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Justinian

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Page One

"... a function of free speech under our system of government is to invite dispute. It may indeed best serve its high purpose when it induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to anger."

Mr. Justice Douglas

Prince Says He Will Return As Judge Scores Justinian

By Chuck Wender and Ron Einziger

Dean Jerome Prince will resume his duties as dean of Brooklyn Law School for the Spring term and will announce his plans for the future in mid-January. The news of the dean's intentions was made public at the annual Alumni Association luncheon on Dec. 5 at the Plaza Hotel.

In an exclusive interview with the *Justinian* after the luncheon, Dean Prince revealed his intention to make a public statement as to his plans beyond the Spring term.

The dean has been on sabbatical leave during the Fall term and there has been considerable speculation that he would not return to the school as dean.



Dean Jerome Prince

the title "Jail the Judges, Hamill Suggests." The column suggested that overcrowding in the jails would be quickly alleviated if the

judges were forced to spend some time in jail.

He said that he was surprised that "the editors of the *Justinian* would have had it printed." He criticized the article as being based on hearsay, saying that Hamill and the *Justinian* editors should have checked the accuracy of the assertions and that they should have investigated the alleged indifference of the judges.

"I have no quarrel if he intended it as a spoof, but it was written in dead seriousness," Judge Martuscello commented.

Judges are held to strict accountability, he said, as he invited those with evidence of judicial indifference to report it to Judge Edward Thompson, the administrative judge.

Judge Martuscello concluded his remarks with a warning. "This sort of thing destroys reputations



Judge Henry Martuscello

and works disrespect for the judiciary . . . Unless this trend is checked, evil times are foreboded."

Dean Prince spoke next. He admitted that he was "hard-pressed" to report to the alumni on the

state of the school since he was on leave this term and in Florida much of the time. "I've come back from Florida with a tan and slightly longer hair," he said. "This is my only concession to the youth movement." This statement earned a round of applause from the assembled alumni.

The dean proudly announced that 90% of the BLS graduates who took the bar exam for the first time last June passed, calling this an "unbelievable record." He noted a correlation between academic performance and success in the exam by pointing out that all those students in the upper half of the class passed.

No Social Engineering

The dean then presented a defense of the educational policies of the law school. He stated that the only objective of the law school is to turn out well-trained lawyers. Some students have criticized the course of study as not being "relevant," he said. But, he added, it is relevant to our aim. There is no desire to convert BLS into a "school for social engineering."

The alumni responded with applause to this statement.

Dean Prince concluded by expressing the "hope to see you all here again next year."

Star-Spangled Banner

After Alumni Association President Judge Edward Thompson began the luncheon by leading the guests in the singing of "The Star-Spangled Banner," the ceremonies began with the presentation of the Distinguished Alumnus Award to the Hon. M. Henry Martuscello.

In his acceptance speech, Judge Martuscello denounced a recent column by Pete Hamill, which was reprinted in the *Justinian* under

SBA Resolutions Fail; Reasons Not Provided

By Robert E. Slatus

Student Bar Association resolutions calling for a student-faculty senate, anonymous grading of examinations and modifications in class ranking have been rejected by the faculty, according to Richard Schneyer, president of the SBA.

Schneyer reported the rejections at an SBA meeting held December 9. He said that no reasons

were given for the rejections.

The meeting also resulted in an amendment to the SBA Constitution to allow for direct election of most executive board members.

In connection with the rejected resolutions, Mr. Schneyer reported that students would be allowed to serve on three faculty committees, but would do so without votes in two cases.

The announcement of the rejection

of the resolutions without explanations was met with comments such as: "To go on like (Continued on Page 3)"

Questionnaire Tally Held in Abeyance

We had planned to publish the results of our survey concerning a new dean in this issue. However, the *Justinian* has since learned that Dean Prince will make an announcement in January concerning his future plans with respect to BLS. Taking this new development into consideration, we believe that it would be premature to now issue the results of the questionnaire.

The *Justinian* believes that the preferences and desires of the entire Brooklyn Law School community, including students, faculty, alumni and administration, should be taken into account in determining the qualifications of our dean. It is to this end that we published the questionnaire which appeared in one of our previous issues. We feel that the results of the questionnaire can play an integral part in the evaluation or selection of our dean.

The results shall be made public in a Spring semester issue, contingent upon the events following the dean's announcements.

Savoy Seeks Change For Legal Education

By Prof. Paul Savoy

"Always later, later, later ('when I retire') for life and living, for what sings in me in the beginning and later fizzles to a whimper. Pie-in-the-sky-laughed out of the hereafter and accepted here on earth as making sense.

"Can't we ever live now?"

—Barry Stevens

There has been an incredible volume of literature published in the last twenty years about law school education. The overwhelming concern, however, is with curriculum, methodology and case-books. We rarely hear anything about teaching. I am not talking about that bag of tricks called classroom "techniques" — any fool can learn them in time — but about teaching as that "complex and perilous relationship between a teacher and his student" — as an honest meeting between man and man. There is not much meeting or sharing or enjoying in our law schools. There's not time for it. We're so busy planning for the

future — for the future careers of students, for our own future careers as teachers, for the destiny of the law school — that we have no time to live in the now.

When I first came to teaching two years ago, I had it in mind to emulate the style of some of my own teachers whose verbal art had made them so deadly, so omnipotent in the classroom. But, I find that pedagogical mimesis — teaching as an imitation of teaching — does not work very well for me. The only time that anything really happens in my classes is when I start being the person I really am — with feelings, doubts, expectations, fears — and not the incarnation of some professional or academic role. Lawyers and law students, though, are especially resistant to efforts to get them in touch with their feelings. Of all the admonitions of the Greek philosopher, the one which we self-styled Socratics most persistently and flagrantly ignore is: Know thyself. Between law teacher and law student there is a silent

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Women's Action Group discusses grievances.

Lib Group States Gripes; Fires Off A Letter To Profs

By Francine Perlman

The Women's Action Group has sent copies of a letter to all BLS professors expressing the group's dissatisfaction with the way women are treated in class.

In addition, the group has prepared a position paper detailing its objections to what it calls "discrimination experienced by women at our school."

The letter to the professors stated, "The women in our group have become increasingly aware of remarks of a nature offensive to women, which are made daily in class by professors as well as students. Our group would appreciate your conscious attention to this situation which allows an atmosphere of degradation of

women to flourish within this school and which encourage such attitudes to persist throughout society.

"In some instances, such remarks become intolerable to the sensibilities of women. In such cases, please be aware that it is the consensus of the members of our group that objections should and will be voiced in class when this sort of situation arises."

The position paper is being published by the *Justinian* in three parts. The first part is as follows:

As members of the Brooklyn Law School Women's Action Group, we feel it is necessary that we bring to your attention our distress at the discrimination ex-

(Continued on Page 2)

The Greening of Amerika (I)

By Bob Hober

Free yourself and the country will be free. Simple, right? After all only eight words and I can cite you three New York cases on just such a proposition. Professor radical-lib from Yale says so and we all know we should believe professors, especially from Yale. Wrong, professor—your problem seems to be the last three letters of your hyphenated title. Your nose is pressed up against the window pane but nevertheless you are still on the outside. What is developing, and more rapidly than American society is willing to believe, is not new levels of consciousness but new people. Rebirth at thirteen, nineteen and yes, for the benefit of most of the readers of this thesis, even at twenty-five. Let me explain. It is neither simple nor easy, but comes as a total reaction to the realization of the true nature of modern day Amerika in relation to the world and its development.

The individual must strive for and attain a new life style. This serves two revolutionary purposes. The first is to replace alienation and frustration from a society in which the people have no part in directing and no reason to perpetuate and the second is to serve as a workable model for the young. The revolutionary implications of this are obvious. The development of this life style in the 1970's must by its very nature be initiative. The process is much harder in its genesis than in its later development and refinement because of the oppression visited upon it by Amerikan society.

The origins of this new life style go back at least fifteen years and in that perspective a great deal has been accom-

plished already. The first avenue of the development of this new life style is cultural, and in that context we have almost won. Music, literature, clothes and art have already unalterably changed. Amerikan society. Inroads have also been made in T.V. (Educational) and to a greater extent radio (F.M. rock, WBAI types, and the new and exciting college stations). This cultural assimilation is the easiest to attain and I thank Abbie, Jerry, and the others for their incredible efforts in this phase.

Now comes the hard part. The shedding of the last vestiges of twenty years of hang-ups forced upon the individual by Amerikan society. The individual must not only take up this new life style but he (she) must feel comfort-strength-giving power of developing a new life style. What was I talking about? Oh yes, the hard part. Don't make this mistake and get hung up on the easy part. Don't dope yourself to death. It is time to take off your head phones and move on to more important and self-filling actions.

The hard part is cutting off your escape route. You all know about that—it's open to you all. Retreat into the womb of middle class Amerika from whence you came. Forget it.

Conjecture.

If we are more successful than we have ever imagined, we may in twenty or thirty years effect a total change. The answer to this will be able to be seen in the next seven to ten years. But what if we are not so successful?

I believe that the change will come in two stages, hinged on two alternatives to those stages.

Stage one: The emergence of a different and more socially conscious "liberal" class moving into the power institutions of Amerikan society (ie. public interest lawyers and McCarthy people).

Stage Two: The new life style will expand in a geometric progression by virtue of an ever expanding base out of which to influence the young.

Alternative one: The revolutionary movement will climb to ascendancy and power in this country.

Alternative two: Be patient and wait a little longer. It will be a lot easier to overthrow this "new liberal establishment." They may be more socially conscious but they still retain the fatal flaws of liberalism—fear of real change and a death wish evidenced by a driving need to compromise. Compromise is fatal to the radical position. We must live in the present and the reality of Amerika but this does not mean we must compromise.

The strength acquired from each individual attaining his true future will allow you to deal with this reality free of defeatism and frustration. We can and must be patient. The goal is freedom and we will achieve it and change the course of human history. We must or we will perish. America again will be the innovator for mankind because we have the resources and technology to attain a true freedom without the struggle for survival that our brothers in China, Cuba, Algeria and elsewhere have to contend with. The goal in short is:

Power to the people,
thru the people
For the people.

Ah, slogans again. It matters not. It says a lot... it says it all.



Students eagerly prepare for finals.

Lib Group States Gripes

(Continued from Page 1)

perceived by women at our school. Some of the discrimination has been more an effect of nonfeasance than of studied prejudice; some, on the other hand, has been deliberate and offensive. We do hereby object to the institutionalized prejudices we have encountered, as well as to attitudes more subtle in motivation. Outlined below is our analysis of the situation and our proposed remedies.

I. THE GENERAL BACKGROUND

A. The historical legal status of women.

The law, until recent times, has considered a woman in an ancillary role to her husband, and individual with no legal status of her own. In 1872, for example, a woman member of the Illinois Bar brought suit to be permitted to practice law in that state. The Supreme Court held:

"So firmly fixed was this sentiment in the founders of the common law that it became a maxim of that system of jurisprudence that a woman had no legal existence separate from her husband, who was regarded as her head and representative in the social state... The paramount destiny and mission of women are to fulfill the noble and benign offices of wife and mother... For these reasons I think that the laws of Illinois now complained of are not obnoxious to the charge of abridging any of the privileges and immunities of citizens of the United States."¹

Most of you are acquainted with the tradition from which this decision comes; we cite it here as a reference, in order to observe the manner in which the law ossifies attitudes toward women, attitudes which have long outlived their legal justification and which persist until this day, in grating harmony with imperfect yet extant legislation.

The decision cited above, we would all agree, is anachronistic. But the law works slowly, and while some wearily remind us that women, like other oppressed groups, have secured all the legislation they need for equal opportunity, enforcement of laws (like civil rights laws for black

citizens) cannot be fully realized until attitudes change; we must bring your attention also to the progress our legislators and judiciaries have forged.

B. Modern law and women.

The following is extracted from Justice Black's dissenting opinion in a 1966 Texas case.

"The Texas law of 'coverture'... rests on the old common-law fiction that the husband and wife are one. This rule has worked out in reality to mean that though the husband and wife are one, the one is the husband. This fiction rested on what I had supposed is today a completely discredited notion that a married woman, being a female, is without capacity to make her own contracts and do her own business... It seems at least unique to me that this Court in 1966 should exalt this archaic remnant of a primitive caste system to an honored place among the laws of the United States."²

The spirit of the Bradwell case and Yazell is suffused throughout our legal system today. That it is not unconstitutional to bar women from a jury, that women and men, especially infants, are treated under what is effectively a criminal and penal code which is each sex's own, all these apparent codifications of unjust treatment of women are obvious.

The import of such laws is not confined to halls of legislation and courtrooms, where actionability brings them sharply into view; they are obvious to those... women... who experience their manifestations daily. And the study of any group oppressed by the institutions governing it, as well as the attitudes of their fellow citizens who are reared in a society ordered by such laws, indicates the effect such laws create. Long after archaic provisions are struck from the books, men and women continue to behave in their traditional roles. When the need for change is articulated by those who are responsible for its implementation, those who react with apathy or resistance are guilty of a view of life equal in primitiveness to the writers of the decisions we have cited.

¹ Bradwell v. Illinois, 83 U.S. (16 Wall) 130 (1872) at 140-12.
² U.S. v. Yazell, 382 U.S. 341 (1966), at 361.

Jobs That Lead To Jobs

By Jim Parker

These past three months have presented a grueling ordeal for many of the senior students at BLS. They have presented themselves, resume in hand, and traveled that well-known journey into the world of Wall Street. Many expected foes were encountered; namely recession, fewer jobs, and voluminous competition. However, an unexpected foe appeared in full force for the first time and is likely to remain. I am speaking of the Summer Associate Programs which are being conducted by many of the major New York law firms.

Through this very practical program, the "Street Firms" are hiring second and third-year law students during their summer vacations. In such capacity, students perform tasks normally expected of a new associate. They work directly with firm members on legal problems assigned to them and are given various degrees of responsibility.

While interviewing, I was met constantly with the statement: "We have offered most of our

positions to our summer associates." Of course, I was upset at such news, the job market being what it is, but I could fully understand their position, as such a screening method speaks for itself.

I have asked myself, "Why was I not informed of such an important source of employment in my earlier years?" Surely such a program would not go unnoticed? The fact remains, however, that such an opportunity has been given little attention at BLS. Perhaps the capable (?) facilities of our Placement Office are not aware of the vast importance this program is now playing. In the past two years little has been said to the first and second-year students concerning this and I think the time has come for someone to speak.

I address myself to first and second-year students who are planning to seek employment with Wall Street firms. Today, with pen in hand, a covering letter, resume, and the help of Martindale-Hubbell actively seek summer employment in this capacity. You

will be taking advantage of a program which is fast becoming a primary method of employment in the larger firms.

The Plunderers

A shaft of light
life begins
in a void of night
without any sins
A spinning globe
in a darkened sky
harboring life
You and I

A stream of thoughts
a short embrace
unmeasured moments
in time and space
Yesterday's dreams
tomorrow what
reality seems
what it is not
and yet we exist
day by day
doubt and confusion
guide the way
And plunder the dove
which the sun hath brought
without any love
without any thought.

Steven Blumenkrantz

Monday, December 21, 1970

Asks Legal Ed Changes

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conspiracy to preserve what Alan Watts calls "the taboo against knowing who you are."

Teachers and students must meet face to face, but that will never happen until we remove our academic masks and put an end to those degradation ceremonies we politely call the "Socratic method." At a time when law students throughout the country are expressing profound dissatisfaction with the second and third years in the house that Langdell built, we might take notice of John Holt's dictum regarding education in our elementary schools which applies with equal force to our law schools: students outplayed or overplayed at the world game will after a while simply stop playing it.

The "Socratic Method" and Other Games

One problem with the "Socratic method" as it is usually practiced is the failure at some point to make explicit for students the nature of the strategies we use to defeat them or the process by which they defeat themselves. We expose students to intellectual battle without ever providing them with an arsenal of skills, and that seems a little unfair, especially when we stay up half the night writing and rehearsing the script for the military drama we stage the next day. Or else, if we are more experienced in the art, we take a few more risks with a little less preparation, but we still expect a student to learn the skill ritualistically — by subjecting him to the initiation rites of public humiliation, sarcasm and ridicule.

The Socratic method, as it is usually administered in the classroom, consists largely of a set of "games," the most popular of which is "Corner," a strategy that

bears a striking resemblance to the ancient ploys of Zen masters. The objective in each case is to drive the student into a corner by refuting any position he takes. In being presented with a *zoan* (a Zen question) or a Socratic question, the student is cast on the horns of a dilemma; he is made to feel that there is some answer he must find, but in seeking it out, he begins to despair of finding it because everything he says is rejected as wrong. The feelings experienced by a student exposed to this double-binding have been described as follows:

"By careful questioning the dialectician finds out what . . . [the student's] opinion is, and then challenges the student to propose and defend it. Naturally, the defense fails, and to the degree that the student is emotionally dependent upon his opinion, he begins to feel insecure, not just intellectually but psychologically and even physically. He therefore looks about him for some other premise to which he can hold, but as he takes up such alternatives the dialectician disposes of them one after another. At this point the student begins to feel a kind of vertigo because it seems that he has no basis from which to think and act. . . . Left to himself in this predicament, he might well go out of his mind."

"One Up?"

A variation of the game of "Corner" is "One-up":

Student: "Do you think that custodial interrogation in the absence of counsel is a violation of the dignity of the individual?"

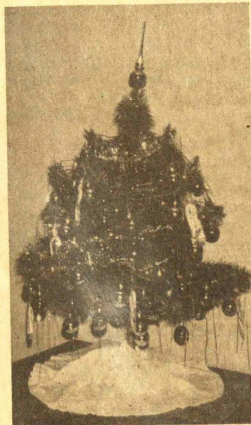
Teacher: "What do you mean by 'dignity'?"

The student wants to know where his teacher stands on the issue of providing people with

lawyers. The teacher evades the question by changing the subject to philosophy. The student can never win. The teacher is always one-up. If the student presses the question, he loses because he has "failed" to define his terms. If he switches to philosophy, his inquiry has been derailed. Nor can he comment about what the teacher is doing for, in the classroom, metacommunication is tantamount to insubordination.

"Chamber of Horrors"

Then there is the familiar "chamber of horrors" gambit — the logical paradigm of which is the *reductio ad absurdum* argument — or what I prefer to call the game of "Now I've Got You, You Son-Of-A-Bitch." By the time a law student reaches his second year, he knows the game and either stops playing it, plays along cynically, or initiates the counter-game of "Wooden Leg" ("What can you expect of a 'dumb' student like me") or a variation of "Gee, You're Wonderful, Professor." Another popular pastime of professors that often passes for Socratic dialogue is the game of "Guess What I'm Thinking"; the student counter-game is "Mind-reading I, II, or III," depending on the number of previous courses the student has had with the professor. When frustration reaches the boiling point in the third year and breaks out in the form of criticism or rebellion, the faculty game becomes "But Look How Hard I'm Trying."



Tree on ninth floor evidences fast approaching holiday season.

Season's Greetings

Now that the holiday season is upon us, and our thoughts are of festive and warm gatherings, the Justinian would like to take this opportunity to wish to all a very joyous holiday, and a happy new year. May everyone eat, drink and be merry and return relaxed and invigorated in 1971, ready to take on the hurdle of final examinations. Again, have a happy, and good luck to all.



Exhausted from a hard day's work, night students fill the second floor library.

'Once Upon A Dreary Night'

By Chuck Wender and Marty Karopkin

We rush to get here before six. A little break between job and the two or three (and sometimes four) hours of tedious classes. The cafeteria is noisy and dirty; the food is hardly a dinner. Six o'clock approaches, we grudgingly pile into the cattle car elevators to our numbered seats. "Did I miss the attendance taker? What cases is he doing tonight? Can I see your cans?" THE BELL! Only 45 minutes to the break. "Do you have an aspirin? Shit! I brought the wrong book. What row is he in tonight? He'll never finish the course. Have to take notes. What did he say?" THE BELL! "Didn't he hear the bell? Why is he taking part of OUR ten minutes away?"

"The break! Those damn phones, I can't get coffee, the cafeteria is closed. The lousy candy machine is out. First warning bell, better get back . . ."

Final bell. "How did I make it? When did this day begin?"

One professor says night students are cadavers who aren't yet aware that they are dead. Considering all of this it's no wonder we give that impression. As night students, we hardly ever question why. For years, night student have been referred to as "part-time". Is this really so? We have a full time interest in our legal education. We will spend as many class hours here as the so called "full-time" students.

If our legal training is dull and uninspiring, if our school is unresponsive to our wishes, if the atmosphere at B.L.S. is

similar to that of a "legal assembly line," then night, as well as day students, suffer.

We offer this paper as a forum to all night students to express their feelings with us. Speak out about law and legal education, in or out of the law school. With our practical experience, we can help close the gap between everyday realities and the marble towered law school.

We are beginning to question why. We would like help in seeking the answers and making them known to other students:

- Why can't we have a full Summer School program?
 - Why don't we have a comfortable place to rest before class?
 - Why don't we have a well lit room with comfortable chairs to study in?
 - Why can't some classes start at 4:00?
 - Why can't we have a decent place to eat along with edible food?
 - What about the farce known as "electives"?
- Night students, make yourselves heard! The Justinian office welcomes your opinions. Come in and let us know what you think.

THREE SISTERS

Lyrical looms weaving glowing tapestries of lissom threads, swooning in the master's hands speaking in woven cloth Time weaving across channels of space, syrupy, starlit mazes of chiffon caliope dancing and darting over, under, and through seas of cheshire canapes around and around and around and around . . .

Henry Schwarzbarg

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Faculty Rejects SBA Proposals

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this is a farce, I think we should resign . . . The only purpose of being an SBA delegate is to accumulate service credits."

The delegates decided to concentrate on four issues: Keeping the library open until midnight; instituting anonymous grading; rendering the cafeteria more presentable in terms of its gustatory effect and the sterile atmosphere which it presents; and obtaining a system whereby student fees would be paid directly to the SBA instead of to the registrar.

Mr. Schneyer said that the faculty did intend to follow up on suggestions for a more effective placement bureau.

Seven Members

According to the SBA's constitutional amendment, the executive board will now be comprised of seven members. Previously membership had been set at 11 with all elected by the House of Delegates.

The amendment provides for the election of president, corresponding secretary, recording secretary and treasurer by plurality vote of all the students.

The two vice-presidents, who will represent the day and evening students respectively will be elected by their own constituents.

The American Law School representative will be appointed by the president with the advice and consent of the executive board. Upon appointment, the representative becomes a member of the executive board.

The two loan chairmen and the two sergeant-at-arms were eliminated from the executive board with their duties to be taken over by the vice-presidents.

Involve More Students

It was maintained that the direct election of the executive board would involve more students with the SBA and would produce a more united and stronger SBA.

The meeting also featured guest speaker Charles Komanoff, a member of "Environment", a group which is presently conducting a program to recycle refuse.

Pointing out that every 18 cents on the dollar spent for food goes towards the cost of packaging which is ultimately discarded, Mr. Komanoff said that "Environment", in an attempt to ameliorate such waste, recycles glass, cans and newspapers and returns them to society to be utilized again.

EDITORIALS

On Freedom of the Press

A member of the New York State judiciary has criticized the Justinian for reprinting a portion of an article by New York Post columnist Pete Hamill. The article, which appeared on November 9, blamed judicial "sloth and indifference" for swelling prison ranks and the violence which often accompanies such overcrowding.

The suggested remedy was to give every judge a taste of his own justice by incarcerating each one, forcing him to live in the squalor that permeates our prisons, until every presently pending case has been adjudicated.

The Hamill article represented the opinion of one man. It was printed without editorial comment and as such was neither endorsed nor criticized by the Justinian.

However, the judge scored the Justinian for printing the article, claiming that it was based on hearsay, that it first should have been checked for accuracy and that it destroys reputations and works disrespect for the judiciary. He said the trend must be checked or "evil times are foreboded."

The fact is that "evil times" are a certainty if the trend is checked. The free dissemination of fact and opinion via the mass media has long been recognized as a prerequisite to the successful functioning of a democracy. In 1787, Thomas Jefferson wrote,

"Were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter... If once (the people) become inattentive to the public affairs, you and I, and Congress and Assemblies, Judges and Governors, shall all become wolves."

Although the Justinian be only a microbe in the mass, it recognizes its duty as one of the media to print all responsible opinions which are relevant to the interests of its readers. The duty is absolute, limited only by the laws of libel and space considerations.

To say that the opinions of eminent professionals, whose words carry with them the weight of their positions, should be checked for "accuracy" prior to publication is to suggest the censorship of those with whom we disagree. Absolute truth is an unobtainable goal, the appearance of truth being the most that reasonably can be hoped for. Therefore, to state that something is false or inaccurate is to state that it appears to be such, which is to state an opinion. Consequently, if we refuse to print an opinion because it seems inaccurate, we are refusing to print it because we disagree.

The contention that freedom of speech be restricted by rules of evidence is another contention upon which we respectfully differ. Rules of evidence have been established to protect specific rights during adversary proceedings. Freedom of speech, like voting, can only be described as a right which is "preservative of all other rights." To impinge upon this freedom by applying rules of evidence is to effectively censor the free flow of ideas and thwart the very purpose for which such a right exists.

The claim that the publishing of this sort of opinion will lead to "evil times" has long been recognized as erroneous, even where the opinion is clearly inaccurate. John Stuart Mill dealt with this error succinctly:

"The peculiar evil of silencing the expression of an opinion is, that it is robbing the human race; posterity as well as the existing generation; those who dissent from the opinion, still more than those who hold it. If the opinion is right, they are deprived of the opportunity of exchanging error for truth; if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error."

That is one opinion with which the Justinian whole heartedly agrees.

K.S.L.

Will We Have A Voice?

We of the Justinian feel we are echoing the view of a substantial segment of "interested students" in pointing out that a viable mechanism for constructive change does not presently exist at BLS. One need only look at the relationship between the SBA, the faculty, and the administration to support this. When the organ of student representation makes proposals, proposals which stem from a deep concern for the school and its students, and are turned down with a minimum of dialogue, then the obvious conclusion is that we, the students, are being "duped."

The Justinian therefore supports the efforts of either the SBA or any other student group in opening up the lines of dialogue. One cannot be heard until one is listened to. The hierarchy of this school, whoever they may be, must be made aware that communication is a prerequisite to constructive change, and that communication must not be the token communication that now exists, but an open-minded exchange of viewpoints toward the same end, a better school, with an underlying respect for students' views and feelings, rather than the paternalistic approach to the problem, as is now the case.

Letters To The Editor

Lib Replies

Dear Editor,

Last week in the Justinian Henry Schwarzberg felt impelled to quote from an anonymous anecdote to the effect:

"... Long has been heard, 'up with the pants and down with the petticoats,' but I say up with the petticoats and down with the pants, then we can see things as they really are."

I assume Mr. Schwarzberg is trying to tell us he has to pull down his pants to find out how things really are with him. His recognition of his problem is commendable. Unfortunately, many other men at BLS have a similar problem but have failed to recognize it.

In response to Mr. Schwarzberg's question as to why Women's Liberation has come to BLS, I present four reasons. One is to help the women who must spend three years in this men's locker room to cope with the jock mentality of some professors and male colleagues. Another reason is to help counter the propaganda that women belong barefoot and pregnant. We are organized against discrimination against women in the legal profession and society at large. And lastly we are organized to help improve the quality of legal education at BLS.

Mr. Schwarzberg seems to suffer from a peculiar form of schizophrenia that allows him to abhor "the obtuseness of a dual standard of employment, wages, and educational opportunities" and at the same time call for a femininity based on softness, passivity, and a conniving manipulative attitude towards men. He seems to applaud the depersonalization of sex and its use as an instrument of hate and manipulation. I think personal relationship based on mutual concern and respect are preferable to those based on illusion and manipulation.

Who cares? Unless, Mr. Schwarzberg, you plan on taking chastity vows, you better care.

Clara Lewandoski

Mr. Schwarzberg replies:

Dear Clara,

Thank you for your amusing little letter. It is unfortunate however, that you fail to realize the lack of communication that exists between women. As long as women are split the way they are, the men will always be on top.

Hank

P.S. - My wife thought it was an adorable letter too.

No Protest

Dear Editor,

It would appear that certain prerequisites exist before an incident may be deemed to be protestable: The incident must reflect adversely upon the United States and its citizens; it must be one at which a basic human freedom is at the core; and it must be of a highly dramatic nature. Several days ago, such an incident did occur off of the Massachusetts coast.

Consider what occurred. A Lithuanian seaman, Simas Kudirsky, in an attempt to gain asylum, leaped off of a Soviet vessel and onto an American vessel. For hours, negotiations were carried on which would decide the fate of that seaman. It was decided that the man should be returned to his ship. Soviet officers were allowed to board the American vessel where, on that vessel, they proceeded to beat the man bloody and tie him up before taking him back to the Soviet ship.

Reflect upon it. Here was a man, making a dramatic bid for his freedom. Here were pending fishing negotiations with the Soviets being weighed in the balance with a human life, and the latter being outweighed. Here was an incident which put the lie to the inscription on the base of the Statue of Liberty. Here was the negation of everything we stand for. Surely something like this was a fit subject for protest.

However, when I came into Brooklyn Law School on the following day, there seemed to be no external signs evidencing what had happened the day before. No pickets outside the school. No threatened student strike. No petitions of protest. Nothing. It was as though nobody knew or cared about the ignominy which our country had just suffered.

Perhaps we really don't care what has happened or may happen to Kudirsky. Perhaps the fact that it was a Lithuanian involved, and not an American, played some material role. Or perhaps the fact that there seems to be no physical evidence of the outrage perpetrated on Kudirsky (such as a photograph of him being beaten) is the reason why our sensibilities seem not to be outraged.

When the candle flickers and finally dims, we may ask ourselves, "Who put out the light?" Hardly a person among us will have the moral courage to admit that, just maybe, he was the guilty party.

Mark Oshman

Re: Placement

Dear Editor,

So that your readers will not think the Placement Office is just giving them "Promises Promises" may I state that the Placement Office will update all lists of law firms, immediately upon learning of a change in address, by mimeographing errata sheets and attaching them to the lists until they are reprinted. We have not received a single notification of a change of address from any student since the lists were published, nor since the article in the Justinian. We are sure that someone must have some corrections in names or addresses of law firms to give us.

The Placement Office now has a copy of Martindale-Hubbell's directory of law firms in the United States, which formerly was only available in the library. Any student who is interested in practicing outside of the city or state may examine the book, pick out the particular locations he is interested in and the Placement Office will make him a copy of the list of law firms in that locality.

The Placement Office has obtained a book listing all of the OEO Legal Services Offices and all of the legal offices of the National Association of Public Defenders in the nation, for students interested in this field.

We have ordered a copy of the U.S. Government Organization Handbook for the Placement Office listing all of the agencies and departments of the federal government for those interested in U.S. Government service. We also have a book listing all of the city government agencies and most of the state agencies of government. The Placement Office has a copy of Barron's Profiles of American Colleges and Universities for students interested in possible employment in college teaching. We will also obtain catalogues from nearby colleges and universities to determine if they have Business Law courses. The Secretary of the American Law School Association will accept applications from members of the graduating class interested in teaching law in a law school and for a fee of \$25.00 will reproduce the application form and send it to every law school in the United States. His address and a sample application form is available in the Placement Office.

The Placement Office can not undertake to produce a list of all alumni and their law firms. This is something that the Alumni Office is working on, but it will take at least two years to update their files. In order to get something useful to the Placement Office, new applications for membership in the Alumni Association will have to be devised and distributed during the next year, and then some useful form of a file containing approximately 8,000 names devised.

The New York City Personnel Department has visited the school and distributed applications for the positions of Law Clerk in the Honors Programs, and for Attorney Trainee examination which will be held at the Brandeis High School on December 12, 1970. At the request of the Placement Office, the Attorney General's Office of the State of New York sent a Brooklyn Law School graduate of the class of 1962, Mr. William Kogan, to the law school to explain the position of an Attorney in the New York State government. In addition the State Civil Service Commission held the examination for Attorney Trainee at Brooklyn Law School on Wednesday, December 9, 1970 at 1:00 P.M. in Room 400, for members of the graduating class.

(Continued on Page 5)

Justinian

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BROOKLYN LAW SCHOOL
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Membership on the Editorial Board does not necessarily signify agreement with everything printed in this paper. It does signify support for the right of the JUSTINIAN to publish all articles, representing all viewpoints.

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Letters

(Continued from Page 4)

A list of scheduled interviews has been posted on the Placement Bulletin Board on the third floor and a schedule of office hours for Placement Counseling by Professor Ronayne was also posted as requested by the student committee. Students interested in Placement Counseling are requested to make appointments in advance to be sure that time is reserved for them. Evening students may make appointments for Monday evenings if they can not get in during the day. Professor Ronayne has been available in the evening every semester for the last four years except for the present semester and will be teaching in the evening session again next semester.

The Placement Office does not select or screen out students to be presented to prospective employers. The employer or the interviewer sets his own standards as to those he wishes to interview. The Placement Office merely announces the interview and the standards set, if any. Since there are only 15 to 20 possible places on a list for one day's interviewing and possible 200 students interested, the lists are on a first come first served, basis. When the list is filled the Placement Office asks the interviewer to come back a second time and many have agreed to do so. Others have offered to interview any other applicants at their offices.

One of the law firms, which interviewed at the law school asked for a list of names of Law Review members and the officers of the Student Bar Association and sent each of them personal letters telling them that they would interview them at the law school. After these persons had signed up for the interviews, the notice was sent to the classes to fill up the interview lists. Some of those who received letters did not get in to sign up before the list was filled up and protested vigorously. However, we do not know how we can refuse to allow law firms to send out personal invitations if they want to. The notices are posted on the Placement Office Bulletin Board and sent out to the classes to be read at the same time. If the notice is not delivered or not read to the classes at the same time, some will get the notice before others. If anyone can offer a workable solution to this problem, we will be happy to adopt it at once. We tried making everyone wait until afternoon of the day the notice was read but this resulted in a long line (mild Chaos) and complaints about waiting.

The Placement Office is willing to try to follow reasonable suggestions to improve opportunities for Brooklyn Law School graduates and students. However, as indicated in one issue of the Justinian last year, the Placement Office does not actually get a job for anyone. It merely acts as a broker between the prospective employers and the students. You get the job by your own ability, by the record you have attained in law school, or by the impression you make upon the interviewer. The interviewers are looking for someone who is "sharp", someone who will be an asset to their firm or agency. They are not looking for someone who needs their help. If, as one interviewer expressed his thoughts, the student is paranoid or defensive about attending Brooklyn Law School he leaves the impression that he needs help, not that he is going to be a help to the firm. We have many recent grad-



One of the more conventional remedies for pre-examination panic.

uates in good firms now, and if they make good impressions, the doors will be opened to more Brooklyn Law School graduates. The impression is getting around to the law firms that Brooklyn Law School is one of the few law schools which still teaches basic law for practicing lawyers and still gives authentic examinations and grades. The image of the law school can only be further improved by the impression made upon the law firms by the graduates and students of Brooklyn Law School.

Associate Professor
John A. Ronayne.

Radical Scored

Dear Editor,

"A Mirror's Image: The Enemy Within" (Nov. 25), was one of the most inane and pointless pieces of journalism I have ever read.

Mr. Zuckerman seems to long for the days when boys were boys and men were men and you could tell a good guy by the color (sic) of his hat. Zuckerman was undoubtedly one of the first to grow his hair long and to sport old, dirty clothes. But what he expressed in this article was not Rubenesque indignation, but rather, the type of perceived status threat that has been a trademark of the radical right for years.

Mr. Zuckerman failed to realize that his professed anti-establishmentarian philosophy (i.e., "Bullshit", and, "Do It") is as empty, in an article of this caliber, as the actions of the BLS students he condemns. There may be some truth to the notion that because one fascist calls another fascist a "Liberal", the former may not be working for something that the latter is not working for. But similarly, when someone calls another person apathetic or establishmentarian, there is no reason to assume that the former is very much different from the one he criticizes.

Mr. Zuckerman's critique was one of the most conservative I have ever come across. It tried to turn back the clock and, at the same time, espouse a theory of political functionalism that is, at best, outdated. Mr. Zuckerman might be well advised ("Do It") to read R.J. Demerath's discussion of the relationship between functionalism and political conservatism in *Structure, Function and Conflict* before he attempts to use terms like "Dysfunction" with his previous abandon.

Jeff Rosenfeld,
Evening Division

Can't Believe

Dear Editor,

I find it impossible to believe the rumor that Dean Prince is planning to retire at the end of the spring semester of 1971. If this rumor were true, it would mean that the Law School's trustees have decided to select the next Dean without formally consulting the faculty, students, and alumni of Brooklyn Law School. Aside from insulting each segment of the Brooklyn Law School community, such an action by the Trustees would probably insure the next Dean's failure. Following Jerome Prince would be nearly impossible under the best circumstances; following him pursuant to an autocratic and secretive decree would be simply impossible.

Surely, when Dean Prince is prepared to relinquish his administrative functions he will give ample notice to the Trustees so that they may appoint a committee of faculty, students and alumni to aid them in selecting the next Dean. I hope that when that time comes, Dean Prince will chair this selection committee.

Sincerely Yours,

Stuart I. Parker,
Class of 1970

Free Course For Students

The New York State Trial Lawyers Association has invited all BLS students to attend courses being offered in connection with its continuing legal education program.

The courses, conducted under the auspices of the New York Academy of Trial Lawyers, an arm of the association, will be available at no charge to any student presenting a library card from the school. The fee is normally \$115.

The courses are given on Tuesday evenings from 7 to 9:30 p.m. at the Carnegie International Center, 345 East 46th Street, New York City. For further information, students are advised to phone 925-0090 or see the bulletin boards on floors 4, 5, and 6.

TO THE POWERS THAT BE
Unfulfilled hopes and horrors
painful pitiable gasps
Yearning, pleading, exculpating
only seeing truth through masks
unresponsive urbane masses
rhetoric with bullshit endowed
soulfull, empty, explanations
Henry Schwarzborg

As I See It

NEW DIRECTIONS

By Neil B. Checkman

In the near future, the destiny of Brooklyn Law School will be sealed for some time to come.

The time is ripe for a radical change in the aims of this school. Not radical, as defined by the present, but radical in its sweeping away of old concepts of purpose and direction.

There is no reason why Brooklyn Law School cannot become one of the top institutions of legal learning in the United States. Each term, more and more students enter BLS with the "new culture" idealism they absorbed in their undergraduate days.

Now is the time for relevant courses, for inspirational professors, and for a sense of purpose to be given to students.

This school desperately needs change, and such change must encompass the complete gamut of educational experience.

It is recognized by everyone in this state that the court system is tragically ill-suited to modern practice. Many writers blame this situation in part upon the judges in N.Y. courts. While the problem cannot be solved by merely improving the quality of the judiciary, such improvement is definitely mandated.

Brooklyn Law School prides itself in placing a large number of judges on the New York State bench; in doing so, BLS must also shoulder part of the responsibility for the sad shape of affairs in our courts. It would be a fantastic gift to the people of New York if BLS turned out a tenth of the judges it has in the past, while increasing their competency ten times. Quality, not quantity is the proper goal.

This writer speaks of a need for change. Will that necessary change be forthcoming? The prospect are bleak. Dean Prince has been absent for one term, in his absence Acting Dean Gilbride has shown himself to be more interested in controlling the students than in changing the school. At an alumni luncheon held on Saturday, Dec. 5th, Dean Prince commended Acting Dean Gilbride for his competency during the Dean's sabbatical. This may tell the reader something about Dean Prince. The Dean was particularly proud of the class of '70's successes on the July Bar. This statistic, the Dean contended, proves that Brooklyn Law School is succeeding in its avowed goal. That goal being the training of legal technicians, skilled in the practice of New York law.

This, fellow students, is the direction of BLS. We will turn out lawyers skilled in discovering the applicable law of the case at bar, with the appropriate reverence for the New York rule.

The Dean spoke of his desire to prevent BLS from becoming a school of legal sociology. I suppose that this means that we will not, under Dean Prince, or his chosen heir, turn into a Harvard or Yale Law School.

This writer implores the students, alumni, and faculty of BLS to stand up and speak out now. Now we must speak — before the Board of Trustees surreptitiously appoints a successor to Dean Prince — before we are presented with a fait accompli.

The election of a new dean is the most important move a school can make. A dean is needed who, by his reputation for innovation and legal-learnedness, can attract top-flight professors to this school, who can speak and be listened to by the legal community and who can communicate and work with the student body to improve the image, outlook, and direction of this law school.

In short, we need a big man, a man of courage, a man of integrity, a man of foresight, a man of justice.

There is only one reason why we do not change our purposes and direction. That reason is simply a lack of desire. We have an administration which is satisfied with our present stature. We have a faculty which is overloaded with complacent professors who are satisfied teaching the same type and style of courses they taught when they first started to teach. True, we have some progressive professors. True, we have some professors who would be more than willing to innovate. But equally true, those professors seem to be in the minority. I do not contend that the majority of our professorial staff is incompetent. I do contend that they have not adjusted to the present.

How can the student body rescue BLS from its rut of bar-cramming? How can we turn this school into an institution determined to one day sit at the top of the profession? The answer may well be that we cannot. This writer, for one, will not allow that possibility to restrain him. A student body that is united, "together" in the best sense of the expression, is our only possible hope.

Let us attempt the improbable. Let us work and sweat for what is really important. Let us run the risks that will assuredly be entailed. Then, if in the end we fail, we may at least take solace in the knowledge that we tried.

A "Bluff" Blooms in Brooklyn

By Michael Tucci
and Phyllis Mangone

You may have seen some of our advertising in the Justinian or perhaps overheard some of your fellow students discussing "The Bluff". Point of Information, friends, "The Bluff" is not a description of your last class recitations; and faculty members, "The Bluff" is not your answer to that off-the-wall question you fielded the other day. However, in terms of personal relevance, if you look closely, you might find yourself exposed (quite indecently) upon the stage of the "Bluff".

In the past few days, you may have overheard Professor Hahl, during a fast hand of bridge, speaking of "The Bluff", or Professor Herman speaking about it to his dog (Bluff-Fluff). Possibly you overheard anyone of our brilliant stars speak of it while enjoying a good Italian dinner cooked by The Galloping Gourmet of Brooklyn Law, Professor DeMeo (Hey, Tucci, that's getting ethnic). The school is just full of talk about "The Bluff", among other things.

Students cut hair

You may have noticed some of our more liberal students cutting their hair in order to play a certain role in the show, or maybe some of our professors growing theirs.

Well, whatever you heard, or didn't, Brooklyn Law School in co-ordination with the Student Bar Association, and the class of 1971, will present "The Bluff", a musical, April 22-25.

"The Bluff" will center around the life of a law student at Brooklyn, bringing out, through dance and song, the problems that students encounter during their three, four or more years at Brooklyn Law. The cast of students will satirize our administra-

ODE TO THE GENERAL PUBLIC

Forever it has been seen understanding lacking 'tween corresponding people who know more than I or you
Yet lately I can tell
our condition is not well
understanding's shot to hell.

Henry Schwarzbarg

BEFORE THE END

Mushrooms and murder
children swathed in fire
agony wracked sobs cry out
again, and again, and again,
through the halls of eternity
the pained, poignant, shrieks
are silhouetted
against the belligerent yahoos
of bellicose bastard figures,
a melange of
hail, thunder and fire
bathe the diorama's figurines
the purple puppets fall
and giant, red, bulbous tumults
mesh with golf balls and urine
it is clear the cockroaches will win.

Henry Schwarzbarg



Playwrights Mike Tucci (left) and Phyllis Mangone prepare Brooklyn Law Revue.

tion, faculty and, of course, ourselves without even coming close to endangering anyone's tax-exempt status.

The idea of "The Bluff" is not a new one at law schools or within the legal profession. Our past record with regard to innovative change, by this action, remains unblemished. For many years, Harvard and N.Y.U. students have presented satirical reviews at their respective schools and

The Brooklyn Bar Association, under the guidance of Mr. Raphael, has done its share of lampooning our New York politicians.

The cast of "The Bluff" feels that we should have a good laugh at ourselves — that is, lay it on the line and laugh about it. So, friends, start shaking off some of that academic dust and prepare yourselves for a good time.

Free The New York 8,000,000

by Robert E. Slatius

Events being what they are New Yorkers must realize that the time for secession has arrived. The only question remaining is whether the City should secede from the State or to entirely withdraw from the country. Each argument has its merits and the indecision as to which of the two alternatives to choose seems to be the only reason the City has remained its status quo.

A major advantage of remaining in the United States would be to elect Charles Goodell as our senator and send him back to Washington. But the feeling of late is to completely cut the national umbilical cord. As many southern strategists do not really consider New York City a part of the United States anyhow, there is no rational reason to continue the façade.

The first consideration is to name the new independent state. "The Grande Duchy of New Amsterdam" has been previously suggested. Once this has been established the first order of business for the Duchy is to establish a protectorate (or at least a sphere of influence) over Nassau County. In recent years the suburbs have been populated by former New Yorkers and has been more an integral part of the City than any other governmental structure.

The office of Grand Duke would be an elected rather than an inherited position, requiring a run-off between the top two candidates if neither receives a majority of the vote. Once a head of state is chosen, diplomatic recognition from other nations would be sought. The presence of the United Nations in the Duchy should easily establish international relations with other states.

Practical effects of establishing the Grand Duchy are evident. All local law schools will immediately become national schools. With a limited population, Duchy women would be granted full equality with men, although in most cases this would probably lower the status of women. Finally, all foreign military actions would be limited to Duchy police investigations which carry across the Hudson River.

COZZOLI

"The Hero Worth Waiting For"

417 Fulton Street
ACROSS THE STREET FROM SCHOOL

Speak Easy

Yes, Virginia...

By Marvin Schechter

Dear Virginia,

I was most happy to receive your recent inquiry as to who will be the new dean of Brooklyn Law School. Actually Virginia, you're one up on most people — few realize that the old Dean may leave. Yet the time has come, hasn't it? The new building is an accomplished fact just as much as law students' militancy. The choice rests with three groups — The Board, the Faculty and, for the purpose of this article, the retiring Dean. The Board can go two ways. One rumor has it that Dean Gilbride is the front runner with the trustees. Actually there is a good chance that the Board may go outside the school to pick numero uno, possibly a person with the combined talents of a judge, administrator and scholar. At any rate, no one knows what the Board will do, not even the Great Lawyer in the Sky.

What the Faculty will do is somewhat easier to predict (for a change). Their choice will probably be Judge I. Leo Glasser for several reasons. First he is an inside man, i.e. a graduate of the institution. Secondly he is one of them and they respect that greatly. Thirdly he has prestige — helped author the EPTL. These factors, coupled with his reputation of always being a gentleman, make him a leading candidate. Certainly he is competent, having become a judge. Still, to make it a horse race between the Judge and Dean Gilbride, a third name might be put in nomination, that being Prof. Gershenson. In the end though, the Judge will shed his robes for alma mata, if the Faculty has its way.

Who Dean Prince wants as his successor is difficult to predict. If loyalty is one of the main criteria for office, then by logical analysis Dean Gilbride would be his choice. On the other hand, if he believes in administrative expertise or judicial reputation or even scholarly publications as the proper qualifications, then there is a possibility that the Dean might recommend an outsider. Possibly the Dean might choose Judge Glasser and in the end the Dean might decide not to leave.

What's that, Virginia, I forgot to mention who the students would pick? They won't choose anyone because the students realized that whoever their elders choose will be good for them. Yes, Virginia, there may be a new Dean, but who, nobody knows.

HIP CAPITALISM

Deal "Barrister" Casebook Outlines to your law school friends. You make about \$2.00 per sale. 17 titles to sell retailing at \$4.95 each from Adm. Law, Civil Pro., Const. Law, Comm. Trans., Conf. of Laws Corp., Crim. Law, Contracts, Evid. Real Prop., Torts. Barrister Casebook outlines are the finest and most complete available. All outlines updated with supplements. Sold at 35 law schools. Recommended by Law Professors and Deans as supplementary reading. All Casebooks keyed to your text.

President Nixon took a "crash course" to prepare for the California Bar Association Exam... in Nov. 1967. LIFE MAGAZINE, Nov. 6, 1970, page 62 "The Young Nixon"

Set up displays at your student union, dorm, stuff mailboxes. No minimum order. All books must be paid for in advance by check or money order. You get a 40% discount off retail price* and pay a slight shipping charge. All books fully refundable for a full cash refund if unsold and returned within 90 days and are in re-saleable condition. Therefore you have no risk. Other best sellers and groovy posters are also in line for you to sell. At no obligation to me please send for complete information to: BARRISTER CASEBOOKS, c/o COLLEGE NOTES & TEXTS, INC., 184 Fifth Avenue, New York, N.Y. 10010, 212 — NU 3-8800 (collect calls not accepted).

Name
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Law School
*A 40% discount F.O.B. New York City means you buy the \$4.95 book for \$2.97 plus a slight shipping charge. Your customers pay you \$4.95 plus sales tax as per your local tax laws.

STUDENT BAR ASSOCIATION

CHRISTMAS PARTY

Third Floor Student Lounge

FREE LIQUOR

ALL ARE WELCOME

Tuesday
Dec. 22, 1970

2:00 P.M. — 6:00 P.M.

An American Tragedy

Mistrust Stifles Democracy

By Robert H. Masnik

Democracy is government with the consent of the governed. In order for the government of a democracy to know what the governed consent to, there must be a dialogue between the governed and their government. To be meaningful this dialogue must be conducted with reason and a basic trust of each side for the integrity of the other. Without this trust the arguments of each side become suspect to the other and the system deteriorates into anarchy or the police state.

Trust is not encouraged by calling the other side "pigs" or by casting aspersions on the motives of the advocates of a particular position.

The American Tragedy is being played out before our eyes. There is in this country a pervasive, subsurface fear which is dividing by classes, by races, by economic class and political philosophy. This fear is breeding distrust among us and the Great American Dream is deteriorating into a name calling contest.

The cause of this fear is the fact that all the elements of the society want what they want, now. If society does not respond immediately to these desires, it becomes suspect.

The essential part of any

successful society is the desire and ability of its parts to compromise their desires and wishes with those of other segments for the good of the whole. To have a successful compromise, a basic respect for the position of other segments is needed along with a trust in their motives.

This failure of trust and the desire to compromise, along with the demand of each segment of America to have its needs and wants dealt with immediately and in full, with-

out regard to the wants and needs of the rest of the country and without regard to the economic, social and political realities under which we live has hardened each part of us into its position and increased its distrust of the rest of the nation thus creating a vicious cycle of demand, rejection, fear and distrust.

The great movements of history are evolutionary and these evolutions are built on a slow cycle of dialogue and compromise. The Soviet Union

REPUBLICAN A	1A REPUBLICAN NELSON A. ROCKEFELLER For Governor MALCOLM WILSON For Lieutenant Governor	2A REPUBLICAN REGAN Edward V.	3A REPUBLICAN LEFKOWITZ Louis J.	4A REPUBLICAN GOODELL Charles E.
DEMOCRATIC B	1B DEMOCRATIC ARTHUR J. GOLDBERG For Governor BASIL A. PATTERSON For Lieutenant Governor	2B DEMOCRATIC LEVITT Arthur	3B DEMOCRATIC WALINSKY Adam	4B DEMOCRATIC OTTINGER Richard L.
CONSERVATIVE C	1C CONSERVATIVE PAUL L. ADAMS For Governor EDWARD F. LEONARD For Lieutenant Governor	2C CONSERVATIVE SPINELLI Anthony E.	3C CONSERVATIVE KESSELING Leo J.	4C CONSERVATIVE BUCKLEY James L.
LIBERAL D	1D LIBERAL ARTHUR J. GOLDBERG For Governor BASIL A. PATTERSON For Lieutenant Governor	2D LIBERAL LEVITT Arthur	3D LIBERAL LEFKOWITZ Louis J.	4D LIBERAL GOODELL Charles E.

"Democracy is government with the consent of the governed."

has evolved into a middle class society since World War II by the gradual meeting of the demands of the people by the

government within the framework of the economy.

The problems faced by the United States today are both tragic and obvious. They are in large measure the bitter fruit of our forefathers' neglect. We are cast in the role of the policeman of the world under the mushroom shadow. We stagger under the weight of our arms while twenty million of our brothers cry for bread.

These problems are easily stated and vastly complex, given the realities of world and human nature. We cannot quit as the world's cop because history has told us that man is a predator of his own kind and without our great power some nation would surely destroy us. In the first century Jesus Christ preached peace. Two thousand years and two thousand wars later the world is the same.

No more can we deny our brothers who starve in the midst of the greatest mass of wealth that the world has ever known.

The solution to these problems is not around the corner or around the end of the decade. But we must begin to solve them.

To begin, those who have the good life must give up some of it for those who are in need, and men must talk rationally to each other about their fears of each other. Men must trust each other and respect each one's right to seek his own salvation while not hurting the rest of society. This is begun by not demanding that everyone sacrifice his own desires for those of one segment of the whole and respecting the integrity of the other fellow's position and goals.

The Prophet Isaiah said, "Come let us reason together."

My father said, "The rational life is based on moderation, toleration, and consideration."

Franklin Delano Roosevelt said, "The only thing we have to fear is fear itself. Nameless, unreasoning, unjustified terror, that paralyzes needed effort. . . ." He was speaking of fear of the Economic Monster, the words go just as well for our fear of each other.

Harvard Prof Charges Nixon Fired OEO Director Unjustly

The following letter appeared in the Dec. 6 issue of the New York Times:

The recent summary firing of the O.E.O. Legal Services director, Terry Lenzner, and his deputy, Frank Jones, are, I fear, yet another instance of the Nixon Administration's willingness to pervert justice and due process of law in favor of political considerations.

Under Mr. Lenzner's direction, O.E.O.'s 2,000 storefront lawyers vigorously advanced the legal grievances of poor people, operating to give poor people the same opportunity as others in our society to litigate their rights in the courts.

Yet, since justice is an expensive item, conservative local politicians have made it clear that they would prefer poverty lawyers to confine their advocacy to less controversial issues such as divorce cases and housing evictions rather than to bring constitutional challenges to the local structures which keep people poor.

Hence Governor Reagan's attempts to veto the California program, Senator Goldwater's continuing battle against the Navajo Indian project, and, especially, Senator Murphy's attempt to amend the O.E.O. law by placing ultimate control of the legal services programs in the hands of state governors.

When Congress refused to accede to Senator Murphy's request, O.E.O. Director Rumsfeld made plans to do so by administrative reorganization. Over the continuing opposition of the poor, the lawyers involved, the American Bar Association, the law schools, the Congress, indeed of everyone who expressed a view with the exception of Administration politicians, Mr. Rumsfeld has decided to "decentralize" legal services. And because Lenzner would not acquiesce in sacrificing the independence of his lawyers, he was fired.

The message is clear. To poor people it says: This Administration would rather stifle your grievances than have them fairly presented and fairly adjudicated by the rational processes of law. To the lawyers of the program it says: Do nothing controversial; stick to divorces.

O.E.O. Legal Services has demonstrated that reform through law is an effective and peaceful alternative to conflict resolution in the

streets. The Administration is blatantly irresponsible in sacrificing this program to partisan political expedience.

Charles R. Nesson,
Harvard Law School
Professor

Church Collects Spare Garbage

Citizens for a Better New York has requested that refuse collected for its garbage recycling program be delivered to the First Unitarian Church at Pierpont Street and Monroe Place.

The church will receive the collections on Saturdays (except December 26) between 10 and 2 p.m. The church is about three blocks from the law school.

A story in the last issue of the Justinian explained the group's plan to recycle newsprint, glass and metal containers. However, information concerning collection was inadvertently omitted.

Come gather round people
wherever you roam
And admit that the waters
around you have grown
And accept it that soon
You'll be drenched to the bone.
If your time to you is worth
saving
Then you'd better start swim-
ming
Or you'll sink like a stone
For the times they are
a-changing.

Bob Dylan
"The Times They Are
A-Changing"

PREGNANT? NEED HELP?

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The Brotherhood of

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wishes to congratulate the following men who have become members of our fraternity

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