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## Cliques

by Budd Reaux

As I was walking through the streets of downtown Ann Arbor with a second-year student the other day, I commented that I felt that the greatest challenge of law school was not achieving a hallowed position on the Law Review staff, or even getting that "great" interview, but rather was learning how to mingle with the various cliques that arise among one's anointed section.

"Tell me more," my friend intoned, while stepping over the fractured remains of a pigeon which not only had taken a free trip via the University Physical Plant's "feeding program," but also had chosen to cash in its chips just off the shoulder of the sidewalk.

I related that I regularly sat in the back row of my classes so that I could watch the comings and goings of my institutional peer group without having to resort to twisting my neck around during class lectures.

Before arriving at the University I had been warned that the people would not be friendly, that some would sit hidden humorlessly in their carrels all day, surfacing only in the proper company. No one had warned me about the cliques, though, so I had to apply all the "street" knowledge I had gained while attending one of Ohio's finer small private liberal arts colleges. The task was not easy since simultaneously I was learning how to "Think Like a Lawyer."

As we arrived at the Pan Tree, I noticed a motley crew sitting over in a corner. I turned to my fellow diner and jerked my head over in the direction of the table. Before I could begin commenting on the fortuity of having one of the "star" cliques delivered, as it were, to my own doorstep, the waitress delivered a rather scrumptious meal.

"Those people," I told my friend, "are most easily identified by their rather heavy clothing, which is worn, mind you, regardless of the temperature or season; and by the rather "spirited" vapors that emanate from their lungs while they converse inter se. Wisely, certain members of that group have learned to remove any open flames from the table at which they are sitting. I lowered my voice as I continued. "Count the number of sweaters at that table and then divide that by the number of people sitting at the table. As she counted, another piece of my burger bit the dust. "You see, there will always be more sweaters than people."

The waitress refreshed our coffee. "We know from their breath," I continued, "that the college they went to is known for its per capita consumption of Ceres' finest. And so, realizing as they do that as alcohol enters the bloodstream, the surface vessels dilate and leave one with a false sense of warmth, their survival instincts tell them that two sweaters will protect them from

see Cliques, page 5

## Flyback Week Considered

by Brian McCann

The faculty will consider at its meeting this Friday a new plan proposed by Dean Sandalow to replace his earlier plan calling for a change in the Fall class schedule in order to provide a week-long flyback break in early November. The earlier plan, which was reported briefly in last week's *Res Gestae*, was discussed at last week's faculty meeting, where it was ultimately decided to postpone final consideration until this week.

Under the new plan developed by the Dean, students would begin interviewing one week before classes and the exam period would be extended one week, to December 23rd. Thus the only difference between this plan and the Dean's original one is the means by which the time lost to the November interviewing break is made up—the original proposal having called for lengthened class periods.

In its meeting last Friday, the faculty discussed the first schedule change proposed by the Dean and an alternative plan proposed by Professor Jackson. The Jackson proposal adopts the pre-term interview week and November break but would use five non-football Saturdays to offset the lost time.

According to LSSS Faculty Committee member Joe Genereux, who attended the Friday meeting, the faculty at first felt there was insufficient information concerning class/interview conflicts on which to base a vote on the proposed changes. The faculty subsequently voted to establish a commit-

tee to study the matter further. But later, in executive session, the faculty reconsidered its vote to establish a study committee and decided to pass on the schedule proposals at its next weekly meeting.

The Law School Student Senate has considered the first Sandalow proposal and in a memo to the Dean has expressed concern over several aspects of the plan. Among these are the increased preparation time necessary for lengthened classes, the potential loss of a work week caused by August interviewing, scheduling difficulties due to fewer class periods, and the effectiveness of instruction in the lengthened periods. The Senate is also concerned that students might lose job opportunities from firms that make early offers.

While the Senate and many students have expressed reservations over the proposed changes, Placement Director

Nancy Krieger favors them. She stated that employers visiting other schools which have adopted similar plans have been very receptive to the system because it allows them to get an early start in the hunt for talent. Krieger also pointed out that early interviews give students who are unsuccessful the first time around the chance to contact other firms at a relatively early point in the interviewing season.

Dean Sandalow noted that, although he preferred his own revised plan, technically all three alternative plans would be before the faculty this Friday. He also said that his latest proposal would be possible only for the upcoming fall term because of the rather late date on which Labor Day falls this year. It is thus envisioned as a "trial plan," the results of which would be evaluated with a view toward establishing a permanent plan after next year.

## Conduct Code Changes Studied

by Brian McCann

Groups of faculty and students met last Friday to discuss proposed changes to the Rules of Conduct and Disciplinary Procedures of the Law School. The discussions involved several proposed amendments to the

rules that are meant to clarify and expedite the disciplinary process. Additional meetings will be held and a final version of the proposed amendments will be presented to the full faculty later in the semester.

The rules and disciplinary procedures were originally adopted two years ago to deal with misconduct connected with law school activities. Current regulations provide remedies for two different sorts of conduct: behavior that violates "rules of conduct" and "conduct bearing on character and fitness for the practice of law." A faculty committee appointed by the Dean (Committee on Professional Responsibility) screens each case and determines whether a sanction should be imposed. A student rejecting the committee recommendation may thereafter proceed to trial before a court of one faculty member and three students.

The group of faculty members proposing amendments to this scheme, composed of Professors Allen (Chair), Chambers, Estep, and Rosenzweig, has identified several areas in which rule changes are thought to be necessary. One recommendation is that the Assistant Dean for Student Affairs be given a formal role in the proceedings. The committee proposal requires that all matters first be brought to the Assistant Dean, who decides whether there is probable cause of a violation which would justify referral to the faculty Committee on Professional

see Code, page 2



TOM TATE steals out from underneath the shadow of Brian "Goldenboy" McCann in a rare moment during last week's Law School Basketball Tourney.

R.G. Photo by Paul Engstrom

# Law in the Raw

Compiled by Matthew Kiefer

## Meathead

A Kentucky entrepreneur named Michael Brown has just published a book entitled "Brown's Lawsuit Cookbook; How to Sue—and WIN!" A non-lawyer, Mr. Brown apparently picked up his legal expertise in federal prison in Terre Haute, Indiana, where he spent three years for transporting dynamite across state lines—specifically, to New York on a contract job to blow up the United Nations after it passed a pro-abortion resolution.

—National Law Journal, January 5, 1981

## Rainmaker

Former Treasury Secretary and 1980 presidential candidate John Connally (who dropped out of the race early and supported Ronald Reagan) is now a partner at Houston's Vinson & Elkins. Under the new president, Mr. Connally is expected to divide his time equally between the firm's home office and its Washington, D.C. outpost, although he is not expected to practice law very actively there. As one source explained, "there are people who work, and there are people who make sure the work is there, and Mr. Connally is one of the latter. Colloquially, I guess you'd call him a rainmaker."

—National Law Journal, January 19, 1981

## Same Old Tricks

Richard Nixon's old firm, Wall Street's Mudge Rose Guthrie & Alexander, seems to be up to the same kind of tricks that made its most notorious emeritus so well-liked. While interviewing 2Ls at Columbia this fall, a Mudge Rose partner offended a number of black students by asking such questions as whether they were the first in their family to go to college. One woman even reported being asked whether she grew up "in the projects."

—American Lawyer, November 1980

## Dis-Honorable Mention

When Chief Justice Warren Burger visited University of Pennsylvania Law School (located in a blighted West Philadelphia neighborhood) to help judge their moot court finals, some 85 students and community members marched in protest outside, citing the C.J.'s insensitivity to minorities and the poor. "We just want the administration and the community to know that we do not consider it an honor to have him here," said a student who asked not to be identified.

National Law Journal, December 8, 1980

## Flower Power

An unorthodox sentencing plan for shoplifters has been devised by a Muskegon, Michigan judge. Provided it is their first offense, convicted shoplifters are given the option of spending 10 days in the puke, or presenting their victim with a bouquet of flowers, a box of candy, and a written apology. So far, no one has chosen to do the time.

—Student Lawyer, January 1981

## Ms. Leading

An ABA study has found that women hold about one out of every 10 "tenure track" law teaching positions today, compared to only one in 45 a decade ago. A quarter of those women teach at their alma maters, compared to only 18% of male teachers, and more of them teach Constitutional Law than any other subject.

—National Law Journal, January 12, 1981

## The Legal Mind at Work

"A lot of us in the world take ourselves too seriously. Banks take themselves too seriously. Courts take themselves too seriously. That's why people go to bars and not banks to have fun."—U.S. District Court Judge Norman Roettger, Riviera, Florida.

## Code, from page 1

Responsibility.

Another proposal would allow the chairman of that committee to appoint one of its members to handle any case referred to it. A related proposal recognizes a faculty member on the Committee on Professional Responsibility as the individual responsible for prosecuting cases brought before the Law School Court.

The faculty group has also proposed changes in the standards of proof that would apply at the various stages of review. A consistent standard of "clear and convincing evidence" is recommended for trials concerning either an alleged rule violation such as cheating, or a charge bearing on character or fitness to practice law. The existing procedure requires a lesser burden of proof for character or fitness

allegations. In addition, it has been proposed that the screening committee, the Committee on Professional Responsibility, employ a "weight of the evidence" standard.

Changes have also been proposed concerning available sanctions. One proposal, designed to allow greater flexibility, would permit any appropriate sanction for a rule violation. (As they stand now, the rules prescribe only a limited range of sanctions.) Another form of sanction which the faculty group has considered and which can have both short- and long-term ramifications is the inclusion of a report in the student's administrative file. The Law School refers to this file when asked by bar associations to provide information on a student's fitness for the practice of law. The present rules allow only notation of disciplinary reports on character and fitness. The proposal would also allow reports concerning rule violations to be recorded.

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# NOTICES

## Notices Policy

The *Res Gestae* welcomes notices concerning law school organizations and events. Notices should be double-space typed, should when applicable identify the sponsoring organization, and must be submitted by Monday at 10 am to appear in that Wednesday's issue. They may be dropped off in the Drop Box next to the Senate Office (opposite Room 218 Hutchins Hall), or at the R.G. Office in Room 202 Lawyer's Club (above the kitchen).

**IMPORTANT MEETING**—Students interested in discussing Dean Sandalow's proposed changes to the Fall calendar are encouraged to attend a meeting on Wednesday, February 4 at 4 p.m. in the Lawyer's Club Lounge. If unable to attend, you are invited to leave your comments in the envelope outside the Senate Office, or to contact any of the members of the Ad Hoc Committee on the Fall Calendar Change. A representative of this committee will present student views to the Faculty at its meeting Friday.

The National Lawyers Guild is sponsoring an Unemployment Counselling Clinic which will provide phone-in advice and representation of persons seeking benefits before various state agencies. The Clinic will be run out of the NLG office, 3rd floor, Lawyers Club. Anyone interested in participating, please attend a meeting today, Feb. 4 at 3:30 p.m. in the NLG office or contact Rick Kessler (995-9610) or Lisa Horowitz (996-0866).

The NLG will be sponsoring 20 Summer Projects, placing law students in projects across the US, this summer. Projects include Anti-Klan Legal Project, Brown Lung Association, Maine Indian Center, North Carolina Labor Law Center, among others. Last year U of Michigan students participated in projects at the Women's Justice Center and Farm Labor Organizing Committee. Stipends are provided. Anyone interested should attend the next NLG meeting, Tuesday, Feb. 10, at noon, in the NLG office, third floor of the Lawyers Club, or call or come by the office (763-2300).

**CONTEST**—Notices have been posted on bulletin boards in the Law School concerning the Law Student Opinion Writing Contest. Please see Professor Michael Rosenzweig if you need further details.

**ALBIE SACHS** will be speaking on "Overcoming Racism and Colonialism in Africa: Creation of a New Legal System in Mozambique," on Thursday, Feb. 5, 7:30 pm, Lawyers Club Lounge. Albie Sachs is an exiled South African attorney, who teaches law in Mozambique. He is author of *Prison Diary of Albie Sachs* and *Legal Foundations of Apartheid*. There will be wine and cheese afterwards. Sponsored by: National Lawyers Guild, Black Law Students Alliance, International Law Society, Law School Speakers Committee, Black Student Union, Young Workers Liberation League, and Science for the People.

N.L.G.—regular meetings will be on Tuesdays, at noon, in the NLG office, third floor of the Lawyers Club. Please

come. Leave a note in the NLG office if this time is inconvenient for you, and we'll see what we can do.

**HATIKVAH CAMPAIGN:** The 1981 fundraising drive for the United Jewish Appeal (U.J.A.) starts this week at the University of Michigan. As the largest Jewish philanthropic organization in the world, U.J.A. supports social services for the needy in Israel, Eastern Europe, South America, and the U.S. Dedicated to the survival of the Jewish people, it also provides assistance to endangered communities (e.g. in Iran and France). Its charitable activities are not limited to Jewish causes; for example, funds have gone to help the Boat People for the past two years.

Over \$10,000 was raised during last year's on-campus campaign. The law school had its most successful campaign, with over one hundred students contributing. This year we hope to do even better. A number of law students have volunteered to help solicit support for the campaign, and will be contacting Jewish law students during the next two weeks. Please give us your support. Thank you.

## CORRECTION

The *Res Gestae* reported, in a story on the Estep Exam controversy in our January 21st issue, that Dean Eklund did not favor an honor system for grading because "she doubted that such a system would be effective in insuring the integrity of the grading system." This remark was then quoted by David Gitles in his opinion piece in last week's issue critical of the administration's rejection of an honor system. Dean Eklund has asked us to clarify that the decision to reject an honor system was made by the administration, and was not necessarily consistent with her own views.

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# Res Gestae

The University of Michigan Law School

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## Scrap the Fall Plan

The changes to the Fall schedule currently being proposed to the faculty by Dean Sandalow represent a good faith attempt to deal with what the faculty perceives as a serious problem: poor class attendance and preparation. Nevertheless, we believe that each of the three alternative proposals before the faculty this Friday should be rejected. Nobody, with the possible exception of the Dean himself, has had enough time or information to adequately assess their respective merits or likely effects; they will probably create more problems that they solve; and they reflect a basic misunderstanding of the reasons for poor attendance and preparation.

The mechanics of the various alternatives are too complicated to recount here. However, it should be obvious that any of them could have serious adverse impacts on students. Among these are the possible hardship caused students required to leave their summer jobs a week early in order to begin interviewing; the competitive disadvantage of Michigan students forced to wait until November to schedule flybacks from August interviews, by which point firms may have already made offers to students from other schools; increased competitiveness in the interview process here at school, where even the most sought-after students will be forced to continue interviewing until November; and the obvious schedule dislocations produced under any of the three plans.

Exactly how cogent each of these criticisms would prove to be is admittedly open to question. But it is witness to the foolhardiness of the alternative plans that they would even be considered before the faculty has had a chance to hear most of these questions asked, much less seek answers to them. The Dean has said that he wants to move quickly, in order to be able to implement a plan next year. However, given the complexity of the proposals and the seriousness of their possible impact on students' lives, it is almost an outrage that the faculty could vote on them only two days after students were first apprised of their details in these pages.

Finally, many of the students we have talked to agree that the plans do not respond to the real causes of poor preparation and attendance. First of all, more students miss class for on-campus interviews than for flybacks, by far. More important, however, students are more likely to miss or prepare inadequately for class by choice than by necessity. If they felt class attendance was more worthwhile, they would make the effort to arrange their placement schedules around it. There is a widespread attitude among students that, after first year, diligent class work is a lot less important than a lot of other things, ranging from Campbell competition to alcohol consumption. A week's break in the beginning of November won't change that.

# Inside Law Review

by Geoff Bestor

Law Review. Visions of Supreme Court clerkships, the Senate Judiciary Committee, and partnerships at Covington and Burling. Each year 35 or so second-year students accept invitations to join Review, with many such visions to persuade them. These juniors, as they are called, for the most part have no idea what Review is going to be like, how much work will be required, what the benefits will be, and what will happen to their exalted grade points. This article was written in an attempt to relate what it's really like.

People join Review for many different reasons. Economic coercion is a significant one. We all hear about employers who won't even talk to people who aren't on Review, and about how important review is if you want a judicial clerkship, such economic benefits, particularly for editorial board members, do exist. Members receive many unsolicited invitations to interview with employers. Callbacks are virtually automatic. Judges do like applicants with Review experience. If you want to make lots of money doing corporate law on Wall Street, being able to put Associate Editor, Michigan Law Review on your resume helps. Nevertheless, these benefits may often be as much the result of grades high enough to make Review as of membership itself. One of next year's Supreme Court clerks will be a Michigan grad who turned down an invitation to join Review—but then he was first in his class.

Another reason for joining Review is prestige. Some juniors appreciate this more than others. Some of your colleagues will think you're smarter than they previously thought. A couple firms will ply you with free liquor and food at Review-only receptions. (This is a bit like getting an allegedly free hour at Vic Tanney's, the price being having to listen to a salesperson extol the virtues of the place.) Some classmates are also likely to think you're an elitist, arrogant grind, though they didn't think so before.

Certain perks come with Review membership. Given the frustrating system of the law library, the pleasure of having stack privileges can't be overstated. You also get a carrel where you can sleep between classes. Since you'll be writing a note on some (obscure) topic, you'll have an excuse to talk to (obscure) professors if that is your wont. You'll also have access to the infamous Review course outline file. If you feel the need for an outline prepared by a student who didn't have time to go to class or read the textbook, you'll be free to get one.

A final reason for joining

Review, and probably the only good one, is the educational experience. The major responsibility of the juniors is to produce notes. You will learn more about your note topic than you thought it possible to know. Note editors will unflinchingly wield red pens, tearing apart your research, thinking, and writing in the several drafts that have to be produced. Few people have such an intense education in legal writing, at least in law school. Your writing, thinking, and research should all improve.

The experience can be especially valuable if you're one of the many who believe that law school is pretty much of a waste of time after the first year.

You'll also get lots of experience with footnotes. Since juniors are just ignorant students whom nobody will believe, every assertion in the note needs to be supported by august authority. You'll also have to citecheck, which requires that all the footnotes in the published articles be checked for form and content. By the end of the year the juniors have the Blue Book of Legal Citation Form virtually memorized.

The benefits to joining Review are fairly evident. The disadvantages are not. Everyone hears about the time commitment, but not much else. Part of the reason

to tell anyone. Pass-fail becomes a very popular way of taking courses.

The amount of work the juniors have to put in depends to a certain extent on whether the seniors on the editorial board have blood in their teeth. This year they do; next year they may not. Nevertheless, as long as Michigan continues to put out eight issues a year, the juniors will have lots to do. You're virtually guaranteed to think more than once that Review is not worth it.

The pressure of Review is alleviated somewhat by the camaraderie. It's a bit like war; members become army buddies. Review people are like everyone else in the law school. There are some you like and some you don't, but when you tell someone on Review you just finished 12 hours of cite-checking, s/he knows how you feel.

The pressure of writing the note and trying unsuccessfully to keep up with classwork is increased by daily duty and citechecking. Daily duty, which happens to juniors about once a month, involves picking up pop bottles, running errands, photocopying, etc.

It's hard not to think that you didn't join Review to learn where the pop bottle cases are put in the law school.

"Citechecking is death."  
(Anon. & Unan.). Who can

*Law Review should not be joined lightly. The benefits exist, but so do the liabilities. You'll learn to write well, will impress employers, and will memorize the Blue Book. You'll also not see your non-Review friends for six months, will look like a fool in class and on exams, and will feel pressure constantly.*

for this is a reluctance on the part of some members to talk about being on Review. Many students at the school seem to feel that Review types are different from everyone else. Nobody likes being classified on the basis of a factor that is essentially irrelevant to the kind of person he or she is, so people keep their mouths shut.

There is no free lunch, as we all know. Review is a tremendous amount of work. New members are told there's a lot of work; it's doubtful anyone realizes what 30-40 hours a week of work on top of classes does to your social and sleep life. Juniors must choose between preparing for, and going to, classes, since they can't do both, and often neither. As the juniors were told at the beginning of the year, you'll find that classes get in the way of what you're trying to get out of law school.

Grades almost inevitably suffer. There may be a few members who keep their grades up, but those souls are undoubtedly too embarrassed

believe that it matters whether there's a space between F. and 2d? Why do even the most hot-shot authors blithely cite sources that do not support the footnoted assertion? Someone has to citecheck, but that fact does not make any more tolerable the most unpleasant experience the law school has to offer.

The Law Review is entirely run by students. All decisions—what articles to print, editing, deadlines, etc.—are made by the students on the editorial board. One consequence is that those students can have great fun ripping to shreds the articles of professor-types who want to publish in the *Michigan Law Review*. Another consequence is that the juniors are treated somewhat like employees. This is no reflection on the members of the editorial board; someone has to write notes, citecheck, and pick up pop bottles, and editorial board members have too many other things to do to spend time on these matters.

see Review, page 8

# OPINION

## Hostages: Heroes or Victims?

by Matthew Kiefer

Along with most Americans, I felt a surge of national pride when the airplane door swung open last January 20th in Weisbaden to reveal a sign reading "Welcome Back to Freedom," and the first American hostage stepped out onto the runway. But I seem to be one of the few people I know who does not share the nation's newfound sense of unity and purpose following the hostages' release. I not only do not share it, I distrust it.

First of all, as was observed by one lone voice amidst the euphoria surrounding their return, the hostages were not heroes, they were victims. They were captured in the first place only for their value as symbols of America's involvement in Iran, and they were ultimately released only because of efforts made on their behalf by others. It is true that they withstood 14 months of captivity and mistreatment, but it is difficult to see how this alone constitutes heroism.

Secondly, I think it must be recognized that the United States did not emerge from this affair a victor in any meaningful sense. It was, I suppose, a victory of sorts that all of the hostages were returned alive, through negotiation and not military force, but this can only be called a victory in that it avoided a defeat. What must be remembered is that in the end, both sides came out even: we got back our hostages, and Iran got back its frozen assets. But not without considerable cost to both sides.

Iran is now reportedly in turmoil;

threatened by the Soviets in Afghanistan to the east, and a war with Iraq to the west; involved in an internal power struggle between the hardline mullahs and the secular moderates; and in dire economic straits due to war and trade embargoes. Though not all attributable to their taking of the hostages, none of these problems existed prior to November 4, 1979. (Those whose thirst for vengeance tempts them to conclude that Iran's loss is our gain should be reminded that a stable supply of Middle Eastern oil is very much in our national interest.)

On our side, what has been gained from the experience? We have lost an ally in an important geopolitical setting. Moreover, we have in a sense been shown up to the rest of the world. We have been made to pay publicly for our misdeeds in Iran, where our own CIA trained the Savak agents who tortured many members of Iran's current leadership, and where we provided an increasingly unpopular and undemocratic leader with the economic, technological, and military wherewithal to stay in power, and then showed ourselves willing to betray him when he was powerless and dying in order to get our hostages back. Surely these are not the kind of accomplishments to feel proud of.

Furthermore, let it be remembered that it took 14 months to get the hostages back. That is a very long time—not only to the hostages and their families, but to anyone who attempts to

interpret world events—and it was only partially due to Iran's erratic and inept leadership and events beyond our control like the Soviet invasion and the Iraqi War.

Much of it must also be ascribed to the fact that we spent so many months negotiating with Bani-Sadr and Gotz-badeh, who didn't even have the power to transfer control of the hostages from the militants at the embassy to the government, much less release them. When we finally did get a line through to the only man who mattered—Khomeini—it was by means of an intermediary handed to us by the West Germans.

Finally, when all the dust has settled from this and we can tell whether our mistakes were avoidable, or only appear that way with the benefit of hindsight, we must acknowledge that a precedent has been set. A "revolutionary" government hostile to our interests has violated basic canons of international law by seizing our embassy and its personnel. Rightly or wrongly, we have been forced to legitimize that act by negotiating for their release. Just as it is difficult to call the hostages heroes, it is difficult to call all of that a victory for America.

I am certainly not advocating that the U.S. should have responded with "swift and effective retribution," as the current administration wishes us to think it would have. As many of the freed hostages have recently said, that would almost certainly have resulted in the murder of at least some, and probably most, of the embassy captives. I think instead that we should accept what has happened for what it really signifies; that we have entered an era when open hostility toward the U.S. in countries in whose domestic affairs we have meddled in the past makes it imperative that we behave more honorably—and carefully—in the future.

There is nothing startling about this observation—the trend has been obvious at least since the 1973 Oil Embargo. What is startling is that the nation seems to see it so differently. I think our national insistence on seeing the hostages as heroes and ourselves as victors stems from more than our penchant for overusing superlatives. It seems to me that Americans are transmuting all of their feelings about the hostage debacle—frustration, anger, self-doubt, even shame—into a kind of jingoistic fervor that masquerades as patriotism, now that the hostages are safely home.

Of course, I too am relieved that they have all been returned alive. But it seems foolish to me to pretend that all of our national wounds have healed now that they are back. It's true that our flagging national spirits have needed uplifting for some time, but rallying around what is really a pretty hollow victory seems an inauspicious way to begin.

## Cliques, from page 1

hypothermia lest they should run outside while under the influence. Thus we see how function always underlies fashion in the true preppy wardrobe!"

As we got up to leave I walked over to the corner table and big them adieu with my customary salutation—"Hey Dudes!" They looked up and in unison winked at my choice of shirts—a rather Neapolitan pink, white, and beige melange of Oxford cloth. I was not too upset by their response—better to mingle lightly than get mangled alveoli by breathing too much of the poisoned vapors.

We turned to the left towards the "heart" of Ann Arbor—Main Street. My friend looked into the shop windows—the Dow-Jones was down 7 and %.

Overhead, I watched a gray man dive from the fourteenth floor. Averting my eyes, I continued our conversation. "At Ann Arbor's oldest law school, certain professors with the requisite "mens rea" regularly bestow honors upon those who have "the right stuff." Their time is precious and their moments are few—just like their friends."

"You know Budd," my comrade said, "it doesn't sound like you mingle too much with your section. Does your leprous physique make stomachs turn?" "No," I had to reply, "my silence in this area stems from being on the fringe of the vast majority. I am part of the great selection of riff-raff which filters into institutions like these. Vague figures which attract no attention on the streets, but whose every trivial characteristic leaps to notice in large groups of professional students. People who are so bland that elementary school bullies were almost justified in trying to "remodel" them.

"It is this kind of student that forced professors to require seating charts. There was absolutely no other way to distinguish one from the next. But this is what makes it easy to mingle. All you have to do is mumble banalities at just don't advertise."

safety in numbers which keeps this group the quietest. You can mingle, but just don't advertise.

"You know," she said after a long silence, "there is one clique you haven't discussed." "Which one," I asked, popping a toothpick onto the sidewalk. "The professors," I hung my head in shame. "Yes, I think you may be right." My rambling quickly revealed that my meagre knowledge was stretched already. "But at least I can identify the easy ones," I chuckled.

Dusk spread its shallow light upon our backs as we stepped through the revolving doors of the Reading Room. As we scanned from the East to the West I pointed out the problematic nature of mingling with the cliques—too many atomistic personalities whose main interest, besides draining large thermoses of coffee, is developing a vocabulary sufficiently arcane to impress all of their nonlegal friends.

"But we must make do with the resources at hand," I said as I sat down and picked up my spyglasses.

*Budd Reaux is the alias of a law student who is currently trying to keep his flagging spirits from reaching the Stygian depths of his GPA.*

## First Public Interest Conference A Success

by Phil Dutt

Organizers of the Public Interest Law Conference held here this past November 7-8 were generally pleased with the conference and its results. The conference offered students a rare opportunity to interview with public interest firms from all over the country.

Law students from Michigan, Wayne State, Northwestern, Chicago, Wisconsin, and Minnesota were invited to attend. Almost 100 students interviewed with about 30 public interest firms; students typically spoke with from 4 to 7 employers. Although firms from all parts of the country were represented, most were from the east coast or the Detroit area.

Obvious budget limitations keep public interest firms from competing in the fall interview scramble. When these firms can afford to interview, they prefer to travel to New York or Boston, where the density of law students is higher. Some firms were interested in the conference but were unable to attend for financial reasons. Others can plan a trip only years in advance for budgetary reasons.

The timing of the conference was another problem. Public interest firms typically hire in the spring, but the

placement office wanted to offer students an alternative to traditional firms during the fall. The conference also came on the heels of a national election, which diverted some firms.

At times the conference was in danger of foundering, but according to Placement Committee Chairman Lee Tilson, the law school, and Dean Susan Eklund and Director of Placement Nancy Krieger in particular, worked hard to make it a success.

Students canvassed after the conference said they appreciated the chance to contact so many public interest firms at one time. Those seeking public interest jobs find that interviews are scarce, so the conference presented a unique opportunity.

Employers appreciated the informal nature of the conference and were impressed by the qualifications of the students, particularly their experience in public interest work. Many plan to return to next year's conference at Northwestern.

Members of the Placement Committee plan to evaluate the conference and prepare recommendations for next year. Anyone with information or recommendations should contact Lee Tilson (764-9015).

# ARTS

## Price in 'Diversions'

Vincent Price will appear as Oscar Wilde in the one-man show "Diversion and Delights" for one night only, February 5, in the Power Center. Price, long associated with ghoulish characters and acknowledged champion of the macabre, plays the famous and infamous Victorian wit.

The show traces the career of Oscar Wilde through experiences and events which might appropriately be termed "outrageous," "monstrous" or "villainous," terms which describe many performances of Price's career. And Price doesn't find the switch from Don Juan in Hell to Oscar Wilde improbable: "Wilde's a genius that never died. You know, when he died, he was almost immediately forgiven his 'sins.'"

He survived. Wilde survived the terrible thing of prison and his genius and wit survived beyond.

"Wilde the character is conscious at times of his own brilliance and is carried away occasionally by reminiscence of his past before he catches himself at it. There's one point the play when he says, 'Of course I know life is far too important to talk seriously about it.'"

"Diversion and Delights" is a part of the Professional Theatre Program's Special Attractions Series. The next in this series of shows is "Gertrude Stein, Gertrude Stein, Gertrude Stein," a one-woman show starring Pat Carroll, scheduled for April 6. Tickets for both shows can be purchased through the Power Center ticket office or by calling 764-0450.

## Zuckerman's Nonsuit

by Paul Berghoff

Pinchas Zukerman's violin and viola recital at Hill Auditorium on January 27 was very disappointing, to say the least. He seemed bored and detached the entire evening. Though his playing was technically faultless it was emotionally flat. The result was an unsatisfying, one-dimensional performance. And apparently, Pinchas did not give a damn!

Where was the "ebullient personality and music-making" heralded on the back of the program? Mr. Zukerman stood frozen like a statue. Statues are rarely ebullient, and Zukerman was no exception. Every now and again he swayed a millimeter or so, but not once did he lose himself in the music. In dismal contrast to the magnificent and emotionally unrestrained artistry of Isaac Stern at last year's May Festival, Zukerman was a zombie. Stern would not have been proud of his protege.

Ironically, the most frustrating aspect of the concert was Zukerman's obvious virtuosity. His tone is sweet. His intonation is always on target and his interpretation has the maturity of a much older musician. He is truly a rarity—a virtuoso on two instruments. In fact, he is probably the best violinist around. All of this was evident Tuesday night, but it only made his blase at-

titude more irritating. It is much easier to overlook the shortcomings of a lesser performer who puts his heart into creating the best music he can, than it is to accept a perfunctory job from a master. The whole thing smacked of condescension.

The entire program was devoted to Brahms. His Sonatas for Violin and Sonatas for Viola are an enchanting blend of classicism and romanticism. Brahms' simple yet compelling melodies resemble the *lieder* of Schumann. But unlike many of his dear friend's works, Brahms never lets any ragged seams show. His classical phrasing captures the flowing emotion of his melodies in a taut structure.

Though Brahms' music stands as genius on its own, it must be played with *some* enthusiasm. I knew that Brahms could be overplayed like a Tchaikovsky potboiler but, until Tuesday night, I did not think that Brahms could ever be boring. Of course, I had never heard anyone play Brahms with the intensity of Musak.

Music from Marlboro provided a delightful evening of seldom heard music on January 29 at Rackham Auditorium. This group is an offshoot of the renowned Marlboro Music Festival, which is directed by its founder, Rudolf Serkin. Every summer in Vermont hundreds of gifted musicians, the famous and the not so famous, gather to explore the immense repertoire of classical music and help each other develop musically.

In 1965 Music from Marlboro was formed to carry the Marlboro message outside Vermont during the regular concert season. Each year several small touring groups, sometimes including very big name talent, cover the nation. The five musicians who played in Ann Arbor were all unknowns, but they reflected the overall excellent quality of this program. Of course, there were some rough spots, since the five have not been playing together for years. But this proviso aside, the music Thursday night was an unqualified success.

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# SPORTS

## Eye Injuries in Racquet Sports

by Phil Dutt

Wearing protective eyeguards for racquetball or squash can be a nuisance, but the consequences of an eye injury can be devastating. Many players in campus gyms play without any protection for their eyes, and many others use eyewear that is surprisingly inadequate.

A story published recently in the January issue of *The Physician and Sports Medicine* surveyed eye injuries in 67 squash and 18 racquetball players. This study contains some interesting and astonishing facts that should encourage those who do not use protective eyewear to begin doing so; those who do wear glasses or eyeguards may want to reevaluate the safety of their eyewear.

Eye injuries do not occur just to beginners. Many of the players injured had years of competitive experience; the study suggested that competitive players may be incurring an even higher risk of eye injury.

While most injuries were caused by a ball striking the eye, sometimes a swinging racquet injured the eye. Racquets were especially likely to break glasses or eyeguards. Even after surgery, players were left with vision deficits ranging from, at best, vision correctable with lenses to only 20/80 or 20/100 to mere light perception.

The most amazing revelation of the study was the number of injuries to players wearing glasses or eyeguards. Of the 67 squash players injured, 5 were wearing eyeguards and 7 glasses. Of the 18 racquetball players, 7 were wearing eyeguards and 2 were wearing glasses when they were injured.

Prescription lenses cannot withstand the force delivered by a speeding ball. Near-sighted players are at greater risk, because their lenses are thinner in the middle. Even plastic prescription lenses and hardened lenses will bite the dust faster than the Detroit Lions. The study recommended thicker lenses and polycarbonate lenses.

Many eyeguards also offer inadequate protection against eye injuries. The most popular eyeguard in Ann Arbor has plastic rims above and below the eyes, with openings over the eyes. These eyeguards are readily available and cheap; they do not interfere with vision, and they do provide protection against racquet injuries (any eyeguard is better than no eyeguard). However, the opening over the eye will not prevent a ball from striking the eye.

Improvements are on the way. Manufacturers are developing eyeguards that completely cover the

## Sports Poll

Circle the winners. Entries are due in the Sports Poll box outside Room 100 by 6:00 p.m., Thursday, Feb. 5. The winner receives a coupon for one pitcher of beer at RICK'S AMERICAN CAFE on Church Street.

- |  |                                   |
|--|-----------------------------------|
| <b>Feb. 5</b>  | Illinois (3½) at Iowa             |
| Virginia at Wagner (22½)   | Indiana at Purdue (1½)            |
| Michigan State (4½) at Michigan  | Wisconsin (9½) at Michigan        |
| Minnesota at Purdue (½)  | Minnesota at Northwestern (9½)    |
| Ohio State (½) at Illinois   | Alabama-Birmingham (5½) at DePaul |
| Wisconsin (10½) at Indiana   | Kentucky at Tennessee (1½)        |
| <b>Feb. 6</b>  | Vanderbilt (6½) at Georgia        |
| UCLA at Southern Cal (4½)  | Mississippi State (18½) at LSU    |
| <b>Feb. 7</b>  | Canisius (8½) at Fairfield        |
| Maryland at Duke (14½)   | Oregon State at Stanford (14½)    |
| Wake Forest at Georgia Tech (13½)  | <b>Feb. 8</b>                     |
| Clemson at Memphis State (½)   | UCLA (1½) at Notre Dame           |
| Tiebreaker: Predict Michigan's field goal percentage against Michigan State: _____ |                                   |

Name \_\_\_\_\_

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eye with minimal effect on vision. A group in Canada is promulgating standards that manufacturers should follow. Until then, the article recommends that clubs require players (including their own instructors) to use protective eyeguards.

### IM Basketball Scores

- Yo Adrian 36, Financial Operations 31
- Legal Ease 45, DSD E 43
- Law Dogs 50, DSD C 25
- Law Gold 69, Invisible Hands 24

### LSSS SPONSORED FLORIDA SPRING BREAK

**Where:**

To sunny Fort Lauderdale, Florida, at the Ramada Inn Hotel directly across the street from the beach.

**When:**

The group will leave A<sup>2</sup> on Saturday, February 28th at 9:00 a.m. via Greyhound Bus, arriving on Sunday, March 1st at 12 noon, for 6 days and 5 nights in Florida. We will leave at 7:00 p.m., Friday, March 6th.

**Cost:**

The package includes bus transportation and hotel accommodations. The cost for law students and friends is \$277 (for 4 in a room) or \$348 (for 2 in a room). Only 43 spaces—first come, first serve. Make checks payable to JETAWAY TRAVEL and place them in the Senate mailbox, Second Floor, Hutchins Hall. Please direct any questions to Gary Robb, trip coordinator, at 764-8941 or 763-2195.

### Dance Lessons!

Whatcha gonna be doing Wednesday evenings?  
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Each class limited to 15 men and 15 women.

7:30-9:00 *Jitterbug & Disco*. 5 wks.—7.5 hrs.—\$20

9:00-10:30 *Ballroom Dancing I*. 10 wks.—15 hrs.—\$35

REGISTRATION: phone Ken Kreshtool, or place your name(s) on the sign-up lists outside room K-31 Lawyers Club (just walk in and up). Remember: Each class is limited to 15 men and 15 women. Therefore, please do not sign up until you are sure you are taking the lessons.

FOR MORE INFORMATION: talk with Ken Kreshtool, your instructor and fellow law student (Bronze Medal Standard instructor; formerly with Arthur Murray, Inc., Pittsburgh).

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# ORGANIZATIONS

## WLSA

During an open discussion concerning sex discrimination at Michigan Law School held by the Women Law Students Association earlier this year, approximately 20 law students agreed that the lack of women and minorities on the faculty represented the most obvious and serious form of discrimination still in existence at the law school. Last Wednesday, members of WLSA developed a plan to bring this issue to the attention of students and faculty in the hopes of encouraging both careful study of the issue, as well as action.

At the time of this writing, several law school organizations are being approached to form a coalition of students dedicated to increasing the number of minority and women faculty members at Michigan. It is hoped that students who are not active members of these organizations will also join in forming a school-wide Affirmative Action Task Force.

An initial proposal for the form of the

task force has been created by WLSA. Two tasks are readily apparent. First, immediate action must be taken to seek out possible candidates for faculty positions and to convey to prospective women and minority faculty members the student body's desire to support them. Second, a careful study must be done, hopefully with the support and cooperation of the faculty, to investigate current search and hiring procedures. Often it is suggested that facially neutral hiring criteria actually work to exclude most minority and women candidates from consideration by law schools such as Michigan.

A meeting will be held next Wednesday, February 11, at noon, in the Faculty Dining Room of the Lawyers Club, to establish the task force. WLSA hopes that any student who recognizes the many benefits of the law school community will join us at the Wednesday meeting. If you are unable to attend, but wish to lend your support, leave your name and phone number in the WLSA office (110 Legal Research) or in the WLSA mailbox (3rd floor).

## Journal to Give Awards

Two Michigan legislators who were instrumental in passage of key legislation this year have been named the first recipients of the University of Michigan Journal of Law Reform Award for their contributions to law reform.

Senator Robert Vanderlaan (R-Kentwood), who helped amend Michigan's worker and unemployment compensation acts, and Representative David C. Hollister (D-Lansing), who authored the Blue Cross/Blue Shield Reform Act of 1980, were chosen by the Journal editorial board for the award because of their role in the enactment of these important pieces of legislation.

The Journal, a law school student publication devoted to analyzing and reforming current legal thought, will present its award annually to the person or persons who have contributed the most during that year to changes in the law. A banquet is scheduled for February 21st at the University of Michigan Law School to honor this year's recipients.

Vanderlaan, 50, the current Senate Republican Minority Leader and a 16-year Senate veteran, was a driving force behind passage of amendments to the state's worker disability compensation act this year. Reform of the worker and unemployment compensation laws has been a controversial political issue in Michigan for the past 10 years.

The amendments passed this year provide for several changes in the current law, including: a substantial weekly benefit increase and a significant retroactive benefit adjustment for disabled workers; higher

eligibility standards for heart and mental disability; limited retiree eligibility; the exclusion of injuries resulting from social or recreational activities; and broader exemptions for family members and corporate officers or stockholders. The amendments also contain several provisions designed to streamline the appeals procedure to reduce existing backlog and minimize delay.

The legislation is viewed by many as a major compromise between workers and employers, a compromise for which Vanderlaan is largely responsible. The Senator was among a handful of people who negotiated almost constantly for more than a week in December to arrive at a package that would be satisfactory to all interested parties.

Hollister, 38, a third-term representative from the 57th district, wrote and was the key mover behind legislation that reorganized Blue Cross/Blue Shield for the first time since the giant health care corporation was created in 1939. A complex and controversial piece of consumer legislation, the Blue Cross/Blue Shield Reform Act will directly affect 5.3 million Michigan Blue Cross/Blue Shield subscribers.

The legislation reduces the size of the governing board, makes consumer representatives a majority on the new board, and makes the new directors more accountable by requiring roll call votes and open meetings. The act also contains significant cost containment provisions and a mechanism for developing health planning and reimbursement, all of which have received national acclaim.

## Jessup

Students from the law school will once again participate in the Jessup International Moot Court Competition. This competition is held every year and gives students from all over the world the chance to use international law in solving a specific problem. This year the topic is The Law of the Sea. Two hypothetical west African countries, "New Ghana" and "New Togo," both claim certain off-shore mineral and fishing rights, and they have agreed to submit their dispute to the International Court of Justice for resolution.

The participating schools are allowed to form teams of up to five people, and each team must prepare two briefs and participate in four oral arguments, arguing both sides of the controversy. The five students who have been chosen to represent the University of Michigan are: David Apol, Rachel Deming, Jeff Green, Lenora Ledwon, and Cathy Novelli. This team will first participate in a regional competition to be held at Case Western Reserve Law School (Cleveland) on February 27 and 28. The winner of the regional will go to the national competition, and the national champion will participate in the international finals, which are held each April in Washington, D.C. This year, for the first time, the Texaco Foundation is sponsoring Michigan's participation in the competition.

## Amnesty International

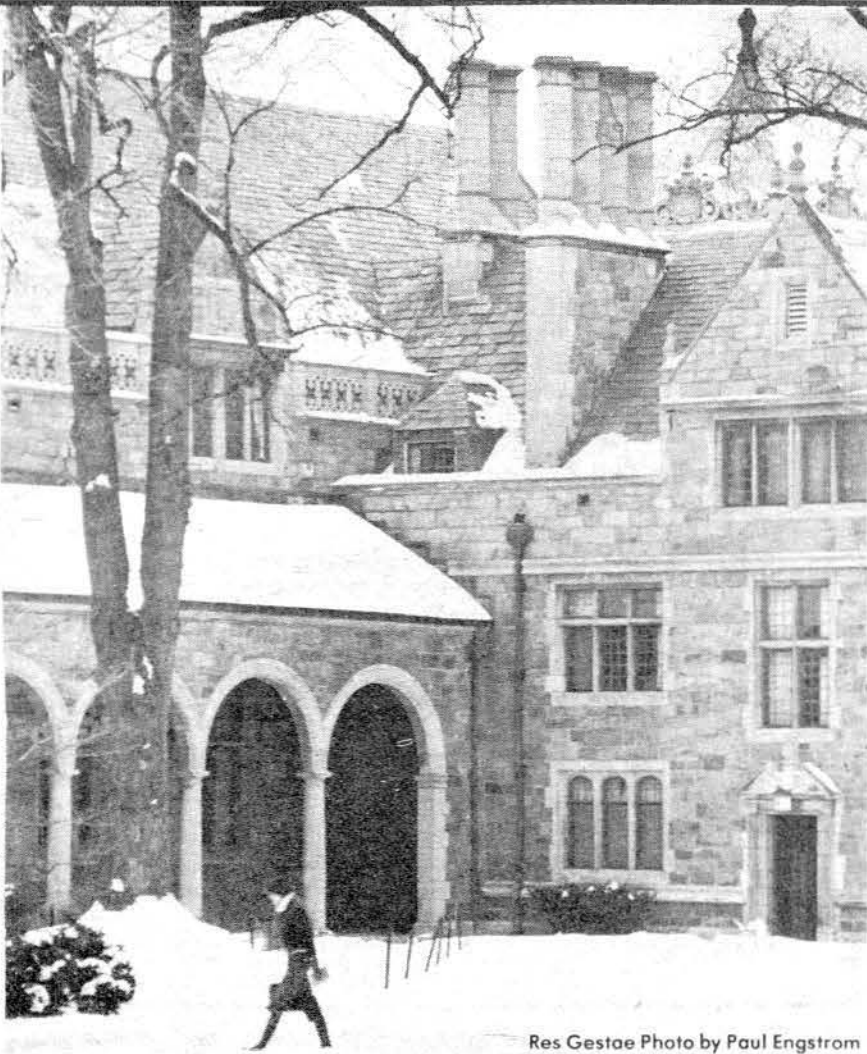
Once again, on Thursday, February 5, the law school Amnesty International group will sponsor a letter-writing campaign for a "prisoner of conscience."

AI is seeking the release of Father Jerry Aquino, a priest of the Philippine Independent Church. He was arrested September 1, 1979, charged with "illegal possession of explosives and violation of the anti-subversion law."

AI believes, however, that his known activities are not consistent with his being engaged in violence, that the charges of violent activity remain unsubstantiated after more than one year of detention and that he is actually being held for his social and pastoral work among tribal groups, peasants and workers.

There has been no information on the progress of Father Aquino's trial since last March.

AI asks that concerned law students donate five minutes of their time Thursday afternoon, during which they may write a short letter to an appropriate official of the Philippine penal system. Beginning at lunchtime, writing materials and further information will be provided at the cafeteria line in the Lawyers Club and by Room 100 in Hutchins Hall. Many thanks!



Res Gestae Photo by Paul Engstrom

## Review, from page 4

Nevertheless, juniors are still put in the position of having to do things because other students, whose only virtue is having decided to go to law school a year earlier, say so.

Law Review should not be joined lightly. The benefits exist, but so do the liabilities. You'll learn to write well, will impress employers, and will memorize the Blue Book. You'll also not see your non-Review friends for six months, will look like a fool in class and on exams, and will feel pressure constantly. The advantages of Review membership do not automatically out-

weigh the detriments.

However, you should know that the major objective benefits of Law Review—seeing your note published, accepting a judicial clerkship or some other desirable job, becoming a member of the editorial board—are still in the future for this year's juniors as this article is being written. Having a job with a federal appeals court judge, or a position on the editorial board, may make the effort seem worthwhile. Nevertheless, you'd better not assume that Review is not difficult, nor even that you'll be able to tolerate it despite the pressure. Look before you leap.

The author is a junior member of Law Review who will be graduating this August.