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MOOT COURT PLACES FIRST AT NIAGRA

BY KEN CALDWELL

Recently the U.S., representing a European petroleum company, which is controlled by American shareholders, appeared before the International Court of Justice and asked that the court order reinstatement of a 1953 treaty between Sudan and the U.S., which was terminated recently, providing for payment to the company for property appropriated during nationalization of the oil industry in Sudan. The U.S. also sought to have the court order compensation be paid to the company for property appropriated during nationalization of the oil industry in Sudan. The U.S. was present for the first time. Repre­senting our school were Jeff Olson and Mike Salling with Steve Mitchell as alternate. The five other schools taking part were Wayne State, University of Detroit, Cleveland-Marshall, and the University of Toronto. CSU turned in a tremendous performance and won decisively after advancing through the preliminary rounds undefeated, finally winning against Wayne State in the final round, arguing as counsel for the U.S.

The CSU team was coached by Ann Aldrich, Professor of Law here at CSU. Mike, Jeff and Steve were persuaded by Prof. Aldrich to enter the competition upon short notice and in a little less than four weeks they all worked feverishly with the help of other interested students, to prepare their cases. One tremendous hurdle was the lack of adequate resource material. However, all obstacles were overcome and the victory was all the sweeter for it.

To the winner of the competition goes the privilege of hosting the following year's competition. Hence, CSU will be the host for next year's event and hopefully the entire school will rise to the challenge that is before us. We can all be proud of the honor and recognition that Mike, Jeff and Steve brought to themselves and CSU. Let's all keep up the good work.

CHESTER LAW CLUB

The next meeting of the Chester Law Club (previously the Cleveland-Marshall Law Wives) will be held at 7pm on April 10th at Mayfield High School. Chef Tibor will demonstrate the cooking of a gourmet meal. There will be a $1.50 charge per person for the demonstration and dinner.

TENANTS RIGHTS WORKSHOP

BY TED MECKLER

"Real Property Laws are based on medieval concepts of the lord of the manor, who got the manor from the king who got it from god. And down here on the bottom are the serfs." So spoke Eugene Bayer, attorney from the tenant council at the Cuyahoga Metropolitan Housing Authority, at a Tenant's Rights Workshop held at Cuyahoga Community College's Metro Campus on Saturday February 23. The workshop was sponsored by the Greater Cleveland Neighborhood Centers Association, and a long list of co-sponsors.

The conference opened with several speeches including a classic one by John Hampton, field director of the National Tenant Organization. He pointed out that N.T.O. has mass produced tenant pins which have been coated with a special kind of poison. If you poke a landlord with one of those pins he will understand what you are saying when you tell him that your toilet isn't working at least 100 times faster than he would without the poison. Following the speeches, the conference broke up into 3 workshops: one on present legal remedies, another, on tenant organization and the last on pending legislation.

After the workshops the group came together again in a plenary session, at which about 60 persons voted to give top priority to the creation of tenant's lobby. They also agreed to set up a county wide union of tenants and to form a coalition of lawyers to fight the battle for tenants rights in the courts. Cleveland-Marshall was well represented by around 10 students and one adjunct faculty mem­ber, Avery Friedman. A follow up workshop will be held in 2 months.
The Faculty meeting began with administrative announcements by the dean which included: The Moot Court team had filed briefs in the Niagara International Moot Court Competition at Wayne State University. Also, the law school will receive additional funds for the Cleveland-Marshall Educational Foundation. The new money is the result of gifts and bequests from past C-M graduates and friends.

Next on the agenda was a presentation of the LCOP (Legal Careers Opportunity Program) Committee Report. This discussion was centered around the admission policy for next year's LCOP students. During committee discussion, a student member of the LCOP committee requested a minority increase to 15% to better reflect the community. This was rejected as unreasonable and the report, as presented by Prof. Douglas, asked for an increase from 10% to 15% enrollment under the LCOP program. Discussion followed and to a large amount centered on past experiences of the program and the criteria used for admittance. Dean Tahac noted, "I am opposed to increasing the percentage of LCOP students. This is due to the profound rise in the application rate. There is more of a demand for admission and LCOP applications are not increasing at the same rate of demand." Prof. Flaherty questioned the validity of various statistics that were presented. He referred to the LCOP program as part of his "dilemma" over affirmative action admission programs.

Professor Buckley commented on the past centuries of discrimination and stated, "We are dealing with a devastating problem." Prof. Emerson agreed and called the question. The faculty (16 favor-4 against) adopted the LCOP committee report and thereby increased the program by 5%. Distinguished Professor Oleck noted for the record that C-M possesses one of the most expansive minority recruitment programs in the nation.

The next item was a report from the Cleveland-Marshall Fund Committee. The report is in a trust account (approximate $1 million) as a result of the merger of the law school with CSU. The report, as presented and subsequently approved, allows for the disbursement of the trust income in a tripartite manner: 1) to provide for Visiting Professors and lecturers. 2) To provide for In-residence scholars to work with a law professor in teaching and writing. 3) Research by faculty and students and public interest work.

Discussion evolved around the nonspecificity of the report in regards to category 3 and the amount to be allocated each. These factors were largely unspecified except for a statement of intention that the monies would be allocated in substantially equal thirds.

The faculty meeting then went into executive session (press excluded) to discuss faculty appointments.
The syllogism is part of the body of knowledge known as logic. Logic is the study of how to eliminate error from thought, and the rules of logic are once the cornerstone of every university education. These rules yielded certainty, when followed. A part of the thought of Aristotle, they were likewise a great part of the impetus behind the original rise of the universities of the Holy Roman Empire, and in the mind of Thomas Aquinas, gauged, to one of the greatest monuments to the human thought, the *Summa Theologia.* This work synthesized and clarified the theological foundation of the Roman Church 700 years ago, and today remains the major theological work of that church, waiting to be adequately challenged by a superior work. The strength of the *Summa* is due primarily to the strength of syllogism. The syllogism is likewise the strength of the legal mind.

The best way to view a syllogism is to dismantle it. First, we need a complete example of one. First premise: All women law students are too poor to afford foundation garments. Second premise: The court proceeds. Conclusion: This person is a woman law student. Conclusion: This person is too poor to buy foundation garments.

While it may not be profound truth it is interesting to note that it may not even be truth at all that the conclusion of this syllogism presents. This is because the same principle applies to the syllogism as does to computer programming: garbage in, garbage out. If two premises of the syllogism are granted beforehand, then and only then is the conclusion incontrovertible.

The three parts of the syllogism have the names. The first part is the major premise. The second is the minor premise. The third is the conclusion.

The three parts of the syllogism also have very specific functions. If the premises are faulty, there is no syllogism, there is no certainty. There is just a thought process that looks correct on the surface but is incorrect.

This is very useful when you want someone to lie, as any advertiser can tell you. But it doesn't help on the final, the bar exam, or in the office.

The specific fact of the major premise is to take an entire class of beginnings and associated them with a trait that is common to each. Thus: All dogs will bark.

The specific task of the minor premise is to take one creature in hand and identify it as a member of the class mentioned in the first premise. The dog to which the major premise applies is a dog. It must be noticed that the validity of this premise, just like that of the first, must be established before it can be used in this syllogism to yield a valid statement. Prior validity is essential to the premises of a syllogism.

Notice, too, the tendency to ask the minor premise to do what it cannot do, namely, to apply the trait of the first premise to the trait of the second. This is the function of the entire present syllogism, not the second premise. It is also tempting to put creatures into the class of the first premise that are close but really do not qualify. This too is easy to do, since we often can recognize the trait of a creature much more readily than the entire nature of that creature.

The conclusion of the syllogism requires little content. It is as inevitable as it is incontrovertible.

It is evident from what has been said that the syllogism is a tool of very limited purpose. It requires precise formation, accurate application, and honest interpretation. Its function is to yield certainty of a very specific kind. It can do nothing more, but the service it renders is most useful.

To law students, the real significance of the syllogism is that the law proceeds in a syllogistic way. At the same time, the law solves one of the most difficult problems in dealing with a syllogism. Whenever the legislature, or the courts, pronounce a rule of law, they present to the whole world a universal "truth" by which the courts will be guided. The legislature is a factory of first premises. Their prior validity is established, for syllogistic purposes. For example, when a court says that "Whenever a corporate director uses the corporate entity to perpetuate a fraud, the entity will be disregarded and the director held liable," the court creates a universal statement, a certain statement. It is in the light of that definite statement of the law, and any other principle of law that the parties may employ, that the reasoning of the court proceeds. Already the first premise of what will be the court's decision is formed.

The court's second premise is the object of most courtroom struggles. The plaintiff is striving to place the defendant within the class or directors mentioned in the law. The defendant is striving to either redefine that class, or to characterize his actions in such a way as not to be within the class. It is a semantical-philosophical process of defining words and actions all in the light of the law, in the light of the first premise of the syllogism. The conclusion is inevitable, once the law and the facts are known. The trait of liability either attaches or does not attach, depending on whether the defendant succeeds in excluding himself and his actions from the class of the first premise.

The solution is clear. The solution is at hand. The solution is easy. The solution would give C-M students a superior education. A superior education in terms of final exams, the bar exam and the daily "exams" of legal practice.

The solution would put this college of law and per professors on the map. So I ask the SBA, I ask the administration, I ask the professors, I ask everyone why not? Why don't we adopt our pedagogy to a system that will make us more powerful competitors in every aspect of our education and our careers?
CON ESTABLISHES NEW WRIT

BOSTON, Tex. (UPI) - John Richard Anderson scribbled himself a "Writ of Habeus Escapus" and sawed his way out of jail.

Despite the fact he faced a 75 year prison term on an armed robbery conviction, Anderson, 47, of Oklahoma City, had wit and judicial flair.

Police said he sawed through the bars of his third floor cell and left behind a handwritten note that said:

"Come now John Richard (Dick) Anderson, petitioner in the above styled and numbered case, and hereby grants 'Writ of Habeus Escapus' on the grounds that said Kangaroo Court of Bowie County would not allow him a fair and impartial trial, would not allow him the compulsory process of witnesses in his behalf, and using his prior convictions against him in violation of due process and equal protection of the law: to the end that justice be served, this petition for 'Writ of Habeus Escapus' is hereby accepted and granted."

Anderson, who was in jail awaiting formal sentencing also left behind some hacksaw blades he used to execute his writ.

ACLU NEEDS SUMMER WORKSTUDY STUDENTS

ATTICA BROTHERS TO SPEAK AT CSU

On September 9, 1971, almost 1300 prisoners seized control of Attica Prison. In those four days a free society was created by the Brothers inside Attica. On the fourth day of negotiations, the State, through the use of a massive force of attackers, including the National Guard, State Police, the Sheriffs Department and Prison Guards, struck without warning. Within 12 minutes 39 human beings, including 10 guards were shot to death. A special Grand Jury has since handed down over 40 indictments against the Attica Brothers. Two Brothers, Ja Ja Kareem, and Big Black will be coming to Cleveland to speak throughout the community and help raise funds for the defense effort. They will be speaking at CSU, on Tuesday, April 2, at 2:00 PM in the Main Auditorium. Their appearance is being sponsored by the National Lawyers Guild.

ATTICA BROTHERS
Legal Defense

ATTICA BROTHERS TO SPEAK AT CSU

NEW PAMPHLET ON DEMONSTRATION LAW

The American Civil Liberties Union of Greater Cleveland has announced the publication of a new public information pamphlet describing the rights of Ohioans in a wide range of political activities.

Entitled the Law of Demonstrations in Ohio, the seven-page pamphlet deals with speeches, marches, picketing, leafleting, use of sound equipment, use of tables, segregation of demonstrators, and problems of arrest.

The text also treats the law governing first amendment activities in specialized places such as transportation terminals, parks, public buildings, schools and private places.

Single copies of the pamphlet may be purchased by sending Fifteen cents and a stamped, self-addressed envelope to the American Civil Liberties Union, 2108 Payne Ave., Room 825, Cleveland, Ohio 44114.

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