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Cleveland-Marshall College of Law

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January 30, Hotel Cleveland-Sheraton.

Gov. Michael DiSalle will be the guest speaker at a dinner-dance and program sponsored by the Cleveland-Marshall Delta Theta Phi Fraternity. The guest list includes Judge Lee E. Skeel, Dean Stapleton, Judge A. Day, Judge A. Pryatel, and other prominent personalities. Dinner will be served at 7:30 in the main ballroom and will be followed by an evening of dancing with music supplied by Marty Conn and his Band.

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All wives of students who are interested in organizing a law wives' club, are invited to a

TEA

SUNDAY, FEBRUARY 28th

at 1:00 o'clock

at the School

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GUEST SPEAKER: Dean Stapleton
TEA POURERS: Faculty Wives

Plans will be made for future programs and for a permanent organization.

This is going to be strictly for the wives, and all ideas and future programs will be decided by them.

Editor's Note: In recent issues, "The Gavel" has had articles discussing your legal education. This series continues with a thought-provoking article by a freshman. George Kraft is an editor of the internationally famous journal of contemporary ideas called Polemic.

A QUESTION OF PURPOSE
George Kraft

The night school student faces the problem of determination more than any other type of student; determination being the aggregate of motives and intentions which seek to propel one toward his goals. The question: Does the quality of the propellants have any significance?

You who call yourselves "students of the law" should have a well formulated idea of what elements your purposes are made. You are subjected to many more pressures and tensions because you are a night student and because by nature your profession is demanding. The nature of this situation demands evaluation.

Immediate rewards?

Do we formulate our purposes merely in terms of success, immediate financial rewards and prestige, or are these things second-hand by-products of our accomplishments? The study of law, like any other type of graduate education, has as its unique potential an intellectual training - the awakening of the whole man. The moment that a legal education signifies rewards, success, money, social status and specialization, at that moment the State has triumphed in America, for specialists thriving on these motives can live only in human society as they live in the societies of the insect (Continued on page 5, column 1)
Voting: Past, Present and Future

by Gene G. Danoff

Editor's Note: The eyes of the World are on the American Political Scene. This and future articles will dwell on political developments.

As 1960 is a year of presidential selection, political writers will seek to tell all citizens of the importance of their individual vote. The "importance" placed behind the writings of many of the political writers will be to seek the election of the candidate(s) which their publications, group, or party favors in office. Is this the only importance that should be given to voting? We think not. Therefore, let's look more closely at this thing called voting.

Voting may be defined as a procedure whereby group decisions are made on the basis of choices exercised by individual members of a group. The individual member may be asked to make a choice between candidates for a certain office, for or against a certain measure in a referendum or on the floor of an office, for or against a certain measure in a referendum or on the floor of a legislative body, for or against a party in litigation, or in one of the countless other situations where a selection is necessary.

Voting is one of the ways for a group to organize itself and make the decisions necessary for its continued existence. These decisions will reflect any change in power relation within the group - only if the group represents its members. The essence of voting is the freedom of choice. Therefore, if the members of the group merely ratify the actions of those in power, the procedure is meaningless.

Voting involves making formal decisions, but prior to making these decisions certain rules must be laid down. For example, we know that unanimous consent on all choices presented to a group would produce stagnation. Picture the Eisenhower administration asking the voting population to vote on the new budget. Only on a 100 percent vote in favor of the budget can it be accepted. Ridiculous? Yes, but it serves to prove that any free government, legislature, or judicial body must usually rely on majority rule. This acceptance or rejection being made without threats of reprisals or violence.

A second rule necessary to the essence of the vote is that the occasions on which the right to vote is to be exercised must be recurring. It is on this point of a recurring vote that we have presidential elections every four years, senatorial elections based on a six-year term of office, and other elections of federal and state officials with the various terms of office. If the voters were not periodically able to reaffirm or reject their confidence in an official or group, their right to vote would have again little meaning.

A third rule is that the election be conducted without violence and the results of the voting be accepted peacefully. Let's look back to the year 1935. The election in Spain was decided by the voters in one way. A rightist party did not like the results and a civil war resulted. General Franco has been in power since then.

(Continued from column 1)
LEXICON
by
Peter Roper

Over the years, the English language has taken its share of twists and turns, so that even the meaning of certain words has undergone a change. Here are some examples:

SPOUSE Originally a spouse was a woman promised in marriage. It is derived from the Latin spondere (to promise). The word is used in its purest meaning when we say that a couple are espoused, i.e., engaged.

HUSBAND The Anglo-Saxon hus was a house, and bondi was Norse for a freeholder, and thus a husband was the head of a household. In its true sense, a man could be the "husband" of his mother, or sister, if he was the head of the house.

SAD In its original meaning it stood for firmness, resoluteness, steadiness. For example, Luke VI, 48 says "It was founded upon a rock." An old English Bible reads, "It was founded on a sad stoon!"

In each column, we try to get in a point of grammar. This time we take to task the word "irregardless." There is no such word. It is a redundancy, in that the prefix "ir-" and the suffix "less" are equal in meaning, i.e., "without." The misuse of the word "regardless" is probably patterned after "irrespective," according to Dr. Bergen Evans.

LETTERS TO THE EDITOR

To the Editor:

Is it proper for the Gavel to have a politically partisan editorial policy? Or is a school publication's role more appropriately to serve as an open forum for the expression of student ideas on controversial social questions, with equal space being made available in the same issue for diverse viewpoints?

These questions are brought to mind specifically by the last issue's reprint from Steel magazine of an article by ex-representative Fred Hartley, co-sponsor of the Taft-Hartley Bill.

If the editors of the Gavel feel that a political issue is important enough to their readership to merit comment, they should write their own editorials, not solicit or reprint articles from outside of student ranks. The Gavel shouldn't be a paper with a definite viewpoint which, because of its liberality, permits those students who differ with it to use its columns to answer. It should be an impartial publication aiming to provoke thought, which can be done best and most fairly when both sides of significant social questions are printed in the same issue.

Esther Weissman

Dear Sir:

To one passing by our edifice dedicated to the instruction of laymen in the mysteries of the Law, it must appear that making of smudge fires is a necessary requisite to the solving of these mysteries. Little does he know that such an absurd conclusion is evolving into a qualification which we neophytes must have in order to establish more further truth and justice! For this we must thank he who discovered that uningratifying substance known as TOBACCO. Should our friend take it upon himself to enter our educational establishment he would discover, after trudging through the mounds of discarded smudge-makers and their by-products, lecture rooms and a library filled with students trying to out-smudge, rather... out-smoke, each other while becoming enlightened with regard to the Law. And should he prove to be observant (heaven forbid!), he might discover the scientific (Continued on page 6, column 2)
CASE IN POINT

ALWAYS ON THE JOB: A man arrested in New Haven, Conn., on several charges of theft and burglary admitted one of his victims was a superior court probation officer, Kathleen Crowley. He said he took $65 from her purse while reporting to her.

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WHAT'S IN A NAME: Denver police held a 40-year-old man on charges of trying to drive his car through a stone fence while intoxicated. The man's name: John S. Stonebraker.

* * * * * *

NOW HE KNOWS: Jimmy B. Carroll, a Michigan jewelry salesman, was arrested on robbery charges in New York as he entered a theater to see the movie, "To Catch a Thief."

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REAL SNEAKY: Out in Kansas City, Mo., someone stole a safe containing $2,000 from a lighted grocery store and replaced it with a cardboard box painted to resemble the safe.

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FROM PAPER TO POWER

The author of "From Paper to Power" has omitted his article this month because there is an outstanding article which appears in the Saturday Evening Post that sums up more adequately the purpose for which the article was started. This article is "Backstage at the Supreme Court," by Paul F. Healy, and appears in the January 2, 1960 edition.

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FRATERNITY NEWS

by
John Vamis

All Brother Delts join fellow Marshall students in looking forward to the gala Dinner-Dance on January 30, at The Cleveland-Sheraton Hotel. This event promises to be a truly memorable occasion as the student body prepares to greet the various dignitaries and share with them a planned program of relaxation, revelry and reunion. Highlighting the program will be an address by Brother Delt, Governor Michael V. DiSalle. It is, of course, unnecessary to point out to the married students the magnificent opportunity afforded to get into the good graces of that ever lovin' but oft neglected distaff by s-t-r-e-t-c-h-i-n: the budget to include the bargain tariff: of - and we repeat for one more time - only $11.00.

At the executive meeting held January 5, Dean Lick expressed the hope that his term would be as successful as that recently completed by Brother Moran. To that end, he charged the present office: with diligence and activity equal to or better than the excellent record established in the past. These newly elected officers for 1960 are:

Dean Fred Lick, Jr.
Vice-Dean James F. Kilcoyn
Clerk of the Rolls Edward J. Ryska
Clerk of the Exchequer Gene G. Danoff
Master of the Ritual John Vamis
Bailiff Albert K. Oberst
Tribune Paul S. Sanislo

To further implement his program, Dean Lick made the appointments of Committee Chairmen as follows:

Parliamentarian Peter Roper
Social Chairman James W. Jackson
Welfare Chairman G. L. Kraft, Jr.
House Committee (John B. Collins (Joseph Anfang
Publicity Chairman George Joseph

At the executive meeting a tentative schedule of meetings was drafted which conforms closely to schedules of the past. The projected schedule provides (Continued on page 6, column 1)
A QUESTION OF PURPOSE (Continued from page 1, column 2.)

world, by composing together a swarm or hive or hill.

Pray tell, what then?

The best lawyer today is not that man whose training has been limited; it is not the production of the half man, the man of single competence, the man, awake only when his special skill is exercised. True, a legal education leads to specialization, but must at the same time integrate many other fields of thought and experience. Its purpose is to make you free of the world in which men think about and understand many things.

Why understand?

Men cannot live in ruts in America, not as long as America remains itself. Shall we pursue our field of study for the purpose of getting ready to be merely a servant, or shall we learn for the purpose of getting ready to be a master adventurer in the field of modern opportunity. The man of only special competence is always a servant and inevitably leads to becoming the servant of a State. Unless the process and purpose of education is appropriate to the community, unless it is the community's projection of itself into the future, it is not education but conversion or assimilation.

Who, us?

Why do a great many law students withdraw from school? Is it only because their aptitude is not particularly adapted for studying law? No, they are being tortious unto themselves. When men have the potential but not the substantiating determination to learn under duress, the more elementary lacuna is an adequate philosophy. This is not restricted to law school, but applies to life in general.

Is civility enough?

Thomas Jefferson said that "If a nation expects to be ignorant and free (Continued next column)
in a state of civilization, it expects what never was and never will be." By testing the proposition against our own time, we must conclude, that, while ignorant nations may remain free if uncivilized, and civilized nations may be enslaved if kept ignorant, the surest safeguard against either fate is an education that contributes simultaneously to knowledge, freedom and civilization.

This is law school?

The intrinsic value of our education is not based upon cant or custom, but rests upon our own experience. Barriers of our own making, unjust pedagogical procedures, state laws and organizational policies that should be amended, these are the working grounds. This dispensation is yours if you are the master of your will. These attitudes alone can question the purpose and continue with quality from evaluation.

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The other half .......

John Fulton, a freshman, overcome by the Contracts course completed a marriage contract in December. Jean McIntyre is engaged to be married. Various C-M personalities viewed other parts of the world. Don Harrington spent some pleasant moments in Sweden, Robert and Rita Loew tried their luck with the Swiss Alps. (damnum absque injuria) John Westropp and Chuck Delsantro conquered the Boyne Mountain skiing lodge. Joan Holdridge travels west to the Law Review Convention in Denver, Colorado. Predictions more marriages and several C-M students to try their good fortunes in the political scene. The fine articles in the C-M Law Review will get national recognition. (Grand work C-M students ......)
FRATERNITY NEWS (Continued from page 4, column 2)
for Friday meetings with alternating business and social functions. Plans are being made to obtain interesting representatives from the legal profession as principal speakers at the social meetings. One of these speakers at a forthcoming social will be Mark McElroy, Attorney General for Ohio.

At the business meeting held on January 8, Co-Chairman Russ Sherman and Pete Roper presented their final plans and current progress reports on the Dinner Dance. Brother Tom Murray, Chairman of student tickets, reported that a great number of tables already have been committed by ticket reservations. The Fraternity gave Brothers Sherman and Roper a standing ovation for their efforts towards making the Dinner-Dance a successful venture.

On January 16, a delegation of officers and members attended the Alumni Tom-and-Jerry Party at the Cleveland-Sheraton Hotel. They thoroughly enjoyed the fraternity and hospitality extended by this venerable group. A featured order of business was the presentation to Judge Joy Seth Hurd of an honorary lifetime membership to the Alumni Senate for distinguished service.

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STUDENT CONGRESS REPORT

STATEMENT OF INCOME AND EXPENSE

INCOME:
Cash Balance from Last Year $136.39
Received from Administration 830.00
Income from Open House 320.75
TOTAL $1287.14

EXPENSES:
Membership Fee ALSA $20.00
Student Directory 122.78
Gavel 37.50
Open House 432.15
TOTAL EXPENSES $612.43

TOTAL CASH ON HAND AS OF 1/8/60 $674.71

LETTERS TO THE EDITOR (Continued from page 3, column 2)
facilities for removing the aftermath so earnestly created. But then, the thickness of the haze surrounding the contestants probably would prevent him from realizing that these facilities were used more for the purpose of achieving an homogenous distribution of the smudge, instead of its removal.

Do you think our friend would be disappointed if our need for this ability were discovered to be of little or no value? Perhaps we who object should inform him that contributions to abate the nuisance would be appreciated, since we have been informed that funds for this purpose are lacking!

Sincerely,

Lou Sing Smudger

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( Editor's Note: Someone complained to the Cleveland Fire Department about smoking in the classrooms. An inspection was made on January 25th. Dean Stapleton is now awaiting an interview with the inspector for more details on the restricted areas.)