NYLS Celebrates 87th Commencement

by James Gelb

Despite the gray clouds and occasional drizzle of rain outside, the mood inside spacious Avery Fisher Hall was filled with the celebratory atmosphere of the NYLS Class of 1979. Convocation was the 87th commencement exercises of New York Law School.

The vast hall was filled with the relatives and friends of the 354 graduates, NYLS's largest graduating class. Wade H. McCree, Jr. delivered the Commencement address and six honorary degrees were conferred. (Recipients included Senator Jacob Javits (R-NY) and Supreme Court Justice Potter Stewart.)

After an invocation by Sister Colette Mahoney, President of Marymount Manhattan College, the National Anthem was sung by soloist Elaine Knowles. This was followed by brief introductory remarks by Dr. John Y. Thornton, Chairman of the Board of NYLS. Dr. Thornton set the pace for the graduation exercises by emphasizing the "joy and celebration" of graduation. He remarked that, in the graduating class, "the finest we have ever graduated" had paid for their degrees with "blood, sweat and tears." Dr. Thornton also found the increased number of women graduates very encouraging. "More power to them," he remarked.

Faculty Forms FGO

by Dennis T. Gagnon

Prof. Jackie Kleiner, together with a group of other faculty members, has announced the formation of the Faculty Government Organization (FGO) to promote faculty rights in the governance of New York Law School. The FGO has become the school's official chapter of the American Association of University Professors (AAUP), which comprises more than 1000 local chapters at more than 2200 institutions across the country. The AAUP is the nation's largest and most influential organization fostering and protecting the academic rights and freedoms of professors.

Elected to serve as officers of the newly formed FGO are: Prof. Jackie Kleiner as President, Prof. Richard Harris as Vice President, Prof. Nancy Erickson as Treasurer, and Prof. James Brook as Secretary.

Shared Governance

Asked what the primary objective of the FGO would be, Kleiner, its founder, emphasized the importance of the faculty retaining control over all aspects of the school with the Board of Trustees. He explained that this sharing of power must be conducted in a democratic fashion in accordance with the faculty government, rules of the Association of American Law Schools. (The AALS is the official accreditation organization among law schools.) He stressed that the objectives of the FGO, such as promotions, salaries, and general educational policy, were positive rather than negative.

Zupancic to Leave Faculty Cites "Atmosphere of Fear"

by Scott Batterman

After serving two years as a professor of criminal law and criminal procedure, Professor Bostjan Zupancic has decided to leave New York Law School and the United States, choosing to return to Yugoslavia. The Professor's decision was prompted by a dispute over salary, and a philosophical disagreement over the manner in which NYLS is run by the administration and board of trustees.

Professor Zupancic first arrived on campus in 1972. A graduate of the University of Ljubljana in 1970, he had already served as an assistant professor even before graduation, an appointment as faculty. There are no trustees to appoint faculty. "There are no trustee to appoint faculty," he explained. After spending one year working on his master's degree at the University of Zagreb, and another at the University of Montreal School of Criminology, he received a scholarship from Harvard to work on his L.L.M.

He then continued on his S.J.D. at Harvard, a task which was interrupted by a year's service in the Yugoslavian army and a 9 month clerkship for the Circuit Court in Ljublajana. His career at NYLS began in the summer of 1977. He accepted the offer from NYLS partly because it was an offer for two years of work: "I couldn't bring my family over without some security." He thus became one of the few foreigners in America who teaches criminal law, not international or comparative law.

Speaking of his two years at NYLS, Zupancic declared, "I loved it, for reasons which have nothing to do with it," insofar as 57 is the administration. "It was leaving because they wouldn't pay me, " he explained. After spending one year working on his master's degree at the University of Zagreb, and another at the University of Montreal School of Criminology, he received a scholarship from Harvard to work on his L.L.M.

He then continued on his S.J.D. at Harvard, a task which was interrupted by a year's service in the Yugoslavian army and a 9 month clerkship for the Circuit Court in Ljublajana. His career at NYLS began in the summer of 1977. He accepted the offer from NYLS partly because it was an offer for two years of work: "I couldn't bring my family over without some security." He thus became one of the few foreigners in America who teaches criminal law, not international or comparative law.

on the Inside:

Class of 1979 Commencement Photos
**Italy Knights Shapiro**

A rare and highly prestigious honor has been bestowed upon Dean E. Donald Shapiro by the Italian government. In a ceremony at the Italian Consulate here in New York City, Dean Shapiro was officially made a Knight of the Order of Merit of the Italian Republic.

Dean Shapiro, who was one of the driving forces behind the establishment of the New York Law School-University of Bologna Center for Legal Studies, was knighted in recognition of his outstanding contributions to fostering the educational and cultural ties between Italy and the United States. Shapiro becomes one of the very few Americans to be knighted by the Italian Republic in the 20th century.

**1979 Jeffords Lecture**

The Honorable Benjamin R. Civiletti, Deputy Attorney General, United States Department of Justice, honored New York Law School through his appearance as this year's Walter M. Jeffords, Jr. Distinguished Visiting Lecturer. The lecture, held before a capacity crowd in the school's Moot Court room, dealt with the prosecutor's role both in the grand jury and in pre-trial discovery.

Mr. Civiletti noted that the prosecutor faces unique problems in this regard. Like other attorneys, he must merit the trust of judges, witnesses and jurors.

To achieve the high standards set for the Justice Department, Mr. Civiletti emphasized that the Department tries, "by selecting able lawyers, providing them with the best available training, offering the assurance of institutional policy and the models of outstanding career prosecutors, and requiring adherence to the highest standards of professional responsibility, to assure that the Department of Justice merits both our pride and your trust."

Following the lecture, Mr. Civiletti was awarded an honorary degree from NYLS. A reception was then held in the Froessel Library.

Mr. Civiletti's appearance marks the continuing success of the Jeffords Lecture-ship in presenting outstanding and distinguished lecturers in the legal profession.

**The Start of Last Year's Mini-Marathon**

The second annual NYLS Five Mile Mini-marathon will be held on Sunday, October 7, 1979, at 10 a.m. The race, sponsored again this year by Gil Hollander, will begin at NYLS and then tour the sites of Lower Manhattan.

The entire NYLS community is invited and urged to participate in this test of endurance and determination. Students, faculty, alumni and administrators from other law schools are also cordially invited. Entry forms are available at Gil's and the SBA office in 47 Worth. The deadline for entries is September 21, 1979.

Remember, the 1980 Olympics are just around the corner! Sign up now!
Equitas
Another First Place!!
by Michael Coney

Columbia University's Schola
c Press Association has
first time in the top honors as an
academic newspaper. The Association
awarded its first place to "EQUITAS" for its
outstanding contribution to student jour-
nalism.

The competition included entries from
1021 various school newspapers and maga-
azines, ranging from public and private high
schools to specialized schools (law, medical,
business schools, etc.). The performance
of a newspaper is judged on the basis of four
separate criteria: Content and Coverage,
Writing and Editing, Design and Layout,
and Special Credit — each of which is
broken into smaller areas with a total
maximum score of 1,000 points.

"EQUITAS" received 849.9 points out
of the total 1,000. Content and Coverage
accumulated 194.3 out of 225; Writing and
Editing, 370.9 points out of 425; Design and
Layout, 259.7 out of 300; and a perfect
score of 50 for Special Credit.

Praise and Criticism for
Coverage and Editing

News Editor in Chief Paul's arti-
cle concerning Professor Solomon and
Professor Schroth's work in Comparative Law
received considerable applause from the
Association Judges. "EQUITAS" in-depth
pieces are indeed a worthy contribution.
Writers do attempt to get testimony from
two sides, and go into details and exten-
sating circumstances." However, the
judges opined that "EQUITAS" was top-
heavy with interviews of faculty, ad-
ministration, alumni, and general interest
news. They feel that more energy should
be spent covering student activities.

The editing and writing staff of
the newspaper was highly praised for its
careful exercise of correct grammar, punctua-
tion, syntax and good style.

Improvement Needed in Layout

Association judges questioned a num-
ber of issues in the "EQUITAS" layout pro-
cedure. Improper placing of lead stories on
the front page, stationery masthead, sel-
ding use of centerfold for lengthy stories,
and frequent "head-and-shoulder" photo-
graphs were the chief complaints regarding
the technical style of the newspaper.

However, in summing up its opinion,
the Association judges gave the newspaper
a glowing review. "EQUITAS" well meri-
ts its First Place rating. It performs in sum as
we would expect a law school publication of
popular interest to perform, providing pro-
vocative, thoughtful material on the
pedestrian variety. We like its ability to
translate difficult concepts into meaningful
articles and its intellectual alertness in
keeping up on current issues needing inter-
pretation."

New Placement Director
by JoAnne Celusak

Ms. Lynn Strudler has begun her
work as the new Career Placement
Director of New York Law School. Prior
to her appointment, she was the Director of
Placement and Career Planning at Barnard
College. In addition to her experience in
the placement field, Ms. Strudler received
a law degree from NYU Law School.

A clear understanding of the students'
training and talents is a significant factor,
she feels, in being able to direct students in
their career choices. An extensive project,
she explained, is already underway which
aims at establishing a broader base of poten-
tial employers for NYLS students.

Her office is presently contacting
firms and agencies to have them either
participate in on-campus recruiting or be
come part of a system whereby NYLS stu-
dents will be directly referred for various
placements. The strategy of developing
specific sources of employment will depend
largely upon the interests expressed by
students. Where a greater demand for a
certain field of law is indicated, those firms
within that area will be contacted and ex-
lored for potential openings.

Ms. Strudler stressed, therefore, that
careers come to people, and that students
will be referred to professionals who
will be better able to assist them. It is
never too early to be preparing for next
summer's employment opportunities.

Large Job Base Sought

At this time, it is most important that
all seniors contact Ms. Strudler as soon as
possible regarding job placement. She is
enthusiastic about the possibilities of a
large, diverse pool of students for
which many students will be directly refer-
ed, as many firms will not be able to send
a recruiter. Ms. Strudler's motivation in
the development of this system is the desire
to work for the students to help them
achieve their career goals.

Because of the great enthusiasm Ms.
Strudler expressed concerning her role in
forming plans and new ideas to be im-
plemented, it appears that these oppor-
tunities will be visible shortly. Everyone's
cooperation will lighten the task of organiz-
ing a coherent program, so students are
urged to contact the Career Placement Of-
fice and work together with Ms. Strudler
to improve their chances of success.
Reasons to Worry?

New York Law School is faced with the loss of one of its most talented, scholarly, and well liked professors — Prof. Bostjan Zupancic. His decision to leave the faculty of NYLS and the reasons behind that decision (see story-page one) are very disturbing. They strike at the very heart of the serious ideological conflicts existing between many faculty members and those people who run the school. If what Prof. Zupancic has stated is true, or only partly true, it is illogical and incomprehensible that such circumstances are permitted to exist.

NYLS is a fine school with an outstanding future. To insure that future, every effort must be made to seek qualified instructors and encourage those already on the faculty to stay. We have many outstanding young faculty members with great potential; we cannot afford to let them go. If we do, then where do their ideas and solutions go? Only when our voice is heard, can we truly protect our education.

Compliments to ...

EQUITAS extends its compliments to Bruce Dulak and all those people who helped to make this year's registration as smooth as possible. We only ask that the fine work be maintained in the future. EQUITAS also thanks Dean Bruce and his staff for providing a tentative draft of next fall's exam schedule. Such consideration surely makes a student's life much easier.

In Memorium

The entire staff and editorial board of EQUITAS would like to express its deepest sympathies to Dean E. Donald Shapiro and his family on the death of his mother Sarah. We are sure that we speak on behalf of the entire New York Law School community.

Answers & Counterclaims

TO THE EDITOR:

In her letter “Photo of Editors Emeriti, and Their Words!” (Apr. 1979) what a picture in the April Aequitas! Now there are some truly "beautiful people" — who can think & who can write! And who certainly look like they could change the world. God bless you all. Never to put down having a legal education. I think it's a must, but somehow I wish you were all going to be journalists. Now think that over. Your "thinking" results pretty damn good to this old timer. Best wishes!

Hang in! — Veritas

Most sincerely,
John M. Lamphear
N.Y.L.S. 1939

Labor Law

Good Faith Bargaining

by Mike Solis

At the heart of this country's labor laws is the principle that employees may select or reject representation by a labor organization. Employers generally make this determination in a secret ballot election. For them, the campaign presents a "yes" or "no" issue — for or against union representation. A majority of "yes" votes gives the union one right — the right to sit across the bargaining table from the employer and demand that the employer bargain "in good faith.

The meaning of "good faith bargaining", like that of such terms as "probable cause" and "reasonableness", is deliberately vague. Its ambiguity is its value — it leaves room to encompass every conceivable situation.

The National Labor Relations Board decided early on that the duty to bargain in good faith includes, among other things, the duty to furnish information to the other side. Because of the relative positions of the parties, the more common situation is that the union asks for production of information and the employer is ordered to produce. The Board's maxim to order disclosure is that the union is entitled to receive that information which is necessary to enable it to "service and police the contract." (Viewies, Inc., 204 NLRB 1090 (1973).)

Like "good faith", the Viewies criterion is deliberately vague.

Very recently, in Detroit Edison Co. v. NLRB, No. 77-1685 (March 5, 1979), the Supreme Court placed a narrower construction than that of the National Labor Relations Board on the employer's obligations to meet the good faith requirement. In Detroit Edison, the employer refused to disclose to the union certain information concerning employee attitude tests. The information withheld included the test questions, the employee answer sheets and the scores, linked with the names of the employees who received them. The union claimed it needed this information to arbitrate grievances of employees who were denied promotions based on their individual scores.

The Board had ordered the employer to disclose all of this information. To hold otherwise, the Board said, would:

[ deprive the union] of any occasion to check the tests for built-in bias, or discriminatory tendency, or an opportunity to argue that the tests or test questions are not well suited to protect the employees' right, or to check the accuracy of the scoring.

Supreme Court Opinion

The Sixth Circuit ordered enforcement of the Board's order. 509 F.2d 722 (6th Cir. 1975). The Supreme Court, however, held that the "good faith" obligation did not require disclosure. The Court held that if the requested information was relevant to the union's duty to police the contract, the employer's and employees' interests in withholding disclosure outweighed the value of giving the information to the union. These interests, the Court noted, related to the confidentiality promised by the employer to the test-takers.

The Court stated:

The sensitivity of any human being to disclosure of information that may be taken to bear on his or her basic competence is sufficiently well known to be an appropriate subject of judicial notice.

The Court held that the employer met its good faith obligation by conditioning disclosure upon the written consent of the employees who were challenging the test.

Thus, the Court held that while employees may have selected the union as their bargaining representative, their decision did not automatically surrender wholesale control of every employment-related matter to the union. Some degree of privacy remains; its extent is to be defined by subsequent interpretations of Detroit Edison.

[Mr. Solis graduated last year from New York Law School. He is an associate at the firm of Jackson, Lewis, Schnitker & Krapman.]
Zupancic on NYLS: More Business than Academic

(continued from page one)

$30,000 a year. The salaries are too low at New York Law School. Frequented $90,000, because I learned that a guy at Hofstra, a person with no advanced degrees, was offered that to start. "Zupancic did not know whether this was the customary starting salary for professors at Hofstra; he merely indicated that he was aware that this particular law professor had received such a salary. It is state, however, that, on the basis of information received from another member of the faculty, "New York Law School has the lowest paid faculty in the whole New York area."

Further Reasons

His other reasons for leaving, though, were based on matters even more fundamental to the NYLS community: "If you want to start an academic career in the United States, you have to know where you are going from; and I did not consider, were I to stay in the U.S., that my start from New York Law School would be successful."

"Assume my ambition is to be a tenured professor at New York Law and spend my whole life here. One goes into an academic career because one likes not only to teach, but to do a different kind of intellectual work. I am used to different academic attitudes than those present here. At New York Law School, a faculty member is treated as an employee—he can be hired, fired and summarily dismissed. They have little or no input into how the school is run."

"I think it is outrageous that the school is run by people who are not themselves teaching at the school. This is the problem of trusteedship, the problem of existing without a university setting. The whole New York Law School situation is an example of what capitalism does to education: it is run as a business, by businessmen, and for businessmen."

"The proof of that," he asserted, "is that the major concern the people who run the school have is competition—they are trying to exist in a market where there is a severe fight for the bodies to fill the classes. As the number of available bodies go down, the reputation has to be lifted."

A Business or School?

"Echoking an oft-repeated complaint, he continued, "There are two ways to build a reputation: you actually improve the quality of the school, or you may simply build the public relations image of the school. The former is a longer process. A school without a reputation has definite difficulty in attracting quality faculty. It cannot buy quality on the market. Instead, you have to invest in young people. This takes time, academic benevolence, support and long-term planning. It takes an attitude in which one does something not for success, but for the love of what you're doing: love of knowledge, science and the process of teaching."

His analysis of the situation summed itself in a paradox: the more you try to succeed in market terms, the less academic you become: you give up your performance, the less your success. It is not a law firm and it is not an electric company—you cannot have success with a high turnover of people. He described the end result of the pressure to publish combined with "one of the highest teaching loads in the country" as "an atmosphere of fear." At times he seemed almost angry: "Who is Thornto to give tenure, who are the trustees to judge others? That is the essential problem with New York Law School—a business attitude, rather than an academic one."

Faculty and Students

"Turning to his colleagues, Professor Zupancic admitted that he doesn't know the faculty well. The nature of his contact with them has been "on the level of friendship."

Not having a high reputation in the intellectual performance," he noted that he "has been "in five or six different schools, inside and outside, and students are in a much better position to judge faculty. One thing—I found myself surrounded by people who I like, as colleagues."

As to the students, he stated, "I am not trying to be complimentary. I was highly impressed by the intellectual performance in my classes. I have no complaints about that. That is the essence, why I'm not bitter about being here at New York Law School. I loved it because my teaching experience was so rewarding. I learned from the students, from the interaction with students. I found them serious and willing to be intellectually excited."

"I think that the stuff the law school is made of, the teaching interactions, are New York Law School. It is not the administration; it is not the building; it is not the personality of the students.

Faculty Government Organization at NYLS

(continued from page one)

Dean's Appointment

"We now have a situation of a dean taking a sabbatical as a dean," Kleiner stated, "a situation unheard of in any law school. To illustrate, Dean Patterson of Emory University Law School has been granted a year's leave of absence as a professor, after resigning his deanship, and a search committee has been selected to identify a permanent dean of the law school. For Dean Shapiro to return as dean of NYLS, he must be approved by the faculty."

According to Kleiner, NYLS is currently in direct violation of the AALS faculty government rules which state that a faculty shall be consulted before the dean is appointed and a dean should not be appointed over the expressed opposition of the faculty. Kleiner noted further that the faculty was never consulted about the appointment of Dean Shapiro when he was originally appointed by the Board of Trustees. NYLS was not consulted, or when the school gained AALS accreditation. Kleiner feels that any appointment of a dean without faculty approval would be an "act of defiance" calling for drastic action to be taken by the faculty. He sees the role of the FGO in this decision process as one of consultation and recommendation. The final approval must come from the entire faculty.

By following this suggested procedure, NYLS will no longer be in violation of AALS rules. Referring to the procedure for approving a dean, Kleiner noted, "We don't wish to perpetuate a chain of illegitimacy."

Financial Aspect

Another issue which the FGO will address is that of money. Zupancic termed the amount of money American law students pay for their education "astronomical." He remarked that "I never paid a single penny for tuition, and here students are paying ten of thousands of dollars and not having any input. The two Americans in the decision-making process should be the protagonists in the classroom interactions."

The Future?

As for the future of NYLS, he stated, "I'm sort of pessimistic. Short of any structural change in the power structure, no change can exist. The fish stinks in the head, and unless the head is cut off, it is going to continue to stink. If it were the Sixth, I would have more hope. In that way it is a little different."

Not to sound too pessimistic," he concluded, "the relevant reality at New York Law School is very healthy—student attitudes. I do think that the culture is very good. Nothing is wrong with the kernel of the school."

And the future of Professor Zupancic? "I'm going to Yugoslavia to complete my clerkship in the Circuit Court. I have an invitation from the University of Ljubljana to submit an application for a teaching position. I'm still working on my dissertation, I may go into law practice. But eventually, I don't think I can exist without being part of some academic institution."

Dean William Bruce, who participated in the negotiations with Prof. Zupancic, stated that he was not at liberty to discuss the specifics of those negotiations. Bruce did state that he had immensely enjoyed his association with Prof. Zupancic and felt that he was a very "thoughtful and intelligent" individual and professor.

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Prof. Kleiner
dess is the question of Faculty salaries. To Kleiner the problem is evident, "We have the lowest paid faculty and highest paid dean of any law school in New York State."

In Kleiner's opinion, it is clear where the current financial priorities lie. Despite the low salaries, Kleiner believes that NYLS possesses an excellent faculty with great potential, particularly among its young members, and the school needs to do something to encourage these fine people to stay at NYLS.

Kleiner sees the salary issue as leading to the broader issue of the school's finances. Since financial decisions are the most important, Kleiner would like to see more
Lex • Aequitas • Justitia •

New York Class

We Came
Veritas — NYLS 1979

Law School of 1979

We Conquered
When students are surrounded by members of their own peer group, they tend to fare better than students plagued by loneliness. Some students purposely choose to remain uninvolved for reasons known only to themselves. Others purposely seek to gain notoriety by placing themselves at the other end of the spectrum; some run for office and some attempt to remain in popularity contests. Most students adjust socially, however, by surrounding themselves with a small clique. Cliques serve a positive social function in one respect, but unfortunately, they also have quite a negative effect on persons shut out of them. I have talked with students who have felt the effects of being shut out of the clique atmosphere and their comments were basically the same: "Why me?"

It is human nature to build a wall surrounding oneself in order to cope with the rigors of everyday life. Most of us surround ourselves with family, a husband or a wife, or with friends. Those of us who do not have either are the "loners" in society and, more often than not, the effects of this isolation are quite severe. Most people need some sort of social "crutch" in order to survive. When pressure builds, as in law school, the need for this social "crutch" becomes significantly greater. The competitiveness of law school, like that of the business community, adds pressures of a magnitude unheard of elsewhere—the kind of pressure that can drive students to drink. As pressure builds, the need to put a finger on the "safety valve" becomes extremely important. I personally turn to my family for support when things get hot. I spend much time playing with my seven-month-old son, Rashaid Ernesto, as well as with the rest of my family. Any type of social release is necessary to escape thinking of law cases. I feel that I'm fortunate to have other human beings to turn to in times of stress. Many of us at New York Law School, however, are not as fortunate. Many students are from outside of the greater New York area and therefore don't have their families close by. Spouses are not always capable of filling the void created by the law school life because often, they have not been adjusted to the psychological pressure their spouse may be going through. It is not easy for a person who hasn't experienced law school to understand your concerns. Wives and husbands, however, are usually able to satisfy other social needs that must exist while going through law school.

Thus, the need for other law school friends becomes imperative. In most cases, it is up to the students themselves to be outgoing enough to make friends with others. But certain students are either too shy or insecure to approach others and make friends. Others try, but without any success. This failure could be due to many reasons: their race, religion, national origin, or color may be an obvious target of bias. Failure could also be due to whether a person is married or single or to how rich or poor he or she might be. Their style of approach, or some other subtle distinction might also be at fault. One student confided to me that she has been effectively shut out because she is a second-year student, who transferred to N.Y.L.S. after the clique had already been formed.

It is the collective responsibility of students to open up to the efforts of other students, who may be shut out from the mainstream. Even if it takes an effort on our parts to reach out to these students, it's worth it if some lonely students are saved. As they socialize, students get valuable information passed to them by other students; this information, otherwise unavailable, may deeply affect their stay at N.Y.L.S. Often, little tidbits of information from other students are more important than what is learned in class. This is also the operative philosophy behind study groups. The group association theory doesn't work for everyone; however, for most people, it is a necessary tool for survival. Let's not close our groups to those that may desire to join them. Your value to society is measured by what service you are to other people. You can never know what effect your interaction with those around you may have as far as your future is concerned.

Loners have often made every effort to socialize with the group as a whole and yet with failure. Often, they cannot understand why they've been rejected. This, to them, is another pressure they have to deal with alongside the rigors of obtaining a law school education. The effect of this on a student can prove to be fatal to his or her social life, and consequently, his or her academic life. We are often not aware of when we are being unfriendly, but we should be consciously aware of whom we affect by our actions. If we affect anyone adversely, we should correct our behavior.
John Dugan — ‘A Man for All Seasons’

by Michael Conery

Just about was the condition in which I found Professor John R. Dugan, longstanding mentor of Contracts at New York Law School, one Thursday afternoon not long ago. He was seated in an overstuffed, leather swivel-backed chair beside the wall of window in his 47 Worth Street office. He gazed disinterestedly at the wind-swept avenue below. “I’m backing away here with a cold, that’s all.” Like the bitter winter, the depressing malaise had worn its welcome threadbare. No doubt, the daily commute from Long Island on the Silver Streak had exhausted the term to stay for an extended visit.

Professor Dugan attended grammar school at P.S. 22 in Flushing, and later spent three-and-one-half years at Flushing High School. He completed his high school career at Milford Preparatory School in Milford, Connecticut. At the end of high school, he weighed 171 lbs, and stood 5’9” tall. Such was an excellent physique for an athlete of the time. As a result of his abilities, Dugan received 110 offers of scholarships from colleges and prep schools.

At Yale in the mid-1930s, Dugan studied “Applied Economics Science. They didn’t call it Economics; that was too mundane.” He also studied the hilliard and pool tables at St. Elmo’s Social Club, a fraternal order, to which he belonged. Of Professor Howard W. Haggard, who taught the Science of Health & Disease: “I can quote more things that he said than any other professor.”

When Dugan attended New York Law School, of course, it was located at its former residence on Williams Street. He was a member of the Class of 1943. What professors left a strong mark on your legal education? “Aaron Franck did, by all means. He was the Contracts Professor, and I succeeded him after he had an unhappy, sudden death by heart attack.”

Throughout his earlier life, Dugan had been a genuine sports enthusiast. He had played baseball, basketball and football in both high school and college. He was also an avid golfer. However, he gave up offers from numerous professional baseball clubs, including the New York Yankees, to become a lawyer. His father had always kept a scrapbook of pictures, clippings and moments from his sporting days. Years later, when people would ask at what moment came the point of decision, he would show an interview from a newspaper in which he first stated his career ambition to be a lawyer. “That was when I was about fifteen or sixteen years old.”

“Of course, the people of the town realized that British troops were closing in on them; the latter wanted the renegade jurists badly. So, the local people told them to take three separate paths to a cave atop West Rock, where they hid the refugees. In this way, of course, the three could not be taken all at once. And today in New Haven, there are three avenues named after Gaulf, Whaley and Dickiewicz to commemorate their flight.”

Dugan and his wife, Ellen Scaggs Dugan, currently reside in Rockville Center on Long Island. They spend their summers in Ogunquit, Maine. "It’s a very arty town with a beautiful theatre. We get some of the finest Broadway shows and performers. We’ve been going to Maine since 1947; our house is up on a hill about three hundred yards from the ocean. We have a private beach, though it is mostly rocks.”

The rumor circulates around the school that Dugan is a member of the Million Dollar Club for Lawyers. (Membership requires one to win a case in which the lawyer’s fee is one million dollars.) “No, not quite. That reminds me, that I came back from lunch one day and met a group of students outside. One of them asked, ‘Will you take us home in your Rolls Royce?’ I said, ‘No, but if you like you can join me on the Long Island Railroad.’”

The other major influence on Dugan’s law school career was Max Reich, LL.D. He was one of the few Doctors of Law ever on the faculty.

Throughout his earlier life, Dugan had been a genuine sports enthusiast. He had played baseball, basketball and football in both high school and college. He was also an avid golfer. However, he gave up offers from numerous professional baseball clubs, including the New York Yankees, to become a lawyer. His father had always kept a scrapbook of pictures, clippings and moments from his sporting days. Years later, when people would ask at what moment came the point of decision, he would show an interview from a newspaper in which he first stated his career ambition to be a lawyer. “That was when I was about fifteen or sixteen years old.”

“Of course, the people of the town realized that British troops were closing in on them; the latter wanted the renegade jurists badly. So, the local people told them to take three separate paths to a cave atop West Rock, where they hid the refugees. In this way, of course, the three could not be taken all at once. And today in New Haven, there are three avenues named after Gaulf, Whaley and Dickiewicz to commemorate their flight.”

Dugan and his wife, Ellen Scaggs Dugan, currently reside in Rockville Center on Long Island. They spend their summers in Ogunquit, Maine. “It’s a very arty town with a beautiful theatre. We get some of the finest Broadway shows and performers. We’ve been going to Maine since 1947; our house is up on a hill about three hundred yards from the ocean. We have a private beach, though it is mostly rocks.”

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Irish Ballet in U. S. Debut

In April, the Irish Ballet Company made its American debut in a dance version of 'Playboy of the Western World,' a comical play by the well-known Irish author, J.M. Synge. The Irish Ballet Company, founded in 1975, is an international company with a modern repertory, now in its sixth year of existence.

Playboy is a story about a young, young man who hastily arrives in the small Irish town and finally becomes the town's local hero and sport's champion after revealing that he has slain his father. Choreographed by Joan Moriarity, the dance was a delightful mixture of ballet and traditional Irish folk dancing, which soon set the audience to toe-tapping.

The performances of Anna Donovan and Sean Cunningham, the two leading characters, must be cited as singularly outstanding. Their dancing was emotional, skillful, and highly professional.

One of the chief delights of this performance was the musical score, composed and performed by Irish musical group the Chieftains. The Chieftains earned the attention of the public with the release of their fifth album, "Chieftains Five," in 1975, and also from the musical score they composed and performed for the movie "Barry Lyndon." They play traditional Irish instruments such as the Uilleann pipes, the tin whistle, and bodhran.

Although the Irish Ballet Company has concluded its two week engagement at the City Center, lovers of fine Irish folk music, a traditional folk tale and excellent dancing should look for the Company in the future for an enjoyable evening of entertainment.
Will America Survive? An Opinion

By B. Marc Mogil

An astute observer of societal norms and perceptual analysis once cautioned his University class that certain types of cancerous growth, in the core of some body organs, might not be visible to the mass organism until it had done irreparable injury and inflicted a fatal end. He likened this example to a relatively painless social cancer, which, if it spreads progressively with us, may cause such eventual pain until too much time had passed to be able to save the body in toto. That societal organism — the essence of American culture — is at a crossroads in desperate need of preventive action to ensure its survival.

In the closing decades of the Twentieth Century, we have and shall continue to be burdened with national and international concerns, that, if dealt with myopically, merely reflects our societal disengagement and lack of international perception, which seems to be the crux of the dilemma. Our culture is slipping from us, our problems yearns for intelligent and forceful solutions, yet our leaders do not react. We simply are not being taught and encouraged to retain that ability, to maintain control of our national destiny.

Internationally we idly witness socialist "unresting actions," manipulated fuel shortages, and unchallenged barbarism which goes suspiciously uncriticized by "world opinion."

Domestically, our perturbations give us no less reason for the need of planning: economic and moral strife resulting, in part, from the unskilled worker who must pay more grievously for his lack of skill within the private industry sector, increasing antagonism by interested and affluent Americans to the "downward equalization" of the fruits of their endeavors by the Federal Government which has imposed outrageous, burdensome income taxes, racial employment standards and educational quotas, and such other "reverse discrimination" measures. All of these hit hardest against Americans who work for a living and value quality education for their children. These are the real American "underprivileged," who have every right to object to the lowering of standards to make "normal" as a political accommodation the embarrassing antics and liabilities of the most unqualified. Jr., as well as the working object to university admissions policies, which have conversely lowered academic standards to the level where some college students are graduated as functional illiterates.

To an extent, this lack of perception of these very real problems is aided and abetted by our age of "hypermediasaturation." This nuances can be evidenced by the comparative decline in youth participation in formalistic education which requires a degree of effort, such as classical culture, literature, the arts and languages. The names Chaucer, Beethoven, Salk or Cardozo might just as well be characters on Laverne and Shirley for many of our people. It is the realization of diminished knowlege norms, and the butchery of the desirability of even the aura of the "correctly educated," that has contributed in part to our national numbness for the very problems that could be America's end. It is this lied, uniformed apathy that modifies our liberally minded people to envision that all the world's players are as well-intentioned and fair-playing as we, and to tolerate "balanced" foreign policies which naively treat our adversaries as generously as our allies.

Thus, an end can be tragically predictable if only one of two combatants abides by Marquis of Queensbury rules. It is this same theory which gives murderers and rapists (political prisoners?) more rights and considerations than their victims, or the police who risk their lives apprehending them.

We are, through this hypocrisy, fast becoming a nation devoid of reason and national sense of direction, oblivious that our Rome may be burning. Unless we promptly take hold of our reins and yell "whoa!" the horse will be deciding where our American wagon will go. This would be most grievous since we have come so far, with such sweat and potential.

Internationally, we must begin to function within a framework that is best for America and its friends, and not yield to the pressures of nations set upon our demise by way of terror or propaganda.

Domestically, we are morally bound to markedly raise our educational standards by toughening and making absolute the criteria for academic advancement, and by teaching our people the beauty and intricacies of their own language. America must and will survive, and we shall retain our culture, values and international wit; for there is no acceptable alternative: there are just too many other world powers, linking their chips in anticipation, waiting to "help" with the reins to our wagon after we fall ourselves nicely to sleep.

The author holds a Juris Doctor degree from NYULS (1971) and is a practicing attorney in Great Neck, New York. (From an article copyrighted in 1978)

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A Wall Street Disappointment

by Linda Rawson

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Caveat emptor. The Associates has great anticipation, an interesting cover and "make Bella Abzug look like a lamb), but... Yale University; Jacob Javits, Senior... As a sequel to the book the plot unfolds... for the presentation of de-

There are some unusual character sketches and humorous moments in The Associates, and the pace is certainly not dull. Women do not fare well at the hands of Debs, President of Manhattanville College; was reserved for the presentation. of de-

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