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RES GESTAE

The Weekly Newspaper of the U-M Lawyers Club

October 28, 1965

Vol. ~~18~~, No. 9

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ALL THE NEWS
FIT TO PRINT
PLUS A LITTLE MORE

NEWSBEAT: SEMINAR ON CRIMINAL PROCEDURE, TONITE IN LOUNGE, 7:00 PM

Tonite, at 7:00 PM in the Law Club Lounge, in conjunction with the meeting of the Law School Committee of Visitors, the school will host a Seminar on Criminal Procedure. Participants will be: Profs. B. J. George, Jerold Israel, and Yale Kamisar. Students are invited to attend. The seminar will touch upon material pertinent to such courses as criminal law, constitutional law, and evidence.

- Coming Next Week -

On Wednesday, November 3, at 6:30 PM in the Lounge, the Speakers Committee of the Board of Directors will host Congressman Robert Kastemier (D.-Wisc.). The Congressman is a member of the Judiciary Committee of the House. His topic will be "The Judiciary Committee as the Lawyers Committee." Congressman Kastemier, a graduate of Wisconsin Law School, will give particular attention to recent civil rights legislation.

- Definitions -

In the coming weeks, the terms "Board of Governors" and "Board of Directors" may pop up in connection with discussion of proposed improvements here at the Law Quad. For those curious souls interested in power structures, the following definitions should be noted.

By "Board of Governors" is meant that administrative body composed of the Chief Justice of the Michigan Supreme Court and the President of the University, ex officio, one University Regent, two members of the Law School faculty, four practicing lawyers and two students. It is one of this group's tasks to make decisions regarding expenditures for the maintenance and improvement of the complex physical plant which makes up the Law School and the Lawyers Club.

The "Board of Directors" commonly refers to the 13-man, student-elected adjunct of the Board of Governors which is given authority by that higher group to "make and enforce regulations for the welfare, conduct and discipline of the Student members (of the Lawyers Club) residing in or using the buildings." The two student members of the Board of Governors are included in the 13-man total, and these two men, plus the President of the student Board of Directors (acting ex officio), represent the student body at all general meetings of the Board of Governors. Herein lies the effective voice of interested students, should they have anything to say. The President of the Board of Directors is, of course, Bill Herman, and the student members of the Board of Governors are Eric Reif and Jon Birge. All three are residents of the Lawyers Club.

- Dis-appointments -

The Placement Office wishes to inform those hopefuls eagerly awaiting the arrival of the alumni representatives from Washington, D. C., who were expected this weekend, that this group will be unable to be here as planned. However, they still plan to come at a later date, so would-be Washingtonians should watch for announcements.

The current William W. Cook Lecture Series featuring Dr. Leslie Dunbar, Executive Director of the Field Foundation, Inc., New York, concludes Nov. 2. Speaking on the theme "Ascendancy of American Liberalism," Dr. Dunbar has made these observations in his previous lectures:

"The self-examination in which we are now engaged may turn out to be one of the truly necessary frontiers that Americans pass through, occupy and grow at home in."

"Today, white persons are amazed by the rapidity and extent of change. Negroes despair over the slow progress. This difference flows from what is the essence of the Negro revolt. That essence is a demand that white people see and value the Negro as he sees and values himself."

"The same Negro revolt that has driven the Negro to a desire to establish his identity has led American democracy toward a painful re-evaluation of itself and its institutions."

"Perhaps the wisest discovery of James Baldwin was that no American, Negro or white, has a given identity, that we have always been and are now a people in search of their selves."

"The young radicals of the civil rights movement have, with keener realism than their elders, known that integration is an impossibility without decisive and large alterations in the social system. And southern segregationists, not generally sick minds, but realists, have known that a way of life is at stake."

"The entrance for Negroes into responsible participation in politics is the essential primary condition of racial peace. It is also the essential condition of practicable integration."

"The big question lying directly ahead for the South is what kind of new racial relations it will have. The really key decisions will not be made by Presidents, Congress or civil rights leaders. They will be made individually, by millions of homeowners, churchgoers, parents of school children, trade unionists. They will choose whether they want an open society (and today that can only mean an integrated society) or one built on the principles of social exclusion and isolation."

"In the long run, only political representatives can effectively translate Negro wants and opinions into responses of public policy. The politician is the natural successor of the demonstrator and of the civil rights lawyer. Society needs the Negro officeholder and political organizer."

"Racism once lost a war but won the peace, by substituting segregation for slavery. Racism is losing another war, but unless integration is the outcome it will again win the peace."

Dr. Dunbar also sharply criticized appointments and actions of some federal judges. While some southern judges have defended the rule of law and the dignity of American government, other federal judges in the south have made clear their pre-eminent commitment to segregation and to the established political structures of southern states and localities, he said.

Citing shocking cases of federal judges' handling of the Dallas school desegregation and voting cases, as in Bolivar County, Miss., Dr. Dunbar charged that the record of more recent appointees has been, if anything, worse.

"If we were to place in one side of a scale the enforcement activities of the Department of Justice from 1961 to the present, and in the other side the appointments made to the federal bench in the south by the Kennedy and Johnson administration, which way the scale would tip is still very questionable."

Students are reminded that the list of seminars for the Winter term is now posted on the board outside room 100. Consult the board for the sign-up procedure to be followed.

Newsbeat, cont.

- Bookbroker, Needed -

The Board of Directors announces that it is receiving applications for the position of Manager of the Book Store in Hutchins Hall. A new manager will be chosen to take over before the end of this semester since the present manager plans to resign. All law students interested may submit a letter of application stating relevant experience to Kevin Beattie, Law Club C-22. This job pays money, of course.

--Wm. H. Conner and Steve Petix

COMMENTARY: "Ready, aim, ..."

Around next Valentine's Day, most Quad residents will feel a sharp, sudden pain right across their pocketbooks. The increases in room rates for 1966-1967 should be announced. Oh, there will be a great weeping and gnashing of teeth. Seniors will smile knowingly. Juniors will only know. And freshmen won't even smile.

There's little doubt that rates must go up if the renovation program in the Quad is to continue. However, couldn't any proposed rate increases be minimized if some means could be found to lower present costs? At least this is the idea some of the Board of Directors tossed around this week. Somebody even suggested soliciting student opinion and ideas regarding possible cost decreases. The idea to get student suggestions deserves serious pursuit.

Through their elected representatives on the Board of Governors, Quad residents have proved effective voice for their views about rate increases. Last year's efforts by the representatives were instrumental in lower increases being imposed than were at first considered by the Board of Governors. That same good fortune could result this year, if the representatives and the Board of Directors can come up with practical reasons why rates needn't be as high as proposed. In other words, the Board needs now all those reasons residents will think of next semester as to how the everyday costs of the Quad (maid service, janitorial service, etc.) might be lowered without seriously affecting student welfare and convenience. The time to suggest, to study alternatives, and to gripe, would seem to be now, not later.

The Board of Directors would do well to carry forward their ideas about soliciting student opinion; and students would do well to write the Board any suggestions they might have to lower costs and, thus, to keep rate increases to a minimum next year. "...[L]et them now come forward, or forever hold their peace."

--Art Dulemba

SPORTS: Mostly Results, but Not for Milty

Football - A close battle could be shaping up in the Graduate League this year. Last Saturday the Phids slid by the Delts with a score in the last 30 seconds, to win 8-0. The Law Club lost to Nu Sigma Nu, 12-0. Both the Kamikazes and the Draft Dodgers won, beating, respectively, the Emenons (8-6) and Phi Rho Sigma (6-0). TER lost to Phi Delta Chi, 10-0.

Handball - Most of the first-round games have not been played, and the only two winners we know of so far are Jon Birge and Ron Compagnone. More results, and perhaps the second-round winners, next week.

Lacrosse - The U-M Lacrosse Club, which boasts five lawyers, lost to Notre Dame. Just can't stop those Fighting Irish.

Picks - 80%; hear that, Sports Illustrated?

More Picks -

Michigan over Wisconsin

Georgia Tech over Duke

Notre Dame over Navy

Harvard over Pennsylvania

Purdue over Illinois

Kansas over Kansas State

Mich. State over Northwestern

Colorado over Oklahoma

Nebraska over Missouri

Georgia over North Carolina

Indiana over Iowa

Minnesota over Ohio State

Texas over Southern Methodist

Syracuse over Pittsburgh

Arboga Tech over Heisenberg (this one's not really certain)

Sports, cont.

"The Ballad of Uncle Milty"
 (Or, "Dried-up Plums Are Known as Prunes")
 (Or, "The Young Lions' Lament")

Uncle Milty heard the roar
 And wished that he weren't such a bore.
 "Me and Nick, we do our best
 To follow Harry's every request.
 It's just that, well, we have these days
 When he just can't send in the plays
 That we remember."

His little heart, it skipped a beat.
 He wondered how he'd face defeat--
This time. With "We was robbed!"
 Or "If I'd thrown, instead of lobbed,
 That pass to Terry, we'd have won--
 If we weren't losing by 21."
 O sad December!

But out he trudged to face the task
 Left by the defense of Schmidt and Karras.
 "O, why must I always lead the drive
 Into score from the other team's 5?
 It just isn't fair to Nick and me
 To have to go for more than 3--
 We're union members!"

--by A. Nony Mous
 to Milton Plum and Nicholas Pietrosante, for services
 rendered.

Ed. Note: Res Gestae offers the first prize of an ode, to the first person who correctly identifies in 25 words or less the budding staff poet who vicariously suffers defeat with the Detroit Lions football players (?) each Sunday. Hint: It's not me.

--George A. Cooney

LAWFULLY YOURS: Splash!

To the Editor:

Last week's rain reminded me again of one of my chief complaints--the deplorable condition of the sidewalks in the Law Quad. I feel that some immediate action should be taken by the Administration to either repair or replace these constantly flooded walks. Yet, I understand no high priority has been given to remedying the situation in the Administration's plans for renovating the Lawyers Club. It may be many years before anything is even begun!

I urge that students feeling as I do immediately contact Jon Birge or Eric Reif, who will be representing the students' interests at the Administration's Board of Governors meeting this Friday. If we let the Administration know how many of us feel, we may see remedial activities taking place sooner than we had ever hoped.

Duane Ilvedson

WEEKENDER: Melina's Back in Town

Best movie bet of the week starts at the State theatre on Sunday. Melina Mercouri will star in a double bill--NEVER ON SUNDAY, and TOPKAPI. Both are repeats in the Ann Arbor area, but certainly worth another viewing. NEVER ON SUNDAY is a bawdy, rollicking yarn about the trials and tribulations of a prostitute who tries to reform. Not quite Chaucerian, but levels above the usual. TOPKAPI (color) is the Jules Dassin production about a group of enterprising thieves. Peter Ustinov, Maximilian Schell, Robert Morley, and Akim Tamiroff carry the co-starring roles and the movie to a fun-filled suspenseful climax. Melina's there to provide stunning background. A rather convincing performance, by Mrs. Dassin.

Weekender, cont.

PAWNBROKER continues at the Campus theatre till Nov. 3. Director Sidney Lumet (THE HILL, FAIL-SAFE) has a winning combination: his own immense talent, a box-office story line, and a continuously studied performance by Rod Steiger. Though appraisals of this movie may differ, there are few middle-of-the-road opinions among the reviewers.

The spy-thriller THE IPCRESS FILE continues at the Michigan theatre. Mixed reviews again on this British production. Neither Bond-ish nor a reflection of Spy Who Came in from the Cold-ish.

Thursday and Friday at the Cinema Guild: FOOTLIGHT PARADE, a 1930 musical. Saturday and Sunday, Jules Dassin's RIFIFI, a sort of TOPKAPI suspense offing in black and white. Considered Dassin's best effort, it only lacks Melina Mercouri.

Ed Bittle, Chairman of the Board of Directors Social Committee, has announced plans for a dance at the Law Club, Saturday, November 13, 9:00 -1:00 AM. Singing by the Psurfs and Law Wives. Ed promises some smooth dancing in addition to selections for the R&R fans.

--Art Dulemba

REPORT FROM THE BOARD: Remodeling the Baths

Monday evening the Board of Directors discussed their participation in the annual meeting of the Board of Governors of the Lawyers Club, which will be held in the faculty dining room on Friday, October 29, at 10:00 AM. The general purpose of this meeting will be to review various operations and needs of the Lawyers Club. Board of Directors President Bill Herman will present a description of his organization's activities including the Law School Book Store and Speakers Program. The Board of Governors consists of several lawyers including Alan R. Kidston of Chicago, Edward C. McCobb of Grand Rapids, Ray L. Potter of Detroit and Jack White of Cleveland, Regent Cudlip of Grosse Pointe, President Hatcher, Vice-President Smith, Chief Justice Kavanagh of the Mich. Supreme Court, and student representatives Bill Herman, Jonathan Birge and Eric Reif.

In conjunction with Friday's meeting, Duane Ilvedson presented a motion, seconded by Steve Petix, that the two student representatives to the Board of Governors indicate strong interest among the law students that the highest priority possible be given to improvement of the slate sidewalks. Present improvements of the Law Quad physical plant which have first consideration are the installation of steam risers for the radiators, electrical substations which would allow a greater distribution of current to the rooms, and remodeling of the baths. It was indicated that consideration has not been given to improvement of the sidewalks thus far, due to the possibility that the elm trees may need to be removed within five years, necessitating the use of heavy equipment, and consequent harm to new sidewalks. There is the further factor that such a project would cost between \$42,000 and \$50,000.

A recommendation was adopted that the Board of Directors deal with appropriate administrative officials in an effort to reduce the non-permit parking limitation from 10:00 PM to 6:00 PM in the faculty parking lots on the corners of Tappan-Monroe and Monroe-S. State.

Assistant Dean Walkley of the Boalt Law School of the University of California at Berkeley was a guest at the meeting this week. As the U. of C. at Berkeley presently has no graduate residence quarters, his purpose was "to visit one of the better law schools" with a view to observing its residence quarters. The Boalt Law School intends to construct co-ed quarters for 120 students. Dean Walkley felt that it was unlikely that Neo-Jacobean would be used.

--Lynn Bartlett, Jr.

COHEN'S CORNER: A Lawyer Bites the Dust

AMERICUS, GEORGIA has been the scene of great racial conflict recently and one of the casualties has been 37-year-old Warren Fortson, a local attorney who was so ostracized for having moderate views that he was forced to leave the town and move his practice and family to Atlanta. Last week the N.Y. Times and Wall Street Journal both carried stories on Mr. Fortson,

Cohen's Corner, cont.

whose brother is Georgia's Secretary of State. Commenting to the Res Gestae on the subject of stepped-up segregationist pressure to silence Southern moderates are visiting Prof. Leavell from the University of Georgia and David Miller, '67 L, who as a summer law clerk for the Civil Rights Division of the Justice Dept., made a trip to Americus last summer with a Dept. attorney and spoke with Mr. Fortson.

PROF. LEAVELL, who is a native of Oxford, Mississippi, points out that "What has happened to Mr. Fortson has happened to a good many people in the South who have openly tried to work for an amicable change there." He goes on to say, "Most Southern communities have no tradition of active, organized participation in community affairs by those most likely to be moderates. The people who hounded this lawyer out of Americus are, by and large, the types found in most communities who will take over a situation such as this and aggressively try to ruin the individual who speaks for moderation. Such people are very effective in dealing with an individual. They can't, however, cope with open criticism and opposition from those who would urge moderation. ... Georgia's Sibley Commission hearings which were conducting throughout the state in the late fifties demonstrated conclusively that hundreds of moderates would stand up to be counted. These public meetings were held to discuss the threatened closure of Georgia public schools and drew large crowds from all segments of the white community. Those present spoke up strongly for keeping the schools open. This was very revealing and a major setback for racists.

"MR. FORTSON is also a lawyer and part of his unpopularity is traceable to handling unpopular cases involving Negroes. Unfortunately, there's the presumption, especially in small towns, that the lawyer is identified with the side he takes in a case. Seen from this perspective Mr. Fortson is paying part of the price for the job we lawyers have done to educate the public as to the professional and ethical responsibilities of an attorney and how they come into play in taking unpopular cases."

"AS FAR AS I'M CONCERNED," comments David Miller, "Warren Fortson is a real hero. He is, or was, a successful lawyer who gave up everything for what he believed in. His 'radical' belief, which focused local antagonism against him, was that a biracial committee would ease the racial conflicts which have plagued Americus for the past several years. Mr. Fortson never endorsed all the Negro requests, or championed his cause; he merely worked for the establishment of a biracial committee to ease the tensions of this past summer. He was the only white in the community who was willing to go to SCLC headquarters and listen to the Negro grievances. This action alone was seemingly enough to insure the failure of his efforts, for as one local white assured me, 'They won't listen to him; everybody knows he is a nigger lover.'

"MR. FORTSON was in no sense an ignorant martyr," Dave continues. "Throughout our time in Americus, he became increasingly aware of the pressures growing against him, and knew that his actions were jeopardizing his family's happiness and his own career. As the conflict came to a head, he realized that his efforts had failed, that his fellow white citizens had no intention of listening to Negro requests. With this realization he became resigned, as did we all, to impending tragedy. We were not to be disappointed. During one of the night marches Negroes in a passing car shot and killed a white youth standing in a crowd of hecklers. Mr. Fortson was no liberal philosopher; he was simply the only white in Americus with the courage required to face the problems of segregation."

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