with reservations, be proud of. While  
McCauley is certainly no Weatherman, he  
does know which way the wind blows and  
he has allowed it to push him in the  
right direction.

If this testimonial means anything -- a  
question thankfully left for the ages --  
it is simply that I must take a moment  
to thank McCauley for enriching my life.  
He let me into this law school, permitting  
me to learn a little about the law,  
quite a bit about others, and still more  
about myself. Specifically, McCauley  
has given me the opportunity to see that  
not all blacks run around in bright green  
pants, singing songs and dunking basket-  
balls; not all women are moronic concu-  
bines who order "pink squirrels" when  
everyone else is drinking beer; not all  
WASP's think like "The Rifleman" and  
laugh like Ed McMahon; and not all Jews  
are smart. In my criticisms of McCauley

see TWO CHEERS cont'd p. 4

'M[A]C' REPLIES cont. from p. 4

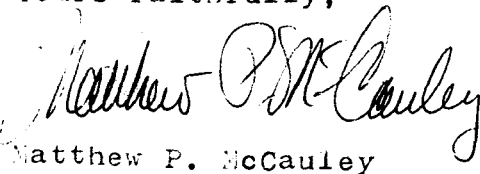
lawyers assign to grades. Unfortunately for my special contribution however, I have since law school held two jobs which were extremely satisfying, and which have led me to thank my GPA for saving me from the fate of so many of my classmates.

Perhaps the only thing which I can say, and this at the risk of sounding like Pollyanna, is that almost five years have passed since I left under this small dark cloud, and I am still able to dress myself most mornings. I have retained my self-respect, and, although many of my classmates are content at Kirkland, Ellis, I think I am honest in saying I do not envy them. I would urge students who find themselves on the outside track in the race for such jobs to slow down and see if they are not just running out of habit, and in the process avoiding important decisions about themselves and their futures. Incidentally, I am currently proving it is possible to remain unemployed even when no one knows what your grades are.

Res Gestae. The defects of this paper are well-known and do not need to be romanticized. On the other hand, I often think of law school as a three year trip through outer space during which all efforts to make life more full and enjoyable should be encouraged. Running intramurals, the paper, or legal aid is not more important than getting an education, but those students who are bold enough to undertake both deserve the thanks of everyone on board. Thank you.

Football Pool. This feature was started in the year one, and presumably the rules for competing were announced at that time. Because I was not around then I have never been able to figure out how to win one of those mouth-watering Dominic's sandwiches. Before I ride off into the sunset could you explain what this game is all about?

Yours faithfully,

  
Matthew P. McCauley

30 Feb 72

TWO CHEERS cont'd from p. 4

I never acknowledged the debt owed him and I freely do so now.

I wish him the very best of luck.

-- Robert Lloyd Rubinstein

[Amen. --Eds.]

#### RES GESTAE LATE GRADE FILING AWARD

R.G. has arranged with the Domino's pizza parlor at four-corners in Pinckney to award a twenty-six inch pizza pie to the University of Michigan Law Professor who is last to submit his final exam grades to the Registrar. This sliced snail and tortoise pie with cheese is distinctive for the fact that it was cooked the last day of exam period and has been stored since then in a humid place.

That most slothful member of the faculty who crawls up to Mrs. Bett's latest with his grade list will win our thoroughly sodden and mildewed treat.

The prize is on display daily at Dominick's, underneath the counter 25¢ a look.

#### Election Rule Clarification

Any candidate running for an officer's position in the upcoming Student Senate Election of 7 March 1972 will also have his/her name listed as a candidate for Member-at-Large. The votes for an officer candidate will not be combined with those cast for that same person as a Member-at-Large. Each will be counted separately.

WRITE-IN CANDIDATES need not comply with the requirements of turning in a petition.

# SIS

## BIG SISTER IS WATCHING YOU AWARD OF THE WEEK

In the January 21 issue of the R.G. Dean St. Antoine is quoted as saying (in reference to summer visiting faculty): "We don't want to seem to be going after a man when no assurances can be given."

The February 11/18 issue carried a quote from Matthew McCauley that he was "the ideal man for the job" of admissions officer to the Law School.

Are these the victims of the inherent ambiguity of a language that methodically slurs its usage toward one gender when presumably referring to both?

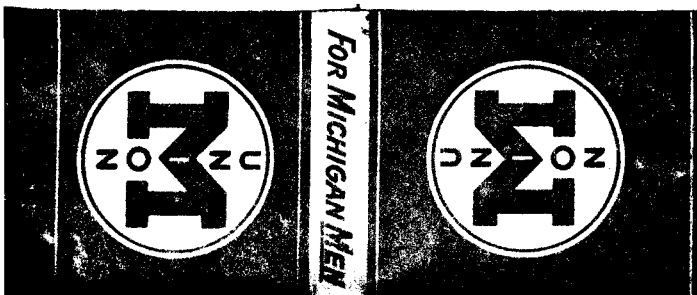
Or, was theirs a justifiable usage since, in fact, the regular teaching faculty and the deanery have never counted women among their numbers?

Decide for yourself, Dear Reader, whether the language innocently mirrors objective facts or whether, perhaps, the habits of language themselves do not also reflect an attitude of mind which serves to perpetuate that factual situation. To put it another way, affirmative action in hiring requires more than, "Trying To Find The Best Man For The Job."

-- H.F.



Res ipsa loquitur



[It's illuminating from time to time to take a peek at the seemingly endless streams of verbiage that issue from the floors of the U.S. Congress. This is especially so when congressmen discuss legislation that is intended to bring about social change. When the change is in the area of equal rights for women, however, the legislators really let it all hang out. The following excerpt is taken from the debates in the House of Representatives of the Equal Pay Act which prohibits discrimination in pay on the basis of sex. The speaker is Rep. Paul Findley of Illinois:]

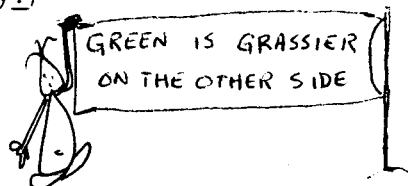
.... One executive, for example, said his company has made studies which show the average cost of employing women is about 30 cents an hour more than in the case of men.

Most of these extra costs arise from the indisputable fact that women are more prone to home-making and motherhood than men. No one of my acquaintance would for the world want to change this fact, but it is one that enters into personnel costs.

[Findley's statement was enshrined in the House Report on the Act (H.R.REP. #309, 88th Cong., 1st Sess.). There Rep. Edith Green of Oregon read the statement and referred to it later on the House floor, perhaps not without some irony. The phrase in the report said she:]

... seems to me most delightful -- most intriguing -- and I suspect it will not be challenged on either side of the aisle, when it says that 'women are more prone to homemaking and motherhood than men.'

[What might Ms. Green say about the matter today?]



## CARROTS

cont. from p. 1

fantastic academic misadventure to another. There are so many gods to worship, so many feet to wash. What's the point of it all?



The freshmen class is an immediate example of such abuse. Why should they be rated for courses which are mandatory, even basic, that invite little interest? Should they be penalized for their own human designs which dictate preferences? Of course, students are entitled to be intimidated or is it evaluated? I don't know, but it would seem most reasonable to encourage students to learn with a minimum amount of tension and anxiety. The present day method of grade, "carrot and stick" incentive is not effective.

People are generally worrying more about the grades involved in a course, than the course's very subject matter, and why??

Well, at the end of this ulcer, they shall don their grades like so many gaudy prostitutes and try and sell themselves on Wall Street (why not 42nd?), and why???

Well, the money and I suppose, the jet-set, high-class living complex (Hell, why masturbate in Detroit when you can do it on the Riviera, in the sun. Never mind the fact that the percentage that you'll probably get dealt on in the streets when you get back, by some poor dude (mugger in your vernacular), is mounting with each passing year. Worry-bout that later.)

A startled? silence befalls the reader, and he forces an "is he infering that we do away with grades?" from his boggled mind. It's a reasonable conclusion.

You tell me. What does it mean:

When one individual hasn't the interest in a course, is made to endure it and then is given a D or E?

fair?

One student books his ass off the entire semester. Student #2 refuses to book

or to go to class. Just two days preceding an exam, student #2 cracks a hornbook and chumps an outline. At the end of the semester, student #1 receives a C or worse. Student #2, a B or better. It happens. It has happened.

fair??

In preparing for a final, an entire section books it's ass off to make up for lousy outputs during the semester. They take the exam and 80% successfully achieve the level of B but is told that because of a curve, some grades will be reduced.

fair??

Does an A to or from one professor mean the same as an A to or from another professor?

fair??

When an A student and a C student or even a D student end the semester, does A really know more than D? Especially after D reviews his mistakes and assesses his inadequacies? If a C or D or E student does this and improves on his own, he still has a C, D or E on his record and it's not even valid anymore. All you've done is to evaluate several momentary performances that shall never mean anything, anymore and yet, will perhaps jeopardize a future opportunity for this individual.

fair??

(By the way, I've asked a 2nd year student who received a "B+" in Civil Procedure on several occasions about class work. I know more than he does. The guy can't remember a thing. So what's the "B+" all about? And why a "+" at that???)

Wow, then there's the Feminist or the Black entrepreneur who believes that to penetrate those archaic corporative institutions, one must use grades as a battering ram.

SEE MORE CARROTS cont'd p. 7

MORE CARROTS

cont. from p. 6

Dear Sue:

Please understand that the man intends for you to stay home in the cave, have his babies and keep the rocks piled up neatly.

Refine your approach woman. If he doesn't use grades to shut you out, he'll think of something else. So you think of something else. The womens' rights movement wasn't born yesterday. Don't you take lessons from anyone, namely, my very Black people.

"Be patient," Sue, "things are changing."

Alright, so I'm the man with big ideas, what have I got up my sleeve? A pass-fail system, natch. Either a cat gets over or he don't.

I would make the pass-fail system mandatory for freshmen with the usage of written evaluations, and optional for upper classmen, along with the star on the forehead system (either pass-fail or grades -- it's the student's choice.)

Now, what?!?

"The proposed system is unrealistic," you say. Hell, it's as realistic as you want to make it. It's got to begin sometime, somewhere. It's started at Yale, why not here??? If enough law schools adopt this policy, employment practices will have to change to accommodate the new system. For all future legal harlots (male and female); If people had to sell themselves as themselves, that is without the artificiality and make-up of grades, but with some other means of honest critique and recommendation-evaluation, many individuals who would not ordinarily have had the opportunity to compete will be able to do so.

"What about the school's standards?" You ask. What about them? There is perhaps a sincere fear that people will not work under such a system. I think that it is dubious whether the change-over will effect relative efforts in

studying, as the current case club fervor might evidence. The old system is like baby shoes. People outgrow it. Right now, it has about as much finesse as a holey pair of argyle socks on some dirty feet.

People, who are in law schools, have different abilities and talents, and you have to take them as individuals, and teach them as individuals. The true test of their legal abilities will come with their experience and competence as practicing attorneys. The public will make them successes or flops, not the law school. In initial admittance, the law school made the final decision that a certain individual could learn the law and it obligated itself thereby to teach that person "the law." And dig it, I ain't saying that I'm omniscient. Hell, I'm hustling like everybody else, but if a dude confronts me with the "i don't see anything wrong with the grading system" angle, I'm gonna advise my man to get a white cane, a leader dog and some very dark specs.

/s/ Joseph Compton '74

Postscript 2/9

It was brought to my attention that the faculty wishes to introduce the graduate school grading system with an A, B, C system of gradation, with C as a failing

or

essentially an A, B, F system of gradation

or

more essentially a compressed grading system. Man, nothings worse than constipation.

Dear Fac,

I understand your convulsions. However, if you're going to change, Change. Let's get this thing on.

J.C.

University Cellar has stopped buying law books. They mutter something about putting the Law School account on a contingency basis. God, do they learn fast.



To The Editors of Res Gestae:

STONED

Impressive as Professor Sandalow's defense of the faculty hiring process was, I remain unconvinced, for a fairly obvious reason. While it is understandable that sudden departures may leave hard-to-fill vacancies and "short circuit" the process, I do not feel that this justifies the complete abdication of supervision over such interim faculty members that has occurred in the past. This is especially true where the administration is put on notice of massive student discontent.

There is absolutely no excuse for not sending members of the faculty hiring committee to hear a prospective hiree teach at least once before he is hired (particularly within the immediate geographical area), or for refusing to exercise continuing supervision over such a teacher once he is hired.

What I am suggesting is that the faculty evaluate the temporary teacher's performance while it is in progress, and if necessary, suggest improvements. This may smack of repression, but I'm not sure academic freedom is a fighting issue with our faculty anyway.

Surely some sort of balance can be struck to prevent future debacles. While the ineptitude of a stand-in may seem particularly important from the lofty perspective of the faculty hiring committee, it is of substantially greater importance to the student who must spend 25% of his class time with each instructor.

/s/ Michael J. Anderegg '72

UNCLASSIFIEDS

If you have worked (or are working) for a loan company and are familiar with the practices and procedures involved in granting and denying loans, and would be interested in testifying in federal court, please call Kathy Gerstenberger (665-4628). Thanks.

# Admin. Takes Another Leak

## MEMORANDUM

To: The Faculty and Students  
From: The Curriculum Committee  
Re: The First Year Research and Writing

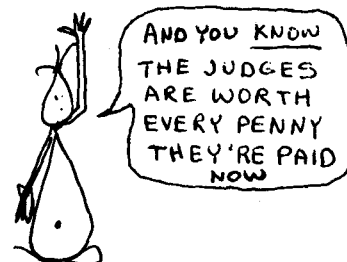
This program is under continuing review. In order to inform itself and others having a special interest in the subject, the committee will hold a hearing on Monday, February 28, at 3:30 in Room 138 HH. It is hoped that the instructors, case club clerks and judges, and others will attend the discussion.

For the purpose of providing a framework for discussion, the following changes are proposed for consideration. They are a collection of comments obtained from several sources and are not presented as anyone's conclusions at this time:

(a) that the first year program be separated entirely from the advanced moot court competition. The purpose of this change would be to eliminate the tension between fair competition and effective supervision of writing efforts.

(b) that the faculty should select the second and third year students working in the program. The purpose of this change is to heighten the faculty's sense of responsibility for the work of these assistants, and to increase the amenability of the students to supervision by the instructors. Presumably this change would be accompanied by a change in the name of the office, from Case Club Clerk or Judge to Teaching Assistant.

SEE LEAK



cont'd p. 9

REVIEW

cont. from p. 1

Now this studying  
I enjoy.



Lums -- Live music on weekends brings with it a cover charge. With the lights turned down it's easier to overlook the plastic furniture that comes from the folks who decorated Howard Johnson's. Foreign beers are available, but prices are fairly high.

Village Bell -- If you haven't been there yet you must be being held prisoner in the library. Law students flock to the Bell like lemmings to the sea, and for about as much reason. The place is noisy, crowded and offers nothing except beer at \$2.00 a pitcher.

Pretzel Bell -- Slightly better atmosphere than its relative, but just as crowded with the same frat and jock types. It's not really worth the trip for serious nightly drinking; but it makes a good change of pace for lunch. Prices are not totally unreasonable.

Wunder Bar -- The only thing wonderful about this establishment is how it manages to stay in business. What few customers there are are all eligible for social security. One redeeming feature is that you never have to worry about getting a table: the patrons keel over often enough.

Golden Falcoln -- The Falcoln is known primarily for its "golden hour." From 4 to 6:30 Monday through Friday all drinks within reason are 60 cents and you can call your shots (name the brand of whisky stupid). Turnover in waitresses is rapid, and the service is sometimes almost nonexistent.

Cracked Crab -- More of a seafood restaurant than a drinking bar. Very crowded around dinner time. Food is snappy but the portions are small.

Old Heidelberg -- While also primarily a restaurant, the mixed drinks are very high quality. A place to take a date if you just want to talk over a few leisurely drinks. After that, you have to think of your own discussion topics.

Stadium Tower -- Not known as a student bar. Not many people and not much in the way of atmosphere. Just chairs and tables and beer by the pitcher. Attracts the hardware store crowd. Bring your own tools.

Bimbo's -- No self-respecting college town is complete without a gay 90's/roaring 20's bar. This is Ann Arbor's. All your favorite sing-along songs (e.g. "When Irish Eyes are Smiling," sung to the sound of machine gun fire, "In the Good Old Summertime," a nostalgic recollection of above-freezing weather) are played by five dirty old men in authentic period costumes. If you are lucky enough to get a booth, you don't have to sit at one of the main long tables. These ostensibly provide atmosphere, but in reality they enable the management to pack in more people per square foot than any place else in town, including the V-Bell. To top it off the beer's expensive and there's a 50 cent cover charge. Personally can't stand the place, but whatever turns you on.

Flame Bar -- As long as we're talking about whatever turns you on, this is the place to go if you're into counter-cultures. A gay extravaganza.

Odyssey -- This was intended to be the really in place to go. Not too many people went. While there's usually a band, no one dances, and there isn't enough room if they would. A trip.

LEAK-PLUS cont. from p. 8

(c) that a member of the faculty of each section should be designated as responsible for the program in that section for each semester. Accompanying this responsibility would be the opportunity to utilize the additional resources of the instructors and teaching assistants assigned to the program in that section. Appropriate credit would be given to the professor for undertaking this task, in the form of release from some other comparable burdens. Presumably the duty would be rotated.

(d) that the students receive one hour of credit for each semester in the program, the hour being assigned to the course taught by the faculty supervisor for that semester. This would involve an increase of one hour of credit. Where would it come from?

CORRESPONDENTS REPORT FROM CHINA

(By the PG's considerable influence with the national television organizations, the text of a China round-table discussion between the major evening newscasters has been made available.)

DAN DEUTER: It all started in Washington, with that epic double shave in the Presidential bathroom, February 18th, to get ready for the monumental elevator ride down to the White House dining room for breakfast, in order to be well-fed for the extraordinary walk to the helicopter whose millennial hatch was opened to take Mr. Nixon to Andrews Air Force Base, where...

WALTER CONCRETE: Yes, and everything in China is exactly the way it was for 50 centuries, except you are there. We all saw the President resplendent in a \$120 Hong Kong silk suit specially made for his journey. There was a slight crease behind his left knee, and I think I noticed a bit of gray lint there on his label - did you see that Howard?

HOWARD K. SNIFF: Well, Walter, it may have been there, but I believe Mr. Nixon has the best of intentions, a great seriousness of purpose, and is cautiously optimistic for a new generation of peace. Perhaps all in the news media should bear that in mind as much as I have in my reporting. Remember, I got to interview Nixon before Dan did.

ERIC SEARSHIDE: In any case, it is true that with one brief but cataclysmic announcement in August, the principal act in Mr. Nixon's grand scenario for being endeared to the American people has now begun. Never has so much been said so often to so few interested listeners by so many people in so many places about so little. As Lord Crumbet said, "don't fire until you..." uh, no that isn't... "a stitch in time saves..." where did I put that... "alas, poor Yorick, I knew..." no, David have you seen my copy?

DAVID BRIGHTLY: Surely, with all the hoopla, and the special coverage, and the endless commentary, and the contortions of this Administration, in patting themselves on the back... what we'll probably end up with, in the end, is a \$14 million home movie, made for television, of the Nixon's in China... by the bridge in Shanghai, under the Gate of Heavenly Peace in Peking, rowing on the lake in Hangzhou.

HOWARD NOSALE: This is Ho-wad No-sale, speaking of China. They said it couldn't be done. They said I couldn't come. They said no newsperson with the ascerbic reportorial demeanor as I, could presume to ascribe my plenary powers of peripetetic observation to so dignified an entourage as that of the President of the United States. Well, I fixed'em. I made it anyhow... stowed away in the locker-room of the gym on Mr. Nixon's aeroplane.

--M.G.S.



Election Bulletin

The Law School Student Senate will hold its annual election on Tuesday, March 7, 1972. Petitions for the positions of President, Vice President, Secretary, Treasurer, one Board of Governor's Representative (a two-year term), and seven Members-at-Large, will be available at the Lawyers Club desk at 12 noon on Monday, February 21. Procedures and requirements for the candidates will be included with the petition. If you are interested in whats happening and want to make something else happen, do it! If you are artistic and just love to see your name on posters throughout the law school, do it! Or, if you are that type of political animal in this type of political year . . . well, do it!

-- Nolan A. Bowie

✓The Academic Standards & Incentives Committee has requested that R.G. print the following material. Those students who are affected are requested to consider the material in advance of next Tuesday. --Eds.✓

### GRADING OPINION SURVEY

The Academic Standards and Incentives Committee will be conducting a survey of student attitudes to grading in Taxation I, Criminal Procedure, and Property (Donahue), on Tuesday, February 29, during class periods. The results of the survey will, of course, not be binding but will provide the Committee with some much-needed information. Since the Questionnaire is a little long, we are listing below three key questions, so that students in those courses will have a chance to think about their answers before they are faced with the Questionnaire:

7. Would you prefer that the grading system used by the Law School be a "uniform" system (one system for all students in all courses), or an "option" system (a system which would provide individual students a choice as to how their grades are reported for all courses, any one course or group of courses? (Place an "X" next to your preferred choice.)

- A. Uniform System (no choice)
- B. Option System (in general, not specific as to kind)
- C. Do not care

8. Assuming some form of option system is used by the Law School, indicate to what extent you would favor each of the possible systems outlined below. For each system, place a circle around the word which best represents your opinion.

A. A system which allows each student sometime in his first year to choose how he wants his grades reported. The choice to be made from 2, 3, or 4 possible grading scales (e.g., Pass/Fail; A+,A,B+, . . . E; etc.). The choice, once made, would then be final.

strongly favor          favor          neutral          disfavor          strongly disfavor

B. A system which allows each student a choice of how his grades will be reported for each course. This choice to be made at registration from 2, 3 or 4 possibilities.

strongly favor          favor          neutral          disfavor          strongly disfavor

C. A system which employs a uniform, multi-ranked grading scale for all students, but allows each student a limited number of courses of his or her choice which may be taken on a Pass/Fail basis.

page eleven

strongly favor          favor          neutral          disfavor          strongly disfavor

D. A system which allows each professor the option to report the grades for his course under any of 2, 3 or 4 possible grading scales of his choice. His choice of scale to be announced prior to registration.

strongly favor          favor          neutral          disfavor          strongly disfavor

9. Described below are several possible grading systems which combine some of the attributes alluded to in the preceding questions. For each system, place a circle around the word (or words) which best represents your opinion.

A. The current Law School grading system (uniform 9 rank system, A+,A,B+,B, . . . E, or 4.5, 4, 3.5, 3 . . . 0, loosely curved so that 50-60% of the grades are "B" or above).

strongly favor          favor          neutral          disfavor          strongly disfavor

B. Uniform, multi-ranked system curved that approximately 80% of the students receive "B" or above (graduate school curve).

strongly favor          favor          neutral          disfavor          strongly disfavor

C. Uniform, multi-ranked system, no curve (possibility that all students could receive "A's" or "B's" or that all students could receive "C's" or "D's").

strongly favor          favor          neutral          disfavor          strongly disfavor

D. Uniform, "Pass/Fail" system, curved so that 90 - 95% of the students receive "Pass".

strongly favor          favor          neutral          disfavor          strongly disfavor

E. Optional system where student chooses between 2-4 ranked scales (either Pass/Fail; Honors/High Pass/Pass/Fail; A+,A,B+,B, . . . E, etc.). All scales curved so that no more than 5 - 10% of the students fail any one course.

strongly favor          favor          neutral          disfavor          strongly disfavor

F. Uniform/optional system, all students on present 9 rank system but allowed a limited number of courses at student's choice on a Pass/Fail basis.

strongly favor          favor          page twelve  
neutral          disfavor          strongly disfavor

## IMPORTANT ELECTIONS

First and second year students who are disgruntled with the law school should seize the opportunity to run for the Law School Student Senate. The Senate operates with an \$18,000 annual budget, the largest on campus. The Senate occupies a unique position in the law school community, operating and setting policy for the Lawyers Club residence, and representing all law student interests to the administration. Its funds come primarily from one third of your \$10 student fee, and operation of the concessions in the Club itself.

This past year's major accomplishments for students:

- sponsorship of 5 mixer-dances, 5 first-run movies, 4 student-faculty sherry hours, numerous speakers, a tremendous system of athletic teams, and a faculty lunch program;
- appointment of students to the 5 important student-faculty committees;
- funding of nine internal student organizations;
- lobbying for improvements in the administration, the Placement Office, the Hutchins Hall Lounge, and the Copy Center usage;
- publication of the first course critique in the law school, and publication of the RES GESTAE and the CODOCIL, the yearbook;
- representation of law students' interests on campus through the Graduate Federation.

This year, the Senate has sponsored far more activity for students than in prior years, and with greater success. We have been consulted on many matters relating to law students' welfare. There is room for much improvement. Those who are active and committed can produce desired changes. The burden, however, rests with us. Major areas of concern in the next few years will include grade reform, curriculum, a key fund drive, planning a new library, and renovation of the Lawyers Club. Take an interest in your next year or two here. Run for office and contribute to the law community.

-- Rbt. Kuhbach

## OUTSIDE THE LEGAL PARADIGM

(an erratic column featuring comments on the law, or whatever that means, by persons not so full of it (the law), that is, unlawful, or persons sick of it, that is, illegal, etc. for persons who can't get enough of it.

if all other professions are indeed the handmaidens of the law, we are calling for aid.)

Instinctual fulfillment means, in every instance, the breakdown of self-boundaries, and thus becomes an equivalent to madness, if not madness itself. If then, we wish to find the most basic level of understanding of repression in society, we have to see it as a collectively reinforced and institutionally formalized panic about going mad, about the invasion of the outer by the inner and of the inner by the outer, about the loss of the illusion of "self".

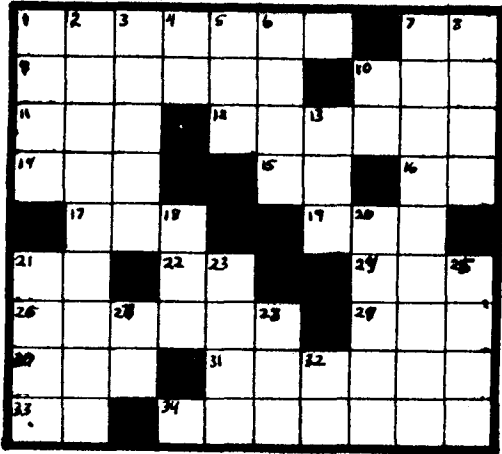
The law is terror put into words.

Because of the terror, the words have to be deprived of any personal reference.

Because of the terror, anyone who is no-one judges no-one who might be anyone. Because of the abstract nature of the judgment, the crime becomes abstract. So that courts and prisons and all our institutions may go on. So all that remains is suffering -- in no-one, about nothing. The unlocatability of suffering is what we suffer from. And this is true of all of us. All the judges and all their victims. The actual suffering of the punished person is an arbitrary, gratuitous fact, thrown into the world to lend false substantiality to an etheric system.

--David Cooper,  
The Death of the Family

# RG Xword



## ACROSS

- 1 UM law prof
- 7 Midwest state (in.)
- 9 Arctic bird
- 10 "--"Kennedy
- 11 Electric power unit (abrev.)
- 12 Usque ad ----
- 14 Egyptian god
- 15 Metric unit (abrev.)
- 16 -- rem
- 17 Set of business rules (acron.)
- 19 That (Sp.)
- 21 Greek letter
- 22 Academic degree
- 24 --- ipsa loqui.
- 26 Baltic province
- 29 Hebrew name (f.)
- 30 Old auto name
- 31 Sunken ship
- 33 -- Cook(abrev.)
- 34 Early explorer

## DOWN

- 1 up and --
- 2 Israeli kibbutz
- 3 Am. novelist
- 4 Prep.
- 5 Color
- 6 Soviet mts.
- 7 Australian quaduped
- 8 Egregious
- 10 Note name
- 13 Heart beat record (acron.)
- 18 Monday (Rus.)
- 20 --C<sub>2</sub>H<sub>5</sub> group
- 21 Caribbean fish
- 23 Men's cologne
- 25 City in N.Y.
- 27 Prefix
- 28 Gloomy
- 32 Etruscan coin

Answers  
next  
week

## LEGAL REFORM DEPARTMENT

(With all the talk about how our courts are hopelessly clogged, RG wonders what it would be like to make judges out of people who've had experience setting a faster pace.)

### STATE v. HARSHMAN

WAMO, D.J., Can you dig this out in due process land, right in the big DC, District Court in the Motor City, here's NUMBER ONE (one,one,one,one...) on the docket this week - been movin' up all year - "Five Finger Discount" by the Defendants. You know the request lines are always open, so we've gotten a real blast from the past, a golden moldy oldie; they were gonna put it back. That's a real heavy tune if you did it soon, but not very neat if you were down the street. Groovin' on this rule, Big Daddy Cardozo said, "far out and solid." So here's the rap line, they're stuck with a fine, and they gotta do some time. 'Cause we just keep crankin' out those hits.

### WANTED

THIRD YEAR REPRESENTATIVE, CONTACT:

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### MISS PEACH by Mel Lazarus

