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University of Michigan Law School

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SUMMER STUDY IN BRUSSELS, 1975

The University of Georgia School of Law will conduct a Seminar on the Law and Institutions of the EEC at the Free University of Brussels, June 25 through July 5, 1975 for about 30 U.S. Law students. The Seminar may be of particular interest to those students interested in attending the Hague Academy on International Law program later in the summer. Free tuition and free lodging are available to participants, but transportation costs and other expenses must be defrayed by the students themselves.

If you are interested in this program, please see Mary Gomes (Assistant to Professor Bishop) in Legal Research 973 as soon as possible for details.

Ticket Sales

Today from 9:00 a.m. to 1:00 p.m. tickets to the Crease Ball will be on sale in front of room 100. The Crease Ball will be tomorrow evening, April 19, from 9:00 p.m. until 1:00 a.m. in the Lawyers' Club lounge.

The one-dollar-per-person ticket price makes this the best deal in the world, at least. As Theodore "Boogie-Woogie" St. Antoine was heard to say, "If anyone knows where a better time can be had, let me know, man, but, like you can't top it, man." Good band, understanding bartenders (BYOB), all closely supervised by the hard-working Barristers. Hope you can come and have a good time.

- Carolina Slim
NO MORE "ALTERNATIVE" PRACTICE CONFERENCES
By Stan Ford

The Alternative Practice Conference held this past weekend radiated an aura of unqualified success. A broad range of speakers addressed a series of problems ranging from prisoner's rights to the setting up of a legal collective. All the sessions were generated by a central thrust: the desire of a large portion of Michigan Law Students to practice law in a way devoid of the established trappings. The face of a new breed of lawyers emerged and gained strength.

The ubiquitous Section 5, a group of law students who defied conventional first year alienation and mistrust by transcending the individualized ethic of legal study, organized, staffed and ultimately (I assume) got one hell of a kick out of putting the conference together. Lawyers came from as far as Washington and Mississippi to share their skills with fledgling students. There were abundant good feelings that nurtured the passage of a great deal of useful information both to student and lawyer.

The highlight of the conference was the keynote speech of Ann Fagan Ginger, a 1943 graduate of this law school, (there were only six other women in the class), longtime movement attorney and now Director of the Mecklejohn Institute in Berkeley, California. Ann Ginger regaled the assembly with a joyful series of anecdotes, historical insights and political beliefs. It was joyful in the sense that her very presence conveyed a warmth and a sense of the "good life" usually absent from the halls of Hutchins. She spoke of her childhood in Michigan: her intense feelings about the Spanish Civil War and the Ford strikes where workers were shot and killed for protesting wages and working conditions. Ginger went on to speak of her own life as a political activist and committed attorney and the lives of her colleagues male and female. When the speech was over and the cheering had died down my companion said sadly that to see Ann Ginger was to wonder about the sort of life your mother could have lead. Or your father. Or that you in fact could live.

FORSYTH SAGA

"BUT WHAT HAVE WE DONE TO YOU LATELY?"

"We have never treated women applicants any differently than other applicants." That is what Whitmore Gray used to tell us at Admissions Committee meetings when we raised questions about the law school's policies. I would like to put his statement into context.

For decades the Michigan Law School provided convenient housing and meals in the quad for male students only. Female students have been allowed to live in the quad only since 1968. Pat Cronin(M.Law '64) still speaks bitterly of the fact that she wasn't even allowed to buy meals at the club. She felt that the law school was telling women, "OK, you can take courses at our school, but you don't really belong here."

Martha Griffith and her aide, both graduates of the law school, upon hearing the Girard ruling, sent a telegram noting it to the Dean.

One side effect of exclusion from the quad was that women were barred from the position of president of the student senate (then called the Board of Directors). Until the early 70's one of the requirements for that post was that the
PLACEMENT GOODIES

All first and second year people should fill out an address form for the Directory for recruiters. Forms available in the Placement Office or outside room 100. You may either drop them in the box outside 100 or bring them to the office.

INTERVIEW - Wednesday, April 23rd. with General Motors Corporation. They have decided to hire 4 or 5 May or August people. Please sign-up in the Placement Office.

JOBS -if you have taken a job, please report it to our office as soon as possible. We will soon have to begin calling people we have not heard from so that our information will be complete, and would really appreciate it if you would come and tell us about your job as soon as you can.

JUDICIAL CLERKSHIPS - letters have gone out to last year's graduates who are clerking asking them to give their thoughts on the experience, and suggestions for those applying this summer for clerkships. We have heard from some - so feel free to come in and read their letters.

FALL INTERVIEWING - anyone having suggestions, questions, complaints, etc. are encouraged to come and talk to us about it. We need student input!

PLACEMENT OFFICE - if you have suggestions and ideas for improving the operation - please come and tell us about them. If you would prefer, you can write out your ideas and drop them off.

ATTENTION ORGANIZATIONS!!!

Any organization who has not received a formal request from the Orientation Committee and would like to participate in the Summer or Winter orientation should make arrangements before 5:00 p.m. with Rhonda Rivera in Room 308 Monday, April 21.

The participation would involve providing information and someone to talk with concerning your organization or group to incoming first-year people during the two days preceding each semester.

SUMMER SUBLET

Your own large bedroom in a 4 bedroom house. Furnished, carpeted, paneled. Great location -- just 2 min. from UGLI. $60/mo. Available mid-May thru Aug. Call Mark at 994-3545 (preferably between 5 and 8 P.M.).

SUMMER SUBLET

Spend the summer in the luxury of my apartment. Available is one bedroom of a large, modern, sunny two bedroom apartment. Extras include a large balcony, furniture and carpeting, a well-stocked kitchen, laundry room, storage space and free underground parking. Cost is competitive with the Lawyers Club. Available for any of the Summer School sessions. Call: Jon at 994-5831.

JULY-AUGUST SUBLET

room in house on Oakland
# block from Law Quad
plenty of room-kitchen-perch
furnished-parking
rent negotiable

call 764-8983

WOMEN AND THE LAW--FALL, 1974

Any student who took Women and the law with Ms. Nordby in the Fall semester, 1974, and who participated in the mock ERA hearings -- The tapes of those hearings are available for viewing Friday and Saturday, April 25, and 26. Sign up in Dean Borgsdorf's office for a time to see yourself or anyone else you may wish to see.

If these tapes are not seen at this time, there is a real possibility that the tapes will be reused and therefore no longer available. So if you want to see these, make your desire known now.
Jean,

As you can see above it's late. I'm tired too, and thinking. Thinking and being tired go together for me. Being tired means being too weak to fight off thinking. Shakespeare said, 'to those that think, the world is a tragedy'. I hate believing that. But if I've learned one thing it's that my beliefs haven't much to do with anything.

But they have something to do with everything. And so they have something to do with you.

Your last letter is here in front of me. I've read it many times. But this is no answer to your letter, it is an answer to you.

I love you I am sure. And my certainties are me, as I present myself to the world. You love me, you love my certainty in loving you. There is a security in stone, indeed I would know stones before stars.

I am there somewhere. I must be, for who else could make the presentation? And I do not feel.

It is no fault of yours. It is the presentation you love, and the presentation you give love to. And there is something to be said for that. We've said it over and over.

My love, do we love the sun or the light? I love the sun. I could never find the universe as interesting as the creator. I could never find your love as sustaining as you. Spice is not food.

So you see it is a tragedy. Two candles at war with their function. With their beauty in a sense. With their value? I cannot decide these things alone. I cannot feel the answer.

I cannot feel you.

Love,

Pat

Saturday night, 9:30

Pat,

It is hard for me to write you. Knowing why would not make any difference. Just knowing that it is swallows it.

It really makes no sense when I think about it. Loving you being so easy, and writing you being so difficult. If you were here, I could be silent, and all my poets have given a meaning to that.

But silence is dangerous communication. Sometimes I think my glances are too young to be out alone. Too young for such freedom.

I know that upsets you. Truth has a way of always turning against me. Do you like the kind that looks for trouble?

Of course you do. You love that kind, and my knowing that makes me smile. Can you imagine that?

I wish there were a way to know everything you imagine, everything you believe. Knowing is a kind of control, enough to leave you free and me too.

Without it, I feel like a slave to my words and my glances. Unable to know the time of the forging nor the strength. It is there my slavery lies.

I have dreamed of forming a bond, a bond absolutely unbreakable. To marvel at the skill of my handiwork. But the joy for me would be in my doing. It seems that the cultivation of the skill shall have foreclose my ever exercising it. For my words and glances are my education, my teachers, and my students.

It is all so big. I could not lift it by myself.

I fear for every letter I write, I fear for you and for me. I am not afraid to love, I am not afraid of you.

I am afraid of me.

Love,

Jean
Information brochures and applications for the Summer Projects on the National Lawyers Guild are now available in the Guild Office, 110 Legal Research. There will be a meeting for all interested in applying to work on a Summer Project at 12:00 Noon, Monday, April 21 in Hutchins Hall Room 116. For additional assistance, you may contact Paul Centolella through the Guild Office.

The Guild is sponsoring a series of 14 Summer Projects across the country, aimed at involving law students and legal workers in the ongoing work of 14 important political struggles. The Projects are the Appalachia, Attica, Boston Anti-Racism, Gay Rights, Georgia Power, Hampton/Clark, Immigration, National Labor, Prisoner's Rights, New Jersey Housing, St. Louis Women's Texas Valley, Oakland Women's, and Wounded Knee Projects.

Although there is wide diversity among the projects, there are common purposes unifying them all. Of primary importance is the substantive legal and political support that will be provided by project members. The projects will also provide members with work experiences in alternative practices of law in a political context. Thirdly, there will be the opportunity to work with and learn from other progressive legal people involved in the project, and from those people who live and work in the communities surrounding the project.

Certain projects have been specifically designed to implement the Guild's commitment to the struggles of Third World peoples, women, and gay people. Participation of these groups in all projects is strongly encouraged.

All summer project participants will be provided with a base stipend of $500 to cover room, board, and expenses. Travel expenses to and from the project may be available for those participants who could not otherwise get there. It is the Guild's intention to set up a scholarship fund to provide supplemental stipends to those applicants who are unable to work for $500. Fundraising for all projects is presently underway.

Scientific advances may ultimately lead to new ethical values and greater individual freedoms regarding life-death issues, such as abortion and suicide, a noted scientist suggested at The University of Michigan.

Delivering the Thomas M. Cooley lecture series at the U-M Law School, Dr. Robert S. Morison cited "a growing tendency within medicine to encourage individual patients and their guardians to understand the basic issues and to arrive at their own decisions." "I hope that we can maintain and foster this atmosphere of encouragement for individual decisions," said Dr. Morison, who holds a distinguished professorship of science and society at Cornell University. A physician by training, Dr. Morison is the first non-lawyer to deliver the Cooley Lectures which have been given almost annually at the U-M since 1947.

Turning to the question of birth defects and abortions, Dr. Morison said: "I hope that current options in regard to abortion will continue to become more widely available, and that parents and physicians will be free from legal restraint as they go through the painful business of deciding how to treat or not to treat their defective child."

Dr. Morison also suggested changes "at the other end of life, including a considerable revision of our customs, and in some cases, law, concerning suicide."

Dr. Morison said advancements in biological science now confront physicians and the public at large with many "ethical and moral" questions: "How vigorously should we treat the dying patient? How
Close to one million boys and girls are held in adult jails and juvenile detention facilities each year, a University of Michigan survey estimates—more than 10 times the number assigned to training schools, halfway houses and all other residential programs combined.

Disproportionate numbers of the jailed youth are from non-white and lower socio-economic families, U-M social work Prof. Rosemary C. Sarri reports, and disproportionate numbers are charged with status offenses, such as truancy and curfew violations, rather than crime.

Girls have a greater chance of being detained, and for longer periods, than boys, even though the overwhelming majority are charged with status offenses.

The latest report of the U-M's National Assessment of Juvenile Corrections (NAJC) "amply documents the gross overuse of secure custody for youth who may be processed through the juvenile courts," Prof. Sarri contends. "Furthermore, after a century and a half of gradual decline, the practice of jailing children now appears to be on the increase."

An accurate account of the extent of juvenile jailing in the United States does not exist, Prof. Sarri found. Reliable and comparable information from cities, counties, states and the federal government is lacking; few jails keep records, except for a sporadic daily census.

But independent surveys in some states point up a variety of inadequacies and inequities, according to Prof. Sarri:

---A 1969 Illinois study showed that 142 of the 160 jails included held juveniles, but only nine had facilities for separating them from adult offenders. Only 15 percent actively supervised inmates, indicating that children could be subjected to adult abuse with little interference.

---A 1974 Indiana survey revealed that 98 percent of the facilities had no physical exercise rooms, and 75 percent had no visiting rooms or counseling services.

---A 1971 survey in upper New York state showed that 43 percent of the children held in local jails were allegedly "persons in need of supervision," who had not been charged with a misdemeanor or felony.

---A 1972 Montana study reported that dependent and neglected children were held in jail "when necessary," and more than 50 percent of the counties placed juveniles in jail for indefinite periods as a "deterrent" without any type of formal charge.

Although trend data are not available for the entire country, a 1974 Wisconsin report illustrates an apparent current increase in the jailing of youth, Prof. Sarri says. The numbers rose from 3,643 in 1961 to 9,924 in 1972. While males increased by 145 percent, females increased by 277 percent, from 768 to 2,892.

"It is noteworthy that neither Wisconsin's extensive child welfare services nor the availability of detention facilities deters the courts from holding juveniles in jail," Prof. Sarri notes.

The U-M professor, who is co-director of the NAJC, maintains that "placing juveniles in adult jails should be entirely eliminated and that specialized detention facilities should be limited only to youth who have been
formally charged with law violations."

Her report, "Under Lock and Key: Juveniles in Jails and Detention," is directed at juvenile court personnel, jail administrators, state juvenile corrections and child welfare administrators, police and others concerned with the general problems of juvenile detention.

"Like other observers, the NAJC finds that police are allowed great discretion in the area of juvenile corrections, and their recommendations are seldom challenged. Not infrequently, we found that the courts concurred with police views that placing a youth in detention was 'a good way to show him the court means business,'" relates Prof. Sarri.

But a 1966 survey of U.S. detention facilities found that 93 per cent of the detention units were concentrated in just seven per cent of the counties. "Children under the age of 12 continue to be held in these facilities, and the larger and more overcrowded the quarters, the more likely it is that pre-school and elementary school-aged children will be held there. "Few full time trained professionals were employed in detention," Prof. Sarri continues. "Consequently less than half the detained youth received psychological and physical examinations, and almost none received remedial or vocational education. The units are usually totally isolated from the community, even though offense patterns show that the majority of youth in detention present no serious danger to other citizens."

Statutory changes are required in nearly every state to prohibit the jailing of youth under any circumstances, the U-M researcher concludes. Detention should be restricted solely to acts that would be felonies if committed by adults. She further recommends: --Mandatory detention hearings should be conducted by juvenile court judges within 24 hours of the child's arrest, with counsel available.

--Alternatives to incarceration of juveniles charged with a crime should be rapidly developed. Home detention with professional supervision and consultation has the best potential, Prof. Sarri believes.

--After developing alternatives to detention and jails, the states should set higher age limits (15, for example) for placing youth in detention. Children under that age could be placed in foster care homes, where they would not be exposed to youth who had committed serious felonies.

--Finally, statewide detention standards must be developed to reduce variable local interpretations of statutes and highly disparate detention practices.

"We are in the last quarter of the century that opened with the founding of the juvenile court, which was to remove children from jails and from the adult criminal system," Dr. Sarri declares. "The jailing of juveniles has not even been abated by the continued stories of rape, assault and suicide in these facilities.

"States and local communities must take widespread, resolute and immediate action, or a substantial proportion of the current generation of youth will continue to be harmed unjustifiably."
Ms. Ginger opened her talk by noting the fact that virtually every painting and photo adorning the law school's walls is of an older white, male. She wondered how women, how Blacks, Chicanos and young people could identify and gain strength from the sort of institution that denies their identity. She rattled off a list of Michigan graduates whose pictures deserved to hang in the halls: pictures that would act to jog consciousness rather than smother it. Ginger referred to Judge Crockett's court in Detroit with its mural of a Black man breaking out of chains. The appearance of justice leads to justice, the appearance of education can only engender education.

As Ann said the only way that you can do any good as a movement oriented lawyer is to know that there is no alternative to what it is that you desire to do with the law. It helps profoundly in that struggle to gain strength from your tradition. Then you do what you do and you do it well and if times are hard you learn from necessity.

The Law School community should demand that all facts of the legal tradition be represented in the halls. (As well as in the classes!) Pam Hyde, our new President should act now to urge the Council to spend some of our money in the pursuit of an environment where the breathe of American legal experience thrives. Ginger asked where are the pictures of Cornelia Kennedy, the Black, female Federal Court Judge and of Clarence Darrow who both attended Michigan? Why not a picture of Ann Ginger herself? Ann Fagan Ginger would be more than happy to supply us with a list of outstanding Michigan graduates of all colors and both sexes who have been catalysts for social justice in America. By recognizing them and what they have done we in no small way recognize what we have barely begun to do.

During the 1940's Laura Williams took a job in Ann Arbor and moved here because she wanted to go to the law school, but she was not admitted because she was not a veteran. So she went to the Education School instead and now is a Professor of Education there.

One attorney in Detroit reports that in the early 60's she applied to the law school while her husband was a student here. The scholarship committee wrote her a letter stating that while it was admirable that she and her husband wanted to do this, it was not an enterprise which they were willing to support. After he graduated she went to Wayne. It should be remembered that at the time the Dean was still reporting that no one need be turned away from our door due to lack of available financial aid.

Never to be forgotten is the interview that took place at an eastern women's college in 1969, when then Admissions Dean Matthew McCauley told Pam Stuart (M Law '73) that she was "too cute to have to go to law school to find a husband."

Curiously, during two consecutive years while McCauley was in Admissions, the number of women in the first year class was almost identical, even though the number of applications from women and their proportion of applications overall increased substantially. When I asked him how that happened he said he didn't know.
Saturday Night

SATURDAY NIGHT WITH SECTION ONE
written by Larry Elder
illustrated by Dennis Nelson

Professor Jacksonite: Okay, I brought the monopoly set. This time, Limptoast, keep those Mr. Goodbar crumbs off the board, will ya?

Professor Limptoast: Yeah sure. All right, what are we playing for?

Professor Kamiscram: What do you mean? We're playing for scratch. I didn't give up a night at the dog races for a fistful of funny money.

Professor Jacksonite: Money is out of the question. That's gambling. If something goes wrong, I don't want the courts stepping in.

Professor Crouper: But as I read Grim v. Cheatwood, gamblers are in pari delicto. The courts won't step in unless the participants are unequal, unsophisticated, ignorant of the law, and are cheating.

Professor Jacksonite: Like I said, I don't want the courts stepping in.

Professor Limptoast: Tell you what. Same rules as last time. If I lose, I'll give everyone an autographed copy of my new casebook-- Deep Tort-- just for the sake of consistency.

Professor Jacksonite: Consistency is the hobgoblin of little minds.

Professor Kamiscram: Jacksonite, if you say that one more time, I'm gonna shove five copies of Williston right up your--

Professor Crouper: Gentlemen, gentlemen! I've got it. The loser has to read the Illinois longarm statute to his wife at bedtime.

Professor Jacksonite: Even better! The Loser has to wear one of Limptoast's pullover sweaters to Monday's lecture.

Professor Kamiscram: Are you kidding? I wouldn't wear one of those things to an auction.

Professor Jacksonite: Just a minute. I will not sit here and have you defame the auction, one of America's great institutions.

Professor Limptoast: Somebody say defame? Goody! I just happen to have a copy of Gertz and the way I would analyze--

Professor Crouper: Aw, c'mon. Let's choose the pieces. I want the top hat.

Professor Kamiscram: Oh no you don't. That's mine. It reminds me of Fred Astaire. I never told anybody this, but I kinda look upon myself as the song and dance man of criminal law.

Professor Crouper: That's awfully antsy of you.

Professor Jacksonite: I'll take the iron. I envision myself as applying the steam and starch of discipline and reason while smoothing out the wrinkles of contract law.

Professor Limptoast: Well put! I'll take the dagger.

Professor Crouper: What does that represent?

Professor Limptoast: It represents what I'm going to use to get out of here if I lose.

Professor Jacksonite: Aw, give me anything. I just wanna be banker. Makes me feel like I got the Chase Manhattan right in my lap.

Professor Kamiscram: Let's roll. Limptoast's first. "Swanee, Swanee, how I love you--"

Professor Limptoast: Kamiscram, would you mind not humming, you know it makes me make bad business deals.

Professor Kamiscram: "SWANEE, SWANEE, HOW I LOVE YOU, HOW I--"
"Weighing The Equities"
Minutes of the Women Law Students Association
Monday, April 14

Beth Garfield called the meeting to order at 12:10.

1. Sue Bittner reported on the plans made for the orientation of the women summer starters. (a) There will be a table for WLS at their general orientation with the card file, general info., sign up sheets etc. (b) A Potluck picnic will be held next week for the 1st year women and upper-class women to get acquainted. (c) If there is interest a womens studies group will be organized. (d) Other possibilities include a listing of upperclass women to serve as resource people for special problems indicating special interests, family, etc.

2. Sue B. also reported that the committee on admissions and recruitment will be meeting Thursday.

3. Christie P. reported that Sumner Fowler would be willing to build our bulletin board if we can get the materials.

4. Beth G., Christie, and Joanne presented our budget request at the LSSS hearing last Saturday. No decision has yet been received. The possibility of sending a rep. to the Monday night meeting was raised.

5. There were general discussion about the program for orientation of 1st year women next fall. Gayle Horetski and Flo Sprague will organize this, but are looking for more help. Since Gayle is also working with the newly organized general orientation program we can try to avoid overlap. Suggestions include (a) a table at the orientation program in the Lawyer's Club Lounge. (b) the card file at registration. (c) a large general lunch get together for all women the 1st week of classes, to be followed up with smaller get together over wine and cheese by section or interest groups.

6. Joanne and Sue Henderson emphasized that everyone is encouraged to attend the meetings which are held in the Women's Lounge. We are still looking for more volunteers to work on existing projects and more ideas for new projects.

7. The women who attended the National Conference hope to have their presentation ready soon.

8. Next Monday, April 21 we plan to discuss the goals of WLS--what do people feel needs most to be done.

S/Florence Sprague
Women Law Students
(if questions - 662-9834)

AWARDS WEEK

But first:
Some ugly rumors have been spread, to the effect that the sin bin is written by a somewhat smashed author.

There is another ugly rumor that one Thomas Green (FB) has been keeping a 5'7" ant tied up and locked in his office and that said ant is being starved and tortured "for the good of the law school."

Thomas Green (FB) and Thomas Green (RW) are two different people. Thomas (Real World) Green is a practicing attorney in Ann Arbor on Huron Street.

5 minute major: Ann Arbor weather for icing. (It should be thrown out of the game)

- with apologies to The Left Hand of The Law, Thomas Green (RW), Lee Bollinger, and Yale Simitar.

And Now:
For most valuable rookie of the year, The Calder Cup goes to William Covington, along with his interviewee (unnamed), in
an interview printed by the BLSA Connection. The article is certainly the best expose of what law school really is and really does, printed in at least the last two years. The comments are important, devastatingly accurate, and in the large part, universally applicable to most law students, in general. I certainly hope that copies of the interview reach the desks of our Varied and Numerous Great Deans, and anyone who cares about what this law school is or does.

The Lady Byng Trophy goes to Yale Kamisar. If you don't know what this award is for, ask someone who knows hockey.

This year's co-recipients of the Dave Forbes Award are Big Joe Vining and Yale "The Hammer" Kamizar. If you don't know what this award is for, ask someone who tried to poke Henry Bouche's eye out with his stick.

Runner up for this year's Art Ross Trophy is Our Own Argie Ant whose efforts to preserve truth, justice, and the American Way have touched us all; and has provided us with some pictures to look at. However, the Norris Award, given to the player who scores the most points, must be given to that destroyer of pomp, that man of steel nerves, that little person who can do it and get away with it, just by doing it with a straight face, our all-time Turkey, Mike Snow.

For goalie with the lowest goals against average, the battle for the Vezina was not even close this year. The master of her trade, Dorine Ricantspells-herlastname took the Vezina hands down.

The Hart Trophy, for most valuable player, will be given next week. Other numerous awards for jerk-of-the-year, biggest gunner award, the secretariat trophy, M. Brownie Point Title, and most obnoxious, will be reserved to myself. Please feel free to fill in your own award winners in those categories. Likewise for the most likely to succeed and Worst Dean awards.

And finally:
The award for the real hockey game that came closest to the hockey world of law school goes to the last game in the Toronto Mapleleafs - Los Angeles Kings playoff series. It included a stick battle at the penalty box, and all sorts of neat stuff.

Free GILBERTS!

- G. Burgess Allison

COOLEY LECTURES(cont.)

vigorously should we treat the gravely defective child? What is the propriety of screening certain populations for the incidence of genetic defects? What should be the guidelines for using the upcoming technique of test tube fertilization of human eggs?" he asked.

In illustrating the complexity of some of these ethical problems, Dr. Morison noted that scientific advances often raise legal and
I attended the annual Law School Honors Convocation last Friday as an "honored guest" and cannot resist commenting on what I saw there. These comments should be in no way taken as an effort to detract from the achievements of those who were honored; the recognition they received was no doubt well-deserved and well-intended. It is the event itself and the style with which it was carried out which prompts me to write, for it seemed to typify much of what is wrong with this "great" law school. I believe the convocation revealed in part the factors which make this an institution with few of the redeeming human qualities of an intellectual community.

The whole event was shot through with a kind of irony which was brought to light by Dean St. Antoine's introductory comments. According to the Dean, the whole thing revolves around recognition of excellence in a variety of human qualities and endeavors. It was indeed ironic that this superlative dimension was so conspicuously inapplicable to the convocation itself. The event was apparently not publicized to the law community at large, and as a consequence room 100 was less than full for what was a relatively good speech by Dean Wilbur Cohen (though it was hard to detect any real relevance of the subject matter to the occasion). Recognition took the form of parading (or herding) the honorees across the speakers platform for a handshake with the Dean as their names and accomplishments were read off. Since honorees comprised the vast majority of the audience, this meant that more people were standing in the aisle waiting than were watching the ceremony. There was an element of egalitarianism in the fact that honorees lined up at random, rendering the program useless for following the proceedings (you can't tell an S. Anthony Benton Memorial from a Frank Holmes Shaffer without a program).

Irony resulting from the lack of administrative excellence was overshadowed by some other comments of the Dean however. For some unknown reasons, the Dean took it upon himself to cast implicit aspersions upon those who, by his interpretation, would denigrate EXCELLENCE in all its forms. Perhaps the motive behind the thorough trouncing visited upon these straw persons was a good one; perhaps the Dean wanted to reassure the honorees that they really aren't morally deficient for getting good grades, but I suspect they had all convinced themselves of their self-worth long ago. At any rate, whether the motivation was benevolent or just a mean-spirited attempt at a cheap shot at critics who were not even present, the Dean's comments revealed anything but excellence in perception, sensitivity, logic, or taste.

Excellence is a neutral term and I have yet to hear anyone around here criticized for excellence per se. Criticisms of the law review flea and related syndromes do not go to the question of excellence; they question the inherent value of certain traditions or pedagogical devices, and they criticize those who exhibit little or no social consciousness and a craving for "success" which borders on avarice. Granted that stereotypic thinking may creep into such criticisms, but this should be expected in an institution which, by its forms of recognition of excellence, relies so heavily upon rigid and often specious categorization of students.

No one who has ever watched a Big Ten marching band can doubt that it is possible to achieve excellently something which may not be worth doing in the first place. At least the value of any given accomplishment is debatable no matter how well it is accomplished. It would seem to be past the time for the administration to acknowledge that many law students are questioning worth of the games they are being asked to play and not the standards by which their performance is being measured. No matter, how this conflict of values may ultimately be resolved, those who are questioning the assumptions underlying the status quo deserve the respect of the faculty and administration and deserve to have their criticisms dealt with in a straightforward manner. The administration which fails to pay such respect, and which contributes to the fragmentation of the law school community by patting the "good" students on the head while vanquishing illusory anti-intellectuals, is like the administration which stages a slipshod convocation. In neither case does the administration performance demonstrate the excellence befitting a truly great law school.

S/George Vinyard
Dear RG:

As a member of §5, I am bothered by Peter Winkler's perception of the political orientation of the Alternative Practices Conference. Back in January, when the Conference was still but a dream and §5 meetings consisted mainly of ideological arguments, we dealt with that very problem. After some intense internal wrangling, we decided that we would not proselytize— that the Conference would attempt to expose the participants to the alternatives without advocating any particular political persuasions. Indeed, anyone attending a typical §5 meeting would readily agree that the diversity of political views expressed there would have put any pre-conceived political perspective entirely out of the question. Although there may be a few students in the group who would readily assume the "leftist/radical" label, §5 does not purport to espouse their political views. Our only common bond is that we are all students who are interested in devoting our legal expertise to representing the underrepresented members of society. Had Mr. Winkler carefully examined the agenda for the Conference, he would realize that in a very real sense we were not even exposing alternatives! I had a short meeting with the City Editor of the Ann Arbor News concerning coverage of the event. He was worried that it was a "radical" function. As I told him, you can't consider anything radical if it merely exposes people to extant fields of endeavor. Even had we attempted induce participants to pursue these courses, our impropriety would have been no greater than that of the vast numbers of recruiters who have frequented this institution in the past.

That many of the speakers had "leftist/radical" views is certainly no fault of the planners of the Conference. Letters were sent to numerous organizations which we felt were in accord with our interests. No mention was made of any planned politicking. Those speakers who were kind enough to attend were invited to speak freely in an open forum so that others might benefit from their ideas.

Mr. Winkler would like to have seen a "broader spectrum of choice." This is fair comment. In planning, we realized that in order to ensure the Administration's full cooperation (which we gratefully received) as well as maximum attendance, we would have to present a broad ideological base as possible. If some people think we failed in that endeavor, let them know that we tried. I personally took attendance at every one of the workshops, and at no point was the attendance lower than 225. I would estimate that as many as 500 different people attended the Conference. A fairly small group of people sacrificed a great deal of their time to see their plans materialized.

LEA! COME BACK, HARRY.

To see their plans materialize. Section 5 meetings have always been, and always will be totally open affairs. If Mr. Winkler would like to contribute his services and ideas to next year's conference, he would be more than welcome.

I can find little basis for the comment that the Conference "conveyed the impression that one must either work for a corporation or take a stand with the Movement." Our keynote speaker, Ann Fagan Ginger, has been practicing for over thirty years, long before "the Movement" ever got started. Many of the speakers are employed by government-funded agencies—certainly not arms of "the Movement." The UAW is one of the largest corporations in the United States. Marvin Schwedel's organization, Common Cause, was initially funded by a $7-million grant from the Rockerfeller Foundation. Let Mr. Winkler visit some of their offices, like Roger Chard's at Washtenaw County Legal Aid; let him see the mounds of paperwork which are processed daily in a frantic effort to keep abreast of things; let him see the kinds of people who walk into those offices begging for help from somewhere just so they aren't crushed by the juggernaut of legal process; and then let him tell me that these people are working for "the Movement."

S/Peter Edwards
"metaphysical" questions and challenge popular beliefs.

For example, "the rapidly developing art of amniocentesis enables us to identify various grave and not so grave defects during the fetal period," the lecturer pointed out. "Unhappily, the technology is such that final identification does not occur until relatively late, often not until the uncomfortable 20-24 week period, where feticide merges into infanticide.

"I don't see how in such cases we can avoid the fact that we are making a judgment on the quality of another human being and letting it influence our view of his or her right to life," Dr. Morison observed. "Once we have the results of amniocentesis we must base further action on a judgment of certain particular attributes of the particular fetus before us."

Challenging traditional notions of life and death, Dr. Morison offered this scientific observation: "Life and death are not to be regarded as simple alternative states. Both actually proceed hand in hand, though at somewhat different rates. From their beginning in the fertilized egg, the processes of life wax and become ever more complex and interesting while the processes of death proceed inconspicuously, slowly reducing the elasticity of connective tissue, depositing plaques in blood vessels, and gradually eliminating brain cells. Sooner or later the processes of death become more obvious and the pleasures, creativities, and interactions of life become less conspicuous until ultimately there is nothing left of the living being."

By contrast, he noted, "theologians and probably most lawyers are much more likely to regard the individual life in all-or-nothing terms, as a kind of Aristotelian essence or soul... The law takes refuge in the more time honored position that a fetus is not really a person until a particular moment in time which varies from court to court..."

The doctor offered the following position as being more consistent with the biological facts: "The value and interest of an embryo and its right to life begin with conception at a very low level and increases steadily throughout pregnancy to reach a more or less steady state a year or so after birth where it remains until a decline becomes obvious later in life. Furthermore, the risks to the mother increase, though somewhat irregularly, as pregnancy proceeds."
To the Faculty:

LOOK! LISTEN! LEARN!

Book review and classroom critique by Women Law Students Association

The YOU’VE-COME-A-LONG-WAY-BABY Award goes to Professor J. J. White for his participation in the writing and teaching of an excellent textbook in which sexist remarks and hypotheticals are virtually non-existent. The book is entitled Commercial and Consumer Law by Speidel, Summers & White, and the class is called Commercial Transactions taught from 10:00 to 11:00 MTWTh by Professor White. This is a book and class from which the rest of the faculty could learn a great deal in terms of how to write a non-sexist book and how to conduct a non-sexist class.

This book (hereinafter referred to as C&CL) rarely refers to a lawyer as “he” and in fact, at times makes specific references to a lawyer as “she.” The casebook has several hypotheticals in which the main character is a woman, in roles such as business person, banker, creditor, buyer, and consumer. In no case is the woman portrayed as scatter-brained or incompetent. C&CL also takes pains to refer to characters by position (debtor, assignor, seller, etc.) rather than by the supposedly sex-neutral word “he.” Where female characters are called by their first names, male characters are also called by their first names.

Several times the authors of C&CL have sought out authoritative comments written by women so that not every authority cited is a man.

One of the authors of the book, Professor J. J. White, carries the lack of a sexist attitude portrayed in C&CL into the classroom. Women are frequently called on, but not more than should be based on the proportion of women enrolled in the class. Women are frequently commended for their classroom performance just as are men who perform exceptionally well. Women are referred to as “Ms.” and Professor White attempts to use the phrase “he or she” wherever pertinent.

Professor White shows by his attitude a quality rarely found among faculty in this law school. He seems to care about the subject, about the students, and yes, even about the prospective clients of the students. And he seems to care regardless of whether the students and clients are men or women. Even if you cannot agree with his viewpoint, at least you do not feel completely left out just because you are a woman.

So, Faculty, take note. Those of you who said it couldn't be done, it has been. A non-sexist casebook has been written, and a non-sexist classroom has been, and is being, conducted. Our hats off to Professor J. J. White and the other authors of C&CL for succeeding in the best try of the year.

YOU’VE COME A LONG WAY, Professor White. Now let’s see what the rest of you can do!

Women Law Students Association
THE DUMP TRUCK

Larry Halperin

I need a dump truck, Mama, to unload my head. B. Dylan

I'm glad that people read and seemed to empathize with my Dylan-60's article. I was afraid that I'd be subjected to adverse criticism either as to my perceptions and political beliefs or even for glorifying the past and denigrating the present. Somebody might have felt as Mark Twain did as he wrote to a boyfriend of Hannibal days, who looked back nostagically to the past and denigrating the present. As to the past, there is but one good thing about it...that it is past... I can see by your manner of speech that you have stood dead still in the midst of the dreaminess, the melancholy, the romance, the heroics of sweet but happy sixteen. Now, do you know that this is simply mental and moral masturbation. Masturbation or not, after watching Ford tell us his view of the state of the world I was ready to dust off my slogans, chants and marching shoes. After all these years you'd think that reality would break through the White House gates. Apparently though, no sense will come out of the President while Gud Dokter Kissinger is there.

(Allow me to digress to tell one more Harvard story. When I was a freshman Dick first installed Henry in the White House. There was jubilation on the campus. Although the "best and the brightest" that Harvard had contributed to Kennedy and Johnson got us so deeply into the quagmire, everyone felt that this Harvard professor would bring a new enlightenment to our South East Asian policy. We thought Hank was going to actually make a reality of the mythical "secret plan" of Nixon's campaign speeches. There was surprise when the war didn't end immediately, but there was shock when students and faculty went to talk to Kissinger in Washington and he very politely ignored them and told them that he had no intention of advising a quick pull out. The shock turned to despair to anger and to hate-on the part of students and faculty. Although, for the illustrious Dr. Kissinger, the Administration extended by one year the usual one year limit a professor can take off from the university, there was no second extension, and I don't believe there is any way he'll be able to go back again.)

Anyway I blame Kissinger for this last ludicrous request for $722 million for military aid. (There's an editorial cartoon with Ford saying, "For the last time, if Congress would just provide the military aid, I believe we could save most of President Thieu's Kitchen and part of his hallway...".) The word was out the day before the speech that Ford's other advisers were urging him to ask only for humanitarian aid, and such a request would certainly have met acceptance.

Turnabout's Fair Play

NEW YORK — (AP) — A woman who quit college to pay her husband's way through law school was given an alimony settlement Wednesday, designed to make her former husband pay her way through medical school.

Justice Bentley Kassal awarded Ethelyn D. Morgan, 27, $200 a week for alimony and child support so long as she does not remarry and continues her premed and medical studies.

She and Charles R. Morgan were married in 1967 when he was a third-year prelaw student at the University of North Carolina and she was a sophomore studying biology at Florida State University.

“Recognizing that both could not simultaneously continue their education and be self-supporting, they agreed it would be preferable for him to finish his undergraduate and law school education while she worked,” the judge said.

During the seven years she worked, Mrs. Morgan became skilled as an executive secretary and data analyst, who could probably earn $10,000 a year, the judge said.

The couple separated in October 1972, and she later obtained a divorce decree from Justice Kassal on the grounds of abandonment, and was given custody of their 7-year-old son. In 1973 she enrolled in Hunter College as a premedical student.
SATURDAY NIGHT

Professor Crouper: Community Chest! I've got Community Chest!

Professor Jasckosnite: You haven't rolled yet, Crouper.

Professor Crouper: Well, had I known we were going to get this technical, I'd have ratted on Limp­toast when he landed on luxury tax and didn't pay.

Professor Jacksonite: No taxes, huh? Well, the bank's taking you to court. I can see the cite now-- "Jacksonite, in his capacity as Proprietor of Hutchins Manhattan Bank v.--"

Professor Kamiscram: No, no, no. Non-payment of taxes is a criminal matter. I'll take him to court.

Professor Crouper: But gentlemen, there's no courtroom square on the board.

Professor Kamiscram: That's easy. We'll just scratch out Free Parking. Limptoast, gimme that knife.

Professor Jacksonite: Good idea. Free Parking was just sitting there. No real productivity, no accrual of interest.

Professor Limptoast: Waitaminute, you just can't create a courtroom!

Professor Kamiscram: Why not? We can create a professor-- you ain't got tenure yet, baby.

Professor Crouper: Cheap shot, Kamiscram, cheap shot.

Professor Jacksonite: Doubles! I've rolled doubles again!

Professor Crouper: Wait a second. That's your seventeenth doubles. Let's have a look at those dice. C'mon, hand that those dice. THE DICE, JACKSONITE!

Professor Kamiscram: He's trying to run away. GRAB HIM CROUPER!

Professor Limptoast: DON'T LET HIM GET AWAY WITH THE BANK!

Professor Crouper: Too late. He got away.

Professor Limptoast: Yeah, and one of my copies of Deep Tort is missing.

Professor Kamiscram: Aw, let him go. It was his set anyway.

Professor Limptoast: Well, Parchesi anyone?

JUMP TRUCK

But why do the right thing when you can continue doing the same thing?

I saw "Hearts and Minds" the documentary on Vietnam, and at the end of the film the interviewer asks a vet who had been a gung-ho warrior whether the U.S. had learned anything from our war experience. He said, "We're trying not to learn anything from it."

And that's the point. It's not mental masturbation to consider all the actions and errors of the past and vow never to take that path again. The cliche "Those who refuse to study the past are doomed to repeat it" should be jammed down Ford's and Kissinger's throats. I don't care if they are asking for the money just to make a show for our "allies" or to be able later to blame Congress when Vietnam falls, they should have enough integrity to openly declare what is really wrong and what is really right. And some trumped up "moral commitment" to the corrupt Thieu regime is not right. They should learn for our sakes what a Vietnamese says in the movie, "The Americans must face reality or destroy themselves."

We all must understand the evils committed by this country over many years and under any number of high sounding but hollowly immoral rationalizations. In pointing out that Ho Chi Minh thought in 1947 that America, with its revolutionary origin, would help his army against the French colonialists, Daniel Ellsberg says, "Some people think we may have helped out the wrong side. We are the wrong side."

I know that some of my law school compatriots are convinced at this point that I'm

SEE DUMP TRUCK, P. 22
Pinball 4: Our father, who art in heaven...

Pinball 5: Closet player.

Pinball 6: Brother, can ya spare a quarter?
a Commie, but the fact is I'm angry. I'm angry that Ford and Kissinger want to keep on pumping war material into a place that will have peace only if we leave, that they want to help the South Vietnamese Army—which has had everything to fight with but nothing to fight for. And I'm angry that people don't seem to care that much about learning to prevent repetition. "Hearts and Minds" is rated R--people under 18 not admitted without parent or legal guardian. Why is that? There is a scene in the movie where a nun introduces a Nixon-type POW to her primary school class, and he gives them his view of the war ("We went in to win and we were happy when we did win...The country of Vietnam is beautiful, except for the people.") Why shouldn't all the children get to see this movie and its version of the war. Much of it is the kind of stuff we saw for years on TV and learned to ignore; it may be a bit more graphic in blood, guts (a full color version of the murder by the South Vietnamese officer holding his pistol to the head of a bound prisoner) and outrageous insanity (William Westmoreland: "The Oriental doesn't put the same value on human life that the Westerner does"), but that's what children know. The American soul has been damaged and there much atoning to do. We can't afford any more odysseys through darkened, never ending tunnels.

Thus my worry for the future is not based on the fear of Communist dominoes, but on fear of our "leaders." I close with a comment by a columnist for the Fellow Traveller New York Times, Tom Wicker. On February 25 he wrote,

The military aid struggle discloses a sad and rather ominous state of mind at the top of the Ford Administration: an unwillingness to admit error, a dogmatic anti-communism, and affinity for military force, a mindless persistence in outmoded or discredited slogans, an inverted sense of priority, a myopic perception of domestic political reality an an utter callousness to the human consequences of lofty political decisions.

"Don't follow leaders, watch your parking meters." B. Dylan

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**BOOK NOTES**


In the two long essays that comprise this book, Professor Dietze explores a basic liberal dilemma: government too strong destroys liberty, but government too weak cannot protect it. The first essay, written in 1966, develops the nineteenth-century liberal concern that governments that grow too large, no matter how benevolent their intent, ultimately become oppressive. The second essay, written in 1971, reflects Professor Dietze's concern over the survival of constitutional government after the disorders of the late 1960s.


The title gives fair warning of the contents of this collection of six articles previously published in Fortune magazine. The articles cover detergents, toys, food additives, auto safety, appliances, and packaging. Each section deals with consumer criticism of a particular industry and offers both a factual analysis of these criticisms and the market response to them.


Although Zimroth is a political liberal, he is also a former federal prosecutor. These forces seem to balance, for he gives us an objective assessment of an emotionally charged case.

Zimroth enjoyed access not only to prosecution and defense, but also, more importantly, to the jurors. He is thus particularly well qualified to analyze this politically "hot" trial and to explain how, even though there was strong evidence against some of the defendants, the excesses of the prosecution resulted in acquittal of all Panther 21.
Additionally, for those with the lingering suspicion that the law school for years had at the very least a mental quota on the number of women that would be let in, that leap in statistics in 1968. Before then women had never been more than about 5% of the first year class. In 1968 the figure leapt to 10%, 45 out of a class of 450. That was the year that the law school had just about the largest first year class ever, presumably to compensate for the fact that quite a few of those starting faced the prospect of being drafted out of the class after the year began. Did the number of women increase so dramatically that year because admissions knew we would not be drafted in mid-year?

Dean St. Antoine has stated publicly that while he feels that it would be alright for the law school class to be up to a third female, the idea of a class fifty percent female bothers him. President Fleming, likewise, in a memorandum to the dean of the graduate school has questioned the "wisdom" of encouraging women to enter those fields which "have not attracted them in the past".

One of the great traditions of our school is, of course, that there has never been a woman in a regular faculty position. Thus, I hope that cynical observers can be forgiven for now remarking that the law school appears to be approaching a great leap forward to tokenism. It may interest those who now see the school on the verge of this great leap, that in 1970 women students were told by the faculty that there simply were no women qualified to teach at our school. Since then the school has made its first timid steps. It has invited women here as visiting faculty and has started to be aware of the existence of women such as Ruth Bader Ginsberg and Barbara Bowman (now faculty at Columbia and Stanford, respectively). By 1973 the school had looked around enough so that they did acknowledge that there exist women "qualified" for our faculty. They made their first offers, and when they were turned down they told us we really had to understand that these women didn't find Ann Arbor an attractive place to come.

All of this marks progress, I suppose. So I shouldn't make snide remarks now that the Great Tradition may soon be broken. The problem is this: somehow, wistfully, I wish the faculty had the stature to correct some of the errors and omissions of the past, I wish that a scholar of the accomplishments of Vera Bolgar were finally recognized by the school with a faculty position. For those of you who don't know who she is, ask Whitmore Gray.

--Helen Forsyth
(M Law '73)