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## LETTER FROM THE EDITOR:

Under new management, the new look RG will hopefully not look much different than last semester's RG, which was most ably edited by George Moseley. Lack of support forced a reluctant change of leadership and the RG must suffer as a consequence.

If there is to be a change, perhaps it will be but a change of attitude. It has always been fashionable for the RG to berate, bemoan and belittle alleged widespread apathy in the law school vicinage. If there are still injustices, wars, death and taxes in the world, we feel it is not because but in spite of the concerns of the law school's students and faculty.

Consequently, it will be our concern to make the RG an interesting and informative weekly message particularly relevant to the Michigan Law School community -- a community we consider distinct and gifted and in a rather unique environment.

Unfortunately, one aspect of its uniqueness is the ease with which we students see trees but no forests. We commit countless hours to the study and critical analysis of the law, but often overlook aspects of the everyday practice of law so as to create, even if only subconsciously, an artificial dichotomy in our minds between The Law as we know it today, from Property to Creditors' Rights, and The Law as it exists in the world of representing clients from IBM to Danny Escobedo. The RG's first glimpse of the forest is provided in this issue by senior Jim Murphy in an excellent introduction to the antitrust miseries of somebody's client, IBM. We offer our thanks to Jim and this note to whomever it may concern: There is a RES-GESTAE mailbox on the third floor of Hutchins Hall -- we can't publish letters to the editor we don't receive.

Dick Heymann '69  
Editor

UNIV. OF MICH.  
JAN 24 1969  
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## THE RENT STRIKE

Astride the beleaguered gelding of social conscience Ann Arbor style, comes the latest, and perhaps the best pretender yet to the throne of efficacy, the Rent Strike. The wounds of previous battle, Administration Ridge, ADC-ville, Kennedysburg, and others, many of them self-inflicted, are scarred, or at least the bleeding has stopped, and this time, for once, the University is not the foe, so at last the clear-cut victory may be ahead. The Ann Arbor Rent Strike has one other element strongly behind it -- monetary incentive, for if the thing really works, University students and Ann Arbor residents on the whole stand to save some money, and better than that, make sure the money they do spend does them some good.

The Strike is organized and backed by students throughout the University and many non-students, who reside in Ann Arbor's over-priced and often sub-standard housing. In the Law School, the effort is being headed by Dale Berry and Perry Bullard, who have arranged a meeting for all interested law students, to be held next Monday, January 27, at 3:15 in Room 100 of Hutchins Hall. The participation of Law School students is encouraged to support the entire effort, but more specifically to do legal research into the problems of the contract created by the lease, and the kinds of proceedings against which the Strikers must protect themselves.

The aim of the Strike is to get tenants to sign a pledge to the effect that when the total number of participants reaches 2,000, the Strike will begin, and the February rents will be withheld. The plan is to keep everyone's rent in escrow, held by the organizational committee, to whom the landowners will have to come to talk over the grievances of the Strikers. The main function of the Strike Committee is to create a Tenants Union, to be made up at first by the Strikers and later by anyone else interested. This Union will be the body to which the landlords, it is hoped, will be forced to come to get their money, since steps are being taken to fortify the Strikers against the legal actions the landlords will institute. If the landlords can be held off for four months, it is felt, the Union will be in a good position to deal with them. Each of the Strikers will give his February rent to the Committee to be placed in escrow, with 10% of it being taken out to finance the legal battle expected when tenants try to enforce the provisions of their leases. When any particular tenant gets a judgment against him, he may withdraw his money from the escrow fund, and so can face no personal loss. Delaying or avoiding the Notice to Quit For Non-Payment Of Rent that would mark victory in the landlord's legal battle is the function of the law students who are being enlisted. Through their research, it is hoped that the landlords can be delayed in their actions, and taken close enough to the no-profit line, that they will be willing to agree to the formation of the Union, and bargain with it, in order at last to get their money.

The Union plans first to gain recognition, and then to begin the business of removing the inequities that fomented the Strike. They cite the rising cost of apartments (averaging \$75 per man per month and higher), code violations (such as room sizes, heating efficiency, maintenance of property) lack of adequate parking spaces, and the unfairness of the twelve-month lease as their early objectives.

The Rent Strike has been dreamed and talked and planned for a long time, but it has just started to move with any force. The Committee members have been engaged for only about a week getting tenants to sign the pledge that they will withhold rent when 2,000 others do. They have more than 500 pledges so far, but with only a week left until February 1 when rents begin to fall due (though in most cases February 15th is the due date), there is considerable work to be done. The members of the Committee are satisfied with the progress that has been made, and the momentum started in the Student Government offices of the SAB seems to be picking up, feeding at last the bright hopes that the students may really be able to do something for themselves; something that makes sense. Perhaps all that glitters is not quite so "golden."

Monty Georgeson '71

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## Announcements

### Meeting Regarding Fellowships to Study Overseas

Professor Whitmore Gray and Mrs. Mary B. Gomes will discuss foreign study and research fellowship opportunities and programs, sources, and possible pitfalls with interested students. This meeting is particularly directed to second-year students who will be eligible to apply for such fellowships early in the fall of 1969, for the competitions to spend the 1970-71 year abroad. Interested first-year students and others are welcome.

Experience has shown that considerable preparatory work is necessary to firm up the project involved, to show evidence of

helpful correspondence with overseas experts, and the like; and many hopeful applicants who might otherwise have had a better chance have not done themselves justice in leaving such preparatory work until the Fall semester of their final Law School year. Frankly, that is too late; many deadlines for applications come quite early in the Fall, and the necessary work must be done well in advance of that time.

The past three years have brought us unprecedented success in this difficult field, and evidence indicates earlier and more comprehensive preparation is primarily responsible. Please attend if you are interested - the next meeting will not be until January/February 1970!

MEETING: January 28, 1969 (Tuesday), 4:45-5:30 p.m.  
Hutchins Hall, Room 116

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#### Placement Office

The Placement Office is compiling an information booklet as part of a recruiting-information packet, to be sent to potential interviewers in late May. The booklet will contain the following information about each student: name, birthdate, permanent address, undergraduate school, degree, major and year received, military classification, marital status, and expected date of law degree.

All first- and second-year students who intend to interview through the Placement Office next fall (as second- and third-year students) are urged to register with the Placement Office, Room 209, Hutchins Hall. If you have already registered, come in and update your card. Deadline for registration is February 28.

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#### GUARANTEED LIFE INCOME FOR IBM LAWYERS

On December 11 of last year Control Data, one of the newer companies in the burgeoning computer market, filed an antitrust action against industry-giant IBM. The action, brought under section 2 of the Sherman Act, alleges that IBM monopolized and attempted to monopolize the domestic and foreign computer market and submarkets. Control Data's proposed remedy includes treble damages, injunctive relief against certain alleged exclusionary practices conducted by IBM, and dissolution or divestiture of the defendant to the extent necessary to dissipate the effects of the violations charged.

Since delivery of its first commercially marketed computer in 1953, IBM has experienced progressive growth. In 1967 IBM was the eighth largest industrial company in the U.S. in terms of revenues and the fifth largest in terms of profits. The total stock market value of IBM's common shares was valued at \$42 billion, the highest of any private corporation in the world. This value exceeds the combined value of the shares of approximately two-thirds of the companies which comprise the Dow-Jones industrial average.

By the end of 1956, measured on the basis of total dollar purchased value of installed computers at that time, IBM held 70 percent of the interstate and foreign computer markets. During the period 1962 through 1965, several other computer manufacturers began to experience considerable success in marketing computers. Competitors of IBM accounted for approximately 35 percent of the incremental dollar value installations during the 1964 and 1965 period. Over

the years, a number of domestic companies attempting to compete with IBM have abandoned their efforts to manufacture and market computers. The few companies which have remained have been unable to penetrate its dominance. The complaint alleges that this had been due to the existence of substantial barriers to effective entry into the computer markets and submarkets, which barriers have been consciously fostered by IBM. Thus, despite the fact that at the end of 1967 a cumulative dollar value of worldwide installations by U.S. manufacturers exceeded the value of installations one decade earlier by almost 3,000 percent, and the incremental value dollar of such installations during 1967 exceed the value of such installations during 1957 by over 2,200 percent, the number of companies individually accounting for at least one-half percent of either the cumulative or incremental dollar value of such installations has remained at approximately ten.

The complaint lists the exclusionary practices allegedly engaged in by IBM. Almost all of these alleged practices involve sales methods employed by IBM; e.g., the use of reciprocal buying power whereby IBM might agree to buy a potential customer's products in return for that company using IBM computers.

In a letter to employees, Thomas J. Watson, President of IBM, hinted at the general line of defense IBM will follow. Basically, IBM feels that its growth and dominance is due to the quality of its merchandise, its servicing program, etc. and not to any predatory conduct or conscious exclusion of new entrants into the market.

If no settlement is reached, it is likely that pre-trial discovery, the trial itself and subsequent appeals will take several years. Michigan law students will get an opportunity to quiz one of the principals in the suit, Nicholas Katzenbach, now IBM's general counsel, when he speaks here late in February.

James P. Murphy '69

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#### UNIVERSITY OF TORONTO LAW SCHOOL EXCHANGE PROGRAM

On March 5 through 9, twenty students from the Michigan Law School will participate in an exchange program at the University of Toronto Law School. The program will be the continuation of a project begun by the University of Toronto and Harvard Law Schools to foster good will among future lawyers of the two neighboring countries, and a better understanding of some of the similarities and differences between Canadian and American law schools and legal systems. A particular theme of this year's program will be the contrast between the Canadian and American federal systems from both a political and juridical viewpoint.

While at the University of Toronto, Michigan Law Students will attend classes, informal seminars, and several social events including skiing for those so inclined. Participants will be addressed by members of that University's law faculty, and by an official of the Canadian Government. Later in March a similar program will be held at this law school with the students who visited Toronto serving as hosts.

Participation in the program is open to all law students who are interested, including, or especially, those of the fairer sex (women-Ed.). Application blanks and further information will be available in the lobby of the Lawyers Club. There will be a fee of \$20.00. Transportation will be arranged by the participants; accommodations will be afforded with University of Toronto Law students.

Lyn Bartlett '70

## SUMMER JOBS WITH OEO

Attention first- and second-year law students. The Office of Economic Opportunity, Washington, D. C. is currently recruiting law students for its annual summer inspection program. Michigan students, along with students from Harvard, Yale, Stanford, and Pennsylvania law schools, a total of 25 in all, will do on-site inspections of OEO-funded programs.

The 1968 summer inspection program focused its attention upon OEO-funded youth opportunity programs administered by local community action agencies in the 50 largest cities of the United States. Among those cities visited were San Francisco, Los Angeles, Boston, Atlanta, Denver, Chicago, Dallas, San Antonio, and New York City.

Head Start programs were the focus of the 1967 summer inspection program, and sites all across the country were inspected and their programs modified in accord with the recommendations of the inspectors.

Inspection this summer may involve urban youth programs, Head Start, or Neighborhood Youth Corps.

For further information see Marilyn Cason, Andy Price, Chip Seward, or Jim Justin. Resumes should be submitted before January 31. See the Placement Office bulletin board for information concerning the form of the resume. Personal interviews with a representative from Washington will be held sometime in early February.

Marilyn Cason '69  
Andy Price '69

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## EDITORIAL

We can appreciate how difficult it must be to run smoothly and efficiently an institution as steeped in tradition as is the Law Club. While the buildings themselves are beautiful to behold, even Mae West is beginning to show her age, which bodes evil for our Gothic domain. And boys will be boys, we are told, so the Law Club annually pays out a bundle to repair what its residents have broken or destroyed. Maintenance costs, repair expenses, the apparently unbalanceable food services budget -- all these items present the Club and its erstwhile young director with enough headaches to make this one particular minor issue appear so insignificant that one could be excused for overlooking it. Consequently, humbly aware of the magnitude of the ponderous problems facing the Club, we nonetheless wish to call attention briefly to the maid "service", long a Law Club tradition, though recently curtailed.

It has been suggested to us that some of the ladies entrusted with the task of changing the Club's bed linens seem to think the maid "service" has been curtailed even more than is actually the case. We are led to believe from the sighs emanating from their poetry in motion that making beds (to say nothing of moving the most accessible dust around) must be hard work, which would help explain why the beds are so poorly made. Fatigue will handicap even the most talented and industrious of workers. We wonder if perhaps the task of making beds is not a lost art and too much to expect in this frantic age. Perhaps the Club would be wise to reluctantly consider beginning to cut its costs by eliminating the bed-making brigade altogether. In that event, of course, the residents would have to change their own linens every week, but then it works out that way anyway after one has slept in a freshly-made bed around here for one night. The manpower which could be called on to carry the clean

sheets to each room and collect the dirty ones can readily be found on a coffee break in the catacombs beneath the main building -- you may call them lazy but the Law Club calls them maintenance men. And should the Club not see fit to improve its maid "service" by unhiring its maids, perhaps someone could teach some or all of them, as necessary, how to make a bed. And perhaps a little dusting instruction could be considered for the future.

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## THE WEEK-ENDER

There are other things to do on week-ends besides going to the movies, and we will mention some of them throughout the semester as they occur to us, but nonetheless, this column will deal primarily with local cinema offerings and this week's bill of fare isn't bad.

Your best bet is showing at the Vth Forum (761-9700) tonight only. They are presenting a double feature, a rarity in Old Ann Arbor Town, and such munificence should not go unrewarded. Ulysses begins at 7:00, and, as you know, is based on James Joyce's novel about that co-educational penal colony they call Ireland. Inasmuch as Learned Hand enjoyed the original hardcover edition, you should see the movie, especially now that it is available at popular prices (\$2.00). We haven't seen it yet, but it has been uniformly acclaimed as "not bad". The second show is Jean Genet's The Balcony which goes on at 9:15. Starring Shelly Winters and Peter Falk, it portrays the world as an elaborate whorehouse. Although allegedly produced and directed by Yale Kamisar, it has not won any awards, but is reported to be fascinating entertainment, and we think you'll enjoy it. As do most of the Vth Forum's productions, these shows both have an "X" ("You must be 18 and prove it") rating. We know nothing about The Girl with Three Camels, which begins tomorrow, but, we would like to point out that a dromedary has only one hump. (Incidentally, the other Motion Picture Association ratings are: "G" - general audiences, "M" - mature young people, and "R" - restricted.)

The Vth Forum is also running a fine collection of comedy shorts in their "underground film" series. They begin at 11:00 p.m. (separate admission), and we heartily recommend them.

The Cinema Guild features Orson Welles' Touch of Evil tonight. Welles' work is almost always engrossing and exciting, and if he occasionally strains to fit intellectual innuendoes into his basically mundane plots, that touch makes him only the more realistic and, in my mind, effective. Francis Truffant's Soft Skin is playing Saturday and Sunday and while it has attracted some attention as an art film, Touch of Evil is better entertainment. Shows at 7:00 and 9:05 at the Architecture Auditorium.

The Russians Are Coming is at Cinema II if you missed it in 1966. A comedy with Jonathan Winters and the great Alan Arkin in his first film role. For 75 cents you can't go wrong, but be prepared for the long lines which sometimes develop at Cinema II. A student I.D. has been required in the past. Shows at 7:00 and 9:00.

Bullitt has been a big ("socko" as a matter of fact) draw all over the country and is now in its 6th week at the State (662-6264). Filmed in San Francisco, the exciting photography (Nat. Film Critics award), fabulous chase scene, and Steve McQueen playing cool stud Steve McQueen alleviates any particular need for a plausible plot. If you haven't seen it already, it is a fine way to cap off Inauguration Week. Shows at 7:10 and 9:15.

Zita only arrived at the Campus (668-6416) yesterday, but the National Review, in listing it among the 10 1/2 best films of the year, had this to say: "Burgeoning Virgin, Traumatized by Death, Who Finds Momentary Exorcism In Love With an Improper Stranger." It might concern an editor of the Women Lawyers Journal, but in light of the good things being said about its sensuous star, Joanna Shinkus, it probably isn't. Sleeper of the week.

The Stalking Moon with Gregory Peck begins tonight at the Michigan (665-6290). Only coolly received by the critics, it has got to be better (much better) than Hang'em High, and you probably saw that. Bullitt has been outdrawing it in Detroit 2:1.

Hellfighters, wherein John Wayne, that rising figure on the Orange County political scene, snuffs out raging oil well fires, is at the Fox Village (769-1300). Not fundamentally different from The Green Berets. Shows Friday at 7:00 and 9:15, Saturday at 6:15 and 9:00.

Week-end tube selections are rotten and explain why Saturday Night At The Movies has fallen to 27th place in the September-December Nielson ratings, (Laugh-In won, hands down, followed by Gomer Pyle and Mayberry RFD). Fortunately there is no need to stay home this week-end. If you don't like any of the films being shown in Ann Arbor, you can always visit the famous Medlody Art Theatre in Inkster where they are featuring Coldilocks and the Three Bares.

P.S. Musket (Camelot) promises to be a good show, so mail in your order now for the February 14th and 15th performances.

Doug Jones '69

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## SPORTS

To analyze the recent Super Bowl upset the RG has obtained a guest dialogue between AFL expert Steve Neuman and NFL experts Mike Levy and Ben Abrohams. They were asked four simple little questions and more or less responded as follows:

1. What do you think was the key to the Jet's victory?

NEUMAN: While it is difficult to isolate one "key" to such a one-sided victory, the superb play of the Jet offensive line seems to merit this distinction. By performing their dual task of protecting Joe Namath and opening holes for Matt Snell to the extent of almost shocking domination of the Colt "futile four," the Jets were not only able to score, but for the most part managed to deny the Colts the excellent field position which their defense had been able to secure during the regular season. Placed in this unfamiliar position, Earl Morrall revealed himself as the merely adequate (in the context of both leagues - not to overlook his deserved recognition as NFL Player of the Year) quarterback he is and, consequently, the Colt offense was completely stymied.

LEVY: The key to the Jets "win" over the Colts was the tremendous effort put out by the Colts in their 34-0 slaughter of the Cleveland Browns in the 1968-69 Season's version of the Game of the Year. In that game, the Colts displayed all the qualities of a great football team and display them they had to since the Browns are a very fine football team. After that game, it was only natural for the Colts to ease up in the exhibition game against the Jets.



If the Colts played the Jets again, it is likely that they would blow them off the field. The Jet "win" does not change the fact that the Colts are the class of football. For a true and objective account of the relative merits of the two teams, one need only review the newspapers of the Saturday before the "game." And if the teams were to play again today, we are sure that the spread would be 17-22 points. Just as the All-Stars occasionally beat the NFL Champs in a similar exhibition, that never affected the amount by which the line always favored the NFL Champs.

2. What was the turning point of the game?

NEUMAN: Inasmuch as the Jets totally dominated play from the time the Colts first missed the field goal, this would be the literal turning point. I suspect, though, that for most fans, and possibly some of the players, the NFL champs did not become thoroughly defeated until Tom Matte's fumble shortly after the beginning of the second half. This abruptly crushed any false hopes that the first half had all been a terrible mistake or bad dream and led to the most humiliating portion of the game for the Colts: the third quarter, in which they failed to produce so much as an offensive whimper as a first down.

ABROHAMS: The turning point of the game was the first quarter missed field goal and the subsequent inability of the Colts to look like the Packers. All the game proved was that an over-rated Morrall had a bad day and a healthy Green Bay Packers would have beat the point spread. The early line from Jimmie the Greek has the College All-Stars by 12.

3. If there was a rematch on Sunday, who would win?

NEUMAN: The two teams are close enough in ability so that either could win a rematch, although I would expect the Jets to average four victories in five such contests. A hypothetical rematch might proceed as follows: the Colts would be more successful in containing the Jet running game, but Namath having tested the Colt secondary and found it, to say the least, wanting, could be expected to unleash his awesome ability to hit George Saver and Don Maynard on the "bomb." Again unhampered by the likes of a Lance Alworth or Otis Taylor, the Jet secondary would again dominate the Colt receivers. Barring a flood, cyclone, or the one game in five of which I spoke earlier, the Jets would probably win by a wider margin.

ABROHAMS: The Colts. Future events will prove the Jet win to be the fluke it was -- a fired-up bunch of All-American-types, the kind you'd like your son to be, knocking off the vastly superior Colts. The only statistical department in which the Jets would rate an edge is "kick return yardage," which is only logical because of the far greater number of opportunities provided by their porous defense (led by 200 pound linebackers Larry Grantham and the loquacious Johnny Sample, recently timed in the hundred in 13.4 -- without gear. It was Sample who intercepted a Morrall pass virtually on the sideline while attempting to keep up with Willie Richardson who was running a "post" pattern down the middle).

4. Has the AFL reached parity with the NFL?

NEUMAN: This has the aspects of a trick question, such as "How many months have 28 days?" Of course, they all do, and some have more. Similarly, the AFL has certainly reached parity, and perhaps

a little more. Admittedly, this is not true with respect to the fans: there are more NFL fans than AFL fans, much as, I suppose, more people read comic books than Shakespeare. But from the standpoint of player and team quality this conclusion seems inescapable. Make no mistake about it -- the Jets are not the class of the AFL, although of course they are not exactly outclassed either. Contrast this with the nearly universally held view of the Colts, summarized by Fran Tarkenton: "The Colts are head and shoulders above anybody in our league." Try it yourself: start with the evaluation of each Superbowl contestant with respect to its own league, add the results of the preseason games, the fact that the NFL leader in interceptions this year is a genuine AFL reject, and the fact that the vast majority of young, exciting players today is in the AFL, and, if you're not from Cleveland, see where you come out.

LEVY: The question whether the NFL and the AFL are now equal is, of course, rhetorical and begs the answer "no." To briefly illustrate the point, we recall another confrontation between the NFL champs and the College All-Stars. Johnny Huarte of the all-stars was able to move the ball against the Packers, yet no one dared to mention his name in the same breath as Bart Starr's. Likewise this one "win" proves little more than what Huarte dreamed -- you can beat the NFL if you get all the breaks.

The newspapers were correct in their post-game analysis in calling this a great upset because it is always an upset if a weaker team beats a stronger one. And this was a great upset since a very weak team from a very weak league beat a stronger team from a much stronger league. It takes more than one lucky day to show that the two leagues are equal. Among the things that the AFL lacks, besides coaches (believe it or not, the game has passed Colt discard Weeb Ewbank by), poise, and skill, is that undefineable quality that earns the respect of kids all over the country. Can Broadway Joe Namoth or Bad Mouth Johnny Sample ever stand in the shoes of Deacon Jones or Bart Starr?

Steve Neuman '69  
Mike Levy '69  
Ben Abrohams '69

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## SENIORS!

The 1969 CODICIL asks that you print your name and the name of the firm, company or judge for whom you will be working next year on a slip of paper and place it in the box in front of Room 100 by January 28.

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## REPRINT: RE. PRESIDENTS

[Instead of wasting time complaining about our most recent ex-president and in lieu of yielding to the temptation of commenting on our new one, or even the misfits who have already found their way into his graces and cabinet, we have elected to reprint an excerpt from a recent column by Vermont Royster, editor of The Wall Street Journal, which appeared in that paper - ED.]

"Because we know now how it turned out, it's easy to forget that Mr. Truman's stand at Berlin might have been a disaster. Only today can the disaster of President Roosevelt's post-World War II plans be measured; at the time the country supported his policies. So it will be a long time, both Dean Rusk and Senator Fulbright notwithstanding, before we will know surely whether Vietnam represents statesmanship or folly.

That uncertainty should deter no one from making his own best current judgment on present policies, Vietnam or anything else. It ought, though, to suggest a wee bit of humility about absolute judgments. And it ought to incline us to a little charity toward the man who, at any given moment, has to decide one way or another, be he uncertain or not.

One of our national characteristics seems to be the supposition that good men always do good, and bad men ill. So if what a man does, especially a President, seems to us right, our praise goes not only to the deed but to the man himself. Conversely, if what he goes seems to us bad, then we think he must be a villain.

\* \* \*

But the connection is often tenuous. The fact that FDR was dead wrong about the Russians does not mean he conspired ill for his country; nor will being right or wrong about Vietnam be the final measure of President Johnson as a man.

Ordinarily we would consider it a virtue for a President to do what he thought best in the face of political pressure; a personal virtue anyway, though no measure of his wisdom. That much Lyndon Johnson has certainly done, and for that much he deserves some respect whatever history may say about his actions.

Perhaps some awareness of this is reflected in these curious accolades coming his way now that he is on his way. If so, you would have to put it down as an improvement in our treatment of unsuccessful Presidents, which has been too often shabby. That the country is weary of Lyndon Johnson seems undeniable, and therefore it is better that he should go. But surely it is better too if we can dismiss old servants without sending them away in tatters."

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