CROSS EXAMINER

Vol.1 No.1 UCLA School of Law November, 1973

First Year Unrest Over Numerical Grade Revival

Faculty chooses quarters, numbers

The burning issues of grading systems and semester/quarter terms were discussed in the October and November faculty meetings, with number grades and quarters getting the nod.

The October 1 meeting was highlighted by final action on the various proposals for the grading system under which the current first year class (class of '76) will operate.

Late last spring, the faculty had adopted a number grading system which allows finer distinctions between particular students' performances than the current letter system. But the number system was adopted on the proviso that serious consideration be given an ungraded option which would allow individual students to decide for themselves whether to compete for number grades. After protracted wrangling and several efforts at revising the proposal, it was rejected in a cliffhanging tally, with the Dean casting the decisive negative vote.

The faculty's grading task force presented two separate pass-fail proposals. The first, which will allow any upper class student to take a maximum of eight units of his choice on a pass-fail basis, was approved perfunctorily.

The second proposal would have required the registrar's office to maintain both a number grade and a pass-fail transcript for each student. Once each quarter, the student would have the option of deciding which of those two would be his official transcript, both for classes then in progress and those already completed. A student's transcript would thus be entirely pass-fail or entirely number grades, but once each quarter he would be allowed to decide whether to switch. Further, a student who had elected a pass-fail transcript would be allowed to "peek" at his number grade transcript in order to be fully informed when deciding whether to switch to the number grade transcript.

Faculty objections to this proposal centered upon supposed opportunities for students to manipulate the disclosure of grades and the fear that, once those outside the law school become aware of the opportunities for manipulation, the presumption will be that pass-fail transcripts conceal bad grades. Gary Schwartz moved to amend the proposal to eliminate "peeking." Murray Schwartz then observed that students who wish to consult with a professor after an exam deserve more feedback than "pass" or "fail." Arthur Rosett noted that an opportunity once each quarter to switch types of transcript amounted to a long peek. Thereupon, the "no-peek" amendment was decisively defeated.

David Leipziger then moved to amend the proposal so that a student would have the option to change his grading system only once per year and such change would be prospective only. Barbara Brudno sought to add to the Leipziger amendment a provision that all exams would be graded on

(Continued on Page 4)

STUDENTS DEMAND INPUT

When all of us made our commitment to pursue a legal education at this institution, we based our decision upon certain unique features present at U.C.L.A. — including the marginally-competitive grading system of High, High Pass, Pass, and Inadequate. However, the members of the first year class were immediately confronted, on Orientation Day, with the news that this system of grading had been abandoned in favor of a numerical system, the details of which were still under consideration.

This decision was made without any input from those students whom it directly affected, namely, the first year students.

This lack of adequate notice has compelled members of the first year class to question the actions taken by the faculty and initiate action to reinstate the former system of letter grades. It is felt that letter grades should be retained, at least until the time that students are given a viable opportunity to have input into the formulation of any new system.

Presently a petition, which encompasses the basic premise of student participation, is being circulated throughout the various first year sections. Following this circulation — which is supported by the Student Bar Association — appropriate measures will be taken to make faculty aware of student sentiment.

It is realized that there are individuals in the first year class who prefer a numerical system, and those who prefer a strict pass/fail option. But at this time it is in the best interests of students to return to the letter system and then attempt to influence the decision to change — if at all — through active input by the student body.

—Marci Haynes
First Year Class Pres.

'Official' Student Paper Lives!

This issue of the Cross Examiner marks the first publication of an "official" UCLA law school newspaper in over a year and a half. Third year students probably remember the Docket, the original paper which appeared in 1956 and which adhered to an editorial policy of "responsibility to the administration, the alumni, and also to the students of the school of law." It flourished in more or less conventional school newspaper form for years until those changes in student attitudes which began in universities in the '60's and eventually were felt even in the law school, resulted in its neglect and eventual demise. A truncated version of the paper, the **Pocket Docket**, appeared for a few issues before being laid to rest in the early months of 1972.

The UCLA law school newspaper is back, and more has changed than the name and format. The Cross Examiner is not the **Docket** in drag; we don't intend to attempt the publication of a mini-newspaper with sports and reportage on events outside the law school, nor are we going to be a voice for the administration and a conservative counterpoint to the opinions expressed in the **Hostile Witness**, the National Lawyer's Guild publication which has been appearing regularly for the last couple of years.

Our aim is the creation of a forum for the expression of a wide range of student opinion, and although informational articles will be printed, **opinion** will be the Cross Examiner's focus. We welcome the submission of articles by individuals, organizations, faculty and administration; we will print what we receive and we're hoping to uncover a wide range of viewpoint.

—**Maryanna Beard**

Women's Union: *One Woman's View*

This is not going to be a formal article, but more sort of a rap between me and women law students. I am hoping all women law students will read this (and those men who are interested in the women's movement and the social dynamics of movements generally).

I am feeling somewhat ambivalent about the political tone of the women's union; and yet it is really the fault of no one but myself and of some other women with similar views. I consider myself to be a radical and a feminist; perhaps it would be best to combine these two in one — a radical feminist — and add one more tag — a socialist. Add these labels together and it tells you something about me.

Since I relate to such labels, it also means that I may relate to some of the outward symbols of the labels, such as the rhetoric of the left. Because I believe so totally in the righteousness of my political stance and in my analysis of reality, sometimes when I open my mouth, rhetoric, instead of "communication," comes out. This is a problem I must face, because I realize that often times my rhetoric alienates other women law students who do not have perspectives similar to mine.

I allowed this minor detour of self-explanation to serve as a basis for explaining a phenomenon that I see in the women's union. I have noticed that the women who are most vocal in our women's meetings are those who could be considered feminists, radical feminists, radicals and/or strong liberals. Perhaps I am more aware of these women's political and social perspectives since they tend to be second and third year women and this is not my first year in this school. (Also, first year women seem not to be as vocal on the whole as second and third year women. Perhaps this can be explained via a phenomena I felt. When I was a first year student I usually didn't speak up at women's meetings because I felt I really didn't know what was going on in law school. Later as I became one of them, I found out my second and third year sisters didn't know any more than my first year sisters.)

Perhaps we leftist women are vocal because of our anger. Or maybe our perspectives give us a feeling of confidence, and therfore we are vocal. Or perhaps we are just a "mouthy" bunch of women. Whatever the reason(s), I feel this has led to a subtle (perhaps, obvious) domination of the women's union and has set a leftist political tone for the organization.

As an aside, I must say that I am not too sure how much of this is happening this year, and how much I am reacting to last year's experience.

In any case, this result (a leftist political stance for the women's union) saddens me because the Law Women's Union is not just for a few women law students but is for **all** women. I fear that if the women's union becomes identified as a leftist organization or if non-leftist women feel that it cannot serve as a forum for their opinions, then we lose what we are striving for — to represent all law women at UCLA.

Because women of a leftist perspective tend to vocally dominate the women's union does not mean that the Law Women's Union is committed only to such perspectives or even that we want to be so committed. We need women with a variety of views and perspectives to be active. A narrow perspective prevents us from adequately representing all women. We need other opinions voiced within the union, and we need dissent within our ranks because only through dissent, self-criticism and a diversity of opinions will the Law Women's Union be able to grow and flourish.

Perhaps some women who have not agreed with these more vocal leftists have been reticent to put forward their ideas for fear of incurring some radical wrath, or to put it more mildly, maybe some women feel it just ain't cool to disagree. But it is very cool to disagree and very necessary, and leftist women want to hear other views. I for one have been spat upon and shit upon, in subtle and obvious ways, by so many professors and male students within the law school and by many people outside the law school, that the last thing I would ever want to do is to come down on one of my sisters because I disagreed with her. (Generally, women law students are very supportive of each other and unlikely to make one feel foolish if she disagrees.)

Finally, the women's union organizational structure is basically one of committees and concrete programs which serve as a meeting place for all women. In such programs, political perspective is not of too much consequence because in these programs we are dealing with concrete realities and not rhetoric. Perhaps with a leftist perspective we are missing whole programs that would suit the needs of many women law students.

So my sisters, I beg your forgiveness and indulgence. Don't be intimidated by rhetoric and don't think that I/we do not want differing opinions. Without a larger voice and more dissent within our organization, how can the women's union know that what it is doing is in the best interests of the majority of law women?

Although throughout this rambling article I have used "we", do not think that I have authority to speak for the women's union because these are just one woman's view.

—**Sue Burner**

Energy Course To Be Offered

Right on the tails of Nixon's announcements about the energy crisis is the Winter Quarter offering of a new seminar on water and energy. Offered by an attorney from San Diego, it may turn out to be one of the more enjoyable ways to learn about America's most recent crisis — and its solution.

The course, called "Water and Energy in the Colorado River Basin," is described by the instructor as a "seminar in institutional decision-making in resolving the conflict between resource use and environmental protection."

Gary D. Weatherford

According to Gary Weatherford, instructor and former attorney with a solicitor in the Department of the Interior, what this all means is that students will get the opportunity, through game simulation, of "representing" competing interests in deciding how best to use our natural resources.

Weatherford notes that there are no anticipated major breakthroughs in the energy situation, in terms of new sources, for at least ten years. However, right now there are proposals currently pending concerning the development of several additional steam generation plants in the Basin.

Weatherford is a Yale Law School graduate, who has taught Natural Resource Law at the University of Oregon. He was a lecturer in Western Water Law at UCLA a couple of years ago.

Murray's Concern: Humanizing Halls

I want to express my great pleasure in the publication of the Cross Examiner. I want also to thank the Editors for affording me this very tempting opportunity to write, in their words, "whatever is on my mind." Like everyone else, I want to talk about the traumatic affairs of the day: Watergate, resignation of the Vice-President, calls for impeachment of the President, the crisis in the Middle-East. Yet I doubt that I can add much on these topics to the torrent of words that pours out every day.

Another group of topics is of more parochial concern: the Law School's academic calendar, grading, curriculum, admissions criteria, the impact of the vastly increased number of law students in the legal profession. Each is important to the School; each warrants more than a few columns. I prefer, however, to take this opportunity to discuss a different kind of subject — one that is inevitably affected by all the others, but has its own independent roots and perhaps solutions. That subject is the human climate of the Law School.

By all measures I know, the UCLA Law School stands high among law schools in the United States. Its student body is extraordinarily qualified and diverse. Its Faculty is as academically prestigious, as dedicated to teaching, as socially concerned and as constructively participating in the affairs of the day as any in the country. Its Library collection ranks within the top ten. Its willingness to innovate its academic program is matched by no other school. In sum, although we may not have heard the last of them, the UCLA Law School emerged from the shocks of the late 1960's in excellent academic health.

I do not have the same sense with respect to the emotional health of the School, or at least of many of its students. Not that the Law School will ever be a totally happy place, that there will be total harmony among students and Faculty, or that individual students will not have the problems that men and women of their age group have — a category consisting of most of the problems known to the human race. What is of concern is my impression that too many students have little sense of relationship with a discrete group of fellow students or participation in the various institutional aspects of the School.

The problem does not seem to be so serious for first-year students. They may have problems, but the forced grouping into sections in the first year — whatever else may be said for or against this practice — produces not only a number of lasting individual friendships but also a sense of group identity that serves well to counter the feelings of isolation that might otherwise obtain. Indeed, it is interesting to watch a first-year section cohere, each with its own "corporate personality." The first year is not an undiluted "human" success; a good deal more effort is in order. But on the scale of things, the first year seems to be of much less concern in these respects than the later ones.

So, too, the issue is probably not an important one for students who are members of one or more of the various Law School groups or organizations, such as Moot Court, Law Review, Communications Group, Lawyers' Guild, and the like. Indeed, sometimes some of these groups develop too strong a sense of group identity, and consequently reject too much outside their own group that would enrich their lives.

But many students after their first year do not have this kind of meaningful group affiliation; too many spend their last two years in relative isolation or at least without any significant feeling of involvement with their fellow students or participation in the Law School. Too many regard their time here as a necessary and relatively unenjoyable chore to be accomplished as quickly and as painlessly as possible. If man does not live by bread alone, neither does he live very well alone, even with cake.

It is not clear how pervasive or deep this feeling is. Many students obviously have personal or family resources from which to draw the kind of psychological sustenance others find lacking. Others have all they can do to work at outside jobs and attend classes sufficiently to graduate. Yet, I suspect the problem is a substantial one. For example, a number of students have remarked to me that, while they had a feeling of personal involvement in their first year, they lost that feeling in the later years. Indeed, as they walk into each new class at the beginning of a quarter they find themselves looking for familiar faces and too often, find relatively few.

A number of institutional developments have contributed to this phenomenon. Sheer size is a factor. Moreover, we lost a good deal of social cohesion with the shift a number of years ago from a largely required second and third year curriculum with assignments to particular sections to the present total elective system in the second and third years. The values of an elected system are too great to advocate a return to a required curriculum; however, the constantly shifting group of peers with whom students find themselves is a major obstacle to making friendships and establishing those relationships that are the inevitable and desirable consequence of even arbitrary fixed groupings. Finally, the late 1960's and very early 1970's were marked by reactions against the traditional kinds of institutions both within the Law School and without — and these reactions resulted in the demise of many.

None of the above factors is an unqualified plus or minus. Some of them are obviously matters over which the Law School has little or no control. No matter how hard individual members of the Faculty may try to maintain individual or indeed group student relationships, the Faculty-student ratio foredooms those efforts to limited success.

However, there are ways in which the life of law students can be made more enjoyable. The problem, as I see it, is how we can augment the involvement of students with each other and increase the fact and the sense of meaningful participation in the Law School activities.

My concern about these matters should not obscure my belief as to what the principal educational function of the Law School is: within the limits of its resources, to provide its students the best educational foundation for any of the varieties of legal careers they may pursue. As I suggested at the outset, we are in excellent shape with respect to the formal educational program. We can now move ahead on other fronts. And in so doing, we will provide an even better formal educational experience. More is learned outside the classroom than inside; more is gained through student-student interchanges than professor-student lecture. In a real sense, the function of Faculty is to provide the foundation for the discussions and research that should follow. To the extent that discussions are stimulated, education is augmented.

There are several points of entry. One is to create within the formal academic program more subject-mattered centered clusters like the Communications and Corrections Programs. Several activities are now on the drawing boards. Another is the encouragement of meetings of groups of students who are interested in particular substantive areas. Some might derive from existing courses, like International Law and Environmental Law. In the case of the former at least there exists a national organization with which there could be an affiliation. Still others might center on legal subjects or interests that are not now represented in the curriculum, like canon law.

With respect to this latter type of activity, I see the function of the Law School Administration at this time as being that of a catalyst. To perform this function, I suggest that students who have particular interests communicate with Dean Slaughter or me, so that we can see whether there is enough student interest to warrant taking the next step.

A different front is to exploit the great reservoirs of non-legal talent that exist within the Law School. Is there, for example, enough artistic talent among Faculty, students and spouses to warrant an art exhibition? Suppose we were to try to establish musical groups — from chamber music to rock and beyond — with an annual Law School musical orgy in the Spring. The Law School has always taken all the intramural athletic prizes in the past. What about intra-Law School intramural athletics? There has recently been an attempt among members of the Faculty to stimulate hiking treks. Could we not do the same for students; why not combine them?

Some may disagree about what the "basic" problems are. Certainly there will be disagreement with the various specific tentative recommendations. Concededly, they are of a "traditional" kind and may not be suitable for a significant number of current students. But Deans Bauman, Rappaport, Slaughter and I do intend to work with the Faculty-Student Relations Committee, the Student Bar Association and any other groups or individuals to make the Law School a more "livable" — in the broader sense of the word — place in which to spend our days.

Murray L. Schwartz
Dean

The Law School

'I don't recognize the place anymore'

by Mark Waldman
S.B.A. President

This law school has gone through menopause over the last year, making it a very different place than the one we first came to.

Effective student input in admissions decisions, active minority recruitment programs, and an atmosphere emphasizing individual education were the accepted policy here until the fall of last year. However, one by one, they were dismantled in a series of faculty meetings so totally wired by Dean Schwartz that faculty dissent and student opposition were laughable theories.

Until that time, one would have thought that attacks upon the LEOP program based on bar exam results could come only from some reactionary geeks in Herb Kalmbach's firm. But the Dean and faculty are attempting to resurrect the climate of the early sixties, and return us to the way we used to be. The trouble with the way things were is that they become the way things are.

When Schwartz entered the Deanship in 1969, political activism, some may recall, was at an intense level. The individual's role in affecting the social fabric was very much a part of the educational process. Partly in reaction to this, and partly from his own convictions, Dean Schwartz almost singlehandedly instituted programs of grading reform, minority recruitment, and student participation in law school governance.

But the political mood metamorphosed, climaxing in the McGovern forces being beaten like a gong by the John Mitchell C.R.E.E.P.s. San Clemente and Key Biscayne became the new centers of political thought. Suddenly schools like Harvard were becoming nursuries for the Nixon Administration and double-knit was king.

To anyone other than an ether addict, it soon became perfectly clear that any school which did more than pay lip service to progressive policies would be very lonely at interview time. And so Schwartz and the faculty altered several fundamental policies, although never announcing that a new educational direction was being set. But you don't need Dylan to know which way the wind blows.

The student vote on who got into this law school was taken away last September, and was the first visible sign on the faculty's backward shift. The old policy said more about this place than all the overused stock descriptions in the catalog, such as that UCLA recognized the value of peer evaluation and respected the student stake in the composition of the law school. The trust and involvement of students in such a crucial process showed a community of purpose, now permanently blockbusted.

With the student voice on admissions matters muffled like a Berretta with a Belgian silencer, the controversial minority admissions standards changed substantially. Community commitment and experience were axed and replaced by a "predictability index", whose mathematical formula of LSAT score, GPA, and Writing Score would allow the school to select LEOP students on the objective groups of better academic promise. Some saw this as a militancy methandone program: to replace active ethnics with similar colored but politically dissimilar counterparts.

Withdrawal pains followed as the faculty next restyled the automatic readmission rule. Instead of having them begin with failure, the old rule allowed students in academic jeopardy to drop out before first finals and to try a fresh start the next September. The new version does not automatically readmit those opting to withdraw, but puts them into the pool of new applicants, forcing students to ride out academic troubles rather than take the chance of being rejected in these days of rising admission criteria.

Then, this September, the faculty returned the law school to a number grading system. Arrogantly ignoring those students who value self-motivation over imposed reinforcement, the faculty also refused to provide a comprehensive pass-fail alternative.

The lack of number grades attracted a lot of students here who felt that professional school was no place for these degrading games. The change to number grading has already begun to savagely eat away at the once healthy interpersonal environment.

These changes went to the foundation of what this law school was really all about and profoundly altered its character. I don't even recognize the place anymore.

Maybe that's why writing for a new, "official" law school newspaper makes me feel like I've stumbled into some sort of time warp. To paraphrase Dr. Thompson, law school in the early seventies was a very special time and place to be a part of. We had all the right purpose and momentum; we were riding the crest of a high and beautiful wave.

So now, less than two years later, you can stand on the balcony of the law library and look out over the tables and study carrells, and with the right kind of eyes you can almost see the high-water mark: the place where the wave finally broke and rolled back.

? FORUM !

BRINDZE

What with all the publicity around the Law School a couple of weeks ago advertising the Watergate Committee appearance of Paul Brindze (a third year section representative on the SBA Executive Committee here), I literally could not keep away from the tube that night to watch for myself UCLA's contribution to the Washington, D.C. scene.

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TITLES

One small, but highly telling, index of the extent to which the present administration has abrogated Justice under Law is its consistent assertion of military concepts and titles; Attorney General Richardson was fired by "real" General Haig for the military crime of **Insubordination**. Nixon justified his selection of Gerald Ford as vice-

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NOBEL PEACE PRIZE

On October 16th, the winners of the Nobel Peace Prize were announced by the Norwegian government. The awarding of this prize represents a value judgment that will meet with consternation and criticism from some quarters regardless of who is chosen. Usually, any such criticism is a quiet murmur contrasted against an enthusiastic roar of approval. This year, however, recipients of the Peace Prize cannot and must not meet with ready praise and acceptance.

Dr. Henry Kissenger and Le Duc Tho, the 1973 Peace Prize winners, were chosen because ostensibly they negotiated an end to the war in Viet Nam. I say "ostensibly" because in fact they personally were not capable of negotiating or agreeing to a settlement incorporating any more or less than what the leaders of their respective governments would agree to. They were spokesmen for two countries which had been officially embroiled in war for over nine years and were no more than representatives of the public and the covert policies of their governments.

If a peace prize is to be awarded to the opponents in the Viet Nam conflict, it seems more logical that it be presented to the respective leaders of the warring powers: Richard Nixon and Ton Duc Thang. These men, after all, were responsible for the con-

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CROSS EXAMINER

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EDITORS-IN-CHIEF

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Contributions accepted at Information Desk and/or Room 2467D.

Secret Tapes Discovered

Dean Schwartz has secretly been taping student job interviews for the past four years, allegedly for purely historical purposes. Although a usually reliable source has informed us that the Dean's Office will deny the existence of any recordings, we have obtained the following transcripts of the Law School Tapes:

Center for Law in the People's Interest:

I: I'm glad to see so many young people want to practice Law in the people's interest. I notice you've got excellent grades, law review, scholarships, and all. Why do you want to practice people's interest law?

S: I really would like to apply my exceptional abilities to helping humanity rather than enriching corporate pockets.

Oddly, I worked for O'Smelveny when I graduated from Yale and I also discovered that we were always defending large companies. You know, you can get excited when its Texaco against Standard. Companies are people too.

Yes I know, but that wasn't quite my point. By the way, you must have really taken a big cut in pay to work in public interest law.

You mean, PEOPLE'S interest law. Actually, no. I'm getting the same salary I did at O'Smelveny.

How do you do that?

You see, we go to the large foundations, the Ford Foundation, Rockefeller Foundation, etc. and get sizable grants.

But don't you offend these people with your suits against oil companies and car manufacturers?

Oh, not at all. In fact, currently we're handling a suit in which we're arguing for the people's right to own big cars. It's a class action suit challenging the government's right to set auto emission standards. These standards really hurt the people, forcing them to buy smaller cars.

But aren't you only helping Detroit, and also increasing air pollution with such action?

Possibly, but people's interest law means doing as much as we can to help people do what they want. If the people want air pollution, it's our job to insure they get it.

Thank you very much, but I think I'd just as soon work for Gimlet.

You know, it doesn't seem like today's young law students are as socially conscious as they were a year or two ago.

Large law firm:

I: We always like to see students with great records like yours.

S: Well I worked hard to make all H's and write my law review article, "How to Avoid the Implied Warranty of Merchantibility and Save Costs."

Your membership in Stanford Young Republicans is impressive too. That's quite important.

You know, seven years ago, there were only four attorneys in our firm. Today there are 206.

Wow!

And that includes one former governor, one former U.S. Senator, two former Presidential aides, and the President's own White House Counsel.

Could I ask what kind of law they practice?

Oh, they don't practice. They get us clients. They use their influence to affect decisions at the highest levels. The highest!

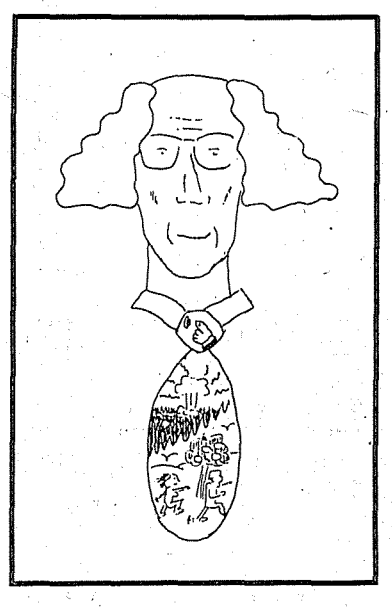
Well, I doubt that I can get you clients — Maybe my father's friend's corporation.

No, you can get us business. Our young attorneys go to apartment buildings along Fairfax or Robertson, etc. every Saturday.

They do?

Yes. And they knock on every door, introduce themselves, and ask if anyone saw the accident in front of the building last Wednesday.

What accident?



There's NO accident, of course, but you give the person your business card, and tell them to be sure to call you if something turns up.

Isn't that unethical?

If it's unprofitable, it's unethical. By the way, what's your goal in life?

To make a million dollars in five years.

Good. With that kind of a life goal I'm certain your ethics are high enough to satisfy the standards of our firm.

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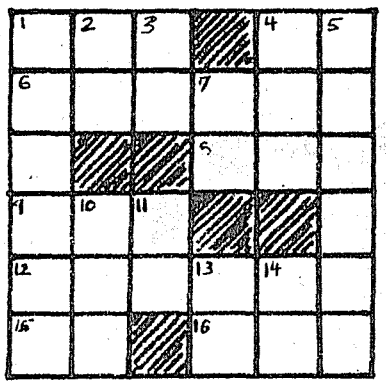
ACROSS

1. ____McGraw.
4. Italian preposition.
6. Imprison.
8. Cop (abb.).
9. Important Communication Device.
12. Type of Liability.
15. Degree (abb.).
16. Couple.

DOWN

1. Mathematical Jargon, often heard on Military Installations.
2. French Article.
3. European Pronoun.
4. Type of Castable, usually expired.
5. Overall.
7. Type of Hoc.
10. Consumed.
11. Transportation Industry (abb.).
13. Footnote Abbreviation.
14. Eastern school (abb.).



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REVIEWS

MUSIC REVIEW

The hottest new sound in years to come out from the East Coast is a yet-to-be-released set of recordings from the inimitable Whittier Dick and the Executives. Although the platters have not yet been pressed — it's all still on tape — this promises to be the Sensation of the Century.

The recordings—unnamed as of this writing, but expected by many to be called "The Turn of the Screw"—are unlike anything you've ever heard before. In fact, some of it you may never hear ever! However, at least one reviewer has noted some flaws on the track—some unexplained pauses or somesuch—which detract a bit from the general flow of the sound. I disagree. In this Reviewer's opinion, it is just that combination of sound and silence that is the "with it" sound today. I mean, we've heard it all before, right?

It is believed by many, that, as a result of Dick's recording technique, a New King may emerge. Let it be! (**Turn of the Screw**, on the D.C. Label. Available through Sirica's Music Shop.)

MOVIES: PAPER CHASE

While movies about young medical students have become commonplace, few have ever purported to tell the story of a law student. Perhaps this results from producers' and writers' instinctive appraisal that a law student's life lacks drama. To make it interesting, you have to throw in a girlfriend, of whom the student's parents disapprove, who happens to be dying of leukemia. **Paper Chase** is the first film to depict the law school experience with memorable verisimilitude; autobiographical, it succeeds as entertainment without resorting to cheap romanticism.

Whether the movie will be a box office success is another issue. Much of its meaning and humor will be lost upon real, i.e. non-legal, people, who have never had to decide whether to purchase an outline or never panicked when their yellow hi-liter ran out of ink.

For many law students, **Paper Chase** will appear exaggerated, its characters one-dimensional. But it does convey the anxiety constantly felt by most first year law students about their performances and their futures, the pre-final exam panic, the intense feelings of competitiveness, intellectual superiority and inferiority, and betrayal.

Minority students and some law women will undoubtedly find the movie not particularly relevant to their experience, as will those future movement lawyers (are there any left?) who choose not to cover their options with good grades.

What is being chased in **Paper Chase** is not so much the degree itself as the possessions, power and status that good grades will buy. It is clear from the start that merely graduating from Harvard Law School per se is an insufficient achievement for any prospective lawyer (can it be?). If the movie is to be believed, no respectable law student is interested in other things, such as the other sex, and — much less — commitment to social reform.

Perhaps this is an accurate comment on law students today. Certainly, many of us have shucked our cotton workshirts in favor of the best polyester threads. If poverty law had not been absorbed into our educational system via the clinical programs, God knows whether Legal Aid would get any student help. **Blume in Love** may have said it in its choice of anti-hero: a Beverly Hills divorce lawyer who meets his future wife at a victory celebration for farm labor organizers.

Professors here may object to the portrayal of law school professors as insensitive, autocratic boors. Such intellectual elitism and brutality is, of course, totally absent from our enlightened faculty. Never fear, we do applaud you at the end of the year just as the first year Contracts class appauds Prof. Kingsfield, brilliantly acted by John Houseman.

One intriguing aspect of **Paper Chase** in relation to UCLA is that it seems to condemn the kind of law school that our faculty seems intent upon reinstituting. UCLA, once in the vanguard of law schools offering a progressive, humanitarian legal education, has revived the old numbers game. It is once again emphasizing grades, class standing and performance on the bar exam.

The movie, if it lacks a moral, at least demonstrates the dehumanization of law students. Hart, played by Timothy Bottoms, is a sensitive man whose humanity is nearly sucked out of him by the system. He becomes frazzled and desperate while writing a special research paper; he crams for finals closeted in a hotel room for three days like a caged animal with debris from studying strewn all about him like a hamster's nest. Knowing that one of his study-group friends is depressed over his failing law school performance, Hart nevertheless forgets to invite the other members of the group to a surprise birthday party for his friend, who in the meantime tries to commit suicide while the candles burn unnoticed on the cake.

It is possible that to some law students, this kind of behavior will not seem at all unnatural or bizarre. The ordinary viewer, however, is likely to be mystified by such goings on. A character like Bell, who derides other students and refuses to share his information and knowledge, will seem unbelievable to them.

Fortunately, for the image of the legal profession, Hart eventually comes to realize that it is not only the obvious pigs who are destroying the weaker or less able students but that all of the students, even the nice guys, are tacitly conspiring to destroy one another.

Oh yes, there is a love story. Lindsay Wagner as the girlfriend serves as the foil for Hart's realization of the meaninglessness of the chase. At the beginning of the movie, she seems to represent the outsider's view of the insanity of compartmentalizing one's whole life, organizing it around law school. Sensing her coolness to his problems dealing with law school, Hart reprimands her for not providing him with enough "sustenance." She leaves him. He lets her go until he discovers that she is the daughter of his favorite professor, with whom he identifies completely and obsessively.

Paper Chase is a very funny and very painful movie for law students. You may find the end unconvincing, but you won't forget it.

—O.D.A.

MORE PAPER CHASE

Dean Prosser warned his torts class at Boalt Hall that absolutely no words would be spoken during the final exam. Nevertheless, midway through the final, a student's hand waved frantically, in a wild attempt to catch the Dean's attention. Finally, in a scowling, threatening tone, the Dean asked,

"What is it?"

Shaking with fear, the first year would-be lawyer replied, "My pen. It's out of ink."

After a pause, the dean sternly responded,

"Cut you hand, and write in blood."

A mediocre new movie, "The Paper Chase," resurrects the Dean Prossers, the Willistons, Corbins, and Pounds of the legal teaching profession, molding our worse fears about nightmarish professors into a character named Charles Kingsfield, a brilliant, venerable professor of Contracts at Harvard. Although Prof. Kingsfield is unlike any professor at UCLA, he is so brilliantly portrayed by John Houseman as the socratic, tenacious, and ultra-strict interrogator of students, that the viewer almost fears he actually exists.

Kingsfield's chief nemesis in "The Paper Chase" is John Osborne Hart, Jr., adequately played by Timothy Bottoms, who entered Harvard Law after graduating from Minnesota. Hart sets out to conquer Professor Kingsfield by reading every published writing of the good professor as well as sleeping with his beautiful daughter in the professor's house.

Professor Kingsfield's daughter is perhaps the most disappointing character in the movie, not only because of the lack of definition of her views toward her father and toward competition in general but also because of actress Lindsay Wagner's inability to act.

Plotwise, John Hart enters Harvard Law only to find that there are never final answers to Prof. Kingsfield's questions. Kingsfield warrants, "After every answer, there is always another question." The first day of class, Kingsfield admonishes Hart for not having read his assignment, and then scowls at Hart's inability to assess damages resulting when a surgeon mistakenly grafted chest skin onto a burned palm, resulting in a "burned and hairy palm."

Such treatment only motivates Hart and his classmates to work harder. The fantasy begins at this point, and we are shown that every Harvard Law student studies past midnight. Hart joins a study group to get an edge on his peers, but the pressures of competition largely dissipate the group's ability to cooperate with each other. At Harvard, winning is the only thing. Hart's friend Kevin, who has a photographic memory but no ability for critical thinking, is pushed to the brink of suicide. Another friend gets so flustered over exams that his 800-page Property outline, which is more complete than the textbook, flies out an upper-story window as the bumbling student pleads with Hart to exchange outlines.

In the end, Prof. Kingsfield finally prevails in the struggle when, despite Hart's outstanding final in Contracts, Kingsfield is unable to remember his name. "The Paper Chase" concludes enigmatically with Hart and Kingsfield's daughter Susan standing on the beach pondering Hart's future. Should he continue the struggle for two more years, and lose his humanity, or should he moderate? We never know the answer. Hart receives his grades by mail, and without opening them, flings them into the ocean (with the knowledge that the school has his official transcript.)

His mistake was, of course, that he should have kept the grades, and thrown this film into the ocean instead.

—Jonathon Klar

Peace Prize

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tinuation of the war and for the policy lines and bargaining positions that Dr. Kissinger and Le Duc Tho would exchange. These two governmental leaders determined precisely what kind of settlement the two negotiators could accept or reject.

The question then becomes: Are these leaders of the United States and North Viet Nam, Richard Nixon and Ton Duc Thang, whom Dr. Kissinger and Le Duc Tho represented, truly emissaries of peace deserving of the Nobel Prize? In reaching an accord, were these leaders motivated by a desire to stop war, to lay their conflicting ideologies to one side and give peace primary consideration in their international relations with one another? If either the United States or North Viet Nam had negotiated from a position of power infused with a noble desire to stop war and with readiness to commit its powers to the preservation of peace, perhaps we could say that these men and therefore their representatives had committed themselves to peace and were deserving of the Nobel Prize. However, such was not the case. Dr. Kissinger represented a morally exhausted country whose people had plainly expressed a demand to have the war ended or at least to have the United States' participation in it come to an end, and the Congress of the United States had more than idly threatened to stop financing the war. Le Duc Tho represented a country that was physically exhausted. Neither of these countries, or their leaders, had the option to go on fighting on such a massive scale, at least without some respite. The negotiations were predicated on mutual weakness, and the resulting peace settlement was accepted by both sides out of necessity, not because either side believed it an abhorrent way to implement its ideology. These adversaries negotiated a peace settlement because this particular war was not expedient, and they negotiated for many of the same reasons every like war-weakened sovereign has ever had for negotiation. Their motivation to reach a settlement stemmed far less from a desire to achieve peace in Viet Nam than from a mutual need to gain time to regroup their forces for the next confrontation.

North Viet Nam's government still espouses the same goals of Far Eastern domination, through bloody conflict if necessary, and the U.S. still seeks to frustrate those goals and further its own political philosophy with the same war machine, if necessary. How can the leaders of these two governments, and through them their representatives, be regarded as peacemakers? How have they demonstrated their dedication to peaceful co-existence rather than to bloody confrontation? How are they deserving of the Nobel Prize for Peace? "Peace in Viet Nam" exists only on paper and the actual achievement of Kissinger and Le Duc Tho has been to disguise from a world which is tired of watching the fighting and killing that continues unabated in S.E. Asia.

—Francesca de la Flor

Brindze

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Of course, as anyone who watched knows, Paul did admirably well. While his manner wasn't that of a victim of circumstances or an innocent scapegoat, on the other hand he did not come across as an unscrupulous Ehrlichman nor was he as uncooperative as that member of "Jews for Nixon" who preceeded him.

The Committee was diligent in getting to the bottom of an incident in which a 16-year-old volunteer was blamed for Paul's poor judgment in allowing a person from another organization to use a McGovern mimeograph machine to print up some controversial flyers.

While I did not agree with Paul's actions in some respects, I did feel a kind of pride in his performance. If I felt any disappointment at all, it was rather in the group of McGovern campaign heads who evidently felt they had to finger someone for punishment. The flyer itself, in my opinion, was not so libelous, even in its implied comparison of Nixon and Hitler, to warrant such a reaction. It seems to me that the better position would have been to apologize to the Nixon people and let it go at that.

Clearly, it was not the integrity of Paul Brindze which was being questioned by the Committee — at least, not his alone. It was rather the integrity and strength of those for whom he worked.

In any case, Paul appeared before the Committee calm, confident and articulate, taking blame when it was warranted, correcting Senators and counsel in their sometimes apparent twisting of facts, and generally coming across as a worthy representative of UCLA Law School.

—Michael Siegel

Faculty Chooses

(Continued from Page 1)

the number system in order that each student would have detailed knowledge of past performance, regardless of what appears on his official transcript, when deciding whether to exercise his option for prospective change. A faculty vote overwhelmingly approved this clarification of the proposed amendment. Following an extended discussion primarily concerned with the question of when first year students would choose their grade systems, the Leipziger proposal was soundly trounced.

Leon Letwin then proposed that the Leipziger amendment without the Brudno clause be considered. He suggested that this would be a "true" pass-fail option and present minimal chances for manipulation. He also noted that this would also simplify grading procedures for faculty members; no detailed scoring would be required for the exam papers of those students who had opted for pass-fail grades. This amendment was also voted down heavily.

Mickey Rappaport, commenting upon the original Task Force proposal which was again on the floor, expressed the belief that a system which allowed individual students to select either pass-fail or number grades would be the worst of all possible worlds for LEOP students. Those who selected the pass-fail option would be presumed to be at the bottom of the class, while those opting for number grades and class rankings would be forced to compete with the academically elite portion of the class.

Norm Abrams summarized the feelings of a substantial portion of the faculty when he declared that the Task Force had failed to present a proposal which would remove competitive pressures.

The ensuing vote on the proposal proved to be the dramatic high point of the meeting. Dean Schwartz announced his count of a show of hands as being 13 in favor and 13 opposed; he then cast a tie-breaking vote against, and announced the proposal defeated. Murmurs and calls for a recount erupted from all corners of the room. A second vote was taken. This time, the Dean announced the result as 14 in favor, 14 opposed, and his own tie-breaking vote again in the negative.

—Michael Floyd

Titles

(Continued from Page 2)

president on grounds of the latter's long support for the absolute importance of **National Defense.** When Charles Allen Wright appeared on the Today Show, to "explain" Nixon's dismissal of Special Prosecutor Cox, he referred three times to Elliot Richardson as "General Richardson" — a Freudian slip if ever there was one! When our Commander-in-Chief (as his supporters prefer to call him) finally implements martial law for the protection of the nation and its Constitution, maybe Mr. Wright will grace the post of First Judge Advocate General.

— Gina DesPres