Hoooray!!!

Hooooray!!!!
It's Another
Issue of
THE GAVEL!!!!

Articles On:

Jobs, Jobs, Jobs
Thighs, Abdomens & Gluteii
Book Review
Eleanor Norton
Bar Exam
Dorothy Fuldheim
Alumni Interviews
Bozos
AWACS
Plaid Skirts, Clowns
and Tack at CWRU

Mario's woman cheers on C-M to victory. See pages 12 and 13.
The lovely young woman in the above photo is our typesetter, Irma Schaeffer.

While it would be easy to dwell on her obvious physical attributes—I always appreciate a woman with talent—instead we shall ever so briefly reflect upon her competence, sensibility, diligence, and reliability; qualities so rare in women regardless of their academic achievement. Add to these virtues an unaffected affability and humor and you may then deduce that she is indeed a remarkably gifted and decent young lady.

She started to work for The Gavel just after I did. She showed me how to paste-up and layout a printed page. Knowing what preceded her (utter incompetence) and dreading what may erupt from the bowels of hell for some federally funded project, I think it proper on the eve of my lachrymose departure that I express, on behalf of all who made her suffer with unending polemics, terrible typewriting or horrific handwriting, that while our appreciation in the last year without our who loved that selfsame individual. As one example, Prof. Samuel typesetter, Irma Schaeffer.

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**Bitchin’**

By John G. McCarthy

In recent years, I have seen a proliferation of public restroom facilities designed for the use of the handicapped, but I have never actually seen a handicapped person make use of such facilities. Similarly, I have seen parking spaces set aside for the handicapped, but I have never actually seen a handicapped person using such a parking space. I have no doubt that the crippled use these amenities, from time to time, although I wonder if they are used often enough to justify the expense. Maybe I should not be worried about the expense. Nonetheless, I find myself wondering about the modification of curbs to enable wheelchairs to gain access to public sidewalks. According to a reliable national news source (not “The Ear,” Janet Cooke, or anybody else at the Washington Post), blind people use curbs as a signal, perceived through the use of a white cane, in order to warn themselves about the location of a street. The modification of curbs into ramps in order to accommodate wheelchairs has led some blind people to wander out into traffic, at public expense.

I once knew a medical professor at Case Western Reserve University who dealt heavily with the problems of the crippled. She told me something that has to be the most ironic thing that I ever have heard in my life. She told me what the worst problem faced by handicapped people was. What was the thing that caused them the worst pain? Was it the difficulty that they faced in getting from place to place? No. Was it an economic problem caused by a diminished earning ability? No. The single worst problem faced by handicapped people, she said, was that they did not have the physical appearance to the rest of society. We might blame God, the Devil, or fate or whatever for the problems faced by the handicapped, depending upon our religious persuasion, but the fact of the matter is that we are the real source of their principal problem. The least expensive thing that we could do to help the handicapped wouldn’t cost us a dime as a nation, and it would be the most effective thing that we could do.

The best thing that we could do to help the handicapped would be to treat them as we ourselves would like to be treated, if we were in their position, and to stop staring at them.

*Continued on page 6*

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**Bitchin’**

By Alan Rossman ('81)

This is an open letter about the Bar Examination.

There is a contrast which is less ironic than it is saddening. It is said that a profession which perceives itself as both noble and honorable should make its final hurdle before admission to its lofty ranks, so downright degrading. The Bar Examination is so thoroughly a negative deprecating experience that is at best an academic exercise to find sufficient redeeming justification for its continuance.

What is at stake for any individual is substantive. Financially, figure tuition, books, etc for three or four years of law school. Figure three to five hundred dollars for a Bar Review course. Figure travel, room and board for three days and nights in Columbus. Figure the low wages paid for clerking jobs held by those who must attend night school. Figure the costs of day care or babysitters. Figure increased grocery bills for frozen foods of the T.V. dinner genre because school ends about nine-thirty p.m., and its too late to start making supper. Figure a lot more.

Time-wise, figure too-many-to-count hours of preparation for and attending classes during three or four years of law school. Figure a plethora of hours preparing for the Bar Exam. Figure giving up the summer as far as serious socializing goes. Figure spending less time with children, spouses, and family. Figure three days in Columbus. Figure many hours being too burned out to do anything but watch T.V. at a Leave It To Beaver level (God bless mental mouthwash). Add copious hours sitting doing nothing but dwelling on the Bar Exam. Colloquially, figure being wasted and vegetating a bit. Figure much more.

As for anxiety and other degrees of psychic tension, figure that what’s on the line is your financial and time investment for three or four years of schooling. Figure your future aspirations, your career, and the getting-on-already-with-the-rest-of-your-life. Figure a respectable salary. Figure a sense of well being and accomplishment. Figure a sense of pride.

This is something of what is at stake.

On a simple, you-pays-your-money-and-takes-your-chances rationale, I accept all the above as part of the deal which accompanies one’s commitment to the law profession. The sacrifices come with the territory, so to speak. What I do not accept is the loss of dignity for having made all those sacrifices. This is a serious claim, so let me explain.

*Continued on page 6*

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**And More Bitchin’**

By Michael G. Karnavas

In the October, 1981 issue of “The American Lawyer,” Leah Rozan displayed her keen sense for the obvious when she concluded in her article Not-So-Great Expectations — Looking for a Job after Cleveland State, that graduates from the middle-of-the-road law schools have harder time finding jobs with the top firms than graduates from the top schools.

Ms. Rozen’s revelation is neither new nor frightening. Even an imbecile realizes that the top law firms are seeking graduates from the top law schools. Of course, the very top C-M students will get an opportunity to interview with these firms, but only a dozen really have an honest chance. The rest of the C-M students will find jobs with federal agencies, local judges or small to middle size firms.

“Students interviewed by Ms. Rozan sang some sour if not bitter notes, but at no time did they malign C-M. Again, this is not surprising. The education provided by C-M is quite good as well as inexpensive. Furthermore, the placement office, although very limited on resources, does a better than adequate job on placing C-M students. According to Nancy Goldman, director of the C-M one and one-half person placement office, C-M’s “placement service is comparable to other law schools of similar size but the body count is down.” Currently, C-M’s placement office is terribly understaffed. Clerical specialist, Mary Jo Quartermaine, represents the other one-half person the placement office. When Mary Jo is not setting up interviews, looking over someone’s resume, giving tips on interviewing techniques or lending her ear to some weary student (often myself), she is working for financial aid — the other half of the her job.

According to Nancy Goldman, the placement office desperately needs more staff. Her position calls for extensive public relations work outside the office. Her main objective is to place C-M students with the small and medium size firms which incidentally, do not recruit during the interviewing season. Unfortunately, Nancy can only lend 20-30% of her time for this task, since she is also required to counsel students for jobs, help students with their resumes, and perform other day-to-day menial but necessary tasks. The lack of placement staff becomes more apparent when C-M is compared with Temple University, a law school of similar size, which has a placement staff of eight persons.

*Continued on page 6*
"I'm famous for very short introductions."

"I'm waiting to be hired as a political advisor."

"National Democratic Party: I hardly knew they existed in twenty six years."

Vanik speaks at C-M

"What you save in taxes, you could spend to buy a gun."

"Legislative intent is... a choreography... a mischief..."

Student is impressed!

"We find the defendant guilty, the lawyers incompetent, and the judge pompous."

"We the jury award the plaintiff all the gold in Fort Knox."

PAGE 4
Judge Markus Deflates Harvard

By Karen Kilbane

Attention C-M students: You would be getting better grades at Harvard. According to former C-M and Harvard professor, Judge Richard M. Markus, Harvard has greater grade inflation. Their average grade is B plus while C-M's is a C or C plus. Fifty percent of the Harvard students have a 3.4 or better while only the top ten percent at C-M are over 3.4.

Markus said the Harvard undergraduates suffer this same situation and the 73 percent graduate with honors. In fact, it is a greater distinction to graduate without honors. He explains the Harvard attitude is "we grade better students who naturally deserve better grades." Harvard students compete against other schools, not amongst themselves.

The basis for this grade inflation is the arbitrary standard for admission. Harvard has a higher standard and tends to assume this admission standard is infallible. Once a student is admitted, the school affirms its good judgment by giving higher grades.

"Though few schools will admit it, there is a recognized formula for admission. The presumptive admission level is based on the grade point multiplied by 200, plus the LSAT score. That one number is given considerable weight though not necessarily controlling. At C-M, that number is probably around 1235 (3.1 x 200, plus 615) and approximately 1400 (3.5 x 200, plus 700) at Harvard," said Markus, though he cautioned that not all schools follow this formula.

Markus said schools assume the reliability of these numbers though they don't take into account overachievers or underachievers.

"To say that on the average, students are better at Harvard is misleading. Clearly some at C-M are better than the average, and some at Harvard are too," he said. "The attitude is part of the prestige school mystique. Because of the high admissions standard, there is a presumably higher quality of instruction and a presumably higher quality of education. These presumptions fall down when performance is not up to par. Students are encouraged to believe these presumptions. The presumptions are self-perpetuating. Employers and employees encourage them."

Markus recalled when he was a student in the early fifties at Harvard Law School, students in the top half of the class were entitled to a deferment. The law school simply said every member of the class was in the top half. An attorney since 1953, he was involved with civil litigation until becoming a Common Pleas judge. He is currently an Appellate judge. His teaching, which began at MIT while he was attending law school is more of an avocation rather than a vocation.

He taught just about everything at C-M on a part-time basis for twenty years. At Harvard, he taught mainly litigation for a year. Since he was able to see the grade curves of other professors, he felt it unfair to the students if one professor didn't conform. According to Markus, litigation is sort of a disfavored field at Harvard. "So-called prestige schools tend to steer students to particular kinds of practice. The favored kinds of practice are Wall Street firms, academics or corporate law," he said.

Since half of the Harvard class has a job commitment before they begin their third year, many faculty complain the students have no incentive to produce. Markus cited an example of a student who appeared one morning to deliver a required assignment that was ten weeks overdue and to pick up the take home final exam. The student told Markus he never came to class because he couldn't get up at 9 a.m. When Markus asked him what would happen next year when started working, the student said he would have to change his whole lifestyle next year but it was not necessary to adjust now.

About fifteen minutes later, the student called Markus asking where he could get a copy of the book needed for the exam. Markus told him it was a required text for the course and could be obtained at the bookstore.

Markus is a man of strong opinions who attributes his success as a teacher to the fact that he followed his brother, a college professor's advice and "talks loud" in class. He believes the bad press about lawyers stems from the nature of the work. The legal field is the only field founded on controversy. Because lawyers provide substantial leadership in government and business and are often economically successful, there is less public acceptance based partly on jealousy. He wishes the ethics course would change its name because it does not teach morality. Rather it is a course designed to give students insight into situations where morality is relevant and would be better named as a course in the law governing the legal profession. He believes the bar exam is a governmental response to the reluctance of law schools to decide which students are qualified and which are not.

He is glad to be back in Cleveland though he found the general population in Boston has greater local pride. Both Boston and Cleveland have first and second-rate facilities but the difference is that Bostonians generally recognize that their second-rate facilities are better than anyone else's. Clevelanders suffer an inferiority complex, he said, and apologize for even their first rate facilities.

The next time a Harvard graduate snubs his nose at your C-M degree, sympathize with the poor chap because he has quite a cross to bear. Not everyone can attend C-M. Even if he did, he would probably be at the bottom of the class. Your 2.5 point average probably conforms to a 3.5 on the Harvard scale.
Bar Exam Bitchin' Continued from page 3

It can happen at a couple of levels. The most obvious is the Bar Exam itself. As an indicator of one’s knowledge of the law it has always been open to debate. I have problems with it. One example. In 1972 the Multistate Exam answers were not published. Both Nord and Rossen Bar Review courses used this exam as practice and thus drafted their own answers to the questions. In more than an occasional question both Nord and Rossen arrived at different answers — the distinctions between the choices were so fine, even lawyers couldn’t see eye to eye. Bar Exam advocates will tell you that when these questions occur and there is a deep split in answers selected on the examination, either both answers are considered correct or the question is thrown out. Something like that happens. These individuals miss the point.

The point is, when questions are designed with choices that close to being correct, you sense that what someone is really trying to do is fool you, trick you into the wrong answer; lead you down a truly jaded path running deep into a world that courts intellectual ambivalence. There is something too game-like about this. Too chancey. Makes you think that just maybe those who design the questions have gotten too distant, too out of touch with their up and coming colleagues. Perhaps they fail to see themselves in the place of those they would adjudicate. This is always an unwise practise and one can’t help but wonder whether it explains much about the Bar Exam. When so much is at stake one shouldn’t have to wonder.

Add the element of time pressure to the above exercise then try to believe that this is a heavily weighted factor used to deny someone a livelihood and career. It is degrading both to one’s past efforts and future. Those individuals miss the point. The real answer is much simpler, and it lies with the handicapped themselves. There would be no more effective way to make a person look like a complete ass than to have a crippled person tell him, especially in front of other people, that it is impolite to stare. And yet I have never heard crippled persons do this to anybody. Why not? Have we given them the idea that it would be improper? If we have, we ought to reverse our gears.

The crippled have a right to voice their resentment when people are rude to them, just like everybody else. But they have to go to unfamiliar Columbus, stay in an unfamiliar hotel, sleep in an unfamiliar bed, sit in an unfamiliar auditorium basement with a huge crowd of people and do your best to relax. Cleveland houses two law schools and one really wonders why the Bar Exam couldn’t be administered locally. The point is that one feels that one’s future career rides on an exam designed to be taken under the most unsettling conditions possible. With that much at stake you would think the powers that be would try to make the Bar Exam as comfortable as possible. But alas, of course, they really don’t care one way or the other. Everyone goes through it. Just don’t ask me to respect it. I do not.

The second point is this. Figure all that is at stake. That’s enough “angst” already. But you have to go to unfamiliar Columbus, stay in an unfamiliar hotel, sleep in an unfamiliar bed, sit in an unfamiliar auditorium basement with a huge crowd of people and do your best to relax. Cleveland houses two law schools and one really wonders why the Bar Exam couldn’t be administered locally. The point is that one feels that one’s future career rides on an exam designed to be taken under the most unsettling conditions possible. With that much at stake you would think the powers that be would try to make the Bar Exam as comfortable as possible. But alas, of course, they really don’t care one way or the other. Everyone goes through it. Just don’t ask me to respect it. I do not.

Despite this problem, Nancy and Mary Jo manage to provide placement service for all students, whether they be at the top of their class or the bottom. Nancy says that during the last five years, the perception of C-M graduates in North Eastern Ohio has been positive. This improvement in C-M’s reputation is largely attributed to Dean Bordenboy’s constant lobbying. According to Nancy, the Dean has been very active in promoting C-M and its graduates.

The placement office undoubtedly should be commended for its excellent work, however, some suggestions for improvement in service are in order:

First, the placement office is in dire need of a larger staff, more space, a copy machine and even a word processor (for the purpose of keeping students’ resumes on a memory bank). The financing of these needs could come from various academic trust funds. With a little creativity certain trust funds could be channeled to finance various academic programs in order to free other funds for the placement office.

Second, C-M could change into a co-op law school. North Eastern University has been very successful with this type of legal education. The objective is for law students to work within the legal community. While in law school this not only provides students with practical application of the law, but it also gives them exposure to the legal community. According to Nancy Goldman, the biggest burden the C-M graduates face in finding jobs is getting through the door. However, once a C-M graduate has been hired, most firms have been surprised and impressed with them. The co-op program would provide the exposure C-M students need to eliminate this obstacle. According to Associate Dean Jean Lifter, the C-M faculty has approved the co-op in principle, but the Dean has not reached a decision. Of course, the ultimate decision lies with the University officials.

Third, the C-M alumni should take a more active role in helping C-M graduates find jobs. The C-M graduate class of’80 has been active in a new program called “New Graduates Division of Alumni.” The function of this program is to help C-M graduates get jobs. This program has a lot of potential, but it is too early to determine any results. Nonetheless, this program would have greater success if the entire C-M alumni would get involved.

Fourth, the C-M students should take advantage of all the services provided by the placement office. According to Nancy, many students are not aware that C-M is a member of the National Association for Law Placement, an organization which provides reciprocal placement service with other member law schools all over the United States. This allows students who intend to practice in other areas of the country to set up interviews through member law schools in those areas. The placement office also has a master list of C-M alumni. Students wishing to practice outside North Eastern Ohio are urged to consult with C-M alumni in the areas in which they are seeking employment.
The Bar Exam was such a negative experience that the feeling at its completion was only relief. Relief that the whole ordeal was over. Not happiness, not a sense of self worth or great self accomplishment. That's too bad. It seems that's the very least you're entitled to.

Now that it's over, I can't help but feel a little lucky that it doesn't have to be repeated. And maybe this is the crux. With all that was at stake, it's demeaning to feel lucky. It's demeaning to you, to feel that regardless of the effort that went into preparing for the Bar you were still a bit lucky. It's a feeling that there is an X-factor in the Bar Exam which takes the ultimate result out of your hands. It's a feeling that you are not totally in control, and it's aggravating. Even if it isn't factually the case, there's sure a lot of circumstances that make you think it is. Too bad.

The Bar Exam isn't impossible. It's clearly not life and death. But it's degrading, and it's demeaning to you, to feel that much of someone's efforts and energies (and do the same to your rank and file. When you belittle so much of someone's efforts and energies (and do the same to your colleagues) it is difficult to ask for that person's respect in return. I feel badly about this. So it goes.

The law profession is degraded when it degrades those who would be a part of it.

There are serious problems with a profession that would weed out its ranks at the Bar Exam level. This seems to be the policy and it's unfortunate. Weeding out is wrong at a level which is post facto to so much of a person's investment of self.

This raises another issue. If the law schools cannot qualify you to practice law, and the Bar Exam suggests they cannot, then I'd like to know why not. There is a great need to invest in Bar Review courses where one finds there to be much new learning of new material. There is no doubt that some professors did teach me all that was required for the Bar Exam. A lot did not, however. This is an issue of quantitative substance, not qualitative teaching. It is unfortunate if the latter would suffer to promote the former. But maybe it should. The Bar Exam is too important.

In the final analysis you'd rather have less academic discourse and discussion and more black letter law if it will get you through the Bar Exam. It's that simple. How unfortunate, for it is in academic discourse and discussion that the profession's true nobility may be discovered. It is here that creative thinking is advanced. But as stated before, too much is at stake.

(Perhaps law schools should provide students with a Bar review in their last quarter rather than providing the space to those who sell lucrative Bar review courses to students to do what the law school ought to do: prepare students to pass the Bar Exam. Only a thought in passing.)
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“Law school trains adversaries. Those that of faculty. Our school adapts theory to real
education before was to hang out a shingle
rule of practice and theoretical with its mix
of both practical and theoretical. In the corner sits a plant he received when he became a Common Pleas
judge. Its tree-like growth parallels his years on the bench.

Coleman has definite ideas about what
law schools can do to improve the quality of
education. He suggests they expand their
research and writing program to develop
those brief writing skills that come closest to
what they will be doing. He suggests
sharpening up oral argument skills as there
is a real demand for greater trial advocacy,
which is apparent from his side of the bench.
His other suggestion would be to expand
clinical programs so students can work with
clients throughout the entire process from
filing documents in the court through the
trial.

He attributes the low level of esteem for
the legal profession to the high level of
disrespect for institutions in general. “The
attitude breakdown in authority has
permeated our society and had its affect on
the legal profession,” he says.

Coleman has found it fascinating to see
the legal system from the standpoint of a
judge. His well-rounded perspective comes
from years on the public defenders staff, as a
Municipal Court judge, a U.S. Attorney and
presently a Common Pleas judge. Although
he has found it challenging to be impartial
and not critical of counsel, he says, “The
most rewarding part of my career has been
my defense work. I enjoyed being a
prosecutor and a judge, but not nearly as
much as a defender.”

As a former president of the C-M Alumni
Association and a member of the visiting Committee of CWRU Law School, he sees
a problem with placement, “There is an
attitude on the part of major law firms to
look for big name schools with little regard
for individual qualifications.” He would
courage firms to be more pragmatic and
look at the individual rather than the school.

Coleman believes the bar exam is
necessary, saying, “I approve of a system of
testing to measure whether one is prepared
to assume legal responsibilities. However,
I think the exam needs to be built around a
format which will reveal whether a person
can analyze a fact situation.”

His advice to students is to keep your
practice general. “The specialty of the
moment is what walks through the door,” he
said.

Continued on page 21
Eleanor Norton on Affirmative Action

By M. Varga-Sinka

Eleanor Holmes Norton, first chairman of the EEOC, addressed a full house in the Moot Court on October 21. Her appearance was sponsored by the Assembly Lecture Series in co-sponsorship with the Legal Traditions Program, Student Government, Women's Comprehensive and Women's Law Caucus. Her presentation dealt with the present and potential status of Affirmative Action.

A surprising admission at the beginning of her address—that Washington has become a country to itself, detached from the “real America”—preceded the forthcoming descriptions of the new administration and new Congress as being “out of sympathy with anti-discrimination remedies.” Their initiatives, with particular reference to the Hatch Amendment, were “ideological...irrational and unfeasible.” According to Mrs. Norton, they did not even meet “with business approval.”

One of the initiatives is to overturn the Weber case, (Steelworkers v. Weber et al., 443 US 193 (1970)), wherein a white steelworker was rejected for an in-plant training program calling for at least 50 percent participation by black and female workers. Though eligibility for the program would have ordinarily been based on seniority alone, the 50 percent quota made it necessary to pass Weber over in favor of black workers with less seniority. The program was “voluntary.” The SCt held that the program was legal under Title VII. Such an attempt indicates, to her, a “general declaration of war” where once there existed a bipartisan tolerance, if not leadership, in “domestic human rights.”

This “tolerance” was developed over all the administrations from Roosevelt to Carter. Reagan’s administration, to Mrs. Norton, has broken the tradition with proposals which she characterized as being “extreme and dangerous.” Sen. Orrin Hatch, for example, proposes an amendment which would bar goals and timetables, “[...] an act of war.” The question-answer period brought forth some interesting comments and observations: the US government is the “No. 1” discriminator, Reagan’s actions in revoking the transfer of the anti-discrimination agency from OMB to EEOC help to continue the paradigm; Congr. Jack Kemp (R-NY) is, in her estimation, the prime mover to weaken the EEOC, such as the “remedies (of)” view in the fact of that Affirmative Action is “personal reform” and that the “remedies (of) goals and timetables...self-destruct” — (they) can become “reverse discrimination” if continued; and “white skin” (has been) enough of a (credentialed) to rise with the tide but not in the historical experience of (women and minorities).

In her view, the proposed amendments and other legislation which would eliminate many federal regulations, remove small businesses from the present and potential status of Affirmative Action, while “controversial,” are the only means by which past injustices may be corrected.

In her view, the proposed amendments and other legislation which would eliminate many federal regulations, remove small businesses from the present and potential status of Affirmative Action, while “controversial,” are the only means by which past injustices may be corrected.

Never underestimate the commitment of Liberals to ideas that don't work.

Government intervention with property and personal rights was expanded with Title VII of the Civil Rights Act. All programs, institutions, businesses, or activities which receive federal financial aid were prohibited from “failing” or (refusing) to hire, or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions or privileges of employment, because of such individual’s race, colour, religion, sex, or national origin....

Beugled and befuddled “minorities,” and race-conscious radicals cheered that “equality” was at hand. What had actually occurred was the further erosion of one’s right to choose. That right— which seems to evaporate for the Liberalis Defunctii outside the abortion arena— was surrendered to bureaucratic elitists who will happily impose it under the wolf’s clothing of “goals and timetables.”

EEOC, OFCCP, and Affirmative Action had as their basic mission the promotion of the recruitment, training, and hiring of minorities and women. Because government programs which attempt to “change attitudes” coercively are by their nature counterproductive, the approach (the promotion) has become adversarial and arbitrary. These programs do not have the support of business generally. Mouting platitude supporting the “development and implementation of” an affirmative action strategy encompassing recruitment, training and hiring of minorities and women is one thing; demanding an end to regulatory burdens is another.

The Chamber of Commerce of the United States submitted testimony last month before the Senate Labor and Human Resources Committee (chaired by Sen. Hatch):

“Affirmative action under Executive Order 11246, as it is applied today, is both illegal and unconstitutional. There is no statutory or Constitutional basis for its issuance. Assuming for purposes of argument only that the Order was properly promulgated, it cannot be considered by OFCCP as a source of authority for back pay or other affected class relief. If affirmative action is to continue as a national policy, a new Executive Order or additional legislation is a priority. This will require a streamlined system that is in fact affirmative.

A more telling expression of business’ attitude towards this alphabet soup of social engineering is in the statement of Mr. Roger R. Blunt, testifying before the same committee on behalf of “the minority business community represented by the National Association of Minority Contractors,... created in 1969 to serve blacks, women, Puerto Ricans, Mexican Americans, Native Americans, and Asian Americans, whose membership includes over 1,500 member firms: and, in behalf of America’s small businesses.”

“Small businesses have created 98 percent of all new jobs! (Not GM, IBM or multinationals.)

“The OFCCP regulations which implement Executive Order 11246 have become a burdensome albatross of times circumventing the very purpose for which they initially were created.

“My company...is a small 100 percent minority owned firm...It was founded in 1971 and recently was identified in the top 50, nationwide, black-owned firms. One of the major problems confronting our business is the excessive amount of paperwork required by EEOC affirmative action regulations.

“From years of experience I would suggest that certain companies should be excluded from the scope of the EEOC Order. (Those with 250 or less employees and contracts of less than one million dollars.)

Continued on page 10
What was the original intent of this legislation? On June 18, 1979, Thurgood Marshall, his moist eyes rolling into heaven, a violin in the background sweetly playing “Nearer My God To Thee,” opined in US v. Rutherford, 442 US 544 (1979) that “Under our constitutional framework, federal courts do not sit as councils of revision, empowered to rewrite legislation in accord with their own conceptions of prudent policy.”

On June 27, in Weber, by a vote of 5-to-2, the fiddler was paid with a decision which wiped out the relatively plain and unambiguous language of the Civil Rights Act and rewrote Title VII to suit the majority’s whim. The decision effectively sanctioned racial discrimination in private employment.

Justice Rehnquist’s dissent, as can be expected, proved the legislative intent with great care and termed the majority decision “Orwellian.” The ruling assailed Title VII’s “uncontradicted” legislative history in which “proponents and opponents alike uniformly denounced discrimination in favor of, as well as in discrimination against, Negroes.”

Rehnquist quoted Rep. Emanuel Cellar (D-NY), the measure’s chief House sponsor, that “many dozens of times: but it is nonexistent. In fact, there are forty and the failure to document never results in a finding of noncompliance requiring the contractor to sign a conciliation agreement containing even more reporting requirements or face potential debarment.

Under pressure, the proponents included Sec. 703(j) which stated in part: “Nothing contained in (Title VII) shall be interpreted to require any employer...to grant preferential treatment to any group...on account of an imbalance which may exist” between: the total number or percentage of persons of each race employed in any job or training program and the “total number or percentage of persons of such race” in the surrounding community or workplace at large.

The majority seized upon this passage, citing its failure to state preferential treatment would not be permitted but only that it would not be “required” as justification for its position that preferential treatment according to race is not totally banned by Title VII.

As a result, the very section adopted to prevent preferential treatment was “invoked by the SEC to uphold imposition of a racial quota under the very circumstances that the section was intended to prevent.”

Rehnquist also contended that Kaiser’s discriminatory training program was not voluntary. He noted that the program was actually started under federal pressure from a federal agency, the Office of Federal Contract Compliance. “Congress, by banning racial discrimination in employment, intended to permit racial discrimination in employment.”

This Gordian Knot of social engineering has succeeded in promoting race consciousness on the part of company executives and has encouraged racial favoritism in hiring, firing, or promotion of employees in order to meet a racial ‘quota’ or to achieve a certain racial balance. That bugaboo has been brought up a dozen times; but it is nonexistent. In fact, the very opposite is true. Title VII prohibits discrimination...” (443 US, at 238, emphasis added by J. Rehnquist.)

Sen. Thomas Kuchel (R-CA) was also quoted emphasizing that seniority rights would in no way be affected by Title VII: “Employers and labor organizations could not discriminate in favor of or against a person because of his race, his religion, or his national origin. In such circumstances that the section was intended to prevent.”

Legislative intent can also be found in an interpretive memorandum submitted to the Senate to refute the opposition’s charge that the measure would result in preferential treatment of minorities by Sen. Joseph Clark (D-PA) and Sen. Clifford Case (R-NJ). “Title VII would have no effect on established seniority rights. Its effect is prospective and not retrospective. Thus, for example, if a business has been discriminating in the past and as a result has an all-white working force, when the title comes into effect the employer’s obligation would simply be to fill future vacancies on a non-discriminatory basis. He would not be obliged—or indeed permitted—to fire whites in order to hire Negroes, or to prefer Negroes for future vacancies, or, once Negroes are hired, to give them special seniority rights at the expense of the white workers hired earlier.” (443 US, at 240, emphasis added by J. Rehnquist.)

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Norton/Affirmative Action
Continued from page 10

with a record of frequent arrests. The court said such a policy has the "foreseeable" result of denying blacks equal opportunity for employment because blacks are more likely to have police records than whites." US News & World Report, Jan. 8, 1973.

Compare the following events.

Clifford L. Alexander was selected by Carter as America's first black Secretary of the Army. Alexander's previous military experience consisted of a six-month hitch as a Reservist at Fort Dix, N.J., fulfilling his obligation by becoming what the Washington Post described as a "weekend warrior," and rising to the rank of private.

On the other hand, Thomas Sowell, in a 1972 study titled Black Education: Myths and Tragedies, summarized the feelings of a growing number of individuals who were beginning to cast their being classified as minorities: "What all the arguments and campaigns for quotas are saying, loud and clear, is that black people just don't have it, and that they will have to be given something in order to have something."

When Swarthmore College tried to hire Prof. Sowell as a black man under Affirmative Action, he replied:

"Many a self-respecting black scholar would never accept an offer like this, even if he might otherwise enjoy teaching at Swarthmore. When Bill Allen was department chairman at UCLA he violently refused to hire anyone on the basis of ethnic representation -- and thereby made it possible for me to come there a year later with my head held up. Your approach tends to make the job unattractive to anyone who regards himself as a scholar or a man, and thereby throws it open to opportunity."

Was the former Chairman's appointment to the EEOC freak show opportunism on her part or Carter's? Both. She was appointed to her post as "New York Guru, Mrs. Norton was a permanent fixture of the feminist faith."

"Hire me and fulfill your quota -- I can be all things to all people!"

If the Balkanization of America has a starting point, it would easily be 1965-75 when the concept of "compensating minorities" became public policy. It was inevitable that others would struggle for a part of the so-called "dwindling pie."

A Polish organization surveyed the staffs of thirty Senators from states with substantial Polish populations, and found that of 853 staff members, only 17 were Poles, most of them were women in lower-echelon jobs.

An Asian group found that there was only one Asian attorney for every 1,679 people in the "Jonestown-by-the-Bay" area, though the area as a whole boasts one attorney for every 250 people.

The Italian-American Legislators Caucus, the Armenian Weekly reported, was formed "to resist the ethnic quotas which oppose affirmative action" and urged them instead to "pursue means of benefiting from affirmative action -- i.e., seeking official status as a 'minority'..

When second generation rug merchants get into this act, it's time to get that big boat...

A Hispanic study found that only 4.8 percent of President Carter's appointments were Hispanics, though Hispanics were estimated to comprise 9.5 percent of the national population.

This sort of thing annoys people like Cenic J. Williams, Executive Director of the National Association of Black Social Workers, who charged, "Other ethnic and religious groups have piggy-backed on our real and conceptual thrusts and...walked away with resources allocated to benefit black people...The term minority has been bastardized (and) has caused black people to receive less than an equitable share of available resources."

The President of Fisk University, in 1980, characterized as "unadulterated racism" the view that the status of the black people is 'just like' or substantively 'the same' as the Italian-American, Polish-American, Irish-American, Jewish-American...and or Russian American."

The chair (as opposed to lamp or footool) of Women's Equity Action League has argued that women are actually worse off than blacks. "The statistics show that women are making much less than black men."

Said one officer of the National Association of Black Manufacturers, "This society treats its mothers, sisters, and wives far better than its ex-slaves..."

But the director of the Italian-American Foundation declares: "We're more in favor of affirmative action than blacks are because we have yet to benefit from it, and we need it badly. The fact is that Americans of Eastern and Southern European stock -- Italians, Poles, Slavs, Lithuanians, Hungarians, and others -- are about as underrepresented in higher education as are blacks..."

Not to be outdone, a Mexican-American member of the Los Angeles School Board recently complained about the success of black colleges in obtaining massive federal aid: "There are 120 black colleges and universities receiving multimillion dollar subsidies from Congress, but there isn't a single, goddamned Mexican-American institution of higher education."

The American Committee for Cape Verde urged Cape Verdeans to write their Congressmen and the Census Bureau and demand inclusion as a distinct group in the 1980 census to obtain their fair share of federal aid...

Neither last nor least in this open-air circus is a writer in the Armenian Weekly warning its readers: "We are not 'ethnic minorities' who oppose affirmative action" and urged them instead to "pursue means of benefiting from affirmative action -- i.e., seeking official status as a 'minority'...

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When second generation rug merchants get into this act, it's time to get that big boat...

Short of such drastic and sensible solutions, the government should fund ethnic projects ranging from street festivals to bilingual education, and hiring continues to be made on the basis of race, religion, or ethnicity. Businesses, private associations, and universities have instituted "benign" quotas; they openly admit to hiring or appointing specific minority-group members even though so doing excludes others because of their race or ethnicity. Such permissive measures are creating de jure enclaves and political parties in which the appointment and election of individuals will be mandated along racial, ethnic, and religious lines. From the days when blacks were discriminated against, we have reached the point where the government purposely encourages "minorities". Racial discrimination was wrong twenty years ago and it is wrong today.
Delta Theta Phi Defeats CWRU

By Roman O. Miranovich

On a beautiful Indian summer Halloween Day, Delta Theta Phi fraternity defeated their counterparts at CWRU College of Law by a score of 16-8. In what had all the making of a classic OSU-Michigan defensive struggle, Cleveland-Marshall pulled several second half tricks on CWRU. The beer flowed freely from a strategically located keg, Mario De Cassis kept his mind on football. He sparked Delta Theta Phi to its second half come-from-behind victory. After a brief unsuccessful trial at quarterback in the first half, Mario proceeded to intercept two of John West's (CWRU QB) passes, and scored the winning TD on a 25 yard pass play from Ted Dunn.

Along with Mario's herioccs, CSU's defense played a key role in this big game. Led by Roger Andrachik and Jerry Moss, the defense came up with the big plays when they had to have them. The crucial play was their stop of a CWRU attempt on fourth down and three yards to go. Stopping John West a yard shy of the first down, CSU took possession on the opponents' forty-nine yard line. What followed, the winning TD drive by Cleveland-Marshall, was a classic cardiac effort. Mario and Ted went to work on offense and CSU scored on three plays in the second last possession of the game. The defense then sealed the victory by intercepting John West for the sixth time. In closing, Ted Dunn and Greg Westgate deserve recognition for their hard work in organizing this rematch of the two local touch football powers.

Extra black and white photos available. Details on prices and sizes may be had from the photographer on request.

Final statistics: Touch Football played at Yan Horn Field: Delta Theta Phi Fraternities: 10/31/81. Key stats: Cleveland-Marshall v. CWRU: First Downs, CM 11, CWRU 4; Interceptions, CM 4, CWRU 0; Possessions, CM 15, CWRU 16; Half-Time Score, CM 10, CWRU 0; Final Score, CM 16, CWRU 8.

Scoring Summary: 1) CWRU: 98 yard interception return by John West. 2) CSU: Pat Corrigan 30 yd. TD pass from Greg Westgate. 3) CSU: Mario De Cassis 25 yd. TD reception from Ted Dunn.

Look at those calves! Those thighs! Sipe: Eat your heart out!
Comparable Worth

The recent government report on the new idea of "equal pay for comparable work" further confuses an already misconceived notion. It is not a cheery beginning to what feminists call the "civil rights issue of the '80s."

The three-year, $200,000 study for the Equal Employment Opportunity Commission had a hard time grabbing the comparable worth bull by the horns without having its logic gored. It noted that women make an average 60 cents for each dollar a man makes. The explanation the study offered was that jobs held mainly by women pay less simply because they are held mainly by women. Thus secretaries and nurses are "worth" more than they get, and should earn as much as, say, electricians or carpenters. It concluded that studies comparing the worth of jobs might be used to end wages set by the market, which "incorporate the effects of many institutional factors, including discrimination."

But what is this discrimination? The Equal Pay Act made equal pay for equal work the law in 1963. What this study meant by discrimination was that it "does not imply intent but refers only to outcome." This means that the bald fact that women earn less than men indicates discrimination. This newspaper redefinition of the word is vital to proponents of comparable worth: They need a pretty good excuse to get away with using "job evaluation plans" to set wages. If they have their way, your wages will be based on factors the report admits are "inherently judgmental" such as the skill, effort and responsibility in a job.

There are other flawed assumptions in the report. By calling for higher wages in the the report. By calling for higher wages in jobs women have traditionally dominated, aren't feminists saying that there is such a thing as a "woman's job"? We are beginning to see that there is no such thing, except for giving birth. If telephone repairers are paid more than, say, nurses, than of course more women will climb the poles.

The report's abuse of the term discrimination gives a clue to what is really going on. Comparable worth supporters are saying that equal opportunity must necessarily and immediately lead to equality of results. Over the past decades there have been marked advances in the number of women in jobs once held almost only by men. Since 1960, the percentage of women has doubled in jobs as diverse as bankers, engineers, carpenters and bus drivers. These recent gains, in fact, account in part for the lower wages since so many women have little seniority.

Time will tell, however, how many more women will choose to drive buses. And society will have to tackle the tough question of whether there are any jobs that women, for biological reasons, shouldn't hold: Do we want women in the trenches or pregnant police officers risking two lives? And if because of child-rearing responsibilities and the revolution— but in the opposite direction from where equal opportunity has been leading.

**AWACS: The Right Decision**

By Michael G. Karnavas

On October 28, 1981, the Senate voted 52 to 48 to permit the sale of $8.5 billion in defense equipment, including five airborne Warning and Control System planes to Saudi Arabia. This action gave President Reagan a twofold victory: First, it demonstrated a show of confidence in his Middle East policy; and second, it served as an example to Israel and the Israeli/Jewish-American lobby, that the United States is committed to its own interest first and foremost.

Despite heavy lobbying and constant interference with United States' internal affairs by the Israeli government, the sale went through. It is high time that the Israeli/Jewish-American lobby realize that the United States cannot alienate Saudi Arabia for the sake of Israel. Saudi Arabia has been a strong friend to the United States, as well as a force in the Middle East. In addition to providing the United States with vast amounts of oil, Saudi Arabia employs more than 700 American companies doing business in excess of $35 billion for work in Saudi Arabia. Furthermore, we must not forget that it was Saudi Arabia alone that created an oil glut for the past two years (overproducing oil at approximately $6 per barrel less than the other OPEC members), in order to bring down the price of oil.

Mr. Begin and Company have argued that Saudi Arabia has not recognized the Camp David accords. However, Crown Prince Fahd of Saudi Arabia has proposed a plan calling for Israel's withdrawal from all land seized in the 1967 war, including East Jerusalem, and the creation of a separate Palestinian state. The Saudi plan also calls for "all the states" in the Middle East to live in peace. Although the State of Israel is not expressly named, it is obvious that the Saudis have tacitly recognized Israel and the United Nations Security Council's Resolution 242, which guarantees Israel's right to exist. Of course, the Saudi plan cannot be a substitute for the Camp David accords, but it does indicate that the Saudis are searching for a realistic solution.

Mr. Begin has also argued that Saudi Arabia has provided arms to the PLO, an organization which stands for the destruction of Israel. This is true. However, as an Arab nation, Saudi Arabia is compelled to aid the PLO. Such aid is not only a sign of good will among the Arab nations, but it is also insurance against PLO attacks on Saudi Arabia. Notwithstanding this reality, the fact of the matter is that the PLO, which came into existence as a result of the creation of the State of Israel, is trying to establish a Palestinian state. Among the Arab Nations the PLO is considered to be the legitimate representatives of the Palestinians; a Palestinian state cannot be created without them. Former Presidents Ford and Carter have come to accept this fact. On their way back from Sadat's funeral they stated that the United States must talk with the PLO. In Ford's words: "But as you go down the road at some point that dialogue has to take place, and I think that will happen."

Ergo, it is only a matter of time before the United States openly negotiates with the PLO. It is an established fact that the United States recognizes the PLO as a viable entity in the Middle East. For this reason alone the United States will have to negotiate with the PLO. This fact was eloquently articulated by Lord Carrington, Britain's Foreign Minister, when on a recent visit to Saudi Arabia he stated: "I make no apology of pretending that the PLO can be ignored, or that they do not have a very wide measure of support amongst the Palestinians, both inside the occupied territories and elsewhere." Such negotiations with the PLO, however, would not compromise Israel's territorial integrity, but would merely establish the necessary conditions for a dialogue between Israel and the PLO.

Nonetheless, now that the emotional dust has settled, the benefits derived from the AWACS sale are as follows:

1. The security of Israel has been enhanced since the Saudis will share the AWACS-gathered information with the United States. This would allow the United States to warn Israel in the event of a possible attack.
2. The United States will be able to play a more active role in the area. Negotiations are in process for the establishment of surrogate bases in Saudi Arabia which would allow the United States Rapid Development Force to move to these bases with prepositioned supplies in the event of a hostile attack against the Persian Gulf oil fields. Without the AWACS sale, these negotiations would have terminated.
3. The AWACS planes will provide security for Saudi Arabia - a major oil supplier to the United States. Currently, it is impossible for the Saudis to safely guard their oil fields with their vast territories. One need only look at a map to realize the size of Saudi Arabia. The United States Air Force has concluded that without AWACS, a minimum of 48 fixed but vulnerable radar installations would be needed to cover Saudi Arabia's frontiers.
4. The sale will bring $8.5 billion cash. This will not only bring back some of our petro dollars, but will also create thousands of jobs in the United States. Consequentially, this will lower the trade deficit and unemployment.
5. The sale will assure that the American corporations doing business in Saudi Arabia (currently over 700) will grow in numbers.
6. The sale gives credibility to United States' foreign policy in this region and re-establishes the United States' commitment toward peace. It is naive to think that an alienated and humiliated Saudi Arabia would have remained moderate.

7. The sale is a sign of good faith in Saudi Arabia. It is a sign which indicates that the United States has an interest in the well being of Saudi Arabia - an interest worth protecting.

8. The sale will encourage, if not coerce, the Saudis to pressure the PLO into taking a realistic approach in establishing a Palestinian State; i.e., PLO recognition of the State of Israel. The Saudis are pragmatic enough to realize that future purchases of United States' defense equipment will depend on whether or not their performance vis a vis the PLO is constructive toward peace with Israel.

**Iran-US: Settling the Score**

By Michael G. Karnavas

The largest arbitration process began October 19, 1981 as the international tribunal convened to accept claims from U.S. corporations that did business in Iran prior to the Iranian Revolution.

The Algiers Declarations (agreements reached by U.S. and Iran), facilitated the release of the American Hostages, created the nine-member tribunal and a bank account with sufficient Iranian funds to satisfy American claims against the revolutionary government of Iran.

The ad hoc tribunal, officially called Iran-U.S. Claims Tribunal will review claims by American Nationals. All awards will be paid from a $1 billion escrow fund established from frozen Iranian assets in the U.S. which were transferred to the Central Bank of Algeria. The N.V. Settlement Bank, a subsidiary of the Dutch Central Bank, was created to administer the escrow account. Iran is to replenish the account's fund if it falls below $500 million.

Iran and the U.S. each appointed three members to the tribunal. An additional three members were elected by the Iranian and American delegates. The Americans are Howard M. Holtzmann, a New York lawyer who specializes in international arbitration; George H. Aldrich, a Virginia lawyer and member of the U.N. International Law Commission; and Richard M. Mosk, a Los Angeles lawyer.

The Iranian members are Mahmoud M. Kashani, a Teheran law professor; Seyyed Hossein Enayat, a former Foreign Ministry legal aid; and Shafey Shafeier, a former judge.

The elected members of the tribunal are Mr. Lagergren, a former Swedish judge and member of the permanent Court of Arbitration in The Hague; Pierre Bellet, former Chief Justice of France's Supreme Court, and Nils Mangard, a current judge of Sweden's Court of Appeals.

Continued on page 12
Truth and Wisdom will you chance to see the Justice Taney: sojourn at this establishment) other than in following words penned by the Great Chief Thomas Jefferson, Alexander Hamilton or unelected Federal judges James Madison; never need they purchase a volume of the Federalist Papers in the campus bookstore. For the Constitution, it is taught, does not mean what the people's elected representatives (who drafted and ratified it) intended it to mean. Rather, goes the conventional "wisdom," it means what unelected Federal judges (who were selected by no-one to draft it, and who represent no-one but themselves) choose to say it means.

More ominously still, only the opinions of certain judges are presented in law school. As one example, where else (during your sojourn at this establishment) other than in this august journal so humbly dedicated to Truth and Wisdom will you chance to see the following words penned by the Great Chief Justice Taney:

No one, we presume, supposes that any change in public opinion or feeling, in relation to this unfortunate race, in the civilized nations of Europe or in this country, should induce the court to give to the words of the Constitution a more liberal construction in their favor than they were intended to bear when the instrument was framed and adopted. Such an argument would be altogether inadmissible in any tribunal called on to interpret it. If any of its provisions are deemed unjust, there are provisions deemed unjust, there is a mode prescribed in the instrument itself whereby it may be amended; but while it remains unaltered, it must be constructed now as it was understood at the time of its adoption. It is not only the same in words, but the same in meaning, and reserves and secures the same rights and privileges to the citizen; and as long as it continues to exist in its present form, it speaks not only in the same words, but with the same meaning and intent with which it spoke when it came from the hands of its framers and was voted on and adopted by the people of the United States. Dred Scott v. Sanford, 60 U.S. (19 How.) 393, at (How.) 426 (1857).

The reason these words are not taught in Constitutional Law is that the Truths they contain would strip the mask of "democracy" from leftist "re-interpreters" of the Constitution and expose them as the elitist totalitarians that they are. (Even when the Left does try democratic amendment, it changes the rules in mid-game when the people choose not to ratify: e.g., the years-long E.R.A. ratification deadline "extension.") Law students in Modern Ages are no longer taught the foundations of law; that is to say the Constitutions, statutes and great principles upon which the Republic was founded, and many of which had been shown by a thousand years of English history to be necessary to restrain human nature and to meet the spiritual and material needs of human society.

Instead, law students are deprived of past wisdom and are treated to the New Age "reasoning" of "trend-setting" and "activist" judicial mystics and fakirs who have experimented with our legal heritage as alchemists experiment with lead, until the Constitution lies worn and discarded in the trash. This continuing spectacle of judicial charlatanry has produced results which would likely have led the Founding Fathers to foreshadow revolution and rush into the embrace of good King George. Examples of this judicial jack-assery abound in Con. Law texts: a farmer growing alfalfa for his own cattle is hurled by the Court into the swirling vortex of Inter-State Commerce; words that "Congress shall pass no law respecting an establishment of religion" are distorted beyond recognition into a prohibition against the States and into an interdict against community school prayers directed to the Author of the Universe; the Fourteenth Amendment's requirement of equal protection of the laws is miraculously reversed entirely and transformed to permit — nay, to require — unequal treatment of different classes. ("All animals are equal," wrote the pig, "but some animals are more equal than others.")

When compared to such fruits of radical constitutional "interpretation" as these, even the blackest midnight of Dark Ages jurisprudence shines forth like meridian sunshine. But law students will never know this, never having read Blackstone, Coke, or the Institutes of the Emperor Justinian.

A recent example of courtroom chicanery practiced by judges, purveyed by text-writers, and submitted to students by unwitting or ideologically-motivated professors is to be found in the fever-swamps of the Women's Movement, specifically "sexual harassment." To be sure, no-one will be found to speak out in defense of rape, molestation or advances accompanied by threat of termination in the workplace. But these acts are already tort by State law, and are not the real target of the Women's Fever. What the descendants of the denizens of Lesbos sought — and obtained — was a ruling that even any unwanted VERBAL...
actions will henceforth constitute actionable sexual harassment. As is usual with left-wing movements, they wanted this "right" to be vouch-safed by the Federal gendarmes who patrol the reception-rooms and file-cabinets of corporate America, and this was granted, too. (Have you ever noted that 20th Century "rights" are invariably accompanied by an increase in Federal government power?) It is also interesting to note an internal contradiction into which the heady vapors of ideology have led those who obtained Federal muzzling of the male-worker. For these are the same people who yelped for decades championing the New Age First Amendment, whereby avant-garde hoodlums may shout vulgarities and blasphemies from the rooftops with impunity, and by which pornographic periodicals may be accorced front-place on the far-flung newstands and grocery-aisles of the Republic. Now, when the tasteless "free-speech" of male co-workers inconveniences them, these self-same Heroes of Hedonism are the first to chafe at their newfound freedom of speech. (The real First Amendment, of course, prohibited only the Central Government from abridging speech, and in no wise limited State power to outlaw treasonous, vulgar or blasphemous utterances.)

A further example of the mysterious thrall in which activist judges seem to hold textbook, professors, and students may be found in the fact that the subject matter of many courses now consists almost entirely of judicially-created exceptions to the wise Rules which once guided our forefathers. Alas, these general rules drawn from the wisdom of our ancestors cease to be taught in the law schools that seek to be "respectable" should at the least present BOTH sides of legal questions, rather than simply spoon-feeding the prevailing mildewed Marxist cosmological plabum to their students.

For allowing themselves to be bewitched and seduced by the transparent inconsistencies, distortions and outright falsehoods which are the sum and substance of the twentieth-century's reignig ideology, Liberalism, the noted Black social critic Charles Smith has suggested that law students "ought to be horsewhipped." Perhaps that is too severe. Today's law student is, after all, yesterday's undergraduate, and was raised on a steady (albeit unhomose) diet of Arthur Schlesinger, Henry Steele Commager and Herr Marx (and probably Jane Fonda, as well). His knowledge of economics likely extends no further than a passing familiarity with the disastrous prescriptions of John Maynard Keynes and the sophist sloganering for tatal government of John Kenneth Galbraith. He has scarcely heard of, (much less read), Adam Smith, Friedrich Hayek of Ludwig von Mises, the first of whom first detailed the supreme performance of free men in a free economy, and the latter two of whom reduced to ruins the pseudo-scientific charlatanry of Karl Marx. And, once admitted to the study of the law, the law student has basked in the illiterate legalisms of Earl Warren and the fantasy-land ramblings of Mr. Justice Douglas. Small wonder, then, that the law student is easy prey for the ideology, political activism and central power over the intellect fostered by Federal judges, textbook, professors, and certain slavish professors. Indeed, academic freedom to scrutinize and question the leftist orthodoxy has been lost, for the law student has been deprived of access to any intellectual ammunition with which to counter that orthodoxy. Law professors, for their part, have in many instances become technicians, propagandizing for an ideological viewpoint. Learning becomes the parroting of the party line: "the elastic clauses give the Federal Government total power in the economy," "the Constitution doesn't REALLY give equal importance to life, liberty AND property," "the Tenth Amendment is just a truism which will vanish if we pretend it doesn't exist." And what an example of their power is this latter, that they can make students believe night is day, and January is mid-summer. It is not otherwise apparent to all who can think that, without the Tenth Amendment - which reserves all power to the States that the States did not explicitly grant by the Constitution to the Central Government - there would have been No Constitution, No Federal Government, and No United States?

Those prospects appear presently to be exceeded by the chances of getting sunburned during Napoleon's Retreat across the snowfields of Russia. That this is a circumstance not detailed in the Law College Bulletin (which is used to lure unwary and unemployed Bachelors of Arts) goes without saying. The writer leaves the few of his readers who have made the journey with him thus far with some genuine advice given more than two centuries past by the good Doctor, Samuel Johnson, Ltd. to his law-student friend Boswell: (for you will assuredly never obtain such wise counsel in any placement office.)

You must not indulge in too sanguine hopes, should you be called to our bar. There are a great many chances against any man's success in the profession of the law: the candidates are so numerous, and those who get large practice so few. It is by no means true that any man of good parts and application is sure of having business, though I allow that if such a man could but appear in a few cases, his merit would be known and he would get forward. But the great risk is that a man may pass half a lifetime in the courts, and never have an opportunity of showing his abilities. (Life of Johnson, Sept. 20, 1777.)
Dorothy Fuldheim:

L'doyenne of Cleveland's Broadcast Journalism

By John G. McCarthy

At eighty-seven or thereabouts (I do not know her exact age), Dorothy Fuldheim is the reigning queen of Cleveland's broadcast journalism. She makes no secret of her advancing age; indeed, she unashamedly flaunts it. This is a way of gaining respect, and it is also a way of getting sympathy in the face of criticism, or of stifling the criticism directly. Of course, I have no way of knowing Ms. Fuldheim's motivations. I am only speculating about them. Ms. Fuldheim's motivations are known but to Ms. Fuldheim and God.

Her fellow reporters have called her the “grande dame” and the “doyenne” of local newscasting. Such highfalutin apppellations are not within the parlance of Greater Cleveland's ordinary citizens, who would prefer to say that they love her, adore her, respect her, and think that she is “real smart.” Ms. Fuldheim is the Oriana Fallaci of a great many people who have never heard of Oriana Fallaci. People wrote the local newspapers after the great Cleveland Presidential Debate, because they simply could not understand why Dorothy Fuldheim was not on the panel of questioners. People have called in to Channel Five to suggest that Ms. Fuldheim should herself be the president. I have read that she has appeared on the Gallup Pole as one of America's most admired women, and yet she has always appeared to me to be unknown outside of the Cleveland area. It is safe to say, however, that no living person has ever enjoyed greater emotion in one specific geographic area than Dorothy Fuldheim has aroused in Greater Cleveland. It is possible that the body of Eva Peron may have once aroused greater feeling in Argentina, but unlikely.

I primarily have seen Dorothy Fuldheim as a commentator on Channel Five. Typically her commentary consists entirely of a recitation of something that has already appeared in a newspaper or magazine somewhere described with a few subjective adjectives or accompanied by a value judgment, or an intuitively obvious observation. She frequently does barely more than to express the news in her own words. Those of us who write for The Gavel and who are unable to keep our lamentable, unpopular opinions to ourselves, so that they won't bother anybody, or at least to confine them to the editorial page, would do well to emulate the example of Dorothy Fuldheim, who is so professional that she hardly expresses opinions even when she is supposed to be editorializing. The subjects of her commentaries range from the exploitation of space to defense to the economic policies of President Reagan, whose name she now pronounces Rav-gin.

During the presidential campaign last year, she pronounced it as Ree-gin. It is an enormous tribute to this remarkable woman that she is able to pronounce the name of the president of the United States.

Sometimes it is not possible to stretch out the material to fill the allotted amount of time. When this happens, Ms. Fuldheim stares bovinely into the camera for an instant or two, for the purposes of creating a divider, and then goes off yammering away about something totally unrelated to the previous topic. Oddly enough, there are people who use this as a basis for criticizing Ms. Fuldheim. According to these scalawags, this practise of flitting about from topic to topic would earn her a “D” in any freshman composition class in any accredited college or university in the United States. One should always remember that individuals who say these sorts of things about Dorothy Fuldheim are only mean-spirited people who are jealous of her abilities and success.

Those who have only seen Dorothy Fuldheim as a commentator are not fully acquainted with her accomplishments, and may not realize that there are other reasons besides her abilities as a commentator that have earned her a reputation as one of the most brilliant people in Cleveland. The first reason is that she has interviewed a number of famous people. The second is that she has appeared on the Johnny Carson show. Occasionally, there are people who will suggest that Dorothy Fuldheim is not intelligent, even in spite of such overwhelming evidence. All that they manage to demonstrate by making such an outrageous assertion is that they are unintelligent themselves.

Yet another reason why Dorothy Fuldheim is known to be intelligent is that she has authored books. I have looked at one of them, a collection of essays entitled "A Thousand Friends." In one of the essays, Ms. Fuldheim says that “Aunt Molly was the most extraordinary woman I have ever known.” It seems that Aunt Molly had three husbands, all of whom died. She lived with a fourth man, but did not marry him. She raised nine children.

All this got me to ruminating. My father and uncle were both married twice. My cousin Bonnie McCarthy shacked up with a man for years. My own maternal grandmother married a farmer and gave birth to thirteen children. Three of them died in infancy. Together with my grandfather, my grandmother raised the remaining ten on a farm outside of Oak Harbor, Ohio, during the dead winter of the Great Depression. They were incredibly poor. Getting dinner often consisted of finding the nearest cow, milking it, boiling the milk, and throwing some bread into the milk. This was known as “milk soup.” They never accepted charity from any individual or public or private entity, and my grandmother ridiculed the idea of welfare until the day that she died.

Nonetheless, I believe that Aunt Molly is the most extraordinary woman about whom I have ever heard. I shall ever be vigilant against saying the same thing about anybody else. I have just learned that Aunt Molly is the subject of a separate book by Dorothy Fuldheim. Prior to writing this article, I didn't know that Dorothy Fuldheim had an aunt named Molly. Indeed, I had absentmindedly neglected to wonder about Dorothy Fuldheim's relatives at all. Now that I know about Aunt Molly, I intend to learn as much as I can about her just as soon as possible.

I am told that Dorothy Fuldheim's abilities are not what they once were. I find this hard to believe, since it hardly seems possible that any human being could have abilities greater than the ones that she has now. Nonetheless, I find the suggestion to be highly disquieting; whether it is true or not, it serves to remind us that all of us, even Dorothy Fuldheim, are subject to the infirmities of age. Certainly many tears will be shed, many sobs will be heard, and many noses will be blown when she ultimately departs.

As of this writing, Dorothy Fuldheim is in Jerusalem, following the funeral of Anwar Sadat. She is attempting to get an interview with Menachem Begin. Let us hope that she will be successful. She will ask Mr. Begin what it feels like to be a head of state, perhaps, or what he usually eats for breakfast. One can only hope that Mr. Begin will understand that her time is valuable, and will come the interview prepared.
This information was tendered through the services of two brothers, Morris and Jack Childs, who for nearly thirty years had been FBI informants deep in the apparatus that transferred Soviet capital to the CPUSA. Long before they agreed to cooperate with the FBI their brothers had been CP members. Morris was a member of the Party's National Committee, served as editor of the *Daily Worker* (now known as the *Daily World*); and had close associations with the Soviet Communist Party and its intelligence agencies.

Many other CP afficionados and fellow travelers later labeled as "victims" of the "McCarthy witch-hunts." (Another "witches" found in the process were Alger Hiss, Lauchlin Currie, William Walter Remington, Martin Sobel, Klaus Fuchs, and the Rosenbergs to name only a fraction of the hundreds found.) When pressed about rumors regarding his fraternization with anti-Capitalist insects, MLK chirruped in a moment of unrestrained aplomb, "There are as many Communists in this freedom movement as there are Eskimos in Florida."

Your Gavel reviewer, who will not assent to any demagoguery regardless of its race, creed, color, sex or national origin, has carefully researched all the information found herein and adds the following statistics subject to any percentage of error you wish to attribute for any reason whatsoever: according to the U.S. Census, 1980, 199 Eskimaux were found in Florida. In 1970, in 1960, and in 1950, before the Balkanization of America got into full swing, Eskimaux were sure as the category of other races. You may take the 1980 figure and reduce by 20% or more for each previous decade.

We'll check out the rest of the igloo momentarily.

According to the Book, Levison dropped out of the Communist financial manipulations and established a relationship with King in the late 50's. Members of Levison's family revealed to the author that Levison had been associated since 1965 with Victor Lassiovski, one of the highest-ranking KBG officers ever to serve in the U.S. (in that bastion of insanity known as the U.N.).

A very surprising things while I served in the Communist Party for the FBI. Communist leaders told us about the demonstrations that would be started, the protest marches, the demands that would be made for massive federal intervention. Every Communist was ordered to help convince the other to help convince the other that the technique of divide and conquer really works. We were also told to promote Martin Luther King, to unite Negroes and whites behind him, to turn him into some sort of national hero. We were to look to King as the leader in this struggle, the Communists said, because he was on our side.

The FBI and Martin Luther King
By David J. Garrow
W.W. Norton Publishing Co.
320 pp., $15.95

Ethnic America: A History
By Thomas Sowell
Basic Books, 353 pp., $16.95

Markets and Minorities
By Thomas Sowell
Basil Blackwell/International Center for Policy Studies, 141 pp., $13.50; paperback, $6

The Other Side of Racism: A Philosophical Study of Black Race Consciousness
By Anne Wortham
Ohio State University Press
Room 346 Hitchcock Hall
2070 Neil Ave.
Columbus, Ohio 43210
353 pp., $12.50

By M. Varga-Sinka

Last April, a darling of the guilt-ridden Liberal left, the Rev. Benjamin Hooks, Executive Director of the N.A.A.C.P., gave the keynote speech for Black Aspirations Week in the Moot Court. His rambling rhapsody of despair impassioned a crowd eager to hear the dispensation of economic policies which he described at one point as "untried and evidently unworkable" and at another point as "a rehash of what was used fifty years ago (which) didn't work then and won't work now." An additional quote lingers, ironic and combining an obvious truth with an evident lie: "There are more slaves now than in 1860." Equal single-issue organizations work for the betterment of their constituents. However, their record poorly reflects the intent. The dynamism of such factions was always dependent upon a charismatic leader. The most charismatic of the self-appointed or elected black leaders during this last generation has been Martin Luther King, Jr. Every attempt and effort has been made to portray him as a martyred "apostle of non-violence" but truth, like a blade of grass, has a way of breaking the cement of propaganda.

MLK freely associated with Communists. He was one of their most eloquent puppets whom the Liberal racists and media-hatemongers have been seeking to defile in the American Pantheon of Holiday Heroes. A new book, *The FBI and Martin Luther King*, by David J. Garrow, tries to prove that King was "persecuted" by the FBI. What it actually does is document the facts that the Communist Party (CPUSA) receives much of its "capital" directly from Moscow; that King's behind-the-scenes advisor, New York attorney Stanley Levison and his close aide Hunter Pitts O'Dell were Communists.
The provocation of violence is violence. He deliberately created "crisis-packeted situations" in order to "bring hidden tensions" to the surface. He succeeded. Those whom he ostensibly represented gained nothing.

SCOTUS Justice Charles E. Whittaker commented on these actions of "civil disobedience":

"What we are confronted by, and must deal with, are active, overt, willful mass violations of our criminal laws. That conduct is not 'civil disobedience' in any dictionary or acceptable sense of those words. The understandable desire to make men and women and businesses get burned, and the commission of crime cannot excuse us from calling that conduct what it is. Active overt acts willfully committed in violation of our criminal laws are criminal violations and not 'civil disobedience'."

One would think that the black leadership today has learned something from the past. They still profess admiration for W.E.B. DuBois and Paul Robeson who were Stalinist to the core. In his speech Hooks referred to us as one of the "greatest Americans" and that he was only an "alleged Communist." Not true: he was a Fifth Amendment Pleader affiliated with no less than four dozen front organizations. He cannot be seen as a benefactor of the CPUSA's and imprisoned Communists, entertained them at their gatherings, and participated in their May Day Parades. In 1938, his birthday was celebrated by the CP in both the Soviet Union and Red China. As for DuBois, he formally joined the CPUSA on October 1, 1961 at the grand age of 93 after having spent his entire life in their service. He was the N.A.A.C.P.'s first director of research and publicity and editor of the organization's monthly magazine, The Crisis, which served DuBois' regular outlet for unbridled racism. How unfortunate that a man of his intellect, a Ph.D. from Harvard failed to realize that the man who is so blindingly rejected by the black leaders, and is it precisely because of such "heroes" that there exists such a vacuum of authority today.

But surely black Americans have individuals whom they can admire, whom they can view as exemplars for all Americans? They do but the problem is compounded by the deliberate refusal of elected and self-appointed black misleaders to acknowledge the credibility of such individuals as Thomas Sowell, Walter Williams, and Anne Thomas Sowell, Thomas Sowell, Walter Williams, and Anne.

Wortham. The former have shown a complete unwillingness to carefully reexamine the failed policies of government intervention practiced (and continuing) during the last fifty years as have the latter.

In his recent book, Markets and Minorities, Thomas Sowell shows clearly that "some of the most dramatic gains in living standards in the U.S. were among groups that did not attempt to use the political route to economic advancement — the Chinese, the Japanese, and the Jews...The Japanese who were initially welcomed as workers in California in the 19th century were later segregated in the schools, barred from numerous occupations, forbidden to own land, and locked behind barbed wire in WW II. Conversely, the group with the longest and most intimate involvement with the U.S. Government — the American Indian, especially on reservations — has long been at the bottom of the economic ladder by such indices as family income or unemployment rates, not to mention restrictions on the use of their own property (e.g., the Bureau of Indian Affairs). The most politically successful American ethnic group — the Irish — was also the slowest rising of the 19th century European immigrant groups.

The use of government as an agent for racial equality is accepted axiomatic but it is empirically false: "Government regulation of labor markets has included occupational-licensing laws, minimum-wage laws, regulation of work hours, and job security laws. Such laws harm low-income ethnic groups in their role as less skilled or less productive workers for whatever reason (inexperience; cultural patterns at variance with industrial requirements of punctuality, discipline, cooperation; etc.). Restrictive occupational-licensing laws also reduce the number of people who can get anywhere but creating a surplus of job applicants. In addition, occupational-licensing standards by themselves be discriminatory...In both the craft-union situation and explicit occupational licensing, the turning over of governmental powers to private interests was the key to the effectiveness of the exclusion."

So where is the benefit when social programs have been receiving billions more than defense? Today, 6% of the Gross National Product is being spent on defense. Under Eisenhower, Kennedy, and Johnson, it was 8, 9, and 14 percent respectively. Today, we are spending 13% of the Gross National Product on welfare; 15 years ago, the proportion was far less. And many of the statistics which annoy the rustics on their dunghills who are forever moaning about "racism, sexism, and ageism" and who exemplify the Liberal incapability of serious analysts...which is why they wind up supporting political retrogressions like Kennedy, Dellioum, Abzug, Mezehnam, Okev's and co-authors's efforts.

In his other book, Ethnic America, Sowell expands upon the qualitative comparisons that have been made about the variety of ethnic groups in this nation. Both of his books reject the notion that racism is the comprehensive explanation of the present-day condition of present-day government policies would improve the situation. Racism fails to account for the success of other ethnic groups. The proposition that "differences in income between age groups are...greater than racial differences in income" provides for a more objective assessment of the problem. "Families headed by individuals under 25 years of age receive 93% less income than those headed by individuals 45 to 54 years old. When one takes into account that the median age of Mexicanos and Puerto Ricans is 18, of American Indians 20, and of blacks 22, whereas that of Jews is 46, the age phenomenon is significant.

Since the passage of time brings different experiences to ethnic groups, the disparity in income between the middle-aged members of a particular racial group and the population at large may be considerable, but it may be far less great between their youthful populations. Older Puerto Ricans, for example, earn 35% less than people of their age in other groups; younger Puerto Ricans earn more. The income difference varies regionally, the geographic concentration of ethnic groups has a lot to say about how much their members will make."

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The young lady left a few things unmentioned about Malcolm X. While he was a thoroughly reprehensible and violent racist, even he managed to possess moments of lucidity: "[If white liberals] wanted more to do, they could work on the roots of such ghetto evils as the little children out in the streets at midnight with apartment keys on strings around their necks to let themselves in, and their mothers and fathers drunk, drug addicts, thieves, and prostitutes. Or (they) could light some fires under Northern city halls, unions, and major industries to give more jobs to Negroes to remove so many of them from the relief and welfare rolls, which created laziness, and which deteriorated the ghettos into steadily worse places to live...one thing the white man never can give the black man is self-respect. The black man can never become independent and recognized as a human being who is truly equal with other human beings until he has what they have, and until he is doing for himself what others are doing for themselves."

While freedom is no guarantee of upward mobility for everyone, it is a necessary condition for individual advancement from poverty. People are poor for one of two reasons: either they have nothing to sell that the market values highly, or they have something to sell that market values, but are prevented from selling it. The latter may extend or internal. While no magic solution exists, while government intervention has done nothing more than subsidized poverty, a few generations of laissez-faire, political, social, and economic would open the avenues of economic advancement for the poor which have been closed by licensing laws, union concessions, corporate subsidies and burdensome taxes.

Dignity is a quality developed internally by the individual. It cannot be appraised, taxed or apportioned. These books all touch on the relationship of man to society. Their ideas are not "new." Will Herberg wrote an essay ten years ago in which the black American problems were put into a historical perspective, presenting him as an ethnic-migrant within his own country, and offering three methods by which upward progress could be facilitated: a) economic incentives for the private sector; b) the strengthening of the family; and c) encouraging self-help to prevent government paternalism.

Then, as now, these writers viewed black Americans as possessing all the necessary qualities to succeed or fail in the same ventures and enterprises in which all other ethnic groups have succeeded or failed. Garrow's book delineates a failure perceived as a success. The other books illustrate how every individual, regardless of his race or ethnicity, has the capacity to improve himself what others are doing for themselves. It makes sense unless, of course, you're a racist.

Corporate

Gamble doesn't know what the bar exam is supposed to probe, those that haven't learned anything to those who have enough stamina to survive three days. Her choice would be a comprehensive national exam in which you could practice anywhere.

Her feelings on ethics is that there may be an inherent conflict in balancing the Code of Professional Responsibility with being an adversary. Her advice to law students is to develop political skills. By politics, she means the skills of negotiating with people and working toward common goals.

Gamble's fellow staff attorney commented on the job situation from his cubbyhole across the hall. 1974 C-M grad Michael Goldstein said the initial job opportunities may not be there but the attitude that C-M is middle-of-the-road is not justified by employers. He mentioned that women don't have the advantage they had five years ago. His suggestion for law schools would be clinical programs in all areas of law, not just indigent or juvenile law.
**High-Priced 'Tack'**

By Karen Kilbane

Rarely travelling farther east than Barnes-Noble bookstore, I journeyed up scenic Carnegie Avenue to check out the "Cleveland Competition." Having heard CWRU called nasty names by some students and praised glowingly by others who would but go there except for the tuition, I needed to see for myself what it was really like.

As I entered what the CWRU Bulletin describes as the "park-like University Circle" my eyes only saw ivy covered buildings. I like plants as well as anyone but I prefer the more modern sleek architecture of CSU's campus. Those buildings look extremely buggy. Not being familiar with the area, I had one heck of a time finding the law school. I lost it again as I parked what seemed like miles away. And you think the parking here is bad.

The imposing building with its unique twists and turns was built in 1971 at a cost of $5,350,000. Not to get too Petty, but our sign is better than theirs. The brick wall should have said George Gund Hall School of Law but some of the letters were missing. Very tacky. The sign eluded me in that I wasn't at C-M but when I saw a Puch mo-ped parked outside the door, I knew it for sure. The law school complex consists of two sections connected by an enclosed bridge. Much ado is made of this bridge. Any C-M student with a bridge fetish can simply walk the one connecting University Center and Main Classroom Building.

The rooms seemed very nice in a typically academic sort of way. Students spilled out into the hallway of a huge Moot Courtroom where they listened to a speaker. I peered at bulletin boards and moseyed to what appeared to be the lounge area on the fancy bridge. Plaid skirts and crew neck sweaters were in abundance. There were a few pairs of jeans and "dress for success — it's interview day" suits in the crowd.

Approaching the admissions office for some information, I put on my best behavior. The women there were so nice and so accomodating that I half wondered whether they worked on a comission basis, getting 10% of the $5400 annual tuition for any sucker snared. They directed me to tour the building and talk with the students, as if I'd dare after that snobby plaid skirt.

I did take their advice and visit the library. I liked it, it was very inviting and except for the presence of the guilt-provoking books and tireless students, I might have stayed. On the way out I passed the "Conscience Area" in the library. Some quote about lawyers being the conscience of society hung on the wall. A couple sullen students contemplated the outside world from the safety of their glass-enclosed prison. I wondered if their RAW groups had rejected them.

The only other place I had to see was the food area. To get there, I was assaulted with an eyesore. Their lockers are the most awful shades of orange, purple and hot pink. The food area was drab and messy. C-M students are tidier. And there was no Fran there to shoot the Love Boat breeze with. Also, we have a much better selection of candy bars.

Suddenly, I couldn't wait to get back home to kick those parking meter machines that never work and run up stairways that never meet and break my back getting into my bottom locker, because at least it wasn't orange. I walked outside in a torrent of rain and secretly wished that the mo-ped rider would get drenched.

**300 Bucks?! Continued from page 7**

Overall, the article pointed out what most C-M students already knew: if you think things are bad in law school, just wait till you get out. Being characterized as a middle-of-the-road law school sounds negative, but we are representative of a school somewhere between the big name school and the mail order school. The article did mention that C-M students were uninformed about the job market and lacked confidence versus a student from the top schools.

It was heartening to read that none of the jobless C-M students were sorry they attended law school. I hope we will all feel the same when our time comes.

Postscript: Mr. Steven Brill, editor of The American Lawyer would have permitted us to reprint the article at a cost of $300. He said Cleveland Magazine wanted to reprint it but would not pay the $300. It would be unfair to them if he allowed us to reprint this article, although Cleveland Magazine charges $1.75 an issue.

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Photo of the fallen ceiling in Prof Bukley's office. He was not in his office during the crash. No conspiracy has been found thus far.
Moot Court kicked off their 1981-82 program with the Third Annual Fall Moot Court Nite on November 5. A distinguished bench of Cuyahoga Common Pleas Judges, the Honorable Burt W. Griffin, the Honorable Ann McManaman and the Honorable James J. Carroll heard arguments presented by Cleveland-Marshall's National Moot Court teams. The two teams of Stephenie Meckler, Keith Weiner and Craig Cobb for the petitioner and Sally Richard, Sue Nigro and Ralph Streza for the respondent presented arguments covering the right to publicity and free speech. They will argue again in the regionals of the national competition on November 19, 20 and 21 in Columbus, Ohio.

Twelve other law schools from Michigan and Ohio are also participating in this event. In addition to that competition, Cleveland-Marshall will be represented in several other national moot court competitions covering a wide variety of legal areas. These competitions are Robert F. Wagner, labor law; Niagara Cup Competition, international law; J. Braxton Craven, constitutional law and national trial, trial tactics and procedure.

Each of these competitions involves researching and writing a brief based on a hypothetical problem provided by each competition sponsor. Additionally, the teams spend three to four weeks preparing and practicing their oral arguments.

All of these teams are composed of third year law students who were among the top finishers in the 1981 Spring Moot Court Competition. The 1982 Spring Competition is tentatively scheduled for late April through mid-May. It will again only be open to all second year students who have satisfied the Advanced Brief Writing and Oral Advocacy requirements.

Moot Court wishes to extend their sincere appreciation and thanks to all those faculty, staff, students and members of the community who provided assistance for or attended our Fall Moot Court Night.

Do you need an incentive to come to the library on Saturday mornings? Well, come down to Erieview High School on 18th and Superior to tutor 8th and 9th graders in English or Math at 10:00 a.m. and you can be at the library by 11:00.

Vocational Information Program needs tutors. You'll meet people and get back much more information than you give. For more information, call Beverly J. Pyle at 421-4350.
C-M Graduate Helps Bring Vietnam Vets Home

By Michael G. Karnavas

The shooting has stopped, the battle smoke has disappeared and although the American soldier has left the rice paddies of Vietnam, he has not returned home. Eight years have gone by since Vietnam ended, but like Odysseus, the Vietnam vet has been wandering astray from his homebound journey. Unlike Homer's romantic epic, however, the Vietnam veteran's Odyssey is a battlefield flashback, a search for his identity, a dream for a soldier's homecoming and a wish for a simple recognition of his existence from the country he fought for in Vietnam. As a Vietnam vet, McMonagle has been in the process of raising money for the purchase of a bronze plaque engraved with the names of the 405 service men from Cuyahoga County who died in Vietnam. The plaque would be placed on the City of Cleveland War Memorial next to the names of those who were lost in World War I, World War II and Korea. In the alternative, McMonagle as well as other board members of the Northern Ohio Chapter are attempting to raise funds for a separate and distinct monument specifically dedicated to the Vietnam veteran. One of the proposed sculptures is a twelve-foot rendering called "The Forgotten Warrior." Mayor Voinovich has expressed a willingness to consider a City of Cleveland site for a monument of this type, if the VVA is successful in raising the necessary funds to purchase an appropriate sculpture.

Raising money for these projects is a minor concern to the VVA compared to the responsibility it feels toward the unadjusted veteran. Providing counseling for the troubled vet is the primary objective of the VVA. The Northern Ohio Chapter is currently in the process of obtaining two specially equipped vans in order to provide appropriate transportation for wheel chair confined veterans for counseling, meeting confined veterans for counseling, meetings, and other VVA gatherings. Further, perhaps most importantly, the Northern Ohio Chapter would like to establish a privately funded Vietnam veterans center in Cleveland, Ohio. This center would be independent of direct government control and would be outside the direct auspices of the Veterans Administration. Dismayed and dejected by government bureaucracy and apathy, the VVA feels that it is their responsibility to help solve and work with unique problems of the Vietnam veteran, which the VVA understands so well. The VVA is optimistic that with time and special care, the bitter odyssey of the troubled Vietnam veteran will end; the Vietnam vet will yet come home.

When asked about his own Vietnam experience, McMonagle forcing a faint smile, said "As a result of my tour of duty in Vietnam, I have a much easier time accepting minor setbacks now than before Nam."

Cleveland-Marshall students are urged by the Northern Ohio Chapter of the VVA to visit the art show; you'll vicariously experience Vietnam.