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EDITORIAL

UNIV. OF MICH.

After you’ve been around here for a couple of years it’s the kind of thing you come to expect. The University of Michigan, with utter illogic, begins its Law School year on a Thursday. Next to Tuesday perhaps, Thursday is the most nondescript (or the least descriptive; or, not wholly without nondescriptness; or...) day of the week. It certainly is not a beginning. And it’s almost but not quite an end. It’s not Monday or Friday; it’s unremarkable Thursday. It wasn’t always this way. As short a time ago as Winter term, 1971, classes began on a Monday. Now, why Thursday?

Like so many things at the Law School, the theory is not readily apparent. At first glance, the off-day start would seem to be an inconvenience for all concerned. Law professors must cut short delicious fin de l’été vacations. Administration and staff must gear-up for the onslaught in mid-week. Upperclass law students must forego a final week of lucrative clerking in order to return to humid Ann Arbor. And, first-year law students get an initial taste of that “wha?” feeling that will persist for some time. All to what end?

The Thursday opener may actually be a subtle disarming device, intended to take the edge off early enthusiasms, to knock the shine off the apple. It is well known by now that law students, at the outset of their training, have tendencies to be hot-blooded and volatile, seeking to forge traditional legal skills into the tools of social reform. They are quick to apprehend, ready to challenge and resistant to diversion. They are in

LATE NEWS BRIEFS

ARBUCKLE, W.V.(rg) - In a campaign swing through the border South, Democratic Presidential candidate George McGovern today promised his followers new efforts to gain the White House. Apparently responding to recent polls that show him trailing his Republican opponent by 25 percentage points, Sen. McGovern announced he was submitting legislation to allow students to vote both in their home towns and their college towns. Asked if this was not seeking unfair political advantage, the Democratic standard-bearer replied that, on the contrary, no American city should arbitrarily be denied the idealistic and enthusiastic participation of young voters simply because they don’t happen to live there.

WASHINGTON(rg) - Giving in to intense pressure over the past two weeks for some Administration explanation to the American people of the so-called Watergate caper involving the bugging of the Democratic National Headquarters, President Richard Nixon held a nationally televised news conference on the matter at 4:30 a.m. this morning. Mr. Nixon categorically denied all monetary and personnel links from those arrested to the Committee to Re-Elect, and went on to say that besides, he knew for a fact that during five months before the bugging attempt was thwarted ab--

see BRIEFS, p.2
BRIEFS, cont'd from p.1

...olutely nothing of interest or aid to his campaign organization was spoken at Democratic Headquarters.

LANSING (rg) - Following the recent Michigan Appeals Court ruling that would allow abortions by licensed physicians in approved hospitals up to 3 months after conception, reaction by abortion opponents has been swift. Pro-fetus activist and mother of 12, Frieda Fecund, announced plans today to forestall legal abortions by picketing those medical facilities willing to perform the operation. Mrs. Fecund admitted that only a small group of mothers had thus far pledged participation, but counting their children she expected at least 125,000 demonstrators to form a two to three foot high but vociferous ring around the state's hospitals and clinics.

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Leave a note under our door at 102A Legal Research (library basement by the john), or in our mailbox on 3rd floor Hutchins, or call:

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The Res Gestae

An independent newspaper devoted to nothing and no one, but so presumptuous as to discuss law, politics, the arts, science and everything else with abandon.

Published all too frequently on Friday of each week UM Law School is in session.

Postage unpaid in Ann Arbor, Mich. You pick this one up yourself, my friend - outside Room 100, at the Law Library desk, at the Lawyer's Club, other random sites around the quad.
THE NEW AGNEW

You may have noticed a change in Vice-President Spiro Agnew lately; he's conciliatory and warm to the press. The official journalists' story is that being considered for the Presidency in 1976 has mollified even the self-described cutting edge of Republican campaigns. But RG has learned from usually reliable White House sources that in actuality Spiro Agnew is dead and a mild-mannered look-a-like has replaced him.

This remarkable revelation makes a great deal of sense when all the clues are put together. First of all, there was all that talk about dumping Agnew from the ticket this year. Everyone said it was to provide suspense for an otherwise dull Republican Coronation in Miami Beach, but what would happen if the former Maryland Governor had a terminal illness which would cut him down before the election and there were doubts about how the stand-in was coming along in his training? Sure, the small circle of knowledgeable Administration spokesmen simply could neither confirm nor deny Agnew's renomination, fueling speculation. Then somebody realized that the troublesome difference of the ersatz VP was really a help rather than a hindrance this year when the Democrats were charging the GOP with divisiveness. And "Agnew" was back on the winning team.

As early as two years ago there were indications that the Vice-President would not complete his stint in office. If you take the 1970 Republican contributors' campaign record featuring Spiro Agnew speeches, and play it backwards at 45 r.p.m., the words "one term" albeit garbled are repeated on both sides of the disc. Also, along the edge of the front album cover, what seem to be the Sanskrit characters for "death" and "long journey" appear, perhaps planted by friends of the Veep who could not bear to fully cover-up the Administration's incredible secret.

Clues to the old Agnew's imminent demise continued throughout 1971, and this year the Vice-President has consistently made arm motions indicating "good-bye" to his followers while getting into departing airplanes and limousines, as well as at the close of speeches. Clearly an intriguing political personality has passed from the scene.

Law school, on the other hand, approximates a war of attrition. It grinds away the rough edges of inexperience and idealism and replaces them with pragmatism and the instinct for self-preservation at any cost. Excitement, it is implied, is alien to the lawyer's experience; the borderline of boredom is his frontier. What is valuable in society (or, at least, what is valued), we are taught, is a certain short-term submissiveness in anticipation of distant but unimaginably lush rewards. Moral qualms must be subordinated to the exigencies of the case. The adversary system cleanses all inequities in its inexorable grinding toward the truth. The present is the best system because it is tried. You'd better succumb because the overwhelming weight of precedent is against you.

So the spirit begins to dampen. Law school is "professional" training with the full charge of aspiration, elitism and detachment that the term suggests. You come here to enhance your marketability, not to turn around the world. Comply, don't dissent. Nobody wants a troublemaker. Things are comfortable now. The alterations in your views occur slowly, imperceptibly, until you are fully adjusted to the role of the lawyer, until the flame is snuffed out. It is a process of dulling and it begins on Thursday.
"It is the common knowledge of wardens, penologists, psychiatrists and other students of crime that every sizable community has persons who have no visible means of support but live well, who have criminal records and consort with known criminals. Yet society must wait until a crime is committed. They sit back quietly and plan. We know they are doing it. But we must not anticipate their move. When circumstances are to their liking we gaze into a gun held by a man we knew was a criminal, but whom the law would not permit us to hunt. Any city can be cleared of known criminals in 48 hours, if the hands of the police are unshackled and if the powers that be will assure them of backing and support. The criminal does not expect to be caught and, if caught, does not expect to be convicted. For every 100 crimes reported last year 44 arrests were made. For every 100 arrests, 42 were convicted. The criminal knows he has better than an even chance he will not even be arrested and better than five to one he will not be convicted. Why should he worry about a severe sentence which in 82 per cent of the crimes will not be imposed."

(Dissenting opinion by Weadock, J., in People v. Stein, 265 Mich. 610, at 624-625, 1933.)

An order of dismissal against defendant Stein was appealed by writ of mandamus; defendant was seen by police officers to be putting something in his pocket, and on that pretext alone was arrested and searched, whereupon a gun was found. Aff. for def.

J. Scott