1972

September 8, 1972

University of Michigan Law School

Follow this and additional works at: http://repository.law.umich.edu/res_gestae

Part of the Legal Education Commons

Recommended Citation

http://repository.law.umich.edu/res_gestae/685

This Article is brought to you for free and open access by the Law School History and Publications at University of Michigan Law School Scholarship Repository. It has been accepted for inclusion in Res Gestae by an authorized administrator of University of Michigan Law School Scholarship Repository. For more information, please contact mlaw.repository@umich.edu.
NICE GUYS AND GALS CONTINUE TO FINISH LAST

Thirty five students joined the U-M Law Review (LR) staff this year including four winners of the writing competition. The following chart compares the section-by-section breakdown for 1972 with 1971's selections.

It was suggested last year that certain professors are "high graders" and conversely some are "low graders" and that by randomly assigning a certain combination of professors to a particular section, the administration inflicts an "undue hardship" upon a fourth of the freshman class. That is, membership in the section taught by predominately "low graders" decreases one's chances of being invited to join Law Review.

Clearly the data on these charts are inadequate to either prove or disprove this hypothesis.

However, it does seem odd that the two section with the fewest numbers of LR invitees (section IV in 1972 and section III in 1971) had the same three professors for Contracts, Civil Procedure and Property, doesn't it? Luckily for this year's freshman class this lethal trio has been broken up and hopefully not replaced (but don't count on it section IV).

This year's LR "crop" also includes five women (none of whom were in section IV) which must be some kind of record (although, oddly enough, nobody knows for sure).

see NICE GUYS AND GALS cont'd p.2

notables:

TODAY-

ANNUAL PLACEMENT MEETING - September 8th

The Annual Placement Meeting for 2nd and 3rd year students will be held Friday, the 8th, at 3:15 p.m. in Room 100 Hutchins Hall. Any students who plan to interview at the Law School this Fall should attend. Information about resumes, sign-ups, and interviewing will be available. This will also be the first chance to pick-up the list of recruiters coming to interview this year.

An in-depth interview with the new Placement Director, Ms. Nancy Krieger, will appear in next week's R.G. -- Eds.

The International Law Society will sponsor a lecture by Prof. Dietrich Rauschning of the Univ. of Gottingen on Monday, Sept. 11 at 6:30 p.m. in the Faculty Dinning Room. Prof. Rauschning's topic will be "The Protection of the Environment as a Problem of International Law." Dinner will be served prior to the talk at 5:45 p.m.

more notables on back page
Finally, for the seventh consecutive year, none of the new LR staffers are Black, although exactly 10% of the freshman class was. Odd, isn't it?

C. Harper

LAW REVIEW SELECTIONS

<table>
<thead>
<tr>
<th>Section</th>
<th>Number</th>
<th>Contracts</th>
<th>Civil Pro</th>
<th>Property</th>
<th>Torts</th>
<th>crim</th>
<th>Con Law</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>9</td>
<td>Jackson</td>
<td>Martin</td>
<td>Donahue</td>
<td>Cooper-</td>
<td>Regan</td>
<td>Estep</td>
</tr>
<tr>
<td>II</td>
<td>11</td>
<td>Gray</td>
<td>Carrington</td>
<td>Niehuss</td>
<td>rider</td>
<td>Hawkins</td>
<td>Chambers</td>
</tr>
<tr>
<td>III</td>
<td>8</td>
<td>Pooley</td>
<td>Hawkins</td>
<td>Kauper</td>
<td>Plant</td>
<td>Kamiser</td>
<td>Blasi</td>
</tr>
<tr>
<td>IV</td>
<td>5</td>
<td>Harris</td>
<td>Carrington</td>
<td>Browder</td>
<td>Friedman</td>
<td>Israel</td>
<td>Engel</td>
</tr>
<tr>
<td>Totals</td>
<td>33*</td>
<td>Blacks-0</td>
<td>women-5</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1971

<table>
<thead>
<tr>
<th>Section</th>
<th>Number</th>
<th>Contracts</th>
<th>Civil Pro</th>
<th>Property</th>
<th>Torts</th>
<th>crim</th>
<th>Con Law</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>9</td>
<td>Gray</td>
<td>Miller</td>
<td>Niehuss</td>
<td>Hawkins</td>
<td>Kamiser</td>
<td>Blasi</td>
</tr>
<tr>
<td>II</td>
<td>7</td>
<td>Jackson</td>
<td>Hawkins</td>
<td>Donahue</td>
<td>Regan</td>
<td>Chambers</td>
<td>Israel</td>
</tr>
<tr>
<td>III</td>
<td>4</td>
<td>Harris</td>
<td>Carrington</td>
<td>Browder</td>
<td>Cooperrider</td>
<td>Vining</td>
<td>Ester</td>
</tr>
<tr>
<td>IV</td>
<td>10</td>
<td>St Antoine</td>
<td>Miller</td>
<td>Cunningham</td>
<td>Cooperrider</td>
<td>Israel</td>
<td>Burt</td>
</tr>
<tr>
<td>Totals</td>
<td>30</td>
<td>Blacks-0</td>
<td>women-?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*plus two seniors
THE WINNER

A Political Serial

Part 1: THE ARRIVAL

Like a tarnished aluminum ceiling, storm-threatening clouds covered the Arden Municipal Airport. And George Field was waiting again. He was waiting for the man who had sustained his political career where none would have existed otherwise; and for that sustenance he paid in hours.

Politics is the only business left in America where barter is the principal means of exchange and it's losing its dominance at that. Time is all George Field had to give - others had the names and money. In a less sophisticated political age all you needed was one of those elements: time could create an organization, names needed none, and a lot of money, well, a lot of money has always done a lot. The old political horse races had a narrow field to control. Only a few could afford to run for office in less well-to-do times, and if you made the right moves the little clutches of other entries most always stayed taken care of.

Now to be an Honorable something-or-other you need all the relevant resources since there is so much more time, names and money spread around, and everybody wants to get elected. If you have an organization, another organization plastered with hundred dollar bills comes along. Then a Somebody with money takes his or her own organization and squeezes out the other two as in some grand electoral natural selection.

So cash politics is pushing out the barter system, with campaign polling firms, campaign advertising firms and now campaign management firms. Pretty soon the universities will jump in waving their pieces of paper, and the George Field's, having gasped for their last independent breaths, will need a masters in campaign organization to do anything.

George continued to wait. A faint rumble preceded the appearance of a small silvery razor blade dragging two dark-colored strings out of the clouds. The strings reached back to Washington, D.C. where George's well-organized, monied Somebody named Benjamin Arden - that name ring a bell? - served one four-hundred-thirty-fifth, more or less, of the Sovereign People of the American Republic, and where George labored assiduously as Benjamin Arden's legislative assistant in a quasi-public enterprise known as the United States Congress.

Arden needed George because George had a brilliant political mind, but George needed Arden because studying manipulation, devising manipulation and then manipulating created in George one remarkably cynical and quite unelectable personality. On the question of running for office, it wasn't that George lacked a few good looks and friendliness at six feet, athletically built despite his bookishness, and with dark hair, a squareish face and clear gray eyes handsomely set back in their sockets. He remembered names better than Arden did, too. But he seemed so disingenuous at times, mouth set in earnest and eyes fixed while at work, then flipping to continued next page
cheerfulness and a transparent effort at small talk when interrupted. Nobody can get away with trying too hard. And he had artists's eyes that seem to know more than you'd ever cared to let on - that look through you. If one's senses weren't clogged completely by the thought of how to get something out of him that one needed, two minutes with George usually had the potential to raise a general alarm inside for one's soul.

An intensity like George's is formidable in only one context, as an operative for a figure whose popularity can drown any mistrust, and Arden had discovered at an almost fatally late hour that George could be dangerous when too much in public. Arden's first campaign, for the state legislature, was drifting along until George popped up in the office while still a law student in the city of Arden's state university. True to his liberal training as an administrator in his father's department store business - to get good people and let them be good - Arden snatched George up and made him campaign manager in a short while. Much of the rest of the university crowd was attracted as well, but like most students, they talked too much and for over a month, they had their candidate facing six different ways on every issue. George had neither the experience nor the personal inclination to rein in his staff, and had the disconcerting habit himself of hammering away on his latest political manipulation to members of the press. Recognizing the juggernaut of a liberal principle out of hand, Arden shut everyone up two weeks before the election and squeaked by with a 50 vote margin.

After pawing the ground as a legislator for one term, Arden ran for Congress unopposed in the primary as he had been unopposed two years before. Benjamin Arden made greener grass wherever he walked and nobody in his party stayed on the other side of the fence. Since the general election was to be fairly tough, against an incumbent from the rural end of the district named Oscar Lavaly, George was close by but with his hands judiciously clamped around the campaign levers and not on the speaker's rostrum. But re-districting to accommodate the growth of a burgeoning city of Arden, although delayed six years by a sluggish legislature and a conservative supreme court, was destined to put Lavaly's number up. Winning by 5,000 against the incumbent, 12,000 the second term, and 18,000 the third election in what had been a marginal district, Arden even let George on a local television show after the ballot boxes were safely sealed.

Now with five successful years in Congress, Arden and success being self-perpetuating, from every source not concerned with day-to-day political business there were whispers flowing into Arden's ear about being Governor.

But not from George the calculator. Senator Ernest Storinz, always an Arden benefactor, was up for re-election in two years. And the Senator was looking old. The proper pushes in the proper places could ease out Storinz and make Arden heir-apparent to the seat. Everything fell into place.

However, George believed Arden was flying in from Washington more on the wings of his own ambition than in a 727 - his boss wasn't supposed to come back home for another week. Being sent on a political vacation, that is, dropping in on local politicians in shirt sleeves rather than a suit to sound out Arden's chances for Governor, in the middle of the final continued next page
legislative session, had re-doubled George's fears that his boss was pushing too fast. All the bills important to Arden's career were either ready for a vote or at the end of committee hearings, and here the chief mover and shaker was running around the state collecting quizzical looks while the Congressman was tripping home to listen to what he didn't want to hear. Everybody George talked to raised their eyebrows, sat still a minute and said sure, George, I'll support him if he runs, but...

Growing more tense with the thought of losing hold of his winner, George started the car engine as Arden's plane touched down and let his mind churn away at his declining prospects. Certainly none of the stars were right for a run at Governor, but George personally had a stake in a continuing role in Congress - it was his element. In an institution of manipulators, George could get out and around as he never could during an election and do some serious dealing. The media and everyone else expected you to deal, and your best deals were assets rather than liabilities as in an election before the People, that great collective Victorian Aunt. It was natural for Arden to stay in Congress and move from one chamber to another instead of buzzing back home where his state-wide contacts were hardly developed yet. And it was conveniently natural in George's mind to stay in Congress and move from a two-year term to a six-year term instead of blowing his own future in an impossible campaign at home.

Taxiing down the runway, Arden's plane flickered in George's sight as fences and buildings intervened, the link to his winner blanking out and leaving him alone in the car. The air conditioning was on full but George's collar lay damp against his perspiring neck. He drove through a security gate and onto the runway toward the motionless aircraft, watching as a stairway ruptured the gleaming plane's skin and settled to the ground.

Arden emerged almost immediately from the door dressed in conservative gray but with a stylish cut, moderation being the by-word in politics that year. He was almost too good-looking, with light brown hair swept over and back along the side of his head, framing sharp features that looked best with some sun to give a bit of shadow. The overcast day brought his looks down from perfection but who could really complain. The only flaws in his six-two body were thin legs from rheumatic fever as a child, and sort of muddled green eyes that didn't seem to fit when you were close to him. George had never seen him without trousers on even among his closest friends and it had always been puzzling whether this was happenstance or design. For it was at a distance; yes, a little bit away from Benjamin Arden was where his image worked best.

Arden's wife Joan was not along, left to manage the office in Washington which she handled better than anybody else. Since every perfect man, so they say, has to have a perfect wife, Joan Arden met the demand. Her blond hair was combed down and slightly flipped at the ends, and surrounded blue eyes swimming in an oval continued next page page five
face attractive enough to invite attention but not so much as to awaken jealousy. However, it was not a perfect relationship when the public gloss was scraped away. Not that the two Ardens didn't share some love and yet along, but Joan had a law degree and was on her way to a political career herself before she met Ben Arden. Not one to turn down a winner when he seemed predictable, Joan had found marriage to a good solid department store executive an acceptable setting for getting elected much in the same way male political aspirants drift not unknowingly toward good, solid, socially active women for A Wife.

Yet, contrary to the script, Ben unexpectedly grabbed all the marbles first, and George reasoned when he found out about the friction that it could burn a lot of people including him if not eased by giving Joan plenty of responsibility. It always seemed that if Congressman Arden should become less sure of himself and more worrisome about those around who might upset his plans, Congresswife Arden would not be "controlled for the good of the candidate," if she didn't want to be.

Instead of Joan Arden, Ben's press secretary Louis Berman waddled down the aircraft stairway. George took in some air between his teeth as the short, pudgy Berman looked about and pointed toward the car in which George sat. That man, George thought, the skin around his eyes tightening in distasteful scrutiny of Berman's black-haired head bobbing up toward the down-turned ear of his boss.

George looked away, having found those jowls by Arden's ear an increasingly discouraging sight in the past four months. They were almost to the car when Arden stopped, took a deep breath and nodded deliberately to Berman. George had no desire to get out of the car and simply hunched over the wheel, watching the pair from under his brow. After Arden's nod, Berman fixed his eyes on George while reaching up to sweep a dark curl from his forehead with one hand, raised his head slightly and turned toward a row of telephone booths just outside the airport terminal. Arden started toward the car, head erect but eyes down, and his lips closed tightly together. He shoved his hands in his pockets after a few steps. George figured it was all over but the hearing.

Next: THE MEETING

A PIANO RECITAL
Sunday Evening
September 10, 1972
8:00 P.M.
School of Music Recital Hall
North Campus

STEVEN SILVERMAN
Pianist
(School of Music '71, School of Music '74, Law School '74)

J.S. Bach
Partita #6 in E minor

Beethoven
Sonata in F minor, op. 57 (Appassionata)

Chopin
Sonata #2 in Bb minor (Funeral March)
LETTER:

To the Editors,

Even the R.G., eveready to hurl insults, must recognize an achievement when it occurs. The new lounge in the basement of Hutchins Hall is such an achievement. For those new to Michigan, the improvement over the old lounge is unimaginable. True, the new lounge is not quite the lobby of the Waldorf, but at least those who don't prefer to wallow in trash won't have to go over to the business school. The new lounge is an example of what can be done with a little effort and a little money. Now if only it could be kept clean...

/s/ Howard Johnson

Notoriety comes hard to some publications, but Res Gestae has finally been cited as authority for a point of fact in the opinion of a state court of appeals. See: COMINGS v. STATE BOARD OF EDUCATION, 100 Cal. Rep. 73 (1972), f.n. 10. If you look you will find that R.G. is employed to support the proposition that there is prevalent use of marijuana among law students here. We regret that the court was drawn into error about that.

P.S. Try rolling an R.G. it'll really blow your mind.

--Eds.

ANOTHER NOTABLE

FOREIGN STUDY/RESEARCH FELLOWSHIPS
(FOR 1973-74 YEAR ABROAD)

SENIORS: Those interested in applying for Fulbright and similar fellowships for 1973-74 should note the following deadlines --

Applications due: Oct. 9, 1972
Interviews: Oct. 19, 1972
(Rackham)

All candidates for these fellowships for 1973-74 should see Mrs. Mary Broadley Gomes, Assistant to Prof. Bishop (Legal Research 973) immediately, if they have not already been counselled concerning Fulbrights and do not have the application forms. All materials must be submitted before October 9, including recommendations, project, and language test where applicable.

JUNIORS & FRESHMEN: A general informational meeting on the subject of foreign study/research fellowship possibilities will be held later this semester. Details will be given in RES GESTAE and on notice boards, and the meeting will be sponsored by the Michigan International Law Society.
"CHANGING SEX ROLES--SOME HIDDEN IMPLICATIONS"

Elizabeth Douvan, Professor of Psychology at the U. of M. will speak at the first Law Wives Association meeting on September 14th. This lecture is open to all law students and their spouses and is at 8:30 p.m. in the Law Club Lounge.

Preceding Professor Douvan's talk, an Information Fair will be held from 7 until 8:15 in the Lounge. Many local and university organizations, including the Ann Arbor Ecology Center, FRIDIM, and the Center for Continuing Education of Women, will be represented, plus L.W.A. interest groups. The Fair is open to the entire law school community.

There will be a meeting for all persons interested in joining the Environmental Law Society on Wednesday, September 13 at 7:30 p.m. The place of the meeting will be posted on the ELS bulletin board and at various other places around the law school. Anyone interested who cannot attend, or anyone who would like to know a bit more about the ELS should get in touch with Bo Abrams at the ELS office, 112 Legal Research.

"You can prevent forest fires, but only Weyerhauser can prevent forests."