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CURRY APPOINTED

Interview...The Man Behind GILBERTS !!



ASSISTANT DEAN

On March 19, 1975, Dean Craig Christensen announced the appointment of Professor Earl M. Curry, Jr. as Assistant Dean for Administration, effective July 1, 1975.

As Assistant Dean for Administration, Professor Curry will work primarily in the areas of academic standards, student counseling and general administration.

Professor Curry joined the law faculty in September 1974. Previously, he had served on the law faculties of the University of Akron, 1970-74, and the University of Richmond, 1968-70.

Professor Curry will replace Assistant Dean Daniel M. Migliore, who will return to full-time teaching next year.

By John Richilano

Of all the contrived theories about the mysterious origins of the omniscient "Professor Gilbert", the messiah of many tribes of law students, who would dare utter heresy and say that he has nothing to do with the Scripture that bears his name?

Who among those of us, so conversant in the mundane, so eager to fantasize the arcane, would have thought that "G" is general counsel for the largest land title company in the country (...world?...universe??)?

And what doubting Thomas would have thought that "G's" only begotten son, the propagator of all that is precedent, William Rutter, changed the course of Western Legal Education by coming out on the short end of a gin rummy game?

And who would have...well, enough of that. The truth is that, well, its true. This and more came out of a visit this writer paid to the fabled William Rutter, author of Gilbert Law Summaries and director of Bay Area Refresher Course (BAR) in L.A. a couple weeks ago. Rutter, his staff, and BAR occupy a suite of offices in a swank high rise building in Beverly Hills. There was something strangely inconsistent about the elegant decor. Gilberts, deified by students and deified by professors, exists here? I was expecting something seamier.



William A. RUTTER

That notion left in an instant.

"Bill" greeted me with a smooth handshake and a friendly smile. This man is all energy, I thought. One would have to be to be a professional student. Upon hearing I was from Cleveland, he said he just got off the phone with Howard Rossen. This put me a little more at ease. I imagined a big bar refresher fraternity. In fact the resemblance between Rutter and Rossen was striking. They are good friends. A little philosophical, I imagined the whole group making a bundle off of the paranoia the bar exam instills. On with the interview.

A graduate of USC law school in 1955, Rutter intimated how he always found himself searching for the ideal course outline as a student. A gin rummy freak, he bet a friend 25-1 one time that he couldn't blitz. Losing, he decided to sell his notes to pay off the debt. He typed them up and ran off a few copies. They vanished. His fellow students saw a good thing and the demand grew. [It is hard for us in the 70's to comprehend law school as we know it, without Gilberts. Like the sound of one hand clapping??]. He used the same notes to study for the bar [Musta been some notes].

After law school, Rutter prepared the text, and A.J. Gilbert (all genuflect) gave the lectures for a refresher course the latter ran. When Capitalism took its course and it came time to be bought out by a competitor, (now BAR), the merger agreement allowed Rutter to market his notes retail, keeping the name Gilbert. A.J. went his own way, and is now general counsel for Title Insurance Trust. "I wanted to offer law students what I never had," said Rutter, "a decent outline."

Decent, indeed. He started out with just the areas covered in California. Soon he enlisted the aid of local D.A.s and attorneys, mostly to keep him abreast of the latest Supreme Court decisions, and expanded into other subjects. Now, he has a full time staff of two attorneys, and also receives input from legal minds no less luminary than Choper, Kay, Friedenthal, and Kaplan. Their services are more or less indirect. They are also lecturers for BAR. [Next time Goshien spurns Gilberts, ask him why he was never asked for input]. No, there is no corps of lucky law students briefing their brains out for \$3/hour.

ANDERSON WINS B.A.L.S.A. NATIONAL OFFICE

By BRUCE ROSE

At the recent national BALSAs convention in Atlanta, Georgia, March 26-30, Pat Anderson, second year law student and chairperson of the CSU student union, was overwhelmingly elected National Director of Community Services.

This position makes Ms. Anderson responsible for bridging the gap between the Black community in need of legal services and the growing number of Black law students who are now beginning to organize themselves to meet these needs. Her job is to make the communities aware of the help BALSAs organizations can contribute.

The other national officers of BALSAs were also elected at the convention which featured workshops, seminars and job placement centers. A banquet to raise money for the Joanne Little Defense Fund was addressed by Dr. Martin Luther King Sr. It netted about \$1,000.



Anderson with Unknown

Also attending the conference as representatives of C-M were Debra Smith, Ronald Henderson, Cliff Newman, Mable Jaspers, Mary Bulls, Don Nance and Ralph Jones.

Mary Bulls ran unseccessfully for the office of national secretary.

Anderson's victory at Atlanta makes her also a member of the National BALSAs Executive Board giving C-M more National recognition than it is used to and makes it the predominant BALSAs influence in the Midwest.

Grumbles

I am neither a defender nor a detractor of the Gavel.

Nor am I particularly concerned about the ins and outs of Sheldon Stein's role in bringing John Dean to Cleveland State to speak on "Legal Ethics," for \$2,000.

I am, however, outraged at a rag entitled The Grapel (meant to parody the Gavel) which bears the names of Sheldon Stein and Shawn Kenney and was circulated throughout the school in mid-March.

It was not really necessary for these journalistic night riders to remove their sheets and reveal their names - Stein and Kenney - at the end of Grapel. It was not necessary because the entire document bears the stamp of the cry of one bruised ego; Sheldon Stein's.

Apparently he played a big role in giving John Dean a Cleveland market for his wares, got to record on each ticket to the historic occasion that they were his "personal property" and when criticized in the pages of the Gavel by Ted Meckler, resorted to poison pen prose in a poor excuse for parody i.e. Grapel.

If it was merely the activity of someone's wounded pride, I wouldn't complain; but Grapel smacks of such vicious racism, bigotry and stupidity previously reserved for bathroom walls that I feel obligated to reply.

To parody the National Lawyers Guild, a leftwing legal organization of some 5,000 members nationwide, these pundits label it the "NLG--National Liars Guild." Apparently Stein and Kenney have a beef to pick with the Lawyers Guild; fine. Do they disagree on a certain position? No, instead they call it a "liars Guild."

Can Stein or Kenney point to one article or sentence where they have found the Lawyers Guild to be a dishonest organization? Is there anything about it in its 40 year history that elicits an attack from Stein and Kenney on its integrity?

The stereotype of radicals "drinking wine, smoking dope, talking cool" is one that I thought had died with Al Capp. It is a stereotype that holds value only for fools.

Especially objectionable is Stein and Kenney's anti-black diatribe regarding the affirmative action hiring program on page 5 of Grapel. They jest that in accordance with an affirmative action program Meadowlark Lemon (a Black basketball player) is being hired to replace a "distinguished" professor.

This was perhaps the most abominable section of Grapel. Do Stein and Kenney feel a program to hire more Black law professors is that ludicrous? To Stein and Kenney it is a laugh to talk of Black law professors; after all--Stein and Kenney know--Blacks only know how to play basketball. Their insinuation and racist motives cannot be disclaimed by the final "We apologize if we have offended anybody."

The disclaimer by the authors points out they are only trying to show how biased the Gavel is. They protest too much.

The Gavel has a certain framework as any organ in the media does, from the New York Times to WERE. Objectivity certainly is more subtle in the former (whose headline last week was "Cambodian Rebels Strangle (my emphasis) Phnom Penh") then in the rambunctious latter.

I'm sure that Stein and Kenney have just set up a smokescreen; they don't care at all about "bias" or the lack of it in the Gavel. If they did they could immediately do something to give it "balance." Write for it!

They could go down to the Gavel office and submit the trash they put out in Grapel. I for one would be interested in reading their specific views of why they oppose hiring Black professors at this school.

Nothing will come of this because Stein and Kenney aren't interested in putting out a "more objective" Gavel. They are only interested in a Gavel that praises them and will sooth their wounded pride.

That "objective" I would not want to see in the Gavel and should Stein and Kenney once more feel their ego's pinched, please do not take it out on the C-M student body by publishing a self-confessed "rag," write it instead on a bathroom wall.

by Eric Poulos

THE COMMUNITY BAIL FUND ANNOUNCES ITS 4th ANNUAL BAIL FUND BALL, SATURDAY NIGHT, APRIL 19th, FROM NINE 'TIL TWO AT THE FAMOUS FRANKLIN CASTLE, 4308 FRANKLIN AVE.

The century old castle is probably the oldest and most perfect example of Romanesque Revival architecture in the Cleveland area. Beautiful to see in its restored condition, it is perfect for our needs and conveniently located in the heart of Cleveland's Near West Side. We will be using the third floor for drinks, conversation, etc. and the fourth floor ballroom for dancing. Parking is available at Lutheran Children's Aid Society a few doors down at 4100 Franklin Ave. Security guards will watch the cars and the route.

Donations this year will be \$25.00 for a patron couple and \$15.00 a couple, \$7.50 single, regular admission.* Tickets are available at our address or at the door. We will have circulating ticket sellers in the Cleveland area who may be calling on you.

*Students - don't let this deter you - you only have to pay \$2.50.

Financial Aid

The AMERICAN College Scholarship Program is offering several \$500 scholarships for the 1975-76 school year. However, only one student is nominated by each school. The winners will be selected by the AMERICAN Educational Services Scholarship Committee, on the basis of academic excellence, potential for college/graduate/professional school success, and faculty recommendations. Although financial need is not a criterion for selection, financial need will be considered when deciding which student to nominate.

Since applications must be submitted to AMERICAN Educational Services by May 1, 1975, any interested students should contact Barbara Sper in Room 1037 no later than April 15, 1975.

notice

We here at the city desk have been running a little behind schedule lately, trying to get back into Spring quarter. Therefore, the next issue will be coming out next week, instead of two weeks. So far, that issue will include the thorny subject of exams and academic freedom precipitated by the Murad petition; views of the 6th annual Women in the Law Conference; and new faculty members. If anyone has something to write about, please let us hear from you. Length doesn't matter. If you've got the time, we've got the space.

notice

Ride Needed to Richmond Mall Area Tuesday, Wednesday, Thursday nights at 7:40 p.m. Will share expenses. Call 531-7600.



THE
GAVEL

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DAVID SCHRAGER, AND BRUCE WICK

THE GAVEL STIFF: WHO DO YOU THINK?
PHOTOGRAPHY: ARNIE FINKLESTEIN
GRAPHICS: JOHN LAWSON

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THE GAVEL, COLLEGE OF LAW, CLEVELAND STATE UNIVERSITY, CLEVELAND, OHIO 44115 687-2340

GETTING OUT-

With a Little Help From Our Friends THE COMMUNITY BAIL FUND



By Barbara and Mark Real

The Community Bail Fund emerged in Cleveland in the Winter of 1971 and is still active today in providing bail monies to indigent detainees in local jails. The Bail Fund, now operating as Bail Fund East and Bail Fund West, offers legal counseling to relatives and friends of arrested persons, works with the people it helps to bail out, and, more recently, is working for reform of penal institutions and the bail system.

The Bail Fund has its roots in the political defense committees which were formed in 1971 to assist the Catholic leftists who were charged in Harrisburg, Pennsylvania with conspiring to blow up steam tunnels

and kidnap Henry Kissinger. As an offshoot of early meetings, it was decided to do something to aid indigent detainees in local jails.

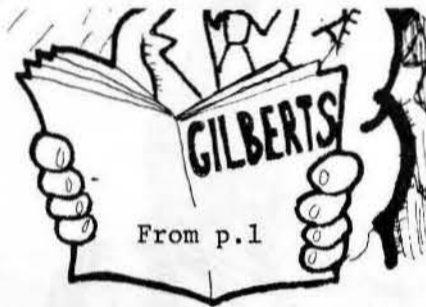
Leaders in this decision and person power behind the Bail Fund were principally members of the Thomas Merton Community, a group currently comprised of fifty adults and children that has been living communally and working with the poor on the Near West Side of Cleveland since 1969. Community members are dedicated to cooperation, sharing of material resources, and direct action against war, racism, and the indifference of both governmental and private agencies to the needs of the poor.

An interview took place with Bob Begin, a Catholic priest and Cleveland-Marshall law student, and Judy Corrigan, Director of the West Side Assistance to Victims of Crime Program. Both are currently Coordinators of the Bail Fund West.

"The Bail Fund's original objective," says Judy Corrigan, "was to provide bail money for as many indigents in County Jail as we could. Our criteria was to get out those people who had been in jail the longest with the lowest bail."

"When we started," she said laughingly, "we knew nothing about conditions in the County Jail or the bail system." See p.6

BEHIND GILBERTS



Rutter himself taught Conflicts and Equity at USC for two years. The Conflicts summary was lying on his desk, in fact, along with three or four others in varying stages of revision. "I'm constantly revising," he said. [At this point, dear reader, opportunity knocked. Yes, I had primed him sufficiently. He was flattered by the visit; by my "handshake on behalf of every law student in the country"; by my praise of his Con Law edition. I couldn't resist. "Your Conflicts summary stunk."

"It basically follows Leflar," he rejoined, reaching back in disbelief. I backed off and explained that it was a bizarre course, I didn't do well, and that I basically followed Weintraub. "Aah," he sighed, raising his hands and smiling.]

Having retired from private practice in 1970, Rutter divides his time between Gilberts and BAR. The BAR outlines are similar to Gilberts, only they look like the Last Whole Earth Catalogue on the Bar, if you've ever seen one. And he holds true to the promise on the little blue card to send out revisions as soon as he compiles them. He usually does this only once, since (hopefully) a student would only need one [In his modesty Rutter does not realize how many lawyers use his service].

I asked about the seeming bias towards California law, understandable once sees Rutter's left hand doing Gilberts and right hand doing BAR. "Not necessarily," he replied, "although California does represent the trend in many areas. Just yesterday, the (Cal.) Supreme Court threw out contributory negligence. That's judicial legislation if I ever saw it."

I asked if he follows any casebooks, "I usually extract the main cases from 3 or 4 texts, and then lay out the outline the way I feel is most logical," he replied. He began to describe where the summaries are printed,

Law Distributors, Inc. "You wouldn't believe it," he said, "You name it, they have it. Cassettes, flash cards, Canned briefs. Everything." Whereupon he promptly produced a colorful, wall-size flow chart on torts. I felt like I was in the presence of an encyclopaedia salesman I once knew. He bid me to take a tour of the plant, and I really would have liked to have seen the operation, but getting across-town L.A. without a car is like trying to leave Casablanca without an exit visa.

Declining the invitation, I asked him for a closing comment, hoping he would lay an autographed copy on me. I supposed he had to say it, but he advised that Gilberts should not be used exclusively. "It's just an outline; something I never had."

Glad you're thinking of us, Bill. I never did get the freebee, though.

NLG Student On Summer Projects

By Molly Fayen

One day last spring, near the end of a miserable second year in law school, I found a National Lawyers Guild Summer Projects pamphlet lying in an empty carrel in the library. Desperate at the prospect of spending another summer in Cleveland and interested in 2 of the projects mentioned: Native American Rights and Black Lung benefits for West Virginia miners, I decided to apply. Filling out the application, I realized my qualifications were less than optimum: my "communal living experience" consisted mainly in having eleven brothers and sisters and my career as a political activist began and ended when I was charged by an RCMP during the only anti-war demonstration I ever attended in Toronto. Hopeful nevertheless, I was interviewed and recommended by a member of the local Guild chapter. In May I was notified that I had been accepted on the Chief Leschi Summer Project to do Native rights work in Seattle, if I was still interested. Having no idea of what I was getting into, but delighted at the prospect of a change, I accepted.



Four days after my last exam I arrived in Seattle to meet 14 other law students from New York, Massachusetts, D.C., Georgia, Michigan, Missouri, California and Washington, ranging in age from 21-34 years, 7 women, 7 men, assembled in a small, dingy house near the industrial district. We spent the first week organizing the household and discussing how we were going to work on Native Rights (and be radical) for the remaining 8 weeks of the summer. Various Indian people and legal workers talked to us about work which they thought needed to be done. Based on their suggestions we divided ourselves into 9 working groups.

See p.4

From p. 3.

Considering U.S. v. Washington II to be a priority, four of us chose to work on pre-trial preparation for this case with Bill Rogers, an Environmental Law Prof. from Georgetown who is the Puyallup Tribal attorney. U.S. v. Washington I, decided in Feb., 1974 upheld the treaty right of local Indian Tribes to catch 50% of the salmon run in Puget Sound, defeating the state's attempt to control Indian fishing. Part II deals with the environmental aspects of treaty fishing rights. The legal right to 50% of the run is not worth much when the State Gov't. agencies have destroyed most of the natural runs by permitting logging companies to remove gravel beds & dump logging wastes in the rivers which destroy spawning grounds, authorize flood control projects which blockade and re-route rivers, and give special exemptions to industrial and municipal polluters. Because of the active hostility and racism of state government toward Indian fishermen we wanted to get as much information as possible before resorting to discovery. So the 4 of us with our pollutable duplicator posing as law students from back East with rather vague affiliations were able to duplicate a considerable number of government files - public information - before one of the officials got nervous and had all the secretaries stay overtime one night to remove all but official documents from the files we were checking.

Focusing on another aspect of U.S. v. Washington, 2 of the project decided to work on compiling a history of the Duwamish Tribe. Only tribes which are officially recognized and registered with the Bureau of Indian Affairs are Indians for the purposes of receiving any of the benefits of that status, specifically, the right to fish under U.S. v. Washington, not subject to state game rules and regulations. The Duwamish are one of the groups of people whose ancestors lived on the land now covered by the city of Seattle. Sealth, a Duwamish chief, gave the city its name. But the tribe, refusing to move to a reservation was scattered & decimated by the white invaders. The 2 project members by locating & interviewing older members of the tribe, searching gov't. archives and local historical collections, attempted to document the fact that the tribe has continued to exist as an entity from treaty days to the present and that certain areas of the Sound were the "usual and accustomed" fishing grounds of the Tribe.



Along with treaty fishing rights, treaty land rights (ownership and a control) are a main concern of contemporary Indians. Under the Medicine Creek Treaty of 1854 the Puyallup Tribe reserved for their own use 20,000 acres of land around what is now Tacoma, Washington. Today the Tribe owns a small Indian cemetery tract and the Tribal office--a one room building. Two of us set to work to discover how the Indians lost their land and whether any past fraudulent dealing might give the Tribe a basis to assert a claim to any of the land today. Searching title co. records we found lots of immoral but no illegal dealing. Guardians who happened to be local businessmen were appointed for illiterate Natives who weren't developing their land fast enough to suit their guardians (its easy to understand why, for Indian people land is not a commodity to be used or sold, rather it is the origin and destination of all life, the sacred source of healing power and wisdom, a gift to be preserved for those who come after us) sold their interests to speculators who got triple the price they paid from expanding R.R. and lumber corporations.



Two of us did regular library research on the issue of who has jurisdiction of roads on a reservation--federal, state or tribal gov't. or private landowners? Much of the original treaty reservation land belonging to the Quinault Tribe on the Olympic Peninsula has been sold to non-Indians over the years. Thus, the Tribe is unable directly to control land use on the reservation, wishing at least, however to prevent excessive waste and destruction of natural resources on the land by logging companies (who don't comply with permit regulation) and private developers (the last undeveloped stretch of Pacific coastline outside the National Park System is now Santiago Surf Subdivision) seek to control use by controlling access to the roads on the reservations. The tribal attorneys wanted to know, if the Tribe decides to blockade any of the roads, what legal justifications would be available.

A related land use issue in which Indians are involved is zoning. One project member, working on some of the Indian cases at Seattle Legal Aid was faced with the dilemma of highway advertisements for on-reservation businesses being prohibited because of highway Beautification Acts in conjunction with reservation land abutting highways being zoned non-commercial by municipalities. How can Indians inform the public of tribal enterprises? Further, zoning on reservation land depends on the race of the land owner since Tribal Gov't. can only zone Indian-held land.



Along with land rights health care is another treaty right which has been ignored, with the result that the average life expectancy of Native Americans is 45 and the infant mortality rate is twice the national average. One of us wrote a health care program which was submitted for federal funding. Part of the Puyallup Reservation had included an Indian T.B. hospital which was taken over by the State and is being used as a juvenile detention facility. Negotiations are going on now to have this property returned to the tribe. Meanwhile one building has already been turned over for use as a clinic and should be operating under the new grant by the end of this year.

The Adoption proceedings of various governmental and religious welfare agencies are viewed by Indians as instrumentalities of legal kidnapping and cultural genocide. The tribes requested that one project member work to develop legal arguments which would require the placement of Indian children with relatives, some member of the extended family or any other Indian family, even if that Indian family might not measure up to a white middle class social worker's opinion of what socio-economic standard was required for the "best interest" of the child.

Finally, two of us worked on Indian prisoners rights. There are 50 Indians at McNeil Island Penitentiary, serving sentences under the Major Crimes Act (serious crimes committed on reservations) who have organized The Brotherhood. The Brotherhood sponsors various activities in the prison including an alcoholics programs, cultural workshops, and a newspaper. They requested that a law class be given by the project on topics which they would select. The classes were held weekly and covered such subjects as Indian Law - Federal Crim. Juris., past conviction remedies, parole law, inmate rights.

I ended up being a floater on the project and helped out a little with everyone's work. By the time the project ended, in August, I felt as if I were just beginning to be accepted by the Indian people I had been working with and decided to stay on another month, acting as a general crisis person at the Tribal Office. I wrote several manpower funding proposals, submitted a tribal enrollment petition for a woman who had just recently discovered she was a Puyallup, helped paint the old public school building which the city donated for a new Indian Center, ran an emergency housing bureau, and sold cigarettes down on the Nisqually reservation on weekends to support myself.

As a result of the Guild's summer project I've decided to continue working in Indian Law after graduation possibly with several other people from the project. I would be glad to talk to anyone who is interested in Indian Law and/or Guild Summer Projects anytime.

The Last Round Up



Theater is alive and well and living at C.S.U. thanks primarily to J.J. Gary and some very talented students. For those of you who were fortunate enough to see C.S.U.'s production of "Marat/Sade" as directed by J.J. Gary know what an incredible, impactful performance it was. For those of you who missed "Marat/Sade," I heartily encourage you to mark on your calendars one night in May for the next production, "The Hostage" by Brendan Behan also to be directed by Mr. Gary. "The Hostage" is set in Ireland and concerns a British soldier taken hostage by a group of the I.R.A. and held at a brothel in Dublin in retaliation for an I.R.A. member being held by the British. The play is a fine example of the humorous, down to earth quality of Ireland set in a situation of deadly earnestness.

There are many theaters in this area, in case you did not know offering a wide variety of entertainment both in terms of artistic objective, and quality. From the professional companies such as the Playhouse and Hanna, through groups such as The End Result, Common-Sense Novelty Company, various dinner theaters, and many community theaters, Cleveland is a wealth of performing experiences. J.J. Gary has contributed mightily to this wealth. His shows at the Palace and Cabaret theaters have helped bring people back to downtown Cleveland. Efforts such as "The Birds" and "Inferno" have had national recognition, and his teaching has helped start an excellent theater program here at C.S.U. One clear signature in his work is the vitality and energy on stage as well as the detail and flow of the performance. You may not like the message or feeling of a show but you will rarely be in doubt as to what that message or feeling is!

"The Hostage" opens May 2, 1975 and I urge all interested to go--except for those few who chose to take random liberties with names--you may stay at home and not with you law books--windy, indeed! Farewell.

Al S. B. Tokeless

Sorry, I Don't Do That Sort Of Work Anymore

By Bruce Jacobs

A lot of people who start out in life as lawyers end up in life as, well . . . lawyers. And some don't. Like Franz Kafka, who made his living from the law and, his reputation, from his novels. Unlike his character from The Metamorphosis, Gregor Samsa, who awakes one morning stunned from a demotion in life by several phyla, (he finds himself a caterpillar), Kafka never awoke on any morning as much more than an obscure lawyer.

He was born in Prague, in 1883, to a well to do Jewish family doing well in the wholesale business. In 1906, the same year that he received a doctorate in jurisprudence from the German university in Prague, Karls-Ferdinand, he also won a literary contest for a short story sponsored by the magazine "Zeit." His career as a writer was off and walking. For lack of anything better in a job market as sluggish as the one today, Kafka endured an inconsequential stint with an Italian insurance agency. Shortly after, though, he managed to snag that prize feather-bedder: the government position. It offered every daydreamer's daydream: good pay, short hours, and a minimum of responsibility. Franz Kafka, the author of such mysterious, multi-levelled, and predominantly auto-biographical novels as The Metamorphosis, In the Penal Colony, The Trial, The Castle and Amerika made his living processing workman's compensation cases.

Kafka's letters, his works, a long traumatic love affair with Felice Braun, and the intense idolization of his father have offered amateur and professional Freudians alike, plenty of nourishing food for thought. To Kafka, however, these problems offered only debilitating headaches and frayed nerves. In the hope of relief, he turned to vegetarianism. Whether or not vegetables reduced his headaches, they failed to cure the consumption that ultimately killed him in 1924. He left behind several interesting things: Dora Dymant, his teenaged wife of short duration who afforded him the only satisfying love of forty, tormented years; a literary oeuvre that influenced writers of such magnitude as Conrad Aiken, Christopher Isherwood, Thomas Mann, Andre Gide, Albert Camus, and Jean-Paul Sartre; and a request to his friend, Max Brod, to burn every page of it. Brod, recognizing worth, or perhaps sensing that Kafka would never make it to Who's Who in Work-

man's Comp., wisely chose not to. Kafka, it appears, did not so much abandon law as ignore it to the best of his ability, which was indeed haunted, tortured, and profound.

Not so with Eugene Vivier. Abandonment suited him just fine. In 1823, at the age of six, he showed a marked proclivity toward music and so studied violin. His father, a tax collector, demonstrated uncanny prescience of the boy's abilities by steering him toward a career as, of course, a tax collector. The young Vivier dutifully collected taxes and even entered law school at the French Academy at Poitiers so he might later collect taxes with increased finesse. Like Kafka, after graduation he accepted a government appointment. His, in Lyon. Similarly, an indifference to the love of law led him to try his hand at writing. He chose journalism. But a too caustic style won him only enemies and no friends. At the Grand Theatre in Lyon he helped make no ends meet by playing unpaid violin. In addition to his skill as a violinist, he blew a tolerable French horn. Tolerable enough to attract the attention of a renowned and influential harpist named Labarre. Labarre encouraged Vivier. He urged the young man to attempt that hub of culture, Paris. Vivier lost no time in going and as they say, arriving. With a mystifying ability to produce full harmony on the French horn by playing three or four notes simultaneously, and a delightfully ingratiating manner, he soon became the darling of elite Parsian society.

Tax collecting and law, though, seem to have taught him something. As one critic wrote many years after Vivier's death, "His career was an example of second rate goods handled by first-rate salesmanship. "That mystifying ability, you see, was nothing more than a well-known trick shunned by serious French horn musicians. But, no matter. Would he have had half the fun as an attorney? And gaiety seems to have been important to him. Would Vivier have enjoyed the friendship of such powerful men as Louis-Philippe and Napoleon III had he remained in Lyon? And sycophancy flowed from him as naturally as full harmony on the French horn. Who can say? Vivier, though, died at a ripe and satisfied 83 in 1900, having happily tooted, instead of tortured his way through life.

Continued in Next Issue

addendum...

One thing that should have been mentioned in last issue's Library article is the increased use in OBAR. The 1974/75 usage has increased approximately 62.6% over last year. Total hours for Oct. 74-Jan. 75 was 426+, compared to 262+ for the same period last year.

Bob Begin commented that, "This jail is worse than the worst prisons in Ohio. Every month there are many people who plead guilty just to get out of that place."

An Inmate Strike at the Cuyahoga County Jail in the Summer of 1972 exposed to the entire community the shocking conditions in which prisoners were, and still are, being held. On July 11, 1972, all the inmates went on a hunger strike and many refused to appear in court. For the duration of the summer, with wide media coverage, the protests continued against prison conditions and the long delays before trials. (At that time, up to nine months of pre-trial incarceration was not unusual.) Bail reform was a key inmate demand. The Inmates' Council demanded that judges issue more ten percent and personal bonds.

The Council insisted that both Raymond McCool, the Bond Commissioner, and John Ungvary, his assistant, be removed immediately. Both men are white. They function as the principal investigators of all defendants and as advisors to the court in recommendation of types and amounts of bonds to be set. Still in office to-

day, McCool and Ungvary are former Cleveland Police officers and members of the CPD's "Subversive Squad." This "Red Squad," as it was known, photographed demonstrations, surveilled and infiltrated welfare rights, civil rights and peace organizations, and generally treated all organizations and persons working for social change as part of a Soviet-directed Communist conspiracy. The Inmates' Council demanded that McCool and Ungvary be replaced by committed community people who would conduct bail investigations according to the law and make less biased recommendations to the judges.

The members of the Bail Fund and other community organizations picketed the County Jail for several days in support of the inmates' demands. Jail officials responded with a series of superficial reforms, the jail was re-painted, and the inmate leadership was the object of savage recrimination by authorities after a promise by Sheriff Kreiger that there would be "no reprisals."

WAITING,



WAITING

Like the arrival of Spring in Cleveland, always slow and coming in dribs and drabs, the winter quarter grade reports have been arriving onto the bulletin board for the consumption of the grade-starved student.

The deadline for submission of grade reports of the previous quarter is "four weeks from the last day of final examinations." Sound long? It is, a ridiculously long period to await your exam results. Yet this deadline is not readily observed by many of our faculty; it has been observed more in the breach than in compliance. The only sanction for non-compliance with the deadline is to attach the professor's name to a bulletin board memo dubbed "Faculty Grading Delinquency List." If the Dean's office is at all serious about such a deadline at all, it should attach a firmer sanction to it. Furthermore the deadline itself should be reduced to a more reasonable period. A reduction of even a week would be a step in the right direction.

Perhaps this quarter students should consider choosing their own examination days, following the model set by our faculty who flout at their own deadlines.



The Cuyahoga County Jail was built in 1930 to house 300 male and female inmates. Average jail population hovers around 550 inmates and, at times, has been closer to 700. The jail services (1) federal prisoners awaiting transfers, (2) persons awaiting indictment and trial from the eleven municipal courts in Cuyahoga County, (3) sentenced prisoners serving up to six months or awaiting transfers, and (4) detainees from Cleveland Municipal Jail, when that facility becomes overcrowded. There is an absence of fresh air ventilations, inadequate heating, extreme overcrowding in cells (less than 500 cubic feet per inmate), and a shortage of blankets, sheets, towels, soap and plumbing facilities. There has been repeated testimony as to daytime rapes and beatings, racial tensions, and the lack of recreational and educational opportunities. All prisoners, except the few who have jobs, spend their time in absolute idleness.

Since the Inmates' Strike the Bail Fund has had very limited access to the County Jail due to Sheriff Kreiger and Warden Payne's policy of denying access to the jail to persons and organizations critical of jail conditions. However, during the same interim, the Bail Fund has received over \$7,500 in donations, given financial assistance averaging \$250 per person to 175 indigent defendants, and provided legal counseling and other assistance to over 400 other defendants and their families.

Currently the Bail Fund focuses its aid on prisoners in Cuyahoga County Jail who are charged with felonies. With less than \$5,000 in a constantly depleted, revolving fund, more than 100 persons have been bailed out in the past year. Bob Begin emphasized that all monies raised for the Bail Fund are used solely to bail out indigents. None of the coordinators are paid, and other organizations, like the Thomas Merton Community and various church groups, pay for postage and publicity. The chief financial source of the Bail Fund is the annual Bail Fund Ball. The 1974 Ball is coming up this Saturday, April 19th, at the Franklin Castle. (See accompanying notice for details.)

From the beginning the Bail Fund has focused on the ways bail is used to detain poor persons in jail while awaiting trial in a system which speaks of "presumptive innocence" and "equality of justice." It has often been written: "A vital test of any civilization is how it treats its prisoners."

*****NEXT ISSUE:** THE BAIL FUND ON BAIL REFORM. Plus, an interview with Daniel Thompson, Cleveland poet, rehabilitation counselor, and Bail Fund East Coordinator, who operates a 24-hour Call-Out Hotline for persons needing bail.



Hatchetperson (9) for The Remainderpersons goes up for a shot