

The Justinian

Volume 1971
Issue 1 *February*

Article 1

1971

The Justinian

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Recommended Citation

(1971) "The Justinian," *The Justinian*: Vol. 1971 : Iss. 1 , Article 1.
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Justinian

Volume XXXI - No. 6

TUESDAY, FEBRUARY 16, 1971

Page One

PRINCE RESIGNS DEANSHIP

Students' Choice Is Ramsey Clark For New Dean

By Ron Einziger and Charles Wender

The results of the Justinian poll on qualifications for the next dean are printed below. We received 673 responses in the second distribution of the questionnaire.

The first time the questionnaire was distributed, the results were invalidated by the theft of several hundred responses and the submission of a number of fake answers. This necessitated the redistribution of the questionnaires in class in order to minimize the possibility of further tampering.

We have not attempted to analyze or interpret the results. We feel they speak for themselves.

THE NEW DEAN SHOULD BE:

	Total Resp.	Yes	(%)	No	(%)
1. A noted legal scholar	488	386	(77.0)	102	(23.0)
2. A member of a law school faculty	444	223	(50.2)	221	(49.8)
3. A member of the Brooklyn Law School Faculty	475	84	(17.8)	391	(82.2)
4. An administrator at a law school	430	136	(31.6)	294	(68.4)
5. An administrator at the Brooklyn Law School	442	23	(5.4)	419	(94.6)
6. A noted member of the judiciary	434	236	(54.3)	198	(45.7)
7. A noted practicing attorney	428	229	(53.5)	199	(46.5)
8. A prominent public figure in the legal field	479	379	(79.1)	107	(20.9)
9. An innovator in the field of legal education	490	444	(90.5)	46	(9.5)
10. Please list any other further qualifications.					

Among the additional qualifications most frequently mentioned were: "A person who can uplift the image of BLS to the outside world"; "A person who is responsible to students' wants and needs"; "Able to attract responsible faculty to the school"; "A progressive individual who will not simply accept the status quo of BLS"; "Intelligent legal scholar"; "A professional administrator of proven ability"; "Young"; "An understanding of student problems"; "Sympathetic to both the ideological and pedagogical beliefs of the student body"; "Innovative"; "One who can communicate with students"; "Someone who will help the image of the school"; "An outsider".

11. The persons who best meet your qualifications are:

The names most frequently mentioned were, in order: Ramsey Clark, Arthur Goldberg, Judge I. Leo Glasser, and Adam Walinsky.

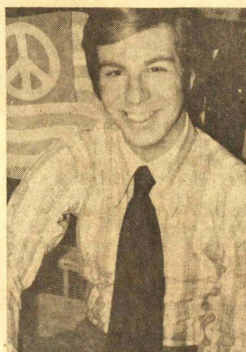
S.B.A. Holds Meeting To Sounds Of Silence

By Sam Grafton and Robert E. Slatius

The first S.B.A. meeting of the term, held on Feb. 9, attracted only 14 of 75 members. S.B.A. president Richard Schneyer expressed regret at the apparent apathy of the student body and could offer no explanation for the lack of attendance.

Without a quorum, no action could be initiated at the meeting so that the group present was relegated to discussion only. Interest largely centered about Dean Prince's resignation, which occurred before finals. The membership present seemed to be in unanimous approval of a joint student-alumni-faculty search committee although there was a difference as to how to implement that suggestion. President Schneyer exclaimed that the failure of the administration to inform the students of Dean Prince's resignation, while at the same time announcing the resignation to the alumni and the faculty, could be deemed as a slur upon the student body.

At the end of the meeting, Pres. Schneyer referred to a letter from Asst. Dean Gilbride which formally rejected all the S.B.A. res-



SBA President Richard Schneyer

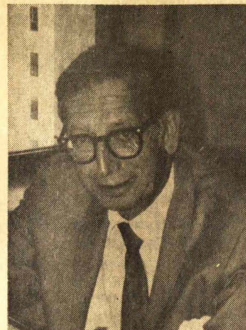
olutions save one. (When news of the rejection was announced at the last meeting in December, many S.B.A. members questioned the reason for the existence of the S.B.A.) The letter is reprinted below:

Mr. Richard Schneyer, President Student Bar Association

Dear Mr. Schneyer:

In accordance with your request

(Continued on Page 2)



Dean Jerome Prince

Asks Suggestions For Successor By March 1st

By Richard Rosenthal

Dean Jerome Prince, after serving almost two decades as Dean of Brooklyn Law School, has submitted his resignation as Dean effective at the end of the current academic year. Dean Prince, who has served in the administration since 1940, has helped guide and develop the school from its earlier domicile on Pearl Street to its current courtlike structure, whose expansive facilities are prominent

in the Civic Center. In an exclusive interview with the Justinian the Dean explained that he felt that the time had come when a younger and more vigorous man should take over, as he felt he had done as much as he possibly could in making the school a highly respected legal institution. The Dean pointed out that he believed the new Dean

(Continued on Page 2)

Trustee President Requests Students Submit Proposals

No Need Seen For Committee To Seek Dean

The following letter was sent to Student Bar Association President, Richard Schneyer, by Judge Leonard P. Moore, President of the Board of Trustees:

After 32 years of outstanding administrative service to the Law School, Dean Prince has expressed a desire to relinquish his position as Dean at the end of this academic year. With great reluctance the trustees are honoring his request, (but with the understanding that he will continue to serve as a professor and in such other capacities as may be in the best interests of the Law School.)

The problem of selecting a successor is important to trustees, faculty, alumni and students. The views of all these groups should be made known to the committee of trustees charged with the decisional responsibility. Although the process of obtaining a consensus from a large student body presents difficulties, the trustees hope that through the Student Bar Association the views of the student body may be conveyed through a small and workable committee. All student views should be submitted to the trustees by March 1, 1971. Letters should be addressed to me at the Law School.

Sincerely yours,

Leonard P. Moore,
President
Board of Trustees

In a phone conversation with the Justinian, Trustee Wilbur Levin noted that the Board of Trustees finds no need for a student-faculty-alumni search committee to be formed. Judge Moore has invited all interested parties to make suggestions directly to the Board's committee.



Ninth Floor Conference Room where Trustees will choose a new Dean.

Nader Seeks Safeguards For Outspoken Workers

By Ralph Nader

WASHINGTON — At what point should corporate or government scientists, engineers or other professionals dissent openly from their employer-organization's policy? If the professional does dissent, what is there to protect or defend his decision to place his professional conscience over what he believes is his organization's illegal, hazardous or unconscionable behavior?

These are important questions and they are rarely answered in the context of controversies such as the defoliation of Vietnam or the standards for constructing nuclear power plants. "Duty," said Alfred North Whitehead, "arises from our potential control over the course of events." Staying silent in the face of a professional duty, almost invariably articulated

in the profession's canons of ethics, has direct impact on the level of consumer and environmental hazards. This awareness has done little to upset the slavish adherence to "following company orders."

Employed professionals are among the first to know about industrial dumping of mercury or fluoride sludge into waterways, defectively designed automobiles, undisclosed adverse effects or prescription drugs and pesticides. They are first to grasp the technical capabilities to prevent existing product or pollution hazards. But they are very often the last to speak out, much less refuse to be recruited for acts of corporate or governmental negligence or predation.

The twenty-year collusion by the domestic automobile

(Continued on Page 2)

Apathy Greet S.B.A. Meeting

(Continued from Page 1)

of recent date for a written report of the faculty determination of diverse resolutions submitted by the Student Bar Association, the matters which follow will confirm the oral report made to you by Professor Crea at my request. At the outset, let me remind you that when the matters were initially presented to the faculty there was insufficient time to study them and intelligently act thereon that the Faculty Committee on Student Relations was instructed to hear evidence on the resolutions and report to the entire faculty. That that committee heard and reported, as instructed.

1. Placement Practices

Certain practices regarding lists for interviews objected to by cer-

tain students have already been discussed by me with a student committee and Professor Ronayne, the Placement Director. Since your original petition all efforts have been made and will continue to be made to remove any inequitable practices which existed in the past. The Placement Director will be available to day and evening students for consultation at designated hours. All attorney listings have been and will continue to be kept current. The faculty believes that satisfactory improvements have been made in this area, and supports the desires of the student community that this office fulfill, as humanly possible, their job needs. You might also see Professor Ronayne's letter in the last issue of The Justinian for further details.

2. Anonymous Grading

The faculty refused to support this resolution. The consensus of opinion indicated that the present system of evaluation has proved effective and that any change would not be in the best interests of the law school community.

3. Tabulation of Class Standing

The faculty refused to support this resolution. The consensus of opinion on this issue indicated that class rank should be confined to the actual standing of a student in his graduating class, not to an imaginary standing which does not take into accounts shifts in student population brought about by a myriad of variables, including, but not limited to, scholarship, military call, personal family needs and other uncertain circumstances.

4. Student Representation on Faculty Committees

The faculty refused to support the blanket resolution calling for equal voting representation by students on all present and future faculty committees. However, the faculty voted to support voting student representation on the curriculum committee; non-voting student representation on the Moot Court, Publications and Student Relations Committee.

5. Student-Faculty Senate

The faculty refused to support

the resolution calling for a student-faculty senate with voting and binding power. Neither the students nor the faculty may transfer such power to themselves by approval of a resolution. Policy making power is vested in the Board of Trustees and through it to the Dean of the Law School.

The faculty supports the following resolution: "The faculty recognizes the value of the expression of student views on matters affecting the Law School and has set up the Faculty-Student Relations Committee as an organ for the expression of such views to the faculty. It does not believe that a Faculty-Student Senate with binding authority is feasible or desirable. The desirability of changes in the present organization of the faculty and of the procedures for the expression of student views will remain under continuing review."

It is significant to note that the structure of a Faculty-Student Relations Committee was initiated by the Dean last May and that designated members of the faculty

met with an ad hoc student committee; that at the last meeting of said joint committee, all present — students and faculty — agreed to keep open the channels of communication, the students by election of their representatives and the faculty through its Faculty Committee on Student Relations. The Faculty Committee on Student Relations has been formed; however, no student representatives have been selected.

It is also important to note that since the action taken by the faculty in support of a Faculty-Student Curriculum Committee, student representatives have been selected and have held their first meeting with the faculty members, at which meeting significant changes in the curriculum have been recommended.

I would appreciate your making my reply available to the editors of The Justinian, so that it may be published in the paper for the information of the student body.

Very truly yours,

Gerard A. Gilbride,
Assistant Dean

Ralph Nader Calls Upon Professionals To Dissent

(Continued from Page 1)

companies against development and marketing of exhaust control systems is a tragedy, among other things, for engineers who, minion-like, programmed the technical artifices of the industry's defiance. Settling the antitrust case brought by the Justice Department against such collusion did nothing to confront the question of subverted engineering integrity.

A prime foundation for professional independence is a mission that could save lives, secure rights, or preserve property unjustly imperiled by the employer-organization. The overriding ethic of the professional is to foresee and forestall the risks to which he is privy by his superior access and knowledge, regardless of vested interests. Physicians should strive first to prevent disease; lawyers should apply the law to prevent auto casualties; economist should try to clarify product and service characteristics in the context of quality competition; engineers should make technology more humane as a condition of its use; scientists should anticipate the harmful uses of their genius.

All these ideal missions unfortunately possess neither the outside career roles for their advancement nor the barest of independence for the organizationally employed professional to exert his conscience in practice beyond that of the employer's dictates. The multiple pressures and sanctions of corporate and governmental employers are very effective to daunt the application of professional integrity. When on occasion such integrity breaks through these restraints, the impact is powerful, which might explain the organization's determined policy of prior restraint.

During the past half dozen years of disclosures about corporate and government injustices, the initiators have

largely been laymen or experts who were outsiders to the system exposed. The list is legion — black lung, brown lung, DDT, mercury contamination, enzymes, phosphates and NTA in detergents, SST hazards . . . MER-29, and nerve gas storage and disposal. Inside the systems, however, mum's the word.

Three basic changes are needed as a start.

First, Congress should enact legislation providing for safeguards against arbitrary treatment by corporations against employees who exercise their constitutional rights in a lawful manner. At a minimum, such an act would help Congress obtain expert witnesses for its hearings and authorize the courts to protect a professional's "skill rights" in a far more defined manner.

Second, employed professionals should organize to provide a solid constituency for the adoption by management of the requisite due process procedures, which the professional can appeal to or enforce in the courts.

Third, professional societies should clearly stake out their readiness to defend their colleagues when they are arbitrarily treated for invoking their professional ethics toward the corporate or government activity in which they were involved. Most of the established professional societies or associations never challenge corporate or governmental treatment of lawyers, engineers, scientists, or physicians as the American Association of University Professors has done on occasion for university teachers denied academic freedom. And where there is no willingness to challenge, there is less willingness for the employee to dissent.

To require an act of courage for stating perceived truth is to foster a system of self-censorship and the demise of individual conscience against the organization.

JEROME A. PRINCE BIOGRAPHY

Dean Jerome A. Prince graduated cum laude from the College of the City of New York in 1930 and was selected to Phi Beta Kappa in the same year. He graduated summa cum laude from Brooklyn Law School in 1933 and was one of the founders as well as editor-in-chief of the Brooklyn Law Review. In 1934 Dean Prince received his S.J.D. summa cum laude and in 1965 an honorary LL.D. from B.L.S. Dean Prince has had a long and distinguished career at BLS and has contributed much to the development of the school. He has been a member of the faculty since 1934; Assistant to Dean, 1940-45; Vice-Dean, 1945-50; Associate Dean, 1950-53; and Dean since 1953.

Dean Prince is a member of the New York Bar and is also admitted to practice in the Federal courts. He is a member of the ABA, N.Y. State Bar Association, Association of the Bar of the City of N.Y., Brooklyn Bar Association and N.Y. County Lawyers Association.

The Dean has served as chief counsel on the N.Y. State Joint Legislative Committee on Court Reorganization from 1965-67 and the N.Y. State Joint Legislative Committee to Study the Administration of Justice, from 1967-68. He has been member and chairman of the Evidence Panel at the N.Y. State Trial Judges Conference since 1963. Dean Prince has been a member of the Mayor's Committee on the Judiciary, Board of Editors of N.Y. Law Journal and the Board of Trustees of the Supreme Court Library in Brooklyn.

Dean Prince is Editor of Richardson on Evidence and author of Cases and Materials on Evidence, Cases on Criminal Law, as well as numerous law review articles.

Dean Prince To Resign At End Of Spring Term

(Continued from Page 1)

should possess these qualities, he should be: well known in the legal community, a legal scholar, experienced in the field of legal education and an extremely capable administrator. The Dean also indicated that the procedure to choose his successor would include the Faculty, Alumni and Students. All recommendations must be made to the Board of Trustees by the first of March and the Board in turn would examine the recommendations and vote on the new Dean. Dean Prince's position in the selection would be to make recommendations in the final stages, if necessary, and to vote as a member of the Board.

The Dean also indicated that the procedure to choose his successor would include the Faculty, Alumni and Students. All recommendations must be made to the Board of Trustees by the first of March and the Board in turn would examine the recommendations and vote on the new Dean. Prince's position in the selection would be to make recommendations in the final stages, if necessary, and to vote as a member of the Board.

Dean Prince will continue to teach at the law school, despite his resignation, as he has done since 1934. Unfortunately, he will not be teaching the Evidence class this year as a result of the great burden before him in winding up his administrative duties by the end of the academic year. Among

these, is a selection of replacements for Kathryn Magrena, Buras and treasurer, and Anne O'Halloran, Executive Secretary, both of whom are retiring this year.

Dean Prince will be devoting his future time to a revision of Richardson on Evidence and the many committees and boards that he serves on, among these the A.B.A.'s Special Committee on Legal Education and the Conciliation and Appeals Board of the Rent Stabilization Association. He will also continue to write and lecture extensively in his specialty of Evidence. In addition Dean Prince will also have such administrative duties as may be assigned to him by the Board of Trustees.

There will be a meeting
of the cast of
"THE BLUFF"
in the
Moot Courtroom
on
February 22
at 2 p.m.

THE ROOTS OF RESPONSIBILITY
RUN DEEP

join VISTA
and grow

Volunteers In Service To America
at B.L.S. February 17 and 18

Know Your Trustee:

Thoughts on Law

By Ron Einziger

"Lawyers are particularly fascinated with education because the law itself is a continuing process of education."

So says Paul Windels, Wall Street lawyer and Trustee of Brooklyn Law School.

Mr. Windels, a tall, grey haired man, does not conform to the stereotype of the uptight, ramrod-straight Wall Street lawyer. When I saw him in his office in mid-December, he was dressed in shirtsleeves and suspenders as he spent an hour-and-a-half casually rapping with me about BLS, education, and the law in general.

Mr. Windels is a relatively new member of the Board of Trustees, having joined two years ago at the invitation of U.S. Court of Appeals Judge Leonard Moore. He was once an assistant to Judge Moore, who is President of the Board.

The individual trustee has no duties as such, Mr. Windels feels. His job is to act as a member of the Board of Trustees and take responsibility for overseeing the general direction in which the school will go, but not for the day-to-day administration of the school. The Board decides on investments, salaries, faculty appointments, and the budget, taking into account the recommendations of the dean.

The Trustees, says Mr. Windels, are able to take a more distant, overall view of the situation at the law school than are the students. This is

because the Trustees are connected with the school for a long period of time, while the students, being transients, are able to see only the immediate situation.

"Students have a tendency to speak rashly and irresponsibly," he remarked. But this is not necessarily bad. "If they don't, how will they learn?"

Mr. Windels, a graduate of Princeton University and Harvard Law School, (and the son of a BLS alumnus) sees a difference between the roles of college and professional school. When in college, a person is in the process of discovering himself, while in law school, he has to submit himself to a discipline and let it reform his mind.

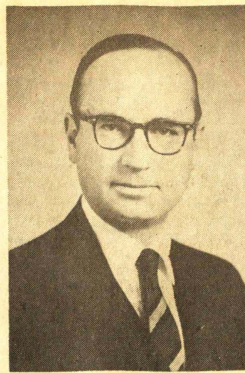
On the legal profession in general, Mr. Windels has quite a few thoughts. Among them:

"I can't think of a group more able to upgrade the country than the bar."

"You should serve the interests of your clients by making sure that they are right."

"It's hard to serve a client if you yourself are controversial. A lawyer should attempt to be in the background, rather than assert himself. Ralph Nader, on the other hand, serves society by becoming controversial."

Although he doesn't have a great deal of personal contact with the law school, Mr. Win-



Trustee Paul Windels

dels is very interested in the students and he asked me what the students were thinking.

He was especially concerned that students have a place where they can gather and exchange ideas with each other. He was also worried about professors who devote time to their private practices to the detriment of their teaching duties.

Although his opinions may not agree with ours at the moment, Paul Windels is an open minded man. He won't reject a new idea simply because it's new. He also exhibits a real interest what we are thinking, a rare quality these days. He may believe now that students are mere transients, but he's not stuck in that position. We can convince him that we really do have an interest in what is happening here.

Perhaps what we need is a few more trustees who, like Paul Windels, have open ears and open minds.

BLS Begins Course In Environmental Law

By Steve Blumenkrantz

In a step toward making law school more relevant to today's problems, Brooklyn Law School has, in conjunction with Brooklyn Polytechnic Institute, begun a new "pilot seminar" in Environmental Law & Technology.

An interdisciplinary course, it involves twelve senior law students and eight engineering students. It is taught by Joseph S. Kaming, an attorney and graduate of M.I.T., Rensselaer Polytechnic Institute, and Columbia Law School.

The course will cover such topics as Environment, Natural Resources & Conservation, Population, Age and Health, Land Use, Housing and Construction Transportation.

Mr. Kaming stated that students who participated in this course "won't remake the environment" but that the tools available for participating in environmental control will be explained, including the leading cases in the area.

The course will run for 15 weeks; course work will include a term paper. There will be an additional tuition charge of \$50. The maximum of twelve seats have been filled.

Although the memorandum distributed to senior students and posted for second year students omitted any mention of credit value, the course is worth two credits. Asst. Dean Gilbride noted that it was assumed that the course would have a credit value as there is a charge.

Barring the extra tuition charge, this course, on paper, seems to be an innovation in legal education at BLS. Let's hope we continue in this direction.

"Woe to the nation that combats injury in its dream but yields to the wrong in its wakefulness."

K. Gibran
Spiritual Sayings

PREGNANT? NEED HELP?

PREGNANT? NEED HELP? Abortions are now legal in New York City up to 24 weeks. The Abortion Referral Service will provide a quick and inexpensive end to your pregnancy. We are a member of the National Organization to Legalize Abortion. CALL 1-215-878-5800 for totally confidential information. There are no shots or pills to terminate a pregnancy. These medications are intended to induce a late period only. A good medical test is your best 1st action to insure your chance for choice. Get a test immediately. Our pregnancy counseling service will provide totally confidential alternatives to your pregnancy. We have a long list of those we have already assisted should you wish to verify this service. COPY OUR NUMBER FOR FUTURE REFERENCE 1-215-878-5800.

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Presents **JEAN SHEPHERD** In Person
FEBRUARY 26, 1971 — 8:30 P.M. — \$2.50 ADMISSION
at Klitford Auditorium — 285 Jay Street — Brooklyn
Info: 643-4441 — Send Money Order to:
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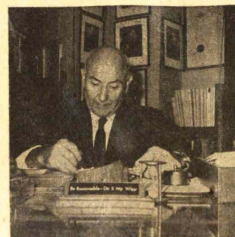
"THE BLUFF"

A BROOKLYN LAW REVUE



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GERARD GILBRIDE
MARTIN R. HAUPTMAN
JEROME PRINCE
STEPHEN M. RAPHAEL
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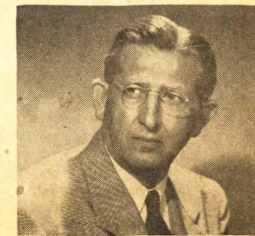
Robert Reuben Sugarman as the Guide
John J. Meehan, Philip Yonge, Raymond Lisle



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Opening Night and thereafter Tickets
\$2.50, \$2.00, \$1.50

Proceeds to the Scholarship Fund '71



Justinian

Published under the auspices of the Student Bar Association
BROOKLYN LAW SCHOOL
250 Joralemon Street, Brooklyn, N. Y.

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EDITORIAL

In a letter reprinted below, the Alumni Association of Boston College Law School advised its members of the retirements of its present Dean.

Significant, was the statement that a search committee was set up, consisting of faculty, students, and alumni.

It is obvious that Boston College Law School considers its students as vital members of its law school community. We applaud Boston College Law School for doing, without fanfare, just what this newspaper and the S.B.A. have advocated for our school.

We place ourselves on record as advocating a representative search committee with power to hear suggestions, solicit candidates, and submit a slate to the Board of Trustees for their ultimate selection.

As you have probably heard, Father Robert F. Drinan, the Dean of Law School for the past fourteen years, was recently elected to the United States Congress and resigned the deanship. A Search Committee, consisting of representative members of the faculty, the alumni and the student body, was appointed to recommend a successor.

Ours is a difficult task which can be carried out only with the cooperation of all concerned. In this vein, we ask your assistance. Many of you may have ideas about the direction the law school should take under new leadership and may have in mind persons who can provide that leadership. We should appreciate receiving from you any ideas or suggestions you may have as to persons whom you feel would be interested and qualified to succeed Father Drinan.

Sincerely yours,

Members of the Search Committee for a New Dean
Boston College Law School.

So, Who Needs Free Elections?

by Lyle Silversmith

Attorney General Louis Lefkowitz and his staff are preparing a bill to make elections in New York even more meaningless than they already are, (see *New York Post*, Jan. 14).

The first provision of this legislation would switch the primary dates from June to August or September. Voter turnout in fall primaries is always lighter than in spring primaries because of the greater number of people on vacation and the difficulty of arousing voter interest during the summer months. With a lower turnout, the political chieftain of the major parties would have an easier time of controlling the primaries, since they are always able to bring out a minimum number of the clubhouse faithful. With the new legislation, Lefkowitz would no longer have to worry about insurgent challenges to the stodgy anachronistic political machines.

The second provision would prohibit candidates from being endorsed by more than one political party. The obvious unconstitutionality and impingement on freedom which would be brought about by this proposed law does not seem to bother this supposed legal scholar. Lefkowitz claims this law is being prepared to "save the two party system." If there was any difference between the two major parties, it might be worth saving. But here Lefkowitz is not being hypocritical. He is shuddering from the recent gains made by the Conservative Party, which had several of its key members in the state legislature before the 1970 elections and now has one in the United States Senate. Nevertheless, Lefkowitz did in 1970 accept the endorsement of the Liberal Party in his race for Attorney General. Attempts to curb the influence of third parties in New York state, did not, however, begin with the Conservatives.

When several Socialists were elected to the state legislature in the 1920-s, the Democratic and Republican members joined together to bar them from taking their seats. There were times, however, when third party representatives were

(Continued on Page 7)

Alumnus Suggests Search Committee

Dear Editor,

While attending the reception given in honor of the senior class by the Alumni Association it came to my attention that a new dean will soon be chosen to take over the leadership of Brooklyn Law School. After reflecting upon the potentiality for worthwhile change such a new dean could bring about, I am compelled to add my thoughts on what kind of man should be selected and how the machinery for finding such a man should be assembled.

Much as it is "in" these days to deprecate the importance of leaders, there is no denying that the "right" leader, the man (or woman) who knows how to get all that can be had from the tools he has to work with and also knows how to upgrade those tools, can make an inestimable difference in the operation and goals of the organization he commands.

Therefore, the first characteristic the new dean must possess is that of leadership. Under all circumstances the school must avoid selecting some second-rate hack administrator who views his job as simply keeping the status quo. Instead this man must be creative, well versed in the legal system and well aware that as the law changes to reflect the everchanging society, so must the education of those entrusted with the duty of bringing about these peaceful changes, especially in times as turbulent as the present.

The man selected for this crucial post should have previously shown some of these dynamic, future-oriented characteristics. Considering the number of changes that have recently occurred in our concept of the lawyer-client-society relationship, we should be able to find a man who has taken part or even led this movement, possibly in consumer rights, poverty law, pollution law, civil liberties or civil rights. We must find a man who is still growing, in the hope that our school will grow with him.

It should be remembered that our school has had only three deans since its founding and two of them presided for 67 of its 69 years. The man we choose will probably exert his influence over this school for decades. In selecting him, we must look forward to where the law and the law school will progress and not backward to the day of petty, bureaucratic law school administrators.

This is no ceremonial office we are being called upon to fill but rather a living office with powers that can give this school a new existence. This should not be treated as an "award" for past service or some other such foolishness but as a truly important office, the authority of which can influence the lives of thousands for years to come.

Another qualification which this man (or woman) must possess is pride. Only if he has pride in himself and his accomplishments will he be able to instill pride in his staff, the faculty, the students, the alumni the whole Brooklyn Law School family. It is too easy to come out of Brooklyn with an almost pathological shame of the school. It's not "the best" law school in the country or even in the city but neither is it the worst and it could be much, much better if we care to make it better.

I appeal to your pride in your

school and in what it could become. I ask that we go out together and seek a leader who will bring out the potential of all members of the school and in the process aid in the development of the law and the role it plays as a civilizing influence in our society.

The question then arises as to how we can locate such a man (or woman). Since the decision affects the entire Brooklyn Law School community (students, faculty, alumni, administration, and trustees), representatives of each group should take part in the search for and the final approval of this man. The task is too important to leave to any one group, including the Board of Trustees. In these days when we read of college presidents lasting only a year or two before retiring to the safety of some foundation sinecure, I believe it would be best if all the groups that the dean will have authority over concur in his selection, for only then could he rightfully claim to represent them.

He must not be foisted upon the school by a group not representative of all its parts, instead he must have presented his credentials to all, outlined what he intends to do with our school and finally have been chosen by us as our dean. Let us not waste this chance by picking some hack administrator for whom we will have to become apologists. We, our school, the law, deserve better.

Bernard Kobroff

Good Grammar And Good Taste

To the Editor:

I crave the indulgence of a few inches of space to write concerning language and grammar, two items which cannot be mentioned sufficiently.

First, it is not required that I state either where my sympathies lie or that I put my feet where my mouth is; nor is it necessary that I indulge in breast-beating to demonstrate my concern for those whom I consider to be my fellow-students. I trust, therefore, that my words will be accepted within this context.

As to language: It is by now a cliché that a lawyer's basic tools are language. There may, for example, be exceptional golfers who can get under 80 by using only one club, but for the average duffer a full set is needed. And how many amateurs, but especially the pros, carry one or more spare tennis racquets, or archery or violin strings, or other analogous paraphernalia or accessories. They illustrate that within one's own expertise more than the bare minima is needed.

Since a really good, even if not exceptional, lawyer must be able to express himself without finding it difficult to employ, or having to fumble for, the proper words, a broad and interesting vocabulary is therefore a necessity. And this holds true for the advocate in or out of court, whether in his office or conversing with friends or speaking at a political, board, or other meeting. If this be questioned then check it out amongst legal acquaintances, and read the opinions of the masters, i.e., those whose names live on because of their prose, for example, Cardozo.

If a good vocabulary is had and used, why are four-letter words required? It is simple to castigate the latter by denigrating the user, for example, "He can't express himself otherwise because of a lack of language," or "He thinks it's

the fashion," or "That's how the was brought up." I don't accept these pat answers; they not only reflect upon the one so adopting them, but also leave untouched the speaker. Secondly, it does not reflect overly-well upon a paper which itself, or a journalist or lawyer who himself, permits these expressions in print — unless, of course, there is a pertinent and relevant quotation which is a necessary part of the story (as, for example, in court testimony in numerous instances). Perhaps my own Victorian predilections urge this view upon men but, regardless, in the presence of women I just don't like to use or hear such words — and though I'm for women's lib, I'm not for this.

As to grammar: it irks, hurts, and grieves me every time I hear or read: "Between you and I," "It's me," "Who will the students pick?" "The group of people are here;" "It's the thing to do;" "None of the cases are in point;" etc. Such a great institution of the Establishment, the New York Times, is not above criticism, as witnessed the December 15, 1970 item by Richard Eder on the Spanish trial of 15 Basques in which he writes: "Interrogating one of the accused, who the police had picked up. . . ." Even one series of cigarette commercials has finally taken note of good grammar — shouldn't law students do the same

I am a purist in this aspect of speech, and not simply because these are rules to be slavishly followed but because they aid in communication, that is, exact communication. To lawyers this art goes beyond good usage or breeding; it is an indispensable prerequisite in, for example, the writing of memoranda, oral arguments, cross-examination, or, even now, the briefing and reciting of cases. To illustrate, how many times has the factual statement suffered by the ill use of pronouns which leave the referent dangling and unclear; or by a failure to tear a statute apart properly because grammar and language are unknown or thought unnecessary or incidental; or, by the use of terms such as those in the preceding two paragraphs, given offense.

Lest readers feel chagrined, let me hasten to add that practically every law school in the country, including the ivy ones, has, at some time in the past, subscribed to most of the views expressed here. To illustrate, New York Law School, some years ago, adopted a plan whereby incoming students took an English examination with a subsequent course in that subject required if they failed; and New York University Law School's remedial aids to some of its freshmen are undoubtedly known to all.

I do hope no offense is taken by what has been written. The motive and intent are of the best, even though everything has been said many times before. Regardless, it is my teaching purpose not only to turn out a good lawyer but also a rounded individual who is a lady or gentleman as well.

Morris D. Forkosch

If you wish to see the valleys, climb to the mountain top; if you desire to see the mountain top, rise into the cloud; but if you seek to understand the cloud, close your eyes and think."

K. Gibran
Spiritual Sayings

ATTENTION HUMAN BEINGS

Our Race Needs Help. We are rapidly being stifled by OUR garbage.

If you are interested in helping alleviate this problem in BLS contact:

Steven Blumenkrantz, Room 401, Seat 28 Day or

John Sandler, Room 402 Seat 20, Monday and Tuesday Night.

We need people to operate the Recycling Program a few hours a month.

There is no glory — only satisfaction that you are part of the solution.

Sing A Song Of Doubt

(can be sung to any tune you like)

They send them away
with arms and legs
then ship them home
in wooden kegs
(or plastic bags)

Chorus—
HaHa HeeHee HoHo
Our hopes are shot down
in Texas cars

the facts are entombed
but we're getting to Mars

Chorus—
Our puppets attack
while we pull the strings
we're taken aback
but we're busy with other things

Chorus—
The government spends
with our money it buys
yet all we get
is spoon-fed lies

Chorus—
The pabulum they feed
should attest our qualms
while we continue
to give legs and arms

Chorus—
They say "aw, you know"
and we silently nod

"Know what?" comes the question
from under six feet of sod

Chorus—
There's no more fresh water
there's no more fresh air
let's all sing this song
and die with some flair

HaHa HeeHee HoHo

Henry Schwarzbarg

As I See It

Ministry of Truth

By Neil B. Checkman

The United States foreign aid program has reached a new plateau. USA Tours now offers a second chaperoned tour through the warmer climates. The same people who brought you Viet Nam and Cambodia, now offer its all new tour of Laos. No expense has been spared. Thousands of underprivileged oriental children will spend their vacation-time pillaging somebody else's country supported by U.S. funds and helicopter gunships.

Please, this writer does not wish to upset anyone, and is quick to add that no American ground troops will accompany the South Vietnamese. Why, it can be proudly state that only four families will be temporarily without a "head-of-the-household" in one complete day's fighting.

Of course we do not have to worry about dead Laotians, just as we didn't have to worry or grieve for dead Vietnamese or Cambodians. It is a widely known fact that gooks, slant-eyes, and slopes do not feel pain, do not have dreams and aspirations, and do not care about the destruction of their homes.

This writer would like to congratulate the American people for their decorous conduct during the recent invasion. None of that unseemly picketing, demonstrating, and ugly clamor. That would have been intolerable, especially since we have our national image to think of.

Obviously those who call themselves doves now understand that our policy of preventive reaction is necessary to uphold our policy of Vietnamization which of course is the prerequisite of gradual disinvolvement.

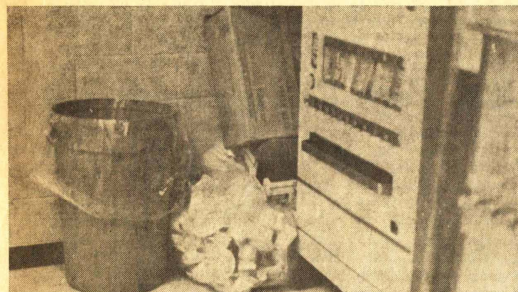
President Nixon, in his zeal to bolster our economy has insured that prosperity is just around the corner. He has freed Congress of its time-wasting and onerous task of constitutional duties regarding the war, and thereby freeing them to deal with the really important problems such as supervising golf on the moon.

Yes, fellow Americans, let me make this perfectly clear, law-and-order will again soon be our national credo. The dangerous Berrigan brother fanatics will, along with their insidious clerical henchmen, be placed where they can no longer endanger this nation's plumbing.

Soon, the colored people, the wet-backs, and hippies will vanish from the forefront of our newsmedia as they take their rightful place in the rear of society. Rest assured that Dow Chemical and General Motors will not be destroyed by Naderesque marauders who talk in environmental terms, yet obviously take their orders from Eastern masters.

Yes, good people, all sign point toward the continuence of the American Dream. We are indeed the chosen people of the world, we shall never lose a war, and we can now bask in the realization that God is on our side. With the Supreme being on our side and Nixon at the helm it is a virtual certainty that the Ship of State will never sink.

All hail the new day, Peace is War, Love is Hate!



BLS offers tremendous recycling possibilities.

BLS: Better Living Through Garbage

By Steven Blumenkrantz
and John Sandler

Look around you — What do you see? Rivers turned to sewers, flowing into oceans which are becoming cesspools. Outrageous.

Air, the elastic, INVISIBLE mixture of gases that surrounds the earth. (Webster's) Is it (invisible)?

But what can we, "the little man" do? Must we be subjected to these atrocities?

What about our children and their children, what rights will they inherit? Clean air, water or a wasted sphere, third planet from a medium size star?

I say no. There are things which can be done. First we can go after the polluters, the Con Eds and General Motors. Fine, but that takes large

sums of money and a great deal of time. We must lobby for laws which will protect us from the onslaught of trash which these giants are forever dumping upon us, and for effective means to enforce these laws.

None of us is too big to pick up his own garbage, especially in light of the destructive consequences inherent in the rubbish. What if we take this rubbish and turn it into useful material. Impossible? Wrong. It can be done by recycling. The recycling process entails the collection of waste and its decomposition into elements. These elements are then returned into the earth or used in the production of other products. Thus waste is eliminated and natural resources are replenished.

This recycling process will be instituted in Brooklyn Law School. Trash cans will be positioned in the cafeteria and in the faculty lounge. One can will be for glass, another for aluminium, a box will be provided for news paper. To participate in this program, rinse bottles and jars and retain only the glass and any labels affixed thereto (add caps and rings around screw-cap bottles to your metal collection.) Cans should also be rinsed, and their labels removed. If possible, remove tops and bottoms and FLATTEN. DO NOT collect aerosol cans. Do not include magazines or "shiny" paper. Sunday supplements (color but not "shiny") are acceptable.

If you can't do it for yourself, do it for your children.

N.D.C. Panel: Life In The Ultimate Ghetto

By Charles Wender

Ira Glasser was the moderator. He is the Executive Director of the New York Civil Liberties Union. "Don't think for a moment," he began, "that the Bill of Rights, even in theory, applies to some of our institutions." The institution he was talking about was the Penal System. So opened the panel discussion. It was sponsored by the New Democratic Coalition. It was held this past Sunday at a high school in Manhattan. On the panel were some ex-cons, several lawyers, a U.S. Congressman, a State Senator, a City Councilman, the Chairman of the Board of Corrections and the entire Psychiatric staff of the Manhattan House of Detention (1 person).

Joel Berger, Association Appellate Counsel for Legal Aid, described what it was like to be arrested in New York City and too poor to raise bail. He said

first always remember that none of the people we talk about have been convicted; "talk about preventive detention, we have it right here in this city." If you are taken to the Tombs you are put in a 6' by 8' cell. There are 3 or 4 in each cell. Only 2 beds so, the rest share the floor with the local vermin. 20 men using 1 razor blade to shave. No underwear. You are locked "out" only 6 or 7 hours a day with nothing to do. There are no phones, your mail is censored. Contact with the outside world is cut off. You are never given or told of the rules you must conform to. The guards are indifferent and callous. No one gives a damn. The beatings are frequent, the suicides less frequent. The medical care is inadequate, the food nauseating. Also remember, Joel Berger said, "50% of those who are incarcerated are subsequently released

without ever being convicted."

Horror story after horror story was retold. Ex-cons from the Fortune Society told of the unbelievable brutality, inhumanity and degradation which they were subjected to in the name of rehabilitation.

Elliot Wilk, of the National Lawyers Guild, is the attorney representing the 42 prisoners indicted after the October "riots" in the Tombs. He didn't think of the disturbances that erupted in the City's jails in terms of a riot. He thought of them as a desperate effort by the prisoners to reach out beyond the walls for help. "They had no alternative, what else could they have done," he told the panel.

The panel adjourned for lunch. They really couldn't eat.

The afternoon panel was chaired by Carter Burden (City Councilman from the 4th District of Man-

hattan who, believe it, serves on the Committee on Public Safety, which oversees the City's prison system.)

William van den Heuvel, who revitalized the Board of Corrections when he was appointed by Lindsay as its chairman, dominated the afternoon session. He spoke of prison as the "ultimate ghetto." "There are no rich people in New York City's jails." He said no more reports or commissions are needed, "all the reports are right, they all say the same thing." He called on the courts to take immediate action. They are the ones, not the legislature, that set the standard of due process. Sentence of imprisonment for each offense should be set: 60 days for a misdemeanor, 90 days for a felony. If the case is not disposed of within that time it should be dismissed. "It would instantly revitalize the system," he claimed.

He characterized the system as bankrupt. This state is spending over 234 million dollars on a so-called narcotics treatment program, yet there is not a single program in the jails, where 70% are there for drug-related causes. Mr. Van den Heuvel called it, "one of the greatest public scandals of the century."

"I meet more and more friends and buddies in jail," commented State Senator Robert Garcia of the South Bronx and East Harlem. The Senator had just returned from a two week study in England where he examined the British approach to drug abuse. He said he would ask the legislature to take a realistic look into the relationship between drugs and crime. He warned that attention must be focused upon addiction, not at a crime, but as an illness;

(Continued on Page 6)

Through The Looking Glass: "A Mirror's Image" Revisited

By Larry Hauptman

Definition: "Liberal". 1.— Those who grow their hair long. 2. — Those who grow their hypocrisy even longer than their hair. 3. — Those who wear their oldest clothes and feel liberal because of it. 4. — Those who conceive of a Court of Appeals decision liberally and as a result feel like really together people. 5. — BLS students who live disgusting, ego-tripping lives, etc., etc.

This could be a slug from the soon-to-published Webster's Third World Dictionary, but despite this eminent authority, I'm amused. I wouldn't go so far as to describe this good cheer with the standard clichés about splitting sides and being in stitches. At best, it's a restrained abandonment — but a snicker nevertheless leads to a giggle, and a giggle somehow always turns to a cackle, which eventually becomes a guffaw, and so on up the line of hilarity.

Polemical Rigmarole

In any event, the above "definition" is actually taken from what has to be one of the most laughable pieces of polemical rigmarole I've come across in a long time, printed in the Justinian, and entitled, "A Mirror's Image: The Enemy Within". Mirror-reflection; reflection-self-image; self-image-self-knowledge; even the title is pre-tenacious.

O.K., to the point. What's so amusing about "A Mirror's Image"? The triteness, the hackneyedness, the modishness. "The enemy within" are, of course, none other than that old running sore, the herd of one-dimensional liberals.

But we've heard that argument before, and expressed so much more skillfully. I mean, if someone had come up to me six years ago and said something like, "Hey man, liberals just don't cut it," I might've listened to what he had to say.

Borne the Brunt

But liberals have borne the brunt of the current revolution against middle-class values for some time now, and perhaps, for good reason. But even good crusades become stale with age unless reinvigorated with fresh ideas, a new vocabulary. I'm tired, bored, and increasingly suspicious of the standard radical line about the liberal enemy.

Even so, the slogans are somehow tolerable when presented with a touch of humor, a feeling or flair for the absurd (if hypocrisy is the liberal's chief vice, as is often argued, then isn't at least a lick of satire in order?), an instinctive appreciation of the real or imagined unfolding of

the contradictions inherent in the liberal way of life.

But when the radical spews forth with the cloying artlessness of "A Mirror's Image", I laugh at the churlish rantings of an individual mindlessly chained to an assortment of catchwords and stereotypes, and hopelessly conditioned by a well-stocked supply of niftily-worded slogans and nonexistent universals.

Slobbering of Sincerity

What gets me is the endless slobbering of sincerity throughout "A Mirror's Image", its dedication to conceptualizations worse for wear after a thorough tour of the college circuit, its esprit de corps with the "brothers and sisters" of the revolution, its elan with the cause. It's this that I find most ludicrous of all.

I'd rather be a cynic. Worse, I'd rather be a hermit than be what one becomes after being dragged down into the prosaic doldrums of revolutionary rhetoric — a bore. I'd rather make a public announcement of my anti-social, misanthropic tendencies than display that type of nippy self-righteousness that at once excludes no less than 99.9% of the students here as being unworthy of participating in the rap.

The majority is taken to be either too liberal or too dense, but the writer of "A Mirror's Image" obviously doesn't understand that comprehension does not necessarily imply conversion, that apprehension is not identical to affirmation, that "being hip to" does not have to mean "being into".

Peculiarly Apolitical

The cause is revolution, but the tone of "A Mirror's Image" is peculiarly apolitical. The only argument which even begins to take on the appearance of a political analysis seems to call our attention to the self-evident proposition that given a fascist, and given a fascist who is accused of being a liberal by a fascist, then it follows that the two fascists are equally fascistic, not with standing the name-calling among various factions of fascists. It is immediately apparent that the writer of "A Mirror's Image" has a profound distaste for all sorts of name-calling. All of which simply goes to show that there is a large variety of fascists running around, including red ones.

But the apolitical tone of "A Mirror's Image" is no laughing matter, and when I stop to think about it, I begin to realize that perhaps my

initial outbursts were nothing but spasms of nervousness. A "liberal" is throughout defined in terms of personality traits; and, while it's one thing to attack liberalism as a political philosophy, it's quite something else to politically vilify an individual because he is taken to be obnoxious. One wonders whether politics is still, theoretically, a matter of ideology; one also begins to realize that, on a practical level, interest-group concerns are no longer the purpose of political dialogue.

The fact that the writer of "A Mirror's Image" defines his politics in terms of his being repulsed by certain behavior patterns does not so much indicate an idealistic and humanistic temperament, as it does a compulsive need to politicize every aspect of life. "A Mirror's Image" is just another manifestation of the old "under the bedpost" argument, and it is a product of the same perverse logic and paranoid mentality.

"Seize the Time"

Granted, man is a political animal, but must our political natures extend even to our salutations and valedictions to our hellos and goodbyes? Radicals have a penchant for signing-off with an "All power to the people", or a "Seize the time", or some such phrase intended to elicit the exhilaration and sense of solidarity upon completing a good, clean, ideologically-wholesome, stand-up, knock-down radical rap-and "A Mirror's Image" was of course, true to form. Be that as it may, the whole sign-off syndrome is sort of scary; for some reason or another, I find it all too reminiscent of clicking heels and you-know-what. (I prefer not to use profanity). Pity the poor schmuck who parts with a simple "goodbye" or a "see ya later" he's sure to be marked down on the radical blacklist of liberals.

Blacklist

Will that blacklist become a reality should the "revolution" succeed? Is it true, as the writer of "A Mirror's Image" puts it, that "the students of BLS will be seen running for their lives when that change comes"? The question is unworthy of an answer. But it does serve to point up the paranoia which often results in a post-revolutionary purge. It should come as no surprise that Stalin has been reinstated as a good guy by many who profess to be New Leftists; he was not only a great purgist, but was also, when compared to Lenin and Trotsky, an incredible bore.

"Blessed are the peacemakers. For they shall be called the Children of God."

So said Jesus



BLS CASUALTY: Justinian staff writer Marvin Schechter, who has taken a leave of absence from school to fulfill his active duty obligation with the Reserves, displays the form that made him famous and persuaded his country to call upon him. As Marvin was leaving the school to do his duty, he turned abruptly and with characteristic pride and devotion said, "Why me?"

NDC: Penal Reform Needed Now

(Continued from Page 5)

"only then can true rehabilitation happen."

The panel concluded with Stanley Bass, Director of the Prison Reform Litigation of the NAACP Legal Defense And Education Fund. He made a plea for a total overhaul of the criminal "justice" system. He talk concerned such topics as "true" bail reform and the removal of all unreasonable civil disabilities of ex-offenders. More importantly, he called for a prisoners' "Bill of Rights." All prisoners should be afforded the right of free communication; of a legal and peaceful means for redressing grievances; of adequate sanitary and medical needs; of a

chance to be helped and to help themselves, and most of all to gain a sense of self-worth and human dignity.

**VISTA attorneys
engage in
creative law.**

**Representatives
at B.L.S.
Feb. 17 and 18.**

ATTENTION GOLFERS

We are trying to organize the BLS Golf Tournament
(During Easter)

All interested parties contact

J. GAMBERG (Room 500, 34, SH 3-1282)
or L. DIAMOND (500, 20, 727-5790)

The Nonesuch

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20% off—bring your library card

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66 Court Street

Schwartz Sounds Off On Scholarly Subjects

Recently our biggest reporter, B. Mitchell Alter, submitted a number of questions to Prof. David Herbert Schwartz, a first year faculty member. Reproduced below are the questions and Prof. Schwartz's written answers.

Question — Do you think that law schools in general are fulfilling their function in the legal field?

Answer:
All law schools, including the Ivy League Schools, are faced with a very difficult problem. They educate on the questionable assumption that the practice of law in the future will resemble practice in the past, i.e. they tend to educate for either "Court Street" or "Wall Street". Individual private practice started "from scratch" by a new graduate is becoming a diminishing possibility in view of the economic realities of overhead in metropolitan centers. Furthermore, the current pressures to clear overcongested calendars, while admirable in intention, make it literally impossible for the small firm or individual practitioner to keep up with the treadmill. "Wall Street" continues to in-breed its new troops. The end result is that the career options are no longer what they were even ten years ago. One should not omit the spectre of a "no-fault" system abolishing negligence practice as a means of sustenance. The dilemma facing the law schools is therefore a cruel one: Hazard some educated guesses concerning the shape of legal practice in the future, or run the constant risk of curriculum obsolescence.

Question — You mentioned the fact that our law schools are educating primarily for private practice. For what type of practice should our lawyers be educated?

Answer:
The answer requires my own guesses as to the future. Educated or not, they are that further expansion of administrative agency decision-making is likely, replacing existing judicial machinery to some degree (e.g. consumer fraud bureaus, possible administrative procedures to order the low-income housing market instead of existing eviction techniques, increased use of licensing techniques to regulate consumer evils, etc.); that corporate legal departments will continue to grow in scope and number of legal problems handled "in the house"; that government participation in business both as consumer and regulator will continue to increase; that substantive law changes will be introduced to eliminate calendar logjams (especially in the personal injury field). I would hope that others join the guessing game and arrive at their own tentative predictions as to the trends they recognize. I would then hope that after basic curriculum requirements are met (no one is a firmer believer in their indispensability than I am), the law schools would take at least some chances on courses which might prove more useful than the existing ones. I should add that it is probably more difficult to design and prepare a course of the future than it is to get it accepted into the curriculum. This "opendoor" policy ought to impel students to take a hard look at their own career aspirations and come up with some concrete and specific recommendations.

Question — You have

spoken of the need to change our curriculum to meet the needs of the future. What are your specific recommendations?

Answer:
For example, the practice of negligence law, which presently contributes substantially to lawyer income, and is the sole support of many lawyers in the metropolitan area, may soon be a thing of the past. "Guaranteed benefits", "Keeton-O'Connell", "The Massachusetts Plan" and several other no-fault panaceas are already on the legislative drawing boards. I would urge that it is not a matter of sociology, but rather of economics directly affecting the future of the profession, which is at the heart of the matter. Therefore, an elective studying the no-fault plans in depth, examining their documentation with care, and evaluating their premises critically, and then hopefully coming up with a more desirable and less destructive alternative — perhaps as a cooperative class product — might be an exercise in futility (softened only by the fact that the research demands on students in such a course would have to help them in the long run), but, on the other hand, it is just outer-limit possible that someone might listen. After three years of experimentation and data collection in such a course I think a legislature would have to take a look at the work product before it acted on the matter. I think other law schools might then begin imitating us. This is only the beginning of an idea, but if I can work out a specific course plan during next summer I am sure the curriculum committee will give it a fair hearing.

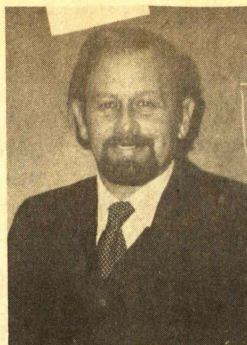
Question — How exacting and comprehensive should the future courses be and how will these goals be accomplished?

Answer:
By working very hard. By realizing that we have no "old school tie" to sell. We have excellence and a reputation for excellence or we have nothing. Our past performance on bar exams is evidence of the former, we need some hard work on the latter. I think that the imperative message for our students is that you can not have it both ways. Easy courses of insufficient depth will only diminish the school's reputation.

Question — What are your feelings about Internal Revenue Code 501 (c) (3)?

Answer:
I agree with its basic premise, i.e. that law school institutions should not be utilized for political advocacy. Personal political advocacy is another thing entirely and ought to be encouraged. So far I see no substantial evidence of the regulation having been used as a "repressive" device. If the contrary were to appear I might be more agitated about the regulation. I do not think that "Court tests" of the constitutionality of the section would be meaningful unless and until repressive use could be established convincingly.

Question — What do you feel about our youth and stu-



Prof. David Schwartz

dents as a force for social change?

Answer:
There is a climate of compromise in the air. To the extent that the word means conciliation of opposing views honestly held the climate is desirable. But I would caution that it was at exactly this point in past history, i.e. where youthful idealism meets the need for responsible pragmatism, that many members of my generation considered compromise synonymous with cop-out.

State Government In Action; Can Third Parties Survive?

(Continued from Page 4)

so popular that to have barred them from their seats would have been to court political riots. This was the case with Congressman Vito Marcantonio, a leader of the American Labor Party. Marcantonio was so loved in his East Harlem district that he was able to enter the primaries of the Democratic and Republican parties in addition to the American Labor Party Primary, and won in all three races. Thus, when November came around, Marcantonio often had no opposition. To get rid of Marcantonio, the state legislature in 1947 passed the Wilson Pakula Act (still in effect), which prohibited candidates from running in any primary other than that of their own party without the permission of the political bosses of the other parties. In the next elections, Marcantonio was not given permission to enter the primaries of the other parties. Instead, in 1950, the Democratic, Republican, and Liberal Parties all endorsed the same opposition candidate, who with tri-party endorsement was barely able to squeak out a majority against Marcantonio.

Now Lefkowitz wants to go one step further, so that no candidate will even be allowed to seek permission to enter other party primaries or to receive multi-party endorsement. The effect of this would be to eliminate all outside influence, especially that emanating from minor political parties, thus allowing the party chiefs to control New York State from their private covens of manipulation free from all outside pressure.

The New York City Council used to be elected by proportional representation, which meant that the minor parties were represented on the City Council to the extent of their percentage of the total vote in the general election. When two American Laborites and two Communists were elected to the Council in 1943 and again in 1947, the system was changed to a majority vote single district system, which resulted in the Council becoming almost 100% Democratic. In fact, the entire funding for the Campaign for the repeal of proportional representation was supplied by the Democratic County Organizations. (See *The History of the New York City Legislature* by Frederick Shaw, Columbia U. Press, p. 206, 1954.)

We often pride ourselves on the fact that we have free elections, but when there is no choice available, is there really any freedom?



"That's D-O-U-G-L-A-S."

Heady Obsenity Sends Abbie Heading For Chicago Jail Cell

By Frederick Grossman

We all know that Judge Hoffman did a less than satisfactory job in the "Chicago 7" trial. We do, however, find that one of his

Question — What is the most impressive thing that you found when you came to Brooklyn Law School?

Answer:
I cannot limit the answer to a single item. I was initially impressed by the cordiality and friendliness of the established faculty, and by their sincere and continuing willingness to help a rookie over the rough spots. Then I found that the expected level of course preparation, apparently accepted by all faculty members as a norm, is extremely high. Finally, I am convinced of the academic quality and potential of our students. And then of course there is Professor DeMeo's cooking—but here we leave the realism of the law and enter the domains of art.

peers is a much more enlightened jurist. This jurist sentenced Abbie Hoffman to 15 days in jail, not for what was in his head, but rather for what was on his head.

Abbie Hoffman was sentenced to 15 days in jail because he had a profanity written on his forehead. Although, I am not sure of the reasoning behind this decision, one has to wonder when the rest of the nation's judiciary and police force will follow this lead and squash, stampout and squelch public toilets. Toilets have been allowed to run wild; graffiti writers have destroyed our public bathrooms.

Now you ask how can we stop these Philistines? I have a three pronged plan:

1. Have each bathroom patrolled by plainclothesmen, employed by the owners of the bathrooms.

2. Put a two way mirror into each bathroom so that graffiti writer watchers can spot the villains.

3. We should fine every public toilet owner who has profane graffiti on his toilets' walls.

The Chicago judiciary has shown the way. Now it is up to us. We must press our local governments to set up a special toilet agency to train and coordinate a new branch of the police force: The "T.P." — "Toilet Patrol".

Florida Justice Spoils Vacation

By Mitchell Alter

Intersession on the beach in Ft. Lauderdale Beach, Florida is supposed to be a time to relax and release built up tensions, but to many students it can become a period of harassment, arrest, jail, and fine.

Police roam the streets and ask "suspicious characters," such as "heepies" (a pronunciation used by Southern law officers for long haired youths) and other undesirable for identification for no apparent reason. People are arrested under the authority of the laws prohibiting loitering; such arrests are frequent in spite of recent court rulings declaring these laws to be unconstitutional.

A long haired man was arrested for making a right turn without signaling; the man was riding a bicycle. Another long haired fellow was arrested for the "crime" of sitting on a curb while drinking a coke; the charge was loitering and obstruction of traffic.

It was also observed by this reporter that those persons seemingly well dressed or who the police considered as "real tourists" were not so abused by the law officers. The tourists were good for the community because they provided income to businessmen, but "heepies" were good-for-nothings serving no useful purpose due to the lack of money spent by these people.

Ft. Lauderdale is a fun place to be if you have the "coin" to throw around, but lacking this money in addition to having long hair, one can become a liability to this town and, become subject to abuse in conjunction with the denial of civil rights and liberties. This reporter can only hope that the responsible members of the legal community, our B.L.S. students, and the public will heed the cry for help and rectify the injustices of a town called Ft. Lauderdale.

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