

# The Justinian

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## The Justinian

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# Justinian

Volume XXXIII - No. 5

WEDNESDAY, DECEMBER 20, 1972

Page One

## Grafton Suit Fails

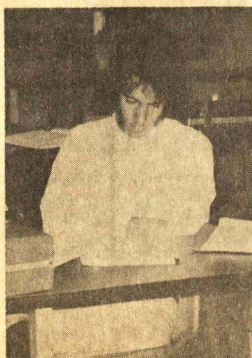
By CHARLES WENDER

The 12 million dollar civil right action brought by Sam Grafton, former editor of the Justinian, and Lyle Silversmith former staff member of the Justinian, against the BROOKLYN LAW SCHOOL, was dismissed by United States District Judge Orrin C. Judd, for lack of Federal Jurisdiction. In a 27 page opinion, rendered November 27, 1972, the Court cited the plaintiff's failure to show "that they were the victims of any action under the color of state law."

The action was initiated in the spring of 1971, in the United States District Court, Eastern District by Messrs. Grafton and Silversmith. The complaints alleged that the plaintiffs were expelled from the school in violation of their rights guaranteed by the Federal Constitution, particularly in retaliation for their exercise of their First Amendment rights. The Law School, represented by Cahill, Gordon, Sonnett and Casey, moved to dismiss the complaint for lack of jurisdiction over the subject matter and for failure to state an actionable claim. The Court denied jurisdiction and thereby finding it unnecessary to reach the merits of the claim.

Grafton, an accounting major, graduated from Baruch college in

the spring of 1969 and entered Brooklyn Law School that fall. In his first semester, he obtained a 4.14 cum. He joined the Justinian staff that semester and wrote an article which exposed underrepresentation of blacks in the student body. The following Fall, after a bitter confrontation with the administration, Grafton was elected editor-in-chief of the Justinian. During his tenure, the Justinian published several controversial articles including a reprint of an article by Pete Hamill entitled "Jail the Judges." The paper also published and sponsored a poll of the student body which indicated



Plaintiff Grafton

an overwhelming sentiment of the students that he new Dean (to succeed retiring Dean Prince) should be someone from outside the school.

In the spring of 1970, the school (Continued on Page 6)

## Savage Resigns Claims BLS Evades Responsibility

By JON MILLER

Daniel Savage, Brooklyn Law School's first full time Placement Director, resigned suddenly last Wednesday in an open letter to the student body, administration and alumni. Citing three "concepts" which the school had failed to live up to (an "amateurish" image which, apparently, Mr. Savage felt the school has failed to shake, a general lack of "excellence" and the failure on the part of the school to "realistically concern itself with enhancing employment opportunities for students and graduates"), Mr. Savage will return to his work as a mediator with the National Mediation Board and faculty member of the City University of New York.

In a discussion with this reporter, Mr. Savage indicated that administrative ineptness and short-sightedness were at the heart of his decision. He noted the administration's unwillingness to co-operate in either the physical upgrading of placement facilities at the school or in elevating the function of placement as a valid role to be taken by a law school on behalf of its students. As an example of the administration's unwillingness to improve the physical operation, Mr. Savage said that he had on several occasions made requests of Dean Lisle to paint and carpet his office, make provisions that an appropriately decorated seminar room be made available for interviews and obtain a separate duplicating

machine so that his secretary would not have to waste so much time running up to the ninth floor. All of these requests remain unfulfilled.

Mr. Savage noted several factors which led to his conclusion that the school has yet to make a real commitment in the area of placing students. He indicated that while money would solve all of the physical problems, he thought that an administrative attitude made placement a lesser priority item at the school. Asked why a Placement Office was established on a full time basis, Mr. Savage said that it was his feeling that the Board of Trustees funded the office to the extent it did merely to pacify student demands and satisfy an AALS requirement.

With regard to his own personal efforts here at Brooklyn, Mr. Savage revealed a formal invitation which had been sent out to over 2000 law firms and hiring agencies throughout the country. He indicated that he had been successful in procuring the lists used by several Ivy league schools with regard to in-school-recruiting. Mr. Savage noted that he did not take the job merely to earn an income. His two other positions as well as income from his wife, a Dean in the City University system, and the relinquishment of interests in a large personnel agency left him in a very solvent position. He said that he had personally spent a great deal

of money in keeping up the Placement Office. As an example, he noted that he personally supplemented the take home pay of his secretary each week.

Citing philosophical differences which have breached his relations



Retiring Director Savage

with certain segments of the student body, Mr. Savage noted that student militancy was a minimal factor in his decision to resign. He said that undergraduate students he taught at Hunter College were much more discomforting in this regard and that he had grown accustomed to such differences.

Mr. Savage will continue his work through the Christmas holidays. He indicated that a great deal of correlative work had to be completed and that he did not want to leave the office in a state of disorganization for his successor.

## Coalition To Push AALS

A student-faculty-administration coalition is in the process of formation to push the school's application and admission to the Association of American Law Schools. The Coalition will be chaired by Phyllis Clements, a third year day student and Jon Miller, a second year evening student. Its members will include the heads of each student organization, members of the faculty and Dean Lisle.

Last year, Brooklyn Law School, in consultation with Dean Jefferson Fordham of the University of Pennsylvania School of Law, conducted an extensive study aimed at spotting and correcting deficiencies which have previously held up BLS membership in AALS. While not formally published, the study pointed up a number of problem areas which should be improved such as circumscribed curriculum, poor student-faculty ratio, lack of major University affiliation and the

limited extent of scholarly publication on the part of the faculty as a whole.

A formal application (in reality, an extensive questionnaire about the school) will be filed with the AALS in January. Prior to that, members of the BLS faculty will attend the national AALS conference to be held in New York over the Christmas holidays. They will be seeking out new faculty members as well as promoting the school's upcoming application. In the spring, members of the AALS executive committee will visit the school to formally pass on its credentials. The Committee will then make a recommendation to the entire AALS Congress next December. That recommendation is the basis either of approval of the application or perhaps, deferral.

In speaking of the purpose of the newly formed Coalition, Mr. Miller noted that its main function would be to stimulate the broadest possi-

ble support for the school's application. Mr. Miller further stated, "We call this a Coalition because admission to AALS is something we are all for. Our group will work to educate the student body as to what AALS is, to work with other existing committees such as Curriculum to quickly resolve the problems which have previously held up our admission, and to intensively prepare for the spring visit by the AALS committee. If students and faculty fully understand that membership in the AALS will substantially improve the standing of BLS in the eyes of the legal and academic community, they will fully support our efforts."

The Coalition will consist of student leaders and faculty members. Mr. Miller noted that leaders of the SBA, Law Review, Moot Court Society,

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Justinian, BALSA and Women's group have responded favorably to the idea. Faculty members, especially younger faculty members, have been sounded out about the proposal and will join the Coalition's work.

Dean Lisle, commenting on

AALS and the newly formed Coalition effort said, "All of us, trustees, faculty, students and administration are vitally interested in AALS membership. We welcome any move in the direction of a collaborative effort by all in achieving that goal."



## Profile: H. M. Holzer

By JOHN DI BELLA

"The best teacher is the one who suggests rather than dogmatizes, and inspires his listeners with the wish to teach himself."

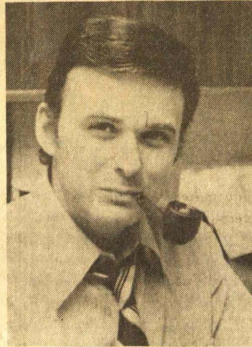
—Bulwer

Professor Henry Mark Holzer comes to Brooklyn Law School with a great deal of practical experience, dedication, and a desire to prepare BLS students for the wonderful world of law. Professor Holzer's background is impressive and his experience is such that one cannot foresee how any student, no matter how hard he may try, could not benefit by this multi-talented professor.

Professor Holzer received his J.D. degree in 1959 from N.Y.U. After graduation, Prof. Holzer practiced law, emphasizing Constitutional Law in particular, and gained a well deserved reputation for his work as an advocate before the appellate courts. He also became involved in the selective service, as an advisor and lawyer to students (like ourselves) who had some 'problems.' After thirteen years of acquiring experience, Henry Holzer decided to teach at BLS. It may seem a radical change, but Prof. Holzer declares that his interest has always been with theoretical concepts of the law, such as those found in Constitutional Law.

I spoke to Prof. Holzer regarding the debate presently raging in the school about electives and required courses. Professor Holzer voiced the opinion that law students must learn the three basic areas of the law: private, public,

and commercial. One cannot and will not succeed without these fundamental concepts in the legal world. Prof. Holzer does not dismiss the need for more electives.



Prof. Holzer

He feels that too many courses and areas of the law are over-emphasized while other areas of the law are seriously neglected. Prof. Holzer wants to alter that situation and has shown his sincerity towards achieving this objective by proposing to the Curriculum Committee the initiation of three new electives that he would be willing and eager to instruct. The three courses are: **Constitutional Law II**, this would deal with civil liberties and the First and Ninth Amendments; **Criminal Law II**, which would deal with the rights of the accused while emphasizing the procedural aspects of the Fourth, Fifth, Sixth, Eighth, and Four-

teenth Amendments; finally **Appellate Advocacy**, within which Prof. Holzer would instruct BLS students in the procedures, the methods, and the general approach necessary to do well in an appellate context. Prof. Holzer feels strongly that BLS students have the ability and intelligence to do well in these courses. However, if they desire to enter the practice of criminal law or the field of governmental service, the need for these courses is obvious.

As for coming to Brooklyn Law School, Prof. Holzer feels that BLS is one of the few schools still dedicated to the art of teaching young men and women how to be practical and efficient lawyers, two qualities that are a necessity for a successful career in law.

### "Opportunity"

It seems that Brooklyn Law School has acquired the services of a young and dedicated professor who desires to help the student body in their quest for knowledge. The question now remains whether the students, faculty, and administration of BLS will give Prof. Holzer the opportunity to fulfill his goals, by supporting his proposals for the new electives.

Prof. Holzer is presently involved with teaching the second year students all about 'Sales.' He considers himself a fair marker, a reasonable man, and one who is concerned about his students.

How does Professor Holzer occupy his time when outside of BLS? Well, in the picture accompanying this article you will see, behind Prof. Holzer, a photograph of his beautiful wife, who also happens to be a lawyer.

brief invocation and an even briefer lunch. The service was rushed and the waiters gave one little time to eat and enjoy the food, making it difficult to report on its quality.

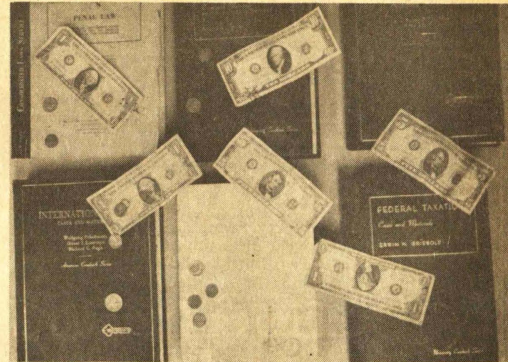
Dean Lisle was the first speaker of the afternoon. He attempted to report to the alumni on the school's progress in the last two years, but it was somewhat difficult to make out his points over the din.

The next speaker was Justice William B. Groat, Presiding Justice of the Appellate Term, Second Department. Aware of the problem confronted by the preceding speaker, Justice Groat began by telling the audience that he would not stand for such rude conduct. In short, he told them to "shut up". Justice Groat was to continue to honor Justice Thompson and explained to all why it was fitting that he, Justice Thompson, was "Man of the Year". Justice Groat described Justice Thompson's devotion to duty in the Second World War, his devotion to his work, his devotion to his friends, and his devotion to his family. However, Justice Groat

## Students Cooperate In Bookstore Co-op

Many of us have wondered how much of a profit BLS has been making on the books it sells, considering the fact that it charges the same prices as such staunch columns of PROFIT as Pax. We may never know precisely, but there is now a viable alternative.

individual student: a book costing \$15 on the inhospitable ninth floor will cost \$12.50 including a 50-cent service charge to cover expenses). Such a saving will look better in your pocket than as additional black ink to the glee of the Powers That Be.



In conjunction with the Fordham, St. Johns, NYU and BLS Student Bar Associations, a Bookstore Coop has been formed to offer law books at twenty per cent off list price. The Coop has reached agreements with the major law book publishers to obtain these texts on a consignment basis, which means that books not sold will merely be returned to the publishers at no cost.

A simple example will show the substantial saving to the

The BLS branch will be in operation during our brief intercession, but exact times and locations have not been finalized. Volunteers will be needed to help out.

In addition, SBA operates a used book exchange for the sale of books currently in use at no more than half price. It will be run as a referral service for buyers and sellers, with buyers contacting sellers offering their books for sale. Further details will be announced.

## Alumni Lunch At The Plaza

The Alumni Association of Brooklyn Law School held its annual banquet on Saturday, December 2, 1972, at the Plaza Hotel. The affair was designed to honor Edward Thompson, Administrative

of the Civil and Supreme Courts throughout the New York area. The afternoons festivities began with cocktails at your own expense, and a milling, hand shaking crowd eager to get the "feed



Larry Hauptman, Mitch Alter, and Dottie Chin lunch with the illustrious.

Judge of the Civil Court and the Association's President, as the Association's "Man of the Year."

The affair was well attended by many of the Judges

bag on". Prof. Maloney, a near and dear member of the Bar and our Faculty, was present and happily in good health.

The affair began with a



"Oh, say can you see..."

also took time to assault hippies, draft-dodgers, the federal bench, and several Justices by name; while defending political clubs, political appointments, and the courts of the great State of New York. At the conclusion of Justice Groat's speech, which became just a little sidetracked, part of the audience was in a state of euphoria and the other part in a state of shock. The writer was the later group.

Soon thereafter, Justice Thompson arose to accept his award. In accepting it, he praised Brooklyn Law School as giving him his birthright in the law. He affectionately described it as a "poor man's law school". Whether he meant that the school was located in a poor neighborhood

or whether everyone who went there was poor, was not made clear. However, it was said in affection. In any case, after a few more minutes of platitudes and praise, the luncheon came to a close.

As an after thought, it is interesting to note that Brooklyn Law School, whose alumni range in the tens of thousands and whose graduates have served as Presidential advisors, in key government posts, and as prominent attorneys and judges, the Alumni Association consists of a small percentage of our graduates, has practically no young members, and seems to cater to a select type of local crowd. It seems to be a sorrowful waste of natural resources.



# Grading System: The Big Ripoff?

By STEVE MARCELLINO and JOHN DIBELLA

In the course of the last two months the Justinian has been making some inquiries into the marking system. In comparison with other metropolitan law schools, BLS stands out as having the most stringent system of grading. We went around to various faculty members in an attempt to discern their likes or dislikes about the way our system is set up. Here are some summaries.

## St. John's University

A 90-95  
B+ 85-89  
B 80-84  
C+ 75-79  
C 70-74  
D 65-69

## Columbia

Honors  
Very Good  
Good  
Pass

NB: Columbia emphasizes that a "Good" is not equivalent to a letter grade of "C". It is in the range of a B- to C+. The majority of Columbia law students are either rated Very Good or Good.

## Hofstra

A 95-100  
A- 90-95  
B 80-90  
B- 70-80  
C- 60-70  
D 60-70

NB: B- and C- are given, however the exact numerical breakdown was not available.

## Fordham

A+ 95-100  
A 90-94  
B+ 85-89  
B 80-84  
C+ 75-79  
C 70-74  
P 60-69

## New York University

Very Good 80-90  
Honors 80-100  
Good 70-80  
Failure

NB: Figures are approximations there is no numerical grading as such.

## New York Law

A 86-100  
B 78-85  
C 69-77  
D 65-68  
F below 65

## Brooklyn Law School

A+ 95-100  
A 90-94  
B 85-89  
C 80-84  
D 75-89  
F below 75

The following is a result of an interview with Prof. Leitner.

There are difficulties in our grading system but these difficulties are imposed upon the faculty. As for the students, they have no real problems but only "cafeteria rumor" problems. The grading system used is irrelevant. Prospective employers are only concerned with class ranking. They know that grades, be they either numerical or letter grades, are totally arbitrary and that each school has a different approach. The essential criteria is the class

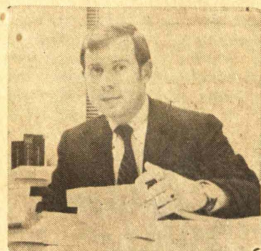
rank, for it alone determines a student's law school performance.

It would matter little if we altered the grading system with respect to numerical values. The student would still be ranked according to his fellow students. Employers do not care what 'average' a student has maintained in 3 years but where does he stand in comparison to his classmates.

As I pointed out, the grading system causes difficulty only for the faculty. It is a very difficult task at times to distinguish students. A few points could make a student a 'B' or 'A' student. I do believe that the faculty should be allowed a greater degree of flexibility in grading a student by allowing "plus" grades to distinguish superior students in the middle ground.

The following is a result of an interview with Prof. Comerford.

Basically, a grading system is some artificial attempt to objectively appraise the student's performance, and as such the system used should be able to accurately reflect that student's performance. There are two major systems, the two tier and the multi-tier system. The two tier being the pass-fail system which does not award any student for his superior performance and only lumps all the students into an ambiguous group of "Passers." The multi-tier system, on the other hand, reflects the diversity of the student body in any school. Most schools have a more reflective system where a



Prof. Comerford

student in the middle ground can also be awarded for his performance, such as "plus" grades. BLS, unfortunately, has not executed such a program and it is a terrible burden for a teacher to distinguish students in his class. I think the students and the faculty deserve a more flexible middle ground rather than the standard "A-B-C-D" grade. It should be noted that employers are the ones who actually impose the grading system and they are only con-

cerned with class ranking. It is more important for the prospective employer to know the student's rank among his peers than his numerical grades.

I do believe we should alter our system with respect to the 'plus' grades. It will not effect the system internally because of the relative nature of the product but it will at least eliminate the external ambiguities when our students confront an employer who may look at grades as criteria.

The following is a result of an interview with Prof. Fink.

Prof. Fink questions the relative importance of the grading system in general. She wonders if the class standing rather than the letter grades is more of a relative factor in future employment opportunities. It seems that most, if not all, of the employers coming to Brooklyn Law School use the class standing as the most meaningful guide in their hiring process. If this is true, then class standing, being determined entirely within the school itself is not prejudicial. All students are judged equally and by the same basic grading system and changing that system will not in any way effect the student's class standing. If on the other hand, the employers do look at the letter grades than the grading system at BLS is very



Prof. Fink

prejudicial to our students who must compete with the other local graduates. Prof. Fink feels that the grading of students is the most difficult aspect of her job and therefore approaches this task in a very special way. She admits that she and the other professors do take into consideration the grading system used at BLS, and that they, as well as the student body, adjust to the system and grade appropriately.

Prof. Fink does feel that the administration, professors, and the student body must closely examine all the factors involved. If a change seems necessary than she is all for it. As she sees it, the teachers are not out to get the students, no matter what anyone says to the contrary.

## NOTICES

- Applications for SBA Emergency Loan Fund are now being taken in the SBA office.
- FILM and SPEAKERS PROGRAMS: Dates and details to be announced at the beginning of next semester. Volunteers to work on Law Day activities should leave their names at S.B.A. office.
- Whoever has Nancy Erickson's Bankruptcy Notes, please return them!
- Prof. Schwartz will debate No Fault Insurance on Thursday, Dec. 21 on Barry Farber — Radio Station WOR.

# Alumni Bequeath Scholarship Fund

By LAURENCE KRAMER

In June 1972, a series of events began which were to result in a windfall for Brooklyn Law School. In that month, the school received an unrestricted bequest of \$150,000.00 from the estate of Paul Emery Kern. Mr. Kern, class of '35, had been a contributor to Brooklyn Law School for a number of years, making grants amounting to over \$25,000.00. It is anticipated that there will be a very substantial additional sum, with an aggregate amount totaling more than all of his previous contributions, in the near future.

Mr. Kern's relationship with the school stems from a long standing friendship with Dean Emeritus Jerome Prince. Mr. Kern, an authority on voting trusts, had published articles on this subject in the New York Law Journal. Presently, BLS has a Paul Emery Kern Scholarship established by the Paul Emery Kern Foundation.

Near the end of November 1972, Brooklyn Law School received another grant from one of our alumni. Mr. Moe Morris, class of '25, left in his estate a contingency bequest to the school of \$10,000.00 with specific instructions that after all other bequests had been paid out, that the residuary be

divided between the educational and medical institutions that he named. His law school Alma Mater was once again included. Thus at the beginning of December 1972, a check arrived made out to Brooklyn Law School in the amount of \$130,880.87.

The terms of the will only specified that this money be applied for the use of students in need of financial assistance. Mr. Morris already has a tuition scholarship in his name, prior to the present bequest. Before his death in 1968, Mr. Morris was a prominent lawyer and accountant practicing in New York City.

Both of these grants will be applied by the Scholarship Committee, under the direction of Dean Lisle and awarded in the spring. This year alone, the school awarded over \$100,000.00 in scholarships to deserving students. The actual grant will be invested and the income applied to the scholarships. Next year, this reporter has been told, the awards will be even greater, thanks to these gifts. Dean Lisle expressed how gratified he was in that these were the largest contributions ever made to Brooklyn Law School by individual alumni.

# Committee Studies Modified Elective Plan

By STU SCHWARTZ

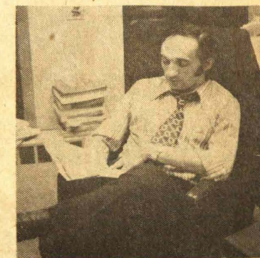
At the last meeting of the student-faculty curriculum committee, an increase in the number of elective credits was proposed. More specifically, it was suggested that all second and third year courses be taken on an elective basis. The committee passed this proposal by a 6-4 vote. The faculty later rejected this proposal. Assistant Dean Gilbride had originally suggested that several courses, Federal Practice, Creditors' Rights, and Property III, in the second year be taken on an elective basis.

Prof. Farrell stated that he felt that some sort of modified plan would definitely pass when submitted to the entire faculty although he did not feel that it would consist of all electives in the second and third years. He also stated that there was general agreement that all courses in the first year would be required.

Prof. Schenk, when questioned about the reasons for the faculty rejection, said that she felt that she needed more time to hear the reasons for and against such a proposal

and that she felt that many others probably wanted a little more time as well.

It is generally felt that Dean Lisle favors all elective courses in the second and third years. The Justinian has learned that at the next



Prof. Farrell

meeting, at least four and perhaps a larger number of alternative proposals will be submitted for committee consideration. It is likely that all plans will include a four credit requirement of Civil Procedure in the first year with a total of 84 credits required for a diploma for classes entering in Sept. 1973. 'Evidence' is also likely to remain as a required course.







## LETTERS

## Open Letter...

(Continued from Page 4)

were skirting issues, the meetings are absolutely essential between our students and yourself, as a trustee, so that the trustees can get an accurate idea of student desires and needs for the improvement of the law school.

Furthermore, as President of the Student Bar Association, I strongly recommend that Judge Jack B. Weinstein be appointed to our Board of Trustees. Not only is the Judge interested in our law school and is extremely confident on our future, but he is a potential Chief Judge of the New York Court of Appeals, an eminent jurist of the United States District Court at present, a noted legal scholar and educator who is now an Adjunct Professor of Law at Columbia Law School, has written noted treatises on New York Civil Practice, Evidence and has also written articles on Legal Ethics, Constitutional Law Jurisprudence.

Again it was delightful to meet you and I sincerely look forward to future meetings.

Sincerely yours,  
B. Mitchell Alter  
SBA-President

Dear Dean Lisle:

As a member of the June, 1972 graduating class and as former Managing Editor of the Brooklyn Law Review I feel it is my duty on behalf of all other Law Review graduates to express my displeasure with the graduation exercises. Those students who contributed six to ten hours a day for the past two years in order to publish the best Law Review in Brooklyn's history were totally ignored during the graduation ceremony.

It was a source of great embarrassment to each of us that our achievements went unnoticed by the school; the only mention of our endeavors was by the guest speaker Judge Mulligan. It is unacceptable that the school failed to acknowledge our publication of the Second Circuit Review which has been widely hailed by both judges and lawyers alike as a publication equal to that of Harvard's annual review of the Supreme Court.

The failure to acknowledge the editorial board of the Review cannot be explained away, especially in light of the mention of the awards to the fifteen outstanding members of the Student Bar Association and Moot Court. Those of us on the Review feel that our contributions to the prestige and honor of Brooklyn Law School should have been noted by the administration in a way similar to the contributions of the SBA. The expenditure of an additional five minutes of time to recognize the Review would not have extended the ceremony beyond its customary length; however, even if it had, the acknowledgment of the contribution of each member would be justification enough for such an extension.

As Managing Editor I had firsthand knowledge of the work of each Review member and in conversations with many of them after graduation it became evident that each considered the omission as a personal affront. I hope that this situation does not repeat itself during the June 1973 graduation; but if it should, the school will have no one but itself to blame for the alienation of some of its most valuable alumni.

Very truly yours,  
Alfred J. Parisi

To the Editor:

As a result of my letter appearing in the first issue of the Justinian which laid bare certain hiring practices at South Brooklyn Legal Services, a meeting was held between BLS representatives and that office's Attorney-in-Charge. While our distinguished SBA President who was present reported that there had been a definite commitment to hire as Staff Attorney at least one senior now working there, the Attorney-in-Charge telephoned me to say that there is no commitment whatsoever. Before punitive measures are resorted to, it might be wise to determine exactly where the BLS people at South Brooklyn stand. But whatever course of action is now decided on, there should be solidarity of action and purpose. Ben Franklin's maxim on unity is still relevant: "We must all hang together, else we shall all hang separately".

I began working as a Legal Services lawyer at the Bedford Stuyvesant office some three weeks before the July Bar Exam. My timing is not to be recommended since it requires at least one month to recuperate from the effects of that marathon. Yet presented with the alternative of welfare, my decision to begin when I did was an easy one. The six months or so preceding graduation teach some hard lessons about the lawyer market here in New York.

The situation of the terminal law student is similar to that of the prehistoric lungfish forced by drought onto dry land. The warm security of its pond rapidly evaporating, the lungfish would begin its quest for a still functional

pond. Some made it and some didn't. Today, eons of evolution later, descendants of these early pioneers still attempt the trek, this time from BLS to the pond of employment. It is most important that law students, even those in their freshmen year, realize the necessity of specializing in one area of the law. Getting a good job is difficult enough with a year or two of clinical or working experience in a given field; without it the graduate may have little choice but to carry some real estate broker's attaché case. Fewer than one third the late class of '72 presently hold legal jobs. Even taking into account those too principled or rich to work, adventurers lost in the upper reaches of the Amazon, and hopeless masochists, it's been a pretty bad year. Although an admitted attorney has a somewhat easier time, still it's been estimated that nationwide scarcely half this year's law graduates will ever practice law. Next year is expected to be even worse.

It is difficult to ascertain exactly when we, the latter-day lungfish, may comfortably climb out of the pond to crawl about on a more or less permanent basis. There is always that initial urge to jump back in. And once the pond is irretrievably lost, the squirming lungfish may begin to doubt his initial conviction that this new environment is less hostile than his old one. The severance of any umbilical cord, including that of BLS, can be traumatic. BLS may have been a stern and sometimes irrational master, but it was for three years a place to

(Continued on Page 6)



joanna  
buxszpan

## Minding My Own Business

I have been meditating on an interesting aspect of civil rights, i.e. does one have to be given protection if one doesn't want it or need it? This legalistic, philosophical thinking has been prompted by a rather bizarre situation, namely, I can't get into the ladies' room here at school without a key, and if I want a key of my very own, I have got to go to the 9th floor and promise something or other or sign something or other or give blood to a bloodbank or eyes to an eyebank or something else equally nonsensical. In other words, this is a big nuisance for no apparent purpose, and, on top of everything else, I am forced to give an inordinate amount of thought to this silly key because, even if I am granted my own, personal key, what happens if I leave it home one day or (God forbid!) it gets lost?

I assume that the thinking behind this ludicrous regulation is that the women of our school need protection from, in all likelihood, rape. We probably should be flattered that the administration considers us to be so provocative and attractive that it has to take extraordinary precautions for our safety. Maybe back in the days when there were 3.4 women in the whole school, the men students were so hungry for female companionship that the mere sight of one of the luscious lovelies drove them berserk with lust. However, there are so many of us ravishing creatures around here these days — and evenings — that (a) nobody's hungry any more and (b) even if they are, there are too many of us in the ladies' room at any one time for any lustful pervert to do very much. Furthermore, it is obvious that the administration policy was dreamed up by people, i.e. men, who were unacquainted with the physical set-up of the ladies' rooms because the facilities themselves are so inadequate and cramped (in my class, for example, there are 18 women all trying to use one bathroom with one sink and two toilets) that there simply would be no room for those out there who want to use it for rape, muggings, love trysts, and/or God-knows-what.

It appears to me that the law school is trying to be overprotective of its women students, and, since they are trying to overprotect me, I think the least I can do is offer some constructive suggestions as to how I would like to be overprotected:

1. I would like to be given my own elevator, complete with key,

Mitch Alter

## From The Desk Of The President

It's about that time of year. Midterms, legal memoranda, and upcoming final exams are on everyone's mind, including this writer.

But in the midst of all these vicissitudes of life, I feel that there are some things of importance that are happening around school and the legal community in general and as such deserve to be told to the student body.

Last week was the first of several meetings that will take place between students of our law school and members of the Board of Trustees. Several students, from first year day to fourth year evening, met with Mr. Abe Lindenbaum, a member of the Board of Trustees. Several of the problems brought up were the student-faculty ratio, inadequate library facilities, the lack of sufficient placement office facilities, the sterile atmosphere that exists throughout the school, i.e. the uncomfortable library chairs, study facilities, and more. Although it was agreed that the school had sufficient resources, there was not enough commitment made by Mr. Lindenbaum to correct these problems. Although Mr. Lindenbaum has indicated that four new faculty members will be hired next year, in my mind his statements indicate that he will not do enough to correct the remaining problems that still beset BLS. The school is still too economy-minded and until it moves from this position the necessary projects needed to correct this academic environment will not be done. Consequently, the recognition needed by our school, such as the admission into the Association of American Law Schools (AALS) will not be achieved and placement of our graduates will still be extremely difficult.

I also told Mr. Lindenbaum of my desire to have Judge Jack B. Weinstein of the United States District Court in Brooklyn appointed to our Board of Trustees. The appointment of Judge Weinstein would be fortunate for our school and it would be a step in orienting our school in a national direction. Judge Weinstein is a noted legal scholar as well as a distinguished jurist and a potential Chief Judge of our Court of Appeals.

The appointment of Judge Weinstein to our Board of Trustees and admission into AALS are two achievements that must happen if our school is to rise from its present quagmire. I strongly urge it.

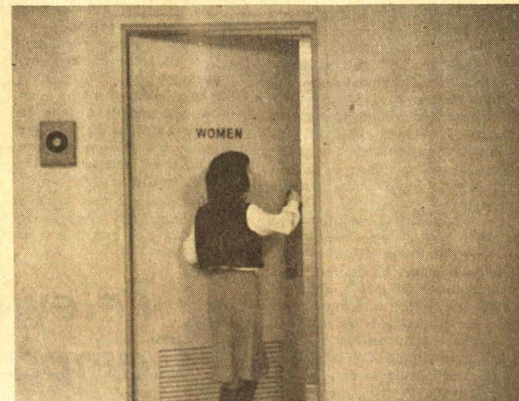
I would like to take the time now to wish everyone in the Law School a happy holiday season. Although I, as well as everybody else, realize that much of the vacation will be spent studying, may you enjoy as much of it as you can. I also wish everyone good luck of your finals and hope for an exciting second semester.

since certainly more attacks occur in elevators than in toilets.

2. I would like to be given shorter class hours so as to eliminate undue fatigue.

3. I would like to be brought hot meals during class breaks. I prefer Quiche Lorraine, but a sizzling steak is always nice.

4. I would like to be given a personal escort to and from school to protect me in the subways and on the streets. At the start of the



new term, I would need two escorts, one to protect me and one to carry home all my new (and terribly heavy) law books.

The above suggestions are, of course, a bit far-fetched. But so is the notion that it is to our benefit to cause us needless inconvenience "for our own good." The administration's paternalistic and (here comes that word again) chauvinistic regulation is based on a paranoid assumption that something dreadful is going to happen to us. I rather doubt it, and I'm willing to take my chances. Can't I be the final judge of whether or not I want to be protected?

Joanna Bukszan



## LETTERS

(Continued from Page 5)

go when there was nothing else to do. Its air-conditioned rooms were a comfort no matter what the temperature. And who can forget Mrs. Jurrow, our librarian, who acted like a mother towards us. So it is not so strange that many graduates suffer the agonies of withdrawal. For example, several found themselves wandering through the hallowed halls scarcely two hours after Dean Lisle made us all Jurist Doctors. And reliable sources have reported that two graduates showed up for class in September through sheer force of habit.

In such a frame of mind, I began to ply the trade for which BLS had amply prepared me. Or so I thought. It very quickly became apparent that 1,200 hours of being lectured at, several thousands textbook decisions, and countless No-Doz had little to do with the practice of law. Neither were the now-defunct television programs such as the "Storefront Lawyers" which misled many into believing that law need not be synonymous with the establishment. Poverty Law is definitely not the anarchist refuge that the Nixon regime would have us believe.

In 1968, during the height of Lyndon Johnson's "Great Society," the following myth about Legal Services was born:

"Young and idealistic lawyers doing their bit for humanity. They are talented and bright and not afraid to challenge authority or redress wrongs. Storefront lawyers are part of the new generation of involved, dedicated youth. Their enthusiasm captures the spirit of an exciting significant movement." In the next issue of the *Justinian*, I will describe what it's really like.

Edward T. Shalft

## GRAFTON

(Continued from Page 1)

was thrown into turmoil following the invasion of Cambodia and the killings at Kent State. All students were given the option of postponing Spring exams until after the summer. Grafton participated in the anti-war movement, representing BLS in the National Law Student Against the War Committee. In September, he took his spring exams and received a D+ average. The complaint contended that any student who took September exams tended to get lower grades; a direct retaliation against anti-war activists. Assistant Dean Gilbride served a "final personal warning" on Mr. Grafton.

For that Fall semester (1970-71) when Grafton was editor of the *Justinian*, he received another D+ average, including a failure from Prof. Hauptman's 3-credit tax course.

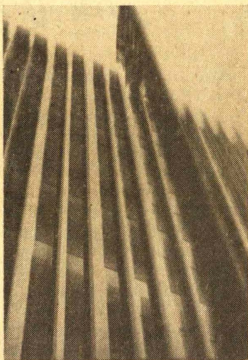
The complaint alleged that the taxation final was so constituted as to permit the professor to pass or fail whomever he desired.

On February 24, 1971, Grafton received a letter informing him that he was dropped as a student for the stated reason that he had failed to maintain the minimum required scholastic average.

Subsequent to their expulsion, the plaintiff's sought readmission. After a hearing, at which a transcript was taken, readmission was denied. They were also denied the right to see their examination papers in the course they failed on the theory that they were no longer students. After being denied readmission, the action was instituted.

In their papers, the plaintiffs alleged nine causes of action.

Eight were founded upon alleged deprivation of federally protected rights. The first four related to an alleged denial of due process in that (1) the school did not maintain sufficient written standards regarding scholastic achievement, (2) that the stated reasons for expulsion were too vague, (3) the



Defendant BLS

expulsions were arbitrary and had no basis in fact and (4) the dismissals were made without proper notice and hearing.

The fifth cause of action related to the Plaintiffs' rights of free speech and assembly. The next three causes of action alleged a denial of equal protection in that (6) students with poorer scholastic averages were not expelled, (7) students with lower weighted academic averages than Plaintiffs were readmitted and (8) students who were not "trouble makers" were not expelled or were readmitted although their grades were poorer than Plaintiffs. The ninth cause of action claimed an intentional tort resulting in a loss of ability to receive a law degree, emotional distress and "humiliation."

### Scholastic Standards

The scholastic standards as set forth in the 1969-1970 bulletin stated that,

at the end of each semester the faculty committee on scholastic standing, after reviewing the students entire record, determines whether the student who has failed to maintain the required C average may continue in school. . . . Students who fail to maintain a weighted C average, or who have received one or more F's, will be placed on probation and may be given a "final personal warning" making clear that they will be dropped from the law school unless they show marked improvement in the ensuing semester. A student who is on probation and who fails to achieve a weighted C average or who received one or more F's in an ensuing semester is subject to dismissal.

Plaintiffs assert that their respective cumulative averages were over a "C" (3.0) and that it was

not made clear to them that they must maintain a "C" average for each semester while on probation.

Assistant Dean Gilbride alleged that no one on probation who did as poorly as Plaintiffs was permitted to remain in the law school, and that no one on probation who received an "F" was permitted to remain.

The court failed to reach any question regarding the validity of Plaintiffs' cause of action. The major portion of the courts decision deal with the question of whether the Plaintiffs could seek relief in the federal courts. "Federal question jurisdiction" stated the court, "depends on whether there has been action depriving Plaintiffs of any federally protected right." The court continued by stating that the Fourteenth Amendment does not proscribe private action.

Plaintiffs relied on four theories to support a finding of state action: (1) that the State of New York is involved to a significant extent in the operation of the law school, (2) that the school performs a public function, (3) that the school is subsidized by the state government and (4) that since a lawyer may not be disbarred without compliance with the fourteenth Amendment due process rights, law schools are subject to a similar requirement before expelling a student.

To support these issues, Plaintiffs cited numerous instances where the law school has received direct aid benefits from the state; the rules for admission are mandated by the Court of Appeals; the schools charter is granted by the New York State Board of Regents; financial aid of \$400.00 is received from the state for each; and special consideration given to the law school when it acquired its present site at an auction at which it was the only bidder and conditions were imposed that were favorable to the law school.

The court rejected all of the Plaintiffs' arguments. Heavy reliance was placed on two recent Second Circuit cases, *Lefcourt v. Legal Aid Society*, 442 F.2d 1150 (2nd Cir. 1971) and *Powe v. Miles*, 402 F.2d 73 (2nd Cir. 1968). The court methodically sliced to shred the Plaintiffs' arguments. The decision strained to distinguish each case the Plaintiffs relied on. The clear holding — a private school no matter how close it may be tied to and with the state just does not come under the color of state action; a "private" law school can act with total impunity; the student is not protected under the umbrella of the First Amendment nor any federally protected right.

The court neither reached nor decided the Defendants alternative motion for summary judgment, thus leaving open for the Plaintiffs a possible suit in the home courts.

Mr. Grafton declined to comment on his next move until he has fully consulted with his lawyers.

## Television: A Campaign Tool

By ROBERT SLATUS

Never before in history has one medium, television, been so important in the election of a President, or the nonelection of a candidate. Nixon's victory cannot be seen as an endorsement of his policies as much as a repudiation of McGovern, for the Republicans did not sweep along with their party's presidential candidate.

Television is a cool medium; an

image of low definition but high in audience participation. The image portrayed must be blurry, without any fragmentation, and it must be left for the audience to sharpen the image for itself. Television, more than any of the other media, decided the Presidential election of 1972.

Many political commentators believe McGovern's credibility as

## ABA—LSD NEWS

By HOWARD KANE

Close to 400 BLS students joined the LSD this year making the LSD the largest student voluntary organization on campus. Three hundred students have joined ABA Sections indicating an interest in specialized areas of the law.

It is within these ABA Sections and committees that law student participation is presently being directed. The Law Student Division has appointed one student liaison to each of the ABA Sections and Standing Committees to organize student participation, distribute research assignments, and generally insure law students that their interests are being represented. These positions are very much of a diplomatic nature and therefore the LSD is looking for interested members, who are qualified and willing to invest some time towards the goals aforementioned.

Here is a list of some of the liaison positions that will be available during the next semester. If you are in your first year please note that you are in the best position to take advantage of a liaison position that opens. A student who applies should note that his acceptance will be predicated on his experience in the field of law, his academic work in that area and his ability to communicate with others. Of course, the Executive Board of the LSD realizes that a freshman may not have an academic record to rely upon to demonstrate their ability; so other considerations will be used in this case.

Here is a list (that will be announced nationally in late January) of the liaison positions that will be vacated during the next semester.

Legal Aid and Aid to the Indigent; Insurance Negligence and Compensation Law; Public Contract Law; Taxation Law; Young Lawyers Section; Administrative Law Section; The Section on Legal Education and Admission to the Bar; International Law; Criminal Law; Real Property, Probate and Trust Law; Anti-Trust Law; Natural Resources Law; Judicial Administration Division; Labor Law; and Patent, Trademark and Copyright Law.

I can not stress enough that these positions are excellent ways to meet the best lawyers in a particular area of the law, and that it is a fine way to help law students established programs of meaningful content sponsored by the organized bar.

Most of these positions are funded. There are approximately three meetings a year. For example, this year's meetings are being held in Chicago, Cleveland, Mexico City, Bermuda and Washington, D.C.

If you are interested and are or will be an LSD MEMBER, apply to Howard Kane through the SBA Office, or directly to the Law Student Division, American Bar Association, 1155 E. 60th St., Chicago, Illinois, 60637. A letter of intent as well as your resume is required.

a presidential candidate was irrevocably damaged by his handling of the Eagleton affair. McGovern was politically hurt by his efforts concerning his first running mate but not because he made what appeared to some to be a wrong decision, nor that McGovern changed his mind with a 100% turn and appeared unable to make decisions. The real damage occurred by allowing the T.V. audience (i.e. the voting public) to understand the issue in a clearly definitive manner. The Eagleton affair came across T.V. so badly for McGovern because television is a low definition medium and the viewers could no longer decide for themselves what the issue was as the Democrats made it clear on its face. McGovern thereby denied T.V. viewers participation within his campaign.

Nixon presented no such clear definite issues and the T.V. viewer was allowed to participate as fully as a voter had ever participated in a presidential campaign. The voter could define Nixon and his issues as each individual viewer perceived, in his own mind and his own way.

But perhaps the most decimating blow to McGovern's hopes to White House occupancy was the Democratic Convention itself. T.V. involves the watcher in moving depth but does not excite, agitate nor arouse the viewer. As McLuhan has stated, "it is a conglomerate mosaic mesh of dots; an extension of our tactile sense which reverses the literate process of analytical fragmentation of sensory life. In short, television rebukes the individual, fragmented action and adopts the hazy total complete image." The convention, with its highly definite images of women, youth, Blacks, Chicanos and other sharp loose fragments, turned off the viewer (rather than the viewer turning off the television set). That is where McGovern began to campaign on the defensive. He had to win the television viewing Democrats back, which he could not do because he did not

understand the medium Television.

Robert Kennedy for one understood the art of television campaigning, as he allowed for an interplay of the viewer's senses. Kennedy, in his Senatorial campaign of 1964, used music, moving images of himself with his family and short hazy political remarks in his commercials. McGovern's image remained still and he just spoke (arousing only the aural sense of the viewer) about clearly defined issues. McGovern campaigned with the religious frenzy of an evangelist against the Devil himself.

Above all, television carries charismatic dimensions to the characters portrayed upon it. The viewer is not interested in the real life of the T.V. character but only of his T.V. image. Nixon's T.V. image, remained throughout the campaign, not as a real living person but as that of the President.

McGovern should have stressed the weak performances of Nixon. Nixon never mentioned McGovern by name but chopped away at the malignancies in McGovern's clearly defined policies.

Finally, throughout the campaign, McGovern was a sharp intense image, irritating the viewer. The fact that he changed his mind so many times about his policies was not as damaging as the fact that he so clearly defined them for his television audience.

Nixon's image remained blurry and of shaggy texture, which is pleasing to the T.V. watcher. No one clearly understood the issues as Nixon presented them, but this allowed a deep participation of the electorate audience in the Nixon campaign.

President Nixon made remarks to the American people about the economy, the peace effort in Viet Nam and other matters that were secondary blurry, and of low definition. But it is a free country and that means that Presidential candidates are free to say whatever they want to the American people.



# Elephant's Donkey: A Look Back

By JON MILLER

## Part I

V. O. Key, the revered political scientist from Harvard, said of elections in his noted text, *Politics, Parties and Pressure Groups*, "Withal, over the long pull, elections in a democracy mark great turning points in public policy, express mass approval or disapproval of actions taken, set limits on the course of governmental policy and ratify the work of government or cast them into

ELECTION  
ANALYSIS

oblivion or dishonor". Had Key lived to partake in the forty-seventh general Presidential election in American history, one wonders how he would characterize its results within his analytical framework. Is there a discernable trend for either a party or point of view to be found in the flood of election statistics and the different personalities elected to, retired from or defeated in their bids for elective office in 1972? While the evidence is preliminary, the answer seems to be—No.

While there is little doubt that in pure statistical terms the Nixon Presidential victory was an overwhelming electoral landslide, other more subtle indices point to a very negative and more tempered triumph. Not since 1948 has a smaller percentage of Americans (55%) participated in a Presidential election (1948 was the year when Republicans, overconfident of a Dewey victory, forgot that George Gallop didn't pick the President). While the reasons for the voter apathy are complex and unquantifiable, it is apparent that the greatest factor this year was widespread dissatisfaction with both candidates.

Other theories normally advanced for voter non-participation don't seem to hold up under close scrutiny. Thus, while the polls continually created the perception of Richard Nixon as a sure winner after McGovern was nominated (seemingly analogous to the "sure winner" low vote of 1948), the same polls in 1964, when voter participation was considerably higher, showed the same for Lyndon Johnson after Barry Goldwater captured the Republican nomination. Yet, in terms of the alternatives presented to the voter this year, the circumstances of 1972's campaign were more like 1964 than 1948.

In a simplistic framework, the voter was conditioned to view this campaign in terms of the "clearest choice of the century", a supposedly issue-orientated contest putting

two irreconcilable political and social viewpoints against one another. As in 1964, the challenging candidate was labeled an extremist. Once again, bitter primary fights split the opposition party into ideological factions, factions unable to heal internal wounds after the nominating conventions. The identical issue permeated the discussions of both campaigns—which candidate could best win the peace (or the war) in Southeast Asia.

The "clearest choice" proposition is calculated to compel the electorate to choose beyond personalities, altering the voter perception of what, under ordinary circumstances, he sees as a Tweedle-Dee-Tweedle-Dum choice, transforming that choice into a clash between alternatives of an overriding nature in terms of fundamental policy and national direction. The average voter, if convinced that such a choice actually exists, will more likely be motivated to vote because of the expectation that his ballot will represent a point of view consistent with his own personal philosophy while at the same time rejecting a threatening and antagonistic viewpoint. Thus, one would ordinarily expect a higher than average turnout given the circumstances and policy differences of 1972.

Yet, while both 1964 and 1972 will historically be viewed as elections characterized by a great dichotomy away from traditional centrist politics, involving a liberal-reactionary choice on the one hand and a conservative-radical choice on the other, this election failed miserably to stimulate interest. Thus, the general perception of a Nixon landslide, taken in light of the fundamental philosophical differences between the candidates, cannot be seen as a major factor contributing to voter disinterest when compared to the Johnson victory of 1964.

Another factor suggested to explain the low voter turnout in 1972 is the recent enlargement of the franchise to include 18-21 year olds. Historically, newly franchised voters have tended to vote in lesser proportions than the entire electorate in at least the initial years of enfranchisement. Thus, in the 1920's, when women were first given the vote, electoral participation dipped to record low levels with more than half of all eligible voters failing to vote in the 1920 Presidential election. Yet, registration statistics prior to Election Day showed that 18-21 year olds registered in numbers at least equal to the electorate as a whole. While no definite analyses of the youth vote have been pub-

lished to date, the registration statistics plus additional factors correlating positively to increased voter participation (educational levels, for one, with the 18-21 age group having more formal education than the electorate as a whole indicate) that there is little reason for believing that newly enfranchised young voters participated in substantially fewer numbers than their elders.

If a lower turnout is not attributable to either George Gallop or the Twenty-Sixth Amendment and if fundamental policy differences failed to draw voters to the polls, then personal factors relating to voter distaste for the two candidates appear to offer the most viable explanation of why voters chose not to vote in such massive numbers. Certain factors lead to this conclusion.

In the most general terms, neither candidate had the charisma of a John Kennedy or the stature of a Dwight Eisenhower to excite the electorate and draw them out to the polls. Richard Nixon, having run twice before for the Presidency, garnered only 44% of the vote in capturing the White House in 1968. Never perceived by commentators as a well-liked personality by the electorate, his campaign was run to shield him from rather than expose him to the public view for fear of reviving recollections of the "old Nixon", the narrowly partisan, anti-Communist "hatchet man" of the 1950's or the bitter sore sport of the California gubernatorial election of 1962.

George McGovern, little known to the electorate prior to his nomination, gained real national recognition only in the most negative terms after the Eagleton affair, an incident which totally smashed his credibility in the eyes of many voters and tarnished any chance he had to make himself a viable Presidential alternative. While he did his best to articulate the policy alternatives presented by the campaign, people had already made up their minds that McGovern was generally inadequate for the demands of the Presidency and, except for his hard core supporters, refused to listen.

In quantitative terms, this analysis is borne out by the results of a *New York Times*-Yankelovich survey which asked voters to pick the candidate who was "more attractive". The results (Nixon, 33%; McGovern, 23%; unsure, 7% neither, 37%) indicate either a general disregard for both candidates or an unusually high degree of voter apathy, since fundamental issues in fact, did exist which had a personal impact on the average voter (especially the economic issue and the handling of wage-price controls), it is most likely that voters who chose not to vote did so because they believed that they had no one to vote for.

## Conversations on St. Croix

By JON MILLER

No man is an island unto himself; yet man in search of himself might seek out an island.

The poet couldn't understand what the adventurers knew nor did the dreamer ever imagine the solitude and sobriety which the ancient Mariner met on his excursion to lands afar. The old preach "reality" to the young for nought—it is scorned and rejected. For reality flourishes as good and evil, love and hate, beauty and desecration, the irony of life—a constant contradiction. It is their song of tomorrow, beckoning an elusive escape from the torture of today:

At a five room house, Thanksgiving night, four miles West of Christiansted on a wooded hilltop overlooking the quiet countryside:

Jon: How much rent do you pay?

Barry: \$400 a month

Jon: Well, what are you doing for support?

Barry: My partner Michael and I paint—everything from hotel rooms to the shopping arcade in town. It keeps us in the bread. It's easy and we make out all right because we do a better job than the natives.

Jon: What about school?

Barry: Oh, I graduated from SUNY at Buffalo and started law school there. I couldn't hack it—all rote memorization and few inspiring ideas. I dropped out and went for my Master's in English instead. Then, Debby and I came down here.

Jon: Why?

Barry: The American education system. It's all F--ked up. It teaches you one solitary value—respect for the God Almighty dollar sign.

Jon: How long will you stay on here?

Barry: Debby and I came down here to get away from all that. She teaches. I don't know when we'll go back. I don't know if we'll go back.

"For everything there is a season, and a time for every purpose under heaven:

A time to be born, and a time to die;

A time to kill and a time to heal;

A time to break down, and a time to build up;

A time to weep and a time to laugh;

A time to mourn, and a time to dance;

A time to cast away stones, and a time to gather stones together;

A time to keep silence, and a time to speak;

A time to love, and a time to hate;

A time for war, and a time for peace . . ."

Ecclesiastes 3:1 (B.C.)

The Byrds (1964)

On a sloop headed towards Buck Island, an untouched National Park and seashore, the ship surrounded by the turquoise carpet of Caribbean beauty, the coral reef below beckoning sightseers to behold an untouched underwater paradise, not a motor boat to be seen, not a whisper to be heard:

Jon: You've come here to get away from it all. But what about what you've left—the pollution, the noise, the racial crises, the quality of life at home? Do we all go to Hell?

Chris: (Catching a glance at the sign posted above the head: "Thou shalt leave one's troubles ashore.") Must we talk about this? (Of the three, she's on leave for a year before returning to Penn State for her Masters).

JoAnn: (On vacation):

I just got sick of working in an office situation. I felt more like a number than a person. I'll have to go back there (Albany) to work but only to raise enough money to get away again.

Jon: What did you do before this—after graduation?

Caroline: (A teacher on vacation) Gale and I went cross country by car. We had bikes with us. This summer we're off to Europe. We all worked together at the Jersey shore for a number of summers. It's the best and nature—both people and surroundings.

The houses nestled in the hilltops, the quietude of the early morn, surf pounding at the door; Isaac's Bay secluded between two hilltops, alone in all its grace and glory to be found by unexpected explorers—the easternmost point of America left untouched since Columbus first beheld its majesty some 479 years before.

"Whisper words of wisdom, let it be, let it be . . ."

Lennon and McCartney

Richard Nixon received 60.8% of the popular vote, carried 49 states and received 521 out of 538 electoral votes. Yet, because of many of the factors mentioned, his reelection is a question mark with regard to formulating its place in Key's descriptions of what elections are. Other, more specific analysis will point up a

real shallowness in the Nixon victory, one best characterized by Arthur Krock as the "Unmandate". With one possible exception (to be discussed later on), this election will neither be viewed as a smashing affirmation of policies pursued nor a decisive re-alignment of party power in America.





# SEASON'S



## Holiday Greetings

*Prof. Hahl and Mrs. Hahl and family extend their sincere best wishes in this holiday season to all members of the BLS family.*

*(Prof. Hahl)*

\* \* \*

*To the distinguished students of BLS best wishes for a Happy and Healthy Holiday Season and a happy examination season and a good NEW YEAR.*

*(Prof. William Herrmann)*

\* \* \*

*A Merry Christmas to all, and to all a good year.*

*(Prof. Farrell and his whole family)*

*Carol, Thomas, Richard, Sean, and Christopher.*

\* \* \*

*May all your gifts be vested and all your wishes be contingent until you jump over the Empire State Building.*

*(Prof. Schenk)*

\* \* \*

*Peace*

*(Prof. Milton Gershenson)*

\* \* \*

*Best wishes in perpetuity.*

*(Prof. Meehan)*

\* \* \*

*To all you definers, rulers, appliers*

*Yea, even to you who are whyers,*

*To those who are firmly for the plaintiff*

*And those quite convinced it would be quaint if defendant did not succeed.*

*To those who must spell what others read*

*Lost among the loquiturs*

*Best wishes to you and yours*

*(Prof. Nightingale)*



### STUDENT FACULTY TEA

The Student Bar Association held a student-faculty tea from 2:30 to 5:30 Thursday, December 14. Originally a Christmas Party

had been scheduled, however it was felt that due to the pressure of forthcoming examinations, a belated Christmas Party would be more appreciated post finals time. At the tea, a wide assortment of

pastries was served — close to 80 lbs. were purchased. Though there were some complaints as to why there was not "more" cake purchased (how much more than 80 lbs.) all agreed that the food was

excellent. In fact BLS students cut a new record, they went through the entire quantity of food within a half hour! Whoever said law students can't eat?

HF, JT



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# Happy Finals!

