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Welcome Back!
Photos by Mark Amrein, '79
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The portrait of renowned civic leader and member of the Law School Class of 1899, Thomas Raeburn White, painted by Franklin Watkins was presented to the Law School by Mrs. White in the spring of 1979. The painting hangs in Room 101 joining other Watkins renditions of Justice Owen J. Roberts and Dean Jefferson B. Fordham.

Mr. White, in addition to actively crusading for better government for the city of Philadelphia, was a recognized authority on the Constitution of Pennsylvania and, for a short period, was Assistant Professor of Law here at the School.

Established through the generosity of Mrs. White in memory of her husband, there is a Thomas Raeburn White Urban Affairs Research Fund at Penn Law School which appropriately provides funds for field studies during the summer interval dealing with research in the area of urban affairs.

At the Thomas Watkins painting of the late Thomas Raeburn White, 1899, (from left to right) Assistant Dean Christopher F. Mooney, Mrs. Clarence Morris, Mr. Bernard Lentz, ’36, Mr. Thomas Raeburn White, Jr., ’36, Mrs. Thomas Raeburn White, Dean James O. Freedman, Professor Clarence Morris.
The Roberts Lecture—A Reminder

Sydney W. Kentridge, counsel to the Stephen Biko Family at the inquest in South Africa last year, will be the 1979 Owen J. Roberts Memorial Lecturer on Thursday, October 18 at the University of Pennsylvania Museum auditorium.

The provocative title of Mr. Kentridge’s Lecture is “The Pathology of a Legal System: Criminal Justice in South America.”

Traditionally, the Lecture will be followed by a dinner/reception at the Museum.

Wanted: One Alumni Trustee

The Nominating Committee of the General Alumni Society is inviting Alumni to suggest names to be considered for an alumni trustee position which will become vacant on June 30, 1980. The committee will select candidates to run in an election to fill a vacancy that will occur with the expiration of the five-year term of John Bixler of Washington, D.C., Alumni Trustee for the Middle Atlantic Region.

In addition to serving as trustee of the University of Pennsylvania, alumni trustees have special responsibilities to serve as liaison between the Alumni and the University. They also hold seats on the Board of Directors of the General Alumni Society.

Suggested names and requests for further information can be sent to Michel T. Huber, Executive Secretary, General Alumni Society, University of Pennsylvania, Eisenlohr Hall, Philadelphia, Pennsylvania 19104. The deadline for suggesting names is November 15, 1979.

The Middle Atlantic Region is composed of Maryland, Virginia, West Virginia, Delaware and the District of Columbia and the areas of Southern and Central New Jersey.

Keedy Cup 1979

This year’s Edwin J. Keedy Cup Competition will be held on Monday, November 12 at the University of Pennsylvania Museum. The panel of judges will be Justice Lewis F. Powell of the United States Supreme Court, Judge Phyllis Kravitch, ’43, of the United States Court of Appeals for the Fifth Circuit, and Judge Richard S. Arnold of the United States District Court for the Eastern and Western Districts of Arkansas.

Michelle Holland, Ellen Surloff, Flora Wolf and Carol York—four women from the Class of 1980—are the competing finalists.

Moot Court Winners Compete Nationally

Greg Berry and Dalton Phillips, both members of the Law School Class of 1980, ranked third in the final rounds of the Frederic Douglas Moot Court Competition held in San Francisco this past March.

Professor Ralph Smith was Faculty advisor to Phillips and Berry who, as winners of the Eastern District Moot Court Championship, qualified as representatives of Penn Law School in the national competition.
THE LAW ALUMNI SOCIETY—1979-1980

Many Alumni are unaware that graduation from the University of Pennsylvania Law School automatically qualifies them as members of the Law Alumni Society.

The Society's general purposes are manifold. They include the advancement of the interests of the Law School, the Society and its members; and the promotion and perpetuation of the spirit of good feeling and commonality of interests among graduates. These objectives are achieved through the planning of meetings and social events which enable interchange and communication among and between Alumni, Faculty and Administration; by providing Alumni with information concerning the School through appropriate publications; by encouraging Alumni support through Annual Giving; by aiding students with job placement before and after graduation; and by sponsoring lectures and panel discussions on matters of current legal interest.

Five Officers and fifteen Managers are elected by the Alumni and meet regularly to plan and oversee Alumni activities. The Board of Managers also includes seven ex-officio members, twelve past Presidents of the Alumni Society, and the representatives from each of the thirteen regional Law Alumni Clubs.

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Beyond Legal Reasoning
by The Honorable Edmund B. Spaeth, Jr.
Superior Court of Pennsylvania

Editor’s Note: Judge Spaeth, in his inimitably eloquent fashion, delivered the following message to the University of Pennsylvania Law School, Philadelphia Chapter of The Order of the Coif in June, 1979.

The Judge is a part-time lecturer here at The Law School.

The Order of the Coif used to be the corporate society of the serjeants-at-law. The serjeants came from the four greater Inns of Court. According to a 1537 account, this occurred as follows:

The chief justice of the common bench is accustomed, with the counsel and assent of all the justices, to choose, as often as seems to him opportune, seven or eight of the persons of more mature age who have become more proficient in the aforesaid study of the law, and who seem to the justices of the best disposition; ...  

These persons then appeared and took upon themselves "the estate and degree of serjeant-at-law."  

If we retained the English sense of ceremony, that would mean that now there would be placed on the head of each of you, "with the same solemnity as the helmet was placed on the head of the knight," the white coif, which was a special close-fitting hood that covered all but the face. 

I leave to others whether you are "persons of more mature age." Clearly, however, you are persons "of the best disposition," "who have become more proficient in the aforesaid study of the law." I rather regret that I won’t have the chance to pull a white coif down over your heads. But failing that, I am delighted at least to be able to add my warmest congratulations to the many other congratulations you will rightly receive.

In congratulating you, however, I should like to share a concern. I impose on you in this way because those of us who are truly of more mature age look to you for inspiration.

Each of you has become proficient in the study of the law because each of you is unusually good at legal reasoning. Legal reasoning is one of our most powerful tools. It is a delight to use, and has made possible some of our noblest achievements. Our Constitution, for example. And, to continue being parochial, a handful of court decisions. Would you start with Marbury v. Madison perhaps, and end with Brown v. Board of Education? I’d include Cardozo’s opinion for the New York Court of Appeals in People v. Zackowitz. Nevertheless, the very power of legal reasoning, its self-assured way of deducing conclusions from authoritative prem-

2. Id.
3. Id. at 1726.
ises, may bewitch us and lead us to statements and actions we will one day find shameful.

A premise of Roman law was that a father should have uncontrolled power over his children. It followed that not only could he punish—and even kill—his child; he could give a wife to his son; he could give his daughter in marriage; he could transfer his children to another family by adoption; he could sell his children. 7 Until recently a premise of our own law was that children were wards of a fatherly juvenile court judge, from which it followed that children were without basic constitutional rights. 8 Prisoners were regarded as "slaves of the state," and so beyond the protection of the constitution. 9 In Dred Scott, the Supreme Court of the United States reasoned that blacks had been denied the rights of citizenship because they were, in the Court's words, "a subordinate and inferior class of beings, who had been subjugated by the dominant race...." 10 Consider the following legal reasoning by the Supreme Court of Virginia, in striking down as void a provision in a will that the testator's slaves could choose between emancipation and public sale:

[In the eye of the law [said the Court], so far certainly as civil rights and relations are concerned, the slave is not a person, but a thing. The investiture of a chattel with civil rights or legal capacity [to choose] is indeed a legal solecism....] 11

The Supreme Court of California once explained that Chinese had no right to testify against white men in a criminal case because Chinese were "a race of people whom nature has marked as inferior, and who are incapable of progress or intellectual development beyond a certain point...." 12 De Bracton said that "a Jew cannot have anything of his own, because whatever he acquires he acquires not for himself but for the king...." 13 And the first woman in Wisconsin who thought she had the right to practice law was told she did not:

The law of nature [said the Supreme Court of Wisconsin] destines and qualifies the female sex for the bearing and nurture of the children of our race and for the custody of the homes of the world.... Nature has tempered woman as little for the juridical conflicts of the court room as for the physical conflicts of the battle field...." 14

As I read these old cases—some of them not so old—I have the uncomfortable feeling that some of my own statements of legal reasoning may some day seem equally fallacious. How do you suppose we can avoid such results?

Perhaps the first answer that suggests itself is that we should turn to science.

Surely science can help. The findings of neurologists, psychiatrists, and psychologists have transformed the law of mental health; our reasoning there no longer proceeds from the premise that a mentally disturbed person is possessed by a demon. In the school desegregation cases, the Supreme Court of the United States was helped by sociological and psychological studies of the results of educating children in all-black schools. 15 In the death penalty cases the court was helped by statistical analyses (much of the data for which were gathered by University of Pennsylvania Law School students) of who was, and who was not, condemned to death, and where, and for what sort of crime. 16 Environmental law is probably the best example. Not so long ago the Supreme Court of Pennsylvania refused to stop a coal company from discharging polluted mine water into a tributary of the Lackawanna River because, said the Court, the plaintiff's grievance was "for a mere personal inconvenience" that had to "yield to the necessities of a great public industry, which although in the hands of a private corporation, subserves a great public interest." 17 We don't reason that way anymore. As Jacques Cousteau has explained, on the basis of his studies of the oceans: "The cycle of life is intricately tied up with the cycle of water... the water system has to remain alive if we are to remain alive on earth." 18 In a recent essay Dr. Lewis Thomas of the Memorial Sloan-Kettering Cancer Center says this:

The earth holds together, its tissues cohere, and it has the look of a structure that really would make comprehensible


sense if only we knew enough about it. From a little way off, photographed from the moon, it seems to be a kind of organism. Looked at over its whole time, it is plainly in the process of developing, like an enormous embryo. . . .

And now human beings have swarmed like bees over the whole surface, changing everything, meddling with all the other parts, making believe we are in charge, risking the survival of the entire magnificent creature.19

It would be difficult to overstate the power of this vision; I have no doubt that it will transform our law—not only of the environment but of individual rights and international relations. Even so, without changing it, and that therefore there is no this vision; the premises of our legal reasoning.

The new physics. Newton’s physics—assumed an objective reality—something “out there”—whereas the new physics does not assume an objective reality but instead believes that we cannot observe something without changing it, and that therefore there is no reality apart from our experience.21

For example: Suppose we want to see an electron moving around in its orbit. Since electrons are so small, we cannot use ordinary light; the wavelength of ordinary light is much too long to “see” an electron. If we hold a strand of hair up to the light, the hair won’t cast a shadow; it’s so thin the light waves will just bend around it. To see something, we have to obstruct the light waves we are looking with. In other words, we have to illuminate it with wavelengths smaller than it is. For this reason, Werner Heisenberg used gamma rays, which have the shortest wavelength known; compared to the tiny wavelength of gamma rays, an electron is large enough to obstruct some of them. In this way we can determine the position of an electron. The problem is, a gamma ray has much more energy than ordinary light. Therefore, when a gamma ray hits an electron, it illuminates it, but it also knocks it out of its orbit and changes its direction and speed—its momentum—in an unpredictable and uncontrollable way. Thus, we can never determine both the position and the momentum of an electron:

Whatever it is that we are observing can have a determinable momentum, and it can have a determinable position, but of these two properties, we must choose, for any given moment, which one we wish to bring into focus. This means, in reference to “moving particles” anyway, that we can never see them the way they “really are,” but only the way we choose to see them.22

Or as Heisenberg put it:

What we observe is not nature itself, but nature exposed to our questioning.23

Another example: In 1803 Thomas Young proved (once and for all, he thought) that light was wavelike in nature. He did this by an experiment showing that when light went through two slits, it diffracted and interfered with itself in a way that only waves could do.24 But in 1905 Albert Einstein, who knew all about Young’s experiment, nevertheless proved that light is composed of tiny particles; a beam of light, said Einstein, is like a stream of particles, or bullets, each bullet being called a photon.25 In other words: The wave-like behavior of light is not a property of light. Neither is the particle-like behavior of light. Both behaviors are properties of our interaction with light.

Last year Bryan Magee of All Souls College, Oxford, interviewed Hilary Putnam on BBC television. Putnam is a philosopher of science at Harvard. In the course of the interview Putnam observed that it used to be that no philosopher doubted that truth was correspondence to reality, or “agreement” with reality. The image was of knowledge as a mirror, or copy.26

Referring to wave/particle duality of light, Putnam went on to say that the step taken by a number of scientists and philosophers in the twentieth century . . . is the idea that there are

12. People v. Hall, 4 Col. 399, 405 (1854).
alternative conceptual schemes, and the further idea that the concepts we impose (or seek to impose) upon the world may not be the right ones and we may have to revise them—that there is an interaction between what we contribute and what we discover. All of which led Magee to say:

This raises the utterly fundamental question: "What is truth?" When we say that this or that scientific statement or theory is true, what . . . can we mean? What indeed?

We are not, of course, limited to science as a resource in our effort to straighten out the premises of legal reasoning. How about religion or philosophy? When I examine these, however, I feel as though I were in a small boat when the wind, the tide, and the current are all at odds.

Religion depends, I think, on faith. Its fundamental characteristic is acceptance of certain propositions without proof—for example, that the world was created by God, who made man in His own image. The fundamental characteristic of science, however, is rejection without proof. We must test our ideas, according to Francis Bacon. "And remember, you may have to change them." Science does not recognize any proposition as final. Hilary Putnam puts it this way:

We have replaced [Newton's] picture of an absolute space and an absolute time with [Einstein's] picture of a four-dimensional space-time. We have replaced the picture of a Euclidean world with the picture of a world which obeys a geometry we never dreamed of . . . .

. . .

. . . the main theories of the twentieth century—relativity and quantum mechanics—will give way to some other theory which will supersede both of them. And so on, forever.25 But if science may be at odds with religion, philosophy may be at odds with science. Consider, for example, the existentialists' critique of science. At least with Bacon and Descartes, science distinguished between the mind and the external world. There are people (and perhaps God, too) observing the world, and there is the world they are observing. This dualism implies that the purpose of the mind is to categorize, schematize, measure and, ultimately, manipulate nature. In Bacon's fierce phrase, "We must put nature to the rack, to compel it to answer our questions." Existentialism rebels against this dualism. It doesn't feel right to set the mind and the world off against each other; I don't see you as a mind attached to a body. Instead of asking what it is to know, the existentialists ask what it is to be, to exist. And asking this, they have come to some striking conclusions. Existence is seen as inescapably contingent. Our life starts as a sort of throw of the dice; we don't pick our parents, or when or where we are born. Existence becomes a task imposed on us, and this idea leads to the existentialist ideas of anxiety, which we experience as we try to evade the reality that we will die, and of alienation, which we experience as we try to bury our true selves in our impersonal social roles. Our manipulation of nature—our technology—is seen as manifesting a Faustian will to power.

William Barrett of New York University has suggested that by making this break from the mainstream of Western philosophy, existentialism leads us to ideas we are used to associating with Hinduism and Buddhism:

Heidegger [Barrett says] feels that the whole West is on trial. . . . The possibilities of the atomic bomb forced this before his mind. . . . A civilization intent on mastery and power may also at some point run amuck. So there may be a point at which we should stop asserting ourselves and just submit, let be. And if you wish, there's a sense of something here which is like the oriental spirit.31 There is also a sense of being returned to religion, or anyways, of being brought to the

17. Pennsylvania Coal Co. v. Sanderson, 113 Pa. 126, 149, 6 A. 453, 459 (1886).
20. G. Zukav, The Dancing Wu Li Masters—An Overview of the New Physics (1979) (hereinafter cited as "Zukav").
threshold of religion, for we find ourselves asking, "Where do we go from here?" And that question, I think, confronts us with a choice that involves religion. Either our existence means something; or everything means nothing.

I don’t mean to suggest that philosophy represents a current carrying us away from science and back to religion. It doesn’t. Consider Marx and Freud, for example, whose respective philosophies carry us in opposite directions—opposite not only to religion but also to each other—Marx locating the ultimate explanation of human affairs in the prevailing means of production, and Freud locating it in our unconscious, repressed, feelings.

Given these complexities, where do we turn in our effort to ensure that we won’t again reason from the premise that a person is a chattel and therefore cannot have the power to choose? I have already said that we can get some help by checking our premises against the findings of science—so long as we remember that those findings are subject to change. As regards the help we can get from philosophy, I like what Isaiah Berlin has said. Berlin was discussing Turgenev and Chekhov, who described people as they saw them, and made no effort to give moral instruction to their readers, as Dickens did, for example. “They were surely right,” said Berlin, and then went on to say:

It is not the business of the moral philosopher, any more than it is the business of the novelist, to guide people in their lives. His business is to face them with the issues, with the range of possible courses of action, to explain to them what they could be choosing and why. He should endeavor to illuminate the factors involved. . . . [I]n this way he can help, but it is then for each individual and group, in the light (of which there can never be enough) of what they believe and seek after, to decide for themselves. The philosopher can do no more than make as clear as he can what is at stake. But that is to do a very great deal. With the stakes made clear, our ultimate choice becomes a matter of faith, or religion.

What are the stakes on the table when we talk about straightening out the premises of our legal reasoning? Very high, it seems to me. For I agree

with the existentialists to this extent: I think the Western world, which is to say, our system of law, is on trial; and the concern I should like to share with you is that for all our efforts, or so it seems to me, the premises of our law have become somehow detached from, and inadequate to respond to, our circumstances.

I like very much what Ronald Dworkin has said about justice; it is this:

There are two possible general approaches to the question of what social arrangements are just. One approach says that the answer to “What is justice?” depends upon the answer to a further question, namely: “What kinds of lives should men and women lead?” “What counts as excellence in a human being?” It says: “Treat people as excellent people, according to some theory of what excellence is, would wish to be treated.” The liberal rejects that approach to justice. He says that justice is independent of any particular notion of what the good life is, so that people who hold very different kinds of theories about human excellence can agree about what justice requires.

A liberal does not want a society or political theory that imposes on the individual any particular form of life as ideal:

Not because the liberal is skeptical, not because the liberal says there is no answer to the question how human beings should live, but rather because he insists that the answer must be given by each person for himself and that it’s the utmost insult to attempt to decide that question socially for individuals.

I admit to finding this deeply appealing; I regard it as consistent with—in fact, as simply another way of stating—the idea underlying our Constitution, an idea that I accept as an article of faith—that every individual has natural rights, which he retains and never surrenders to society. There is, however, a qualification. No one should live unjustly; he should never deny to others the independence that he himself enjoys. And it is here that

22. Zukav, supra at 135.
25. Id. at 77-79.
26. B. Magee, Men of Ideas 227-28 (1979). (Magee interviewed fifteen philosophers for BBC, and the interviews are collected in this book, which is hereinafter cited as “Magee.”)
27. Id. at 229.
28. Id. at 230.
liberalism, it seems to me, falters. It has not thought through, in terms of today's circumstances, how to ensure individual liberty while at the same time not permitting, and even defending, unfair inequality. What we need, I suspect, is a new psychology, and a new economics. Rather less of Jeremy Bentham and Adam Smith. And rather more of Dr. Thomas's vision—for that matter, St. Francis of Assisi's vision—of earth as a magnificent creature. You will sense from so vague a prescription that I am faltering too—which is why I said at the beginning that I look to you for inspiration. But whatever the prescription, as Dworkin points out, liberalism must be "defend[ed] . . . from the charge that it protects individuals at the cost of the welfare of those at the bottom of society."  

I do not know whether this defense can, or will, succeed. But as the white coif is pulled down over your heads, may I express the hope that you will enter the lists. If you do, you will need resources beyond those of science, philosophy, and religion. "Poets," said Shelley, "are the unacknowledged legislators of the world." Remember, then, what Wordsworth said:
The world is too much with us; late and soon,  
Getting and spending, we lay waste our powers:  
Little we see in Nature that is ours;  
We have given our hearts away. . . . The abstract concepts of legal reasoning all derive from premises of what is just: corporation; security interest; restraint on alienation; proximate cause; mens rea. As you work with these concepts, I beg of you, except to those you love, do not give your hearts away.

29. Id. at 229-30.  
30. What follows is largely from Magee's interview of William Barrett, Professor of Philosophy at New York University, discussing Martin Heidegger and Jean-Paul Sartre.  
31. Magee, supra at 87.  
32. Id. at 32.  
33. Id. at 32-33.  
34. Id. at 250.  
35. Id. at 255.  
36. Id. at 255.  
37. This is the last sentence of Shelley's "A Defense of Poetry" (1840).  

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The LL.M. Experience: Recollections of a "Lam" by Morgan McClintock, LL.M.'79

Editor's Note: Graduate students at the University of Pennsylvania Law School are known affectionately as “Lams” (LL.M.’s). Morgan McClintock, one of the more vocal “Lams of ’79” delivered the following message to those assembled at the Law School Commencement in May. His words expressed the sentiments of his colleagues—the 25 international students whose graduate study at Penn Law School led to the degree of Master of Laws.

Mr. McClintock, a resident of Northern Ireland, earned a B.A. degree at Trinity College and an LL.B. at Dublin University. His particular field of interest is Comparative Public Law and, while working under the tutelage of Dean James O. Freedman this past year at Penn, his research was concentrated in the areas of American Constitutional and Administrative Law, contrasting the Constitutions of the United States, the United Kingdom, and Ireland.

Back in Ireland now, Morgan McClintock continues as a lecturer at Ulster College.
Dean Freedman, Faculty, administration, and fellow graduates, it is an honour for me to be asked to say a few words on behalf of the LLM students.

When I was elected to speak, I accepted with a degree of reluctance because I couldn't help thinking of the last occasion on which I addressed a similar public gathering. Then, I was welcoming to the college where I lecture the distinguished British Law Lord and former Chief Justice, Lord MacDermott. But, as I rambled on in my speech, I was unaware of the presence of a sophisticated bomb which was quietly ticking away under the desk at which I spoke. Well, to cut a long story short, I never managed to complete my “thank you’s” on that occasion—but I did learn a very basic lesson about public speaking, i.e. the necessity of saying the most important things first, lest one loses the chance of saying them at all!

And the most important function which I have today is to thank the Faculty, administration and, by no means least, the students, who have helped to make our year so memorable. In particular, we are grateful to Professor [John O.] Honnold and the Graduate Committee for bringing us here in the first place. Secondly, we thank Dean Christopher F. Mooney who ensured that, having arrived, we not only left the Law School from time to time, but also returned safely after our field visits. This task became particularly difficult when awkward individuals like myself managed to get lost in the middle of Washington. Thirdly, I should like to single out Dean Freedman, who has gone out of his way to help, encourage, and advise us on many occasions throughout the academic year.

My first encounter with the Dean was when he was appointed my tutor last September, and we met in a Professor’s office in the Law School. Some time later, our second meeting took place in the Associate Provost’s office. By our third meeting, he has moved into the Dean’s office, so it seemed a wise move to enroll in his course on Administrative Law before he was promoted again—perhaps beyond my reach.

It was in Dean Freedman’s course that I came across the statement which for me was undoubtedly the quote of the year. It comes from the case of S.E.C. v. Chenery Corp., where Mr. Justice Jackson sums up his dissent in three telling words: “I give up.” Fortunately, none of us reached a similar conclusion during the year, but for most of the “Lams,” there were sufficient difficulties for us to have some sympathy with Mr. Justice Jackson’s cry of despair. First of all, there was the problem of language. Many English speakers have been known to struggle with the intricacies of Anti-trusts, Admiralty or Advanced Torts, but it has never ceased to amaze me how it is possible to cope with these when your mother tongue is Japanese, German, French or Chinese. Yet, some foreigners became so fluent that I have on several occasions been rescued by a Dutch friend’s ability to translate my strange accent for the benefit of a native Philadelphian! So, on behalf of the whole non-American group, I thank you for your tolerance. Secondly, we had to cope with the American way of life. Even after a year here, there still seem to be some aspects which continue to baffle us. Perhaps we will never understand why, for example, some athletes wear their shorts over their tracksuits; or how the same branch of MacDonalds can justify charging two different prices for the same amount of tea! Finally, we had to adapt to the so-called “Socratic method.” Those of us accustomed to sleeping our way through lectures faced a rude awakening through the constant fear of being “called-on” in class. So at first we complained, we protested, and we stubbornly argued the merits of alternative systems. We still do, but as time passed, I think we came to realise that there must be value in a system which encouraged us to apply ourselves throughout the year, and thus to get the most out of the great opportunities offered here in the Law School.

Our one regret is that perhaps we did not work hard enough towards the development of Penn as a centre of international legal studies. We can only hope that we have at least helped to lay foundations on which future generations of graduate students may build. I have no doubt that they, like us, will be proud to have been at Penn. I am also confident that at the end of a year they will be equally glad of an opportunity to say to the Dean, to the Faculty, to the administration, and to their fellow graduates—thank you for a wonderful year!
Editor's Note: Louis B. Schwartz, L’35, Benjamin Franklin Professor of Law, offered the following creative effort to his colleagues of the Penn Law Faculty in the summer of 1975. Upon its re-reading, we found the work inventive, relevant, and, most assuredly, authoritative—all attributes descriptive of Mr. Schwartz as well.

**Agenda for the "New Law School"**
by Professor Louis B. Schwartz

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Sargentville, Maine, is a place of blissful peace and surpassing beauty. One's imagination is freed and one's optimism rises. I tender to my dear colleagues a set of theses, potential lines of development, issues worth debating (again) if only to be sure that old solutions remain valid against new challenges. The coming year of interregnum seems a good period for reevaluating our goals and program, both because the financial squeeze makes some change inevitable and because it may help our new leader to have some idea of where we want to go. My instinct is that there is an opportunity for a quantum jump in the Law School's effectiveness and prestige, but that many changes will have to be made together and quickly for real impact. I am uncertain as to procedures for implementing the gorgeous thoughts below, but I hope a little time can be reserved for general discussion at an early faculty meeting.

**The List**

**Year Round Operation.** I favor this because the school is at less than optimum size and because continuous use of its plant and non-teaching personnel would lower costs per student. There would be a larger faculty with corresponding advantages in double-coverage of subjects and diversity of interests. More graduates would strengthen our alumni network and enhance our prestige. In addition, continuous operation would enable some students to complete the course in two rather than three years. Professors need not teach more, and would have greater flexibility with regard to terms off.

**Admissions.** I have the impression that our admissions process is too complex for the degree of rationality that can be achieved or for efficient administration. Apart from applicants who ought to be and are admitted promptly on the record, there should be a very large pool from which selection should be made on a discretionary basis guided by general criteria debated and approved by the Faculty. These criteria should refer to academic performance in rigorous schools and subjects, diversity of ethnic, geographic, and experiential background, evidence of strong motivation, maturity, responsibility. Selection should not be by time-consuming committee debate about relative merits of particular candidates, but by plurality of votes of committee
members individually reviewing files when convenient. There may be room for selection in part by lot. We should not be constrained by fear or hope of an exceptional candidate showing up late; acting promptly on applications at hand, we should stand ready marginally to exceed the stipulated class size for a truly outstanding late applicant. I would formalize and publicize our interest in receiving transfers from other schools at the end of the first year (making room, if necessary, by a more rigorous weeding out at the end of our own first year). “Recruiting,” if carried on, should be regularized and focused on selected undergraduate schools, which themselves attract a high quality student body from a national constituency, e.g. Swarthmore, Princeton, Bryn Mawr. Our recruiting ambassadors should be chosen from among the liveliest young personalities on the Faculty.

**Combined 6-year Course.** If, as I believe, substitution of law courses for many undergraduate courses would up-grade undergraduate education, it ought to be possible to persuade our own College and Wharton School, as well as some good nearby institutions, to authorize the substitution, confer their own degrees in part on the basis of subjects taken in the law school, and thus advance the date of completion of requirements for the law degree. The shorter combined course would be attractive to applicants, and would encourage undergraduate selection of useful pre-law courses.

**Curriculum.** I regard our curriculum as a hodge-podge of largely non-sequential courses, bearing names that over-predict the contents. The curriculum is poorly designed either for general education of great lawyers or for vocational preparation. The Curriculum Committee mediates the conflicting and sometimes idiosyncratic desires of individual faculty members without reflecting any collective philosophy of legal education and without concern with what is actually taught so long as the course titles make a plausible mosaic. The Faculty should adopt a set of curricular principles for the guidance of the Committee, including the following:

*Structure Without Rigidity.* The curriculum should be designed to maximize the proportion of our graduates who have been introduced to all the main branches and aspects of law. The courses should follow a pedagogically logical sequence. It is not essential that more courses be “required”;

but the students, most of whom have no decided opinion as to what a legal education should be, are entitled to much firmer institutional guidance than we have provided. Always, however, we should stand ready to deviate from our curricular norms when that is warranted by special goals or qualifications of individual students.

**Course Coverage.** To the extent required to integrate the whole law course, the Curriculum Committee should be authorized to make particular courses responsible for specified subject matter that might otherwise either be duplicated or be lost if each instructor assumes that another is dealing with the matter. Examples are "agency" (in torts or contracts?), "causation" (torts or criminal law?), self-incrimination and search law (criminal procedure or constitutional law?). No one would be barred from "duplicating," where his course organization or interests call for it; but he would not do it inadvertently. No one would be compelled to devote class hours to material allocated to his subject by the Curriculum Committee; he might merely assign outside readings (but with no lesser examination accountability). The course descriptions printed in the Law School Bulletin would normally reflect Committee allocations of subject matter, so that personal responsibility of the faculty member and student expectations would assure adequate attention.

**Seminars.** “Seminars” are presently offered and required with little understanding or agreement as to what we mean, want, or expect. The experience ranges from something indistinguishable from a course, except by small numbers of students, to writing a substantially unsupervised paper. It is incumbent on the Curriculum Committee to articulate the aims of the seminar experience, to differentiate among seminars according to whether the aim is, for example, to provide a closely supervised legal writing experience involving relatively conventional research into legislative and case materials, to do a field study of facts relevant to a legal doctrine, or to draft legislation or regulations in a new field where case guidance is meager and the important qualifications are imaginative analogies, policy judgments, and careful craftsmanship. In my judgment most students would benefit most from a seminar of the first type. Hopefully, seminars could be labelled as Type A, B, C, etc. to assist the student in making an intelligent choice. The
proposed articulation of our seminar policy would be useful if for nothing else but pedagogic guidance to young faculty members, whose seminar experiences have probably been as disorganized and idiosyncratic as our own program. There should be a faculty judgment as to the normal number of seminar offerings, taking into consideration the size of the faculty and the comparative utility of alternative uses of teaching resources.

Legal Writing. I do not believe this is a skill that can effectively and economically be imparted otherwise than by integration into a particular substantive course, where the instructor has a defined responsibility to go through specified training operations with a small group of students. The Curriculum Committee should draft the specifications.

Reading Courses. A substantial part of law school education can be guided self-education outside the classroom. Reading courses can be prescribed both for summer and in term, with short-answer comprehension tests and possibly a few supplementary lectures. The minimum use of this technique should be for subjects about which we feel that no graduate should be utterly uninformed, but which an elective system sacrifices, e.g., Legal Profession, International Law, Jurisprudence, Conflict of Laws, Legal History.

Legal Profession and Other "Allocable" Subjects. As I have just indicated, sensitization to professional traditions and dilemmas would be required of every student in any curriculum acceptable to me. The choice is between a standard course, a reading course, and allocation of parts of the subject to other courses. See paragraph B above. For example, problems of conflict between zeal for client and the lawyer's duty to the court and society fall naturally into a reasonably comprehensive course on criminal law and procedure. Problems of business-getting, contingent fees, witness-coaching, and tactical delay ought not to be ignored in a course on torts that presumably these days also reaches the "no-fault" approach to liability.

In other instances, partial dismemberment of other traditional courses would be intellectually justified and would enhance realistic dealing with the subject-matter. Conflict of laws offers an example. Choice of law and tribunal for auto accident litigation is much more closely linked with negligence and other tort law than it is with the verbally similar choice-of-law-and-tribunal problems in family law. To take a different example, it is more meaningful to discuss injunctions against criminal prosecution in the context of a civil rights course, injunctions against nuisance in a property or environment course, and far-reaching injunctions commanding affirmative action in antitrust courses, than to lump these three together in a course on "equity." Having introduced the student to such concepts in particular context, we could offer a more meaningful elective in the third year for comprehensive and jurisprudential exploration of equity or conflict of laws.

Sparsely Patronized Courses and Seminars. A first-class law school must deal with some areas that appeal to relatively few people. The esoteric is not necessarily the negligible. If anything it would be desirable to increase the range of our offerings in this respect. How to do so is a special problem for any but the giant schools. I think of the recurrent but limited demands for courses on patent law, copyright law, Russian law, Chinese law, communications law. Our curriculum should, within reason and by various means, meet such demands, and the courses should be listed in our catalogue. The means would include: (i) guided reading course, which an interested professor takes on much as he presently takes on an honors student; (ii) listing in our catalogue appropriate courses in other graduate departments, e.g., history, communications; (iii) collaboration with nearby law schools in sharing responsibility for a set of "exotic" courses, which would be available to students from any of the schools. A proper frugality in use of our teaching resources dictates that courses and seminars with relatively few takers be offered only in alternate years.

"Pre-Curricular" Courses. I think we should take a more positive line on preferred preparatory education. It is clear from the growing sector of our own curriculum devoted to economics, accounting, and psychiatry, for example, that we regard these as cognate to law studies. We ought to say so, with appropriate elaboration and qualification, in our Bulletin, and reflect that policy in the exercise of discretion in admissions. If, in addition, we recommended reading courses in these areas, the number of students sharing the relevant experiences would be greater than under the present system, where small minorities elect
the courses we now provide. While we tell prospects that the above-mentioned subjects, as well as statistics, logic, constitutional history, comparative government, public finance, or what-not, are useful equipment, we can always add grandly that we have nevertheless had magnificent lawyers who came from such diverse backgrounds as chemistry, astronomy, mathematics, and music.

"How-To" Lectures or Colloquia. Students often feel, with some justification, that they emerge with too little preparation for common practical problems of lawyering. This deficiency in our program could be partially filled by practitioners' talks on such subjects as (i) common family arrangements and problems affecting will-making; techniques of eliciting true desires of testators; (ii) divorce counseling and negotiations on custody and property; (iii) buying a house; (iv) comparative advantages of partnership and close corporation; (v) handling a tax-cheating client.

Examinations; Grading. I propose the abolition of separate examinations in each course and the substitution of a single one-day, or at most two-day, comprehensive examination. This would have a variety of favorable effects, the most obvious being the saving of weeks that can be added to teaching, reducing time professors must devote to grading papers, simplifying administration, and facilitating integration of our calendar with that of the University. I believe also that the change would tend to reduce the "exam complex" that weighs unduly on our educational process. Concentrated review could not as easily be deferred to end of term. Efforts to guess what topics the professor will choose to examine on will have a lower pay-off. Professors would, and should, be encouraged to use in-term examinations as pedagogical instruments (i.e. with follow-up analyses) either with or without grading.

Whether or not the comprehensive exam proposal is accepted, we must alter the present grading schedule. It has two fundamental defects: (i) the line between Q and G makes a sharp distinction precisely where discrimination is least meaningful; and (ii) there is no way to express the distinction between barely acceptable and quite acceptable. An inadequate recognition of the latter point is involved in the "Q minus" practice, which is employed or not employed most whimsically by different members of the Faculty. The common attitude of the students towards the unqualified Q is disappointment, as if it were a Q minus. Although I should prefer a return to numerical grading, the least we can do is to redefine Q as "passable," and to make G the norm for 50-60% of the class.

Law Review. For a long time—and I would say progressively—the Law Review has suffered from annual discontinuity of management, from goof-off of some editors, and from strong competition of other law school "activities." There has also been a weakening of the bond between Faculty and Review, less of a feeling that the Review is "our" publication, the preferred forum for our intellectual product. Compare recent issues of Stanford and Yale reviews which were almost entirely intra-institutional. It would be good for our Review, the Faculty, and the Law School for the Faculty to have more responsibility to and for the Review. If the Faculty agrees, the Law Review Committee might be asked to implement the idea. One line of development might be to foster a sense that faculty members should write for the Review not less frequently than once in years. But the form of the contribution should be much more within the discretion of the contributor than the present rigid format of the Review permits. Informal short comments, as well as formidable footnote-bristling researches, should be welcomed—even if ordinary editorial criteria are maintained.
as against outsiders. See, for example, Baxter's "Parable," 23 Stan. L. Rev. 973 (1971). It may be also that a member of the Faculty should sit with the Board of Officers of the Review in its on-going management.

Faculty. The need I feel here is for cultivating the sense of community of interest. This suggestion can easily be misunderstood as a call for institutionalizing sociability. I have no such thing in mind; it would be artificial and non-productive. I have in mind, rather, increasing our awareness of each other's professional interests and enterprises, generating mutual support and constructive criticism. We have done a little of that recently in our occasional "faculty seminars" and in the Ackerman-inspired Young-Turk conclaves. Building on these, without supplanting them, I would propose more frequent faculty seminars with fewer participants, less formality, and greater flexibility of format.

For example, Faculty member A might agree to host for colleague B a discussion of B's draft paper, or B's proposed application for a foundation grant, or B's ideas for a casebook or treatise, or B's work with the ACLU or CLS or the Commission on Federal Appellate Jurisdiction, or B's experiences as Ambassador or researcher in foreign lands. The aim would be to get five people together over an extended lunch, in the late afternoon in someone's office or the faculty lounge, or in the evening at someone's home. Bringing together a limited number or core of specially interested people would be easier than scheduling a full faculty seminar; but the faculty as a whole would be notified and invited (without the pressure of institutional loyalties that sometimes brings along not-entirely-enthusiastic participants). In addition, the invitation might be extended to graduate students or to undergraduates that A or B would like to have present. Occasionally, the focus would be on an interesting personality from another department or from public life rather than a member of our own faculty. In assembling the core group, host A should make some effort to cut across the normal social groupings within the Faculty. A's final duty would be to recruit his successor host, B or C, to start the process over with a new core group.

This would not be as burdensome as it may sound in the description. If, as I envision, nearly everybody would accept his share and if there were to be 10 sessions during a school year, a person would be called upon as host once in three years and as discussion leader, B, once in three years. Core groups could be assembled with an average attendance by each faculty member of two sessions each year. More frequent attendance would be desirable and may be anticipated.

Another expression of community should be a somewhat more structured relationship with new members of the Faculty and with visiting professors. The dean might quietly invite two or three members of the Faculty to take special responsibility for a designated newcomer: to orient him or her to the University, to Philadelphia, and to the Faculty. Special care should be taken to see that a newcomer is not socially neglected in the early months. The practice of visiting classes should be regularized by a Faculty resolution both to encourage established members (especially in the newcomers' fields), to overcome self-consciousness and inertia, and to induce the newcomer to regard it as helpful and routine rather than hostile.

Faculty-Student Relations; Placement.
Although relations between the Faculty and Student Body are no longer in the crisis stage of a few years back, we are far from achieving the ideal sense of community, of shared enterprise, loyalty, and pride. The spirit of the "Law School Forum" and perhaps of SAC continues to be querulous, suspicious, and self-doubting. My
general diagnosis is that the Faculty has defaulted on an affirmative obligation to inform and inspire the student body; Faculty-Student relations tend to be limited to Faculty reactions to Student complaints. A positive program is called for. My suggestion would be a series of “Conversations about Law and the Law School” starting early in the First Term. More often than not, they would be informal panel discussions involving two or three Faculty members. Among the topics would be law study, the role of the lawyer (as seen in literature as well as in the canons of ethics), faculty recruitment and activities (a chance to boast about our involvements on the national scene), institutional history (Wilson, Sharswood, books in which the Law School figures, e.g. Pepper, Philadelphia Lawyer, Solmsen, with his book, Alexander’s Feast), on-going Law School tensions (special admissions, grading, tuition and aid, the Law-School Forum, the Course Evaluation). Such a program would introduce us as persons in a favorable setting, give us a chance to defuse potential issues, and stimulate curiosity about and pride in the school and the profession. I have come to believe that our annual luncheon reception is not useful for these purposes. The “faculty-advisor” structure has potentials which can be fully realized only if someone draws up a statement of norms of faculty activity in this role. I have heard of outstanding performance; most of us do little; some do nothing.

As to placement, I am ill-informed; but the thought has occurred to me that a part of this function might be delegated to the Alumni Society, especially for outlying territories.

Alumni. There is a reservoir of talent and interest here that we have used almost exclusively in a financial way. There might be positive impact even financially if we broadened our contact. Some alumni would enliven particular classes in their field of specialty or could give supplementary lectures. An effort should be made to get more to write for the Law Review, particularly former editors, and especially on planning, counseling, and ethical issues; much wisdom lies buried in intra-office memoranda. I wonder if SAC could be persuaded to accept on its board a representative of the class that graduated two years before and of the class that graduated five years before? See also suggestion in the preceding paragraph regarding placement.

Law Library. I believe our library is well run, but underestimated in the customary rankings of law libraries. This is because the prevailing ranking system is crude and arbitrary, being based entirely on number of books. One of the best things our library could do for itself and the profession is to devise a more plausible ranking system, which would at the same time be a guide to library management. Factors in addition to number of books that should figure in assessing a law library are: number of persons using the library, especially the number of students in the school; scale of library service; distribution of the collection among some major classifications, e.g., exotics, standard working tools, or intermediate research facilities; materials in English, readily accessible and major foreign languages, or other foreign languages; duplications; obsolescence (e.g., old editions of treatises or casebooks); space per faculty-student reader; facility of access to supplementary libraries (general university, other law school, major bar association). Minds that can quantify the qualifications of applicants for admission to law school can devise measurements of these library dimensions.
Law in an Islamic State: The Iranian Equation
by Dr. Ann Elizabeth Mayer, '75

With the creation of Iran's new leaders of an Islamic republic, speculation has arisen about the role that Islam and Islamic law, or the shari'a, would play in the new state. Although the details of the new system cannot be predicted with any certainty, a suggestion of the form an Islamic republic might take can be seen by examining some of the givens in the Iranian equation: the revolutionary conditions there, the Shi'i religion, Iran's recent history, and the country's presently existing legal system.

Iran is in the process of restructuring its society, and this revolutionary initiative is apparent in the manner of interpreting the requirements of Islamic Law. The late Ali Shari'ati, who wrote highly influential works on Islamic Law, was instrumental in recent years in persuading large numbers of Iranians that the doctrines of medieval Muslim jurists should be discarded in favor of a new and revolutionary approach to the sources of law. This approach is akin to the approach of Catholic doctrine taken by many advocates of the “liberation theology” in Latin America.

The assumption common to both is that religious doctrine must be liberally reinterpreted and reworked to enable it to further social goals. As a result of the efforts of Shari'ati and others, the current interpretations of the requirements of shari'a law in Iran differ in many instances strikingly from those found, say, in Saudi Arabia. That country remains a highly traditional and so far stable society, where works of medieval jurists remain the authoritative statements of shari'a law.

That is not to say that none of the distinctive features of the traditional shari'a will be revived in Iran. No doubt some will be, but this will be done selectively because of the new tendency in Iran toward a result-oriented jurisprudence as opposed to the Saudi emphasis on doctrinal fidelity and continuity. A republican, constitutional and representative government has been accepted, as it seems, as a starting point for the new state. In and of itself, this constitutes a break with traditional shari'a rules as understood in the Shi'i faith.

The vast majority of Iranians adhere to the Twelver sect of Shi'i Islam. In the traditional
Twelver Shi'i doctrine, a republican government could not have enjoyed any legitimacy. Indeed, the Shi'i is split off from the majority Sunni branch of Islam because the Shi'i is believed that leadership in Islam, in which the leader was vested with both political and religious authority, passed by heredity among the descendants of the Prophet Muhammad (570-632).

These hereditary leaders, or Imams, were divinely inspired and mediated between the community and God. When in 874 the twelfth Imam disappeared without leaving any descendants, the lynchpin of the Twelver Shi'i system of government was removed, and the period of so-called occultation began. Until the twelfth Imam returns from his occultation, Shi'is are powerless to create a government that is legitimate in religious terms. As a result, for many centuries Shi'is of the Twelver sect have rejected and resisted any assertion of governmental authority and eschewed involvement in politics.

The only system of guidance for the community was the shari'a. The ulama, or learned men of religion, who were its authoritative interpreters, wielded great power. Naturally, they were cast in the role of perennial opposition to any governmental authority. It is only recently, beginning in the last century, that Shi'is have seriously reexamined this position. Since then there has been a growing trend among the ulama to advocate political action, particularly such as would curb the misrule and abuse of power that has characterized the reigns of many modern Shahs. Political involvement and opposition to the monarchy finally led the ulama to the forefront of the advocates of a republican form of government.

Having come to terms with republican government, where can the ulama and others who wish to give it an Islamic character look for the Islamic principles that will give it legitimacy? In looking for these principles, attention will undoubtedly turn to the prime sources of the shari'a for guidance. These are the Quran and the sunna.

The Quran is believed by Muslims to be the Word of God as revealed to mankind by his messenger, the Prophet Muhammad. As such, it is the cornerstone of Islamic thought. However, it is a very brief Scripture of approximately 6,000 verses, only one tenth for explicit guidance on how the Islamic community should be governed. The verses are largely concerned with family law and inheritance, although some also treat contracts, crimes, and other matters. (The lack of express commands on the subject is one reason why over the centuries Muslims of various Sunni and Shi'i sub-sects have disputed what scheme of government is most truly Islamic.)

Much more voluminous than the Quran is the sunna, collected reports of the Prophet's statements or actions regarding a wide range of problems. As a perfect human being, the Prophet by his example is thought to have set the standards by which subsequent generations of Muslims should be guided.

The Shi'is treat the examples set by their own Imams as an additional source of law. In particular, they seek to emulate the Prophet's son-in-law, Ali Abu Talib, who ruled as Caliph from 656 until his assassination in 661. If Iran's new leadership now tries to extract its principles of government from the models of government by the Prophet and the Caliph Ali, as it is suggested that they may try to do, this will be in conformity with Shi'i theories of the sources of the shari'a.

At first it may seem impossible to derive the constitutional framework for a modern state from a study of the elements of government of the nascent Islamic community of the seventh century. But the goal may not seem so unrealistic if one recalls how far decisions in the area of constitutional jurisprudence by the U.S. Supreme Court have taken.

Iran's History of Liberal Interpretation Of Religious Doctrine Suggests That Republican and Islamic Principles Can Coexist

the United States from, say, the bare bones of the Fourth or the Fourteenth Amendments. The Shi'i mujtahids are those ulama regarded as qualified to interpret the shari'a. Among these are a handful in each generation who are recognized by popular acclamation as ayatollahs, scholars whose teachings are widely considered authoritative. (Ayatollah Khomeini is merely one of several scholars currently enjoying this distinction.) The ayatollahs and other mujtahids can expand and adapt legal principles to suit changed circumstances just as the Supreme Court has been known to do. They will be
confronted by the fervent aspirations of the populace for a government on democratic lines, for an economic order that will result in a fairer distribution of the nation’s wealth, and for social justice. They will want to harmonize the requirements of Islamic Law with these popular goals. Social justice is likely to receive particular attention in the restructuring of power and economic relations, because in the canons of Shi'i jurisprudence substantive justice ranks as perhaps the most fundamental principle.

The ulama should be prepared to welcome a constitution for reasons that are peculiar to the Iranian political situation. According to strict shari'a theory, they should not do so, for the shari'a does not recognize the legitimacy of any human law-making activities. All law-making power is ultimately vested in Allah, and the Prophet, as the divinely inspired messenger of Allah, partakes of this power—as do the Shi'i Imams. For this reason Saudi Arabia, which has demonstrated a concern to comply with the shari'a, does not have a constitution.

The Iranian ulama have become largely reconciled to the notion that the state must rest on a constitution due to Iran's unhappy experience of foreign domination since the British and the Russians began pressing in earnest for concessions in the late 19th century. The lack of a constitution—and of constitutional checks on the monarchy, in particular—is thought to have facilitated the expansion of foreign interests and influence in Iran, an expansion to which the majority of Iranians, whether secular or religious, have been opposed. Constitutionalism therefore became linked with Iranian nationalism, and the ulama have figured among the constitution's strongest supporters.

The 1907 Iranian Constitution establishes a constitutional monarchy with a Majlis, or parliament. The monarchy will certainly be abolished, but the ulama will probably advocate a representative legislative body to be elected by universal suffrage. Because the greatest support for religion is among the masses, not the elite, in Middle Eastern countries, a broad electoral base will tend to reinforce the power of the ulama.

The 1907 Constitution in its granting of law-making authority to human legislators, did not comply with the shari'a. Again, taking the examples of Saudi Arabia to illustrate what a consistent application of the traditional legal principles would lead to, one finds that in Saudi Arabia there are no laws aside from the shari'a sources and their juristic elaboration. Such enactments as have had to be adopted to cope with its radically altered social and economic circumstances are denied the status of law and are treated as mere regulations of an administrative character.

In Iran, in contrast, the capacity of a representative legislature to make laws has long been established. In 1907 the consent of the Iranian ulama to the legislative prerogatives of the Majlis was at least partly induced by a provision in the Constitution according to which all laws would be subject to review by a committee of ulama. The latter were entitled to veto any that conflicted with the shari'a. The ulama will expect that any parliament that is set up pursuant to a modification of the 1907 constitutional scheme will likewise have a provision assuring that the ulama retain a right to veto unacceptable legislation. Indeed, they may well press for stronger guarantees of their veto power, since their experience under the monarchy was that the provision for review by the ulama was consistently honored in the breach.

What are the prospects for Iran's current legal system under an Islamic republic? Beginning in 1928 Iran embarked on a process of reception of Western law on the Continental European model. It now possesses what is fundamentally a Westernized system, albeit with the incorporation of certain rules from the shari'a. Western law has been received everywhere in the Islamic Middle East outside Saudi Arabia, and once implanted it has rapidly taken root. To turn back the clock at this juncture and attempt to replace the legal system by one along traditional lines would be very difficult.

In Libya, for example, where an Islamicizing trend has already made itself felt, there has been a retention of the legal system that was set up in the 1950s along Franco-Italian lines, and various rules derived from the shari'a have simply been inserted in appropriate sections of what are basically still Western codes. It appears that a similar process is underway in Pakistan. Iran's Islamic republic is likely to take the same approach. What one can expect to see is enactment of certain laws that reflect the more important shari'a rules. In particular, such rules as are embodied in the text of the Quran will probably be enacted into law.
An area where such legislative initiatives can be anticipated is the criminal law. The shari’ah law affecting crimes is often confused with police practices in Saudi Arabia as reported in sensationalist articles in the press. In fact, the shari’ah law and the retribution meted out by zealous Saudi police are not necessarily one and the same any more than police practices elsewhere in the world correspond regularly to the niceties of the law.

The most important crimes are the hadd crimes embodied in the Quran. (There is little enthusiasm for reviving the large remainder of traditional criminal law for offenses know as ta’zir.) Because so few crimes are mentioned in the Quran, those that may be taken to be particularly heinous in the sight of Allah. The five hadd crimes are fornication, slanderous accusations of unchastity, consumption of alcohol, theft, and highway robbery. For the penalties for these crimes to apply, many preconditions must be met and steep evidentiary hurdles scaled. For example, the famous penalty for theft, amputation of the hand, applies only when an item of a certain minimum value has been taken by stealth from a protected place by a sane adult and carried away. It does not apply when the item taken is public property, easily perishable, plant life or animals in their natural state, something to which the thief has a colorable claim, property of near relations, or property from a house that he has been permitted to enter; nor does it apply to acts of embezzlement.

Proof standards for hadd crimes are high, requiring either the eyewitness testimony of two reputable, male Muslims or the confession of the accused, which may be retracted up to the time of punishment.

In the case of the crime of fornication, the quantum of proof is so high that one can plausibly contend that the rules are designed with a view to concealing the infraction rather than revealing it and punishing the offender. Four reputable, male Muslim eyewitnesses to the very act must testify if the guilty party does not confess. There is a powerful disincentive to offering testimony in such cases: if the requisite standards for the proof of fornication are not met—three witnesses testify, say, rather than four—any persons who have testified become liable to the penalty for slanderous accusations of unchastity, which is eighty lashes. A person who has confessed to fornication is supposed to be encouraged to retract the confession and is to be reminded of the numerous legal defenses and excuses that the shari’ah offers to the person charged with fornication. Thus, even if these hadd crimes are reinstated, they will, if traditional standards are observed, not have widespread application.

The traditional hadd penalties are harsh, but it is improbable that they will be applied in all their pristine rigor due to the fact that Iran has experienced such acculturation in the last decades by reason of Iranians’ extensive contacts with the West. In the past the very awfulness of the hadd penalties was seen as an asset; these gruesome punishments were thought to have a salutary deterrent effect. To heighten the impact a hand might be chopped off in public (as still happens in Saudi Arabia), the stump cauterized in boiling oil, and the culprit paraded around with the severed extremity hung about his neck.

Many religious leaders think the lack of constitutional checks has facilitated foreign expansion in Iran in the past.

In Libya, where the hadd for theft was recently reinstated, the legislators had no stomach for such practices. With an interesting combination of humanitarian concern and pious deference to the requirements of the shari’ah, the Libyan law calls for the amputation to be carried out as a regular surgical procedure in a hospital, for the accused to be examined beforehand and placed under anesthesia during the operation, and for all precautions to be taken to insure a successful recuperation. These requirements betray a certain uneasiness about the severity of the penalty, and similar reactions in Iran can be expected to mitigate, if not eliminate, the harshest features of the traditional penalties.

How minorities will be treated in an avowedly religious state has provoked concern. Jews and Christians, as adherents of revealed religions, are assured a protected—though subordinate—status under the shari’ah. Among the disabilities that traditionally attached to that status are exclusion from military service and from public office (though this rule was often ignored in practice) and liability for a modest annual tax. The imposition of these traditional disabilities is not supported by all Muslims, and it is questionable whether the new regime will require such discriminatory measures.
The goodwill of the new regime will be tested more severely with regard to its treatment of the Bahais, whom Muslims do not recognize as protected adherents of a revealed religion, tending to see in them renegades from Islam. Conceivably, the death penalty for apostasy from Islam will be introduced, a shari’ a rule that recently came close to being reinstated in Egypt at the behest of Muslims angered by defections.

A significant conflict exists between shari’ a laws affecting the family and inheritance and the reforms introduced by the Iranian Family Protection Laws of 1967 and 1975. The reform laws eliminated some of the prerogatives formerly enjoyed by Muslim husbands and accorded new rights to wives, both in derogation of shari’ a rules. These acts imposed various reforms: eliminating the husband’s right to unfettered extra-judicial repudiation of the wife; subjecting the husband’s formerly unqualified right to enter into a polygamous union to a requirement that he first obtain authorization from a court (which requires him to establish his ability to support more than one wife and to treat them equally); requiring the wife’s consent to any subsequent polygamous union except in certain specified circumstances (as when she has deserted the husband); and giving the wife and husband the same right to seek a divorce, but only in court and only for certain enumerated grounds.

Although Muslim women have enjoyed very favorable treatment in Islamic Law with respect to contractual capacity and control over their property, they have had a distinctly inferior position on the domestic scene, and any abrogation of the laws of 1967 and 1975 would be a step in the direction of again relegating them to a position of subjugation and inferiority vis-a-vis their husbands. Since such a move would be perceived as a significant step backwards, the Islamic republic may well hesitate before proceeding to cancel these reforms. The shari’ a does not call for segregation of the sexes or the wearing of the chador, so any insistence on these practices in the aftermath of the Revolution will be the product of a cultural reflex in reaction to the perceived decline in standards of modesty and morality rather than a response dictated by legal requirements.

In the light of the preceding it is possible to make some generalizations about the proposed Islamic republic in Iran. Iran is not going to be dominated by mullas with a medieval mentality in view of how Shi’i legal thought has increasingly taken into account social change and political reality. Iran’s legal and political development has reached such a stage that the reinstatement of shari’ a will be circumscribed by existing institutions and practices. The republic will be Islamic in the sense that Islam will enjoy the status of a highly favored state religion.

The Reinstatement of Strict Religious Principles Will Be Circumscribed by Existing Institutions and Practices Despite the Influence of Ayatollah Khomeini

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3. For examples of the way shari’ a sources are being reinterpreted elsewhere by modern Muslims, see Muhammad Asad, The Principles of State and Government in Islam (Berkeley, 1961); Malcolm Kerr, The Political and Legal Theories of Muhammad Abduh and Rashid Rida (Berkeley, 1966); Erwin Rosenthal, Islam and the Modern Nation State (Cambridge, 1965).
Associate Dean Morris S. Arnold became Director of the Office of the President of The University of Pennsylvania on September 1, 1979. He will remain a member of the Law Faculty although his teaching load will be reduced somewhat.

Professor Alexander Capron will be on sabbatical leave during the 1979-80 academic year. He will be collaborating with Dr. Jay Katz of Yale Law School on the preparation of a casebook on “Disclosure and Consent,” which examines decisionmaking in lawyer-client, as well as physician-patient, interactions. This work is supported in part by The Commonwealth Fund.

Dean James O. Freedman served as a member of the faculty of the Salzburg Seminar in American Studies during July. He lectured on “The Crisis in the American Administrative Process” to the German and American Lawyers Association in Munich and Berlin (both in early August). Dean Freedman was named to the Board of Directors of the World Affairs Council of Philadelphia and to the Board of Trustees of the Jewish Publication Society.

Professor George L. Haskins has spent much of the summer at work on source materials relating to aspects of legal transplants (laws and institutions) from England to the early American colonies. He has also begun a preliminary study of the Federal Bar and the Supreme Court in the early 19th Century.

Professor Noyes Leech lectured on Reform of United States Corporation Law at the European University Institute in Florence, Italy this past June. The Institute is a graduate school supported by the members of the European community offering programs in law and the social sciences. It is the first European university since medieval times. Professor Klaus Hopt, who was Visiting Professor at the University of Pennsylvania this spring, is a member of the faculty of the Institute.

From July 7-14, Mr. Leech attended a seminar of the International Faculty for Corporate and Capital Market Law, studying the law of Brazil in Rio de Janeiro. The International Faculty is an outgrowth of the program of the Law School’s Center for Study of Financial Institutions. Members of the faculty, in addition to Professor Leech, Professor Mundheim and Professor Morris Mendelson of the University’s Finance Department, include lawyers, law professors and economists from the United States, Japan, the United Kingdom, France, Germany, Switzerland and Brazil. The Brazilian seminar completed a five-year cycle during which the group studied corporate and capital market law in the home country of each of the members. Seminars are planned for Belgium, the Netherlands and the European Community in 1980. Thereafter, the faculty plans to offer a series of public seminars in various countries.

Assistant Dean Arnold J. Miller participated in a panel discussion on graduate education with representatives of the University of Pennsylvania Schools of Medicine and Social Work, which was presented on a local radio station in early July.

Professor Edward Sparer, Director of the University of Pennsylvania Health Law Project, was a speaker at a conference entitled “New Jersey: Our State of Health” at the Robeson Student Center of Rutgers University in Newark.

Professors Ralph S. Spritzer and Paul Bender were retained by the Commonwealth to defend the Rules in the United States Supreme Court in the case of Philadelphia Newspapers Inc. et al v. Hon. Domenic D. Jerome et al. Various news media challenged the constitutionality of provisions of the Pennsylvania Rules of Criminal Procedure authorizing trial judges, on motion of the defendant, to conduct pretrial suppression hearings in camera. Unsuccessful in the state courts, the media appealed to the Supreme Court which, on June 26, 1979, sustained the Commonwealth’s position, dismissing the appeal.
'29 Irvin Stander of Philadelphia was appointed Chairman of the Workers' Compensation Committee of the Philadelphia Bar Association. His articles in the Pennsylvania Law Journal column “Workers' Compensation Corner” are now being published in book form by The Legal Intelligencer.

'38 H. Clayton Louderback, a senior partner in the Philadelphia firm of Obermayer, Rebmann, Maxwell & Hippell, was honored at the annual meeting of the Southeastern Pennsylvania Chapter of the American Heart Association. He received a medallion in recognition of his service as Chairman of the Association’s Board of Governors for the past two years.

Irving R. Segal, a senior partner in the Philadelphia firm of Schnader, Harrison, Segal and Lewis, was elected Secretary of the American College of Trial Lawyers at its annual membership meeting in August, 1979.

'41 Michael C. Rainone was re-elected Secretary of the Philadelphia Trial Lawyers Association. He was also re-appointed to a 6-year term to the Board of Trustees at the Community College of Philadelphia, where he serves on the Executive Committee, as Chairman of the Community Relations Committee.

'43 William B. Johnson delivered the speech, “Profits and Progress” to the joint meeting of the Rotary Clubs of Haddonfield and Moorestown, New Jersey in May. Mr. Johnson is Chairman and Chief Executive Officer of IC Industries, Inc. and its subsidiaries which include: the Illinois Central Gulf Railroad; Pepsi Cola General Bottlers, Inc.; Midas-International Corp.; and Continental Illinois National Bank and Trust Co., of Chicago. He is also a Director of the Transportation Association of America and the Association of American Railroads.

'48 Harry L. Lees, Jr., of Quakertown, Pennsylvania, was elected President of the Bucks County Bar Association. He is a member of the firm of Lees and Lees Associates.

'49 Louis J. Carter, Senior Commissioner of the Pennsylvania Public Utility Commission, is viewed nationally as an expert on the new National Energy Act. In May 1979, he was asked back again to Washington to speak to a large group of lawyers and utility executives on the Public Utility Regulatory Policies Act (PURPA). His earlier speech last October touched on the issue of its constitutionality. The State of Mississippi must have been listening. They have sued to have the Act declared unconstitutional.

'50 Fred R. Huehnergarth of Lancaster, Pennsylvania, has been promoted to Corporate Manager of Employee Benefits at Carpenter Technology Corporation, Reading, Pennsylvania.


'53 Frederick T. Bebbington of Yardley, Pennsylvania, has been appointed chairman of the By-laws Committee of the Bucks County Bar Association.

Hon. William E. Mikell has resigned as Judge of the Vermont District Court to resume a private law practice. His new firm, Davidson & Mikell, Inc., has offices at 2 Burlington Square, P.O. Box 530, Burlington, and Mountain Road, P.O. Box 960, Stowe, Vermont.

C. Bowman Strome, Jr., Vice-President and Deputy General Counsel of The Equitable Life Assurance Society of the United States, was elected to the Board of Directors of the American Arbitration Association. Mr. Strome resides in Briarcliff Manor, New York.

Hon. Alfred T. Williams, Jr., of Bethlehem, Pennsylvania has been named by the Pennsylvania Supreme Court as acting President Judge of the Northampton County Court pending a formal commission to the position by the Secretary of the Commonwealth.

'54 Hon. Ben Kaito was sworn in as a per-deim Oahu District Court Judge in March by the Hawaii State Chief Justice, William Richardson.

Robert Montgomery Scott, a partner in the Philadelphia firm of Montgomery, McCracken, Walker & Rhoads, has been elected Chairman of the Board of Trustees of the Institute for Cancer Research, Philadelphia.

William Thatcher of Quakertown, Pennsylvania, has been appointed chairman of the Merit Selection Committee of Judges Committee of the Bucks County Bar Association.

Thomas W. Waters, Jr., of Norristown, Pennsylvania, is Vice-President of the Montgomery Bar Association.
'55 Lionel Wernick continues as Vice President and Senior Counsel to the major New York advertising agency, Batten, Barton, Durstine & Osborn. In addition to holding down his responsibilities there, he is currently Associate Professor in the Business Schools of New York University and Pace University.

His negotiations with commercial talent sometimes brings him in touch with well-known celebrities like the one to the left of Mr. Wernick in the above photograph.

'57 John Douglas Cummings, a former member of the State Rating Bureau at the Massachusetts Division of Insurance, has formed a consulting firm—Chang & Cummings, 6 Beacon Street, Boston, Massachusetts 02106. Mr. Cummings will be involved in the new field of “readability,” which involves the rewriting of complex legal and other business documents into simplified form. He was one of the faculty at a workshop on the new and expanding field of simplification in New York City in March.

'59 William H. Eastburn, III, of Doylestown, Pennsylvania, has been appointed chairman of the Nominating Committee of the Bucks County Bar Association.

John J. Francis, Jr., of South Orange, New Jersey, has been elected Chairman of the Board of Trustees of The Hospital Center at Orange. Mr. Francis is a partner in the firm of Shanley and Fisher, Newark, New Jersey, and is a member of the American College of Trial Lawyers and the American Bar Association.

Jack A. Rounick of Norristown, Pennsylvania, has been appointed Chairman of the Family Law Section of the Pennsylvania Bar Association. He has been a Lecturer for a PBI series on Family Law in Philadelphia, Pittsburgh, and Harrisburg.

'60 Edward I. Dobin of Morrisville, Pennsylvania, has been appointed to direct committees on finance, property and operations for the Bucks County Bar Association.

'61 Edward N. Adourian, Jr., of Moorestown, New Jersey, is President of the Camden County Bar Association. He is also adjunct Professor of Trial Advocacy at Rutgers University Law School.

William B. Moyer of Doylestown, Pennsylvania, has been appointed Chairman of a Public Service Committee for the Bucks County Bar Association.

'62 Joseph F. Battle was nominated to the candidacy of Mayor of Chester, Pennsylvania, in the recent May primary election. He began his political career in 1965 as Assistant City Solicitor and became City Solicitor in 1977. He was Chairman of the Chester Housing Authority of Commissioners from 1968 to March 1979.

'64 Beryl Dean has been appointed the new Director of the Philadelphia Bar Association's Placement Services, with the responsibilities of directing the Association's Professional Placement Service, matching attorneys with prospective employers and offering guidance and assistance for attorneys who are looking for placement opportunities. She was former Director of the Office of Career Advising and Resources at the University of Pennsylvania.
'65 Jeffrey B. Schwartz became affiliated with W. Thomas Berriman, Suite 700, Valley Forge Plaza, King of Prussia, PA 19406, in the private practice of law as of May 1, 1979. Mr. Schwartz, former chief counsel of the Pennsylvania Department of Health, worked under Secretary of Health Dr. Leonard Bachman for 5 years. His service included enforcement of minimum standards of care for nursing home patients, and vindication through the judicial process of health department decisions limiting unnecessary hospital expenditures.


Bernhardt K. Wruble has been appointed temporary director of the newly-created Office of Government Ethics. He will organize the Office, issue regulations and develop policy, but will not head it permanently. Mr. Wruble was principal deputy general counsel for the United States Army, and practiced law for 10 years with the New York firm of Simpson, Thacher & Bartlett.

'67 Walter W. Cohen, Prison Master for the Philadelphia Court of Common Pleas since 1974 and Executive Director of the Philadelphia Commission for Effective Criminal Justice, has been appointed by Pennsylvania Governor Dick Thornburgh to membership on the Pennsylvania Commission on Crime and Delinquency.

Dale Penneys Levy of the Philadelphia firm Blank, Rome, Comisky & McCauley, represented the Women's Rights Committee of the Philadelphia Bar Association in co-sponsoring, with the Junior League of Philadelphia, a day-long conference on Women's Rights in March.

Stephen Shoeman of Princeton, New Jersey, was the recipient of the Second Place Prize in the United States Jaycees national speak-up competition held in Nashville, Tennessee, achieving recognition by that organization as one of America's outstanding speakers.

Sharon Kaplan Wallis, former chief of the domestic abuse unit of the Philadelphia District Attorney's office, has been named Assistant to the Dean of Women's Affairs at the Medical College of Pennsylvania. Ms. Wallis is founding president of the Philadelphia Women's Political Caucus.

'68 Charles H. Norris, Jr., Chairman of the Board of Artemis Corporation and Chairman of the Executive Committee of Remington Business Systems of New Jersey, was appointed by Pennsylvania Governor Dick Thornburgh to the Pennsylvania Commission on Crime and Delinquency. Mr. Norris lives in Coatesville, Pennsylvania.

James Redeker of Philadelphia is a member of a steering committee that will oversee the National Legal Resource Center for Child Advocacy. The Center, created last year through a $175,000 federal grant and inspired by a child advocacy program using volunteer lawyers, was first organized by the Philadelphia Young Lawyers Section of the Philadelphia Bar Association in 1971.

Peter S. Thompson of Doylestown, Pennsylvania, has been appointed Chairman of the Legal Periodicals Committee of the Bucks County Bar Association.

Mark G. Yudof of Austin, Texas, was awarded the James R. Dougherty Chair for Faculty Excellence for the 1979-1980 academic year at the University of Texas Law School. He was appointed chairman of the National Study Group on Legal and Governmental Studies of the National Institute of Education.

'69 Marjorie Marinoff of Philadelphia has been named a member of the steering committee that will oversee the National Legal Resource Center for Child Advocacy in Washington, D.C.

Richard P. Sills has become a partner in the firm of Ginsburg, Feldman and Bress, 1700 Pennsylvania Avenue, N.W., Washington, D.C. where he has practiced since 1974. He lectures in the graduate tax programs at the Georgetown and George Washington University Law Schools.

Mr. Sills was law clerk to Judge Charles R. Simpson of the United States Tax Court, and was an Assistant Branch Chief in the IRS Chief Counsel's Office in Washington.

Lynn Saul Moore is presently in private practice at 222 North Court, Tucson, Arizona 85701. Ms. Moore is involved in a general practice—family law, litigation, representation of feminist organi-
zations and businesses, etc. She is also doing tax exemption applications for non-profit organizations and is "keeping a hand" in socially-relevant housing developments. Her son and daughter are aged 9 and 7 respectively.

'S70 Sheldon A. Halpern has been named Regional Counsel of Federated Department Stores Inc., and is moving from Cincinnati, Ohio, to Los Angeles, California.

Steven Waxman of Philadelphia has been named Chairman of a steering committee that will oversee the National Legal Resource Center for Child Advocacy. Waxman, as former Chairman of the Philadelphia Young Lawyers Section of the American Bar Association, was one of the moving forces toward the creation of the Center located in Washington, D.C. Its purpose is to raise professional awareness, improve professional skills and foster interdisciplinary cooperation with respect to the treatment and protection of abused and neglected children.

'S71 James H. Manning, Jr. is Assistant Professor of Law at Villanova University Law School.

William J. Moses, a partner in the Philadelphia firm of Dilworth, Kalish, Levy & Kauffman, was reelected President of the Philadelphia Housing Development Corporation for a third term.

'S73 Richard O. Gauthier has been appointed assistant counsel in the Legal Department of Sheraton Hotels and Inns Worldwide. Headquartered in Boston, Mr. Gauthier will take part in negotiations for new Sheraton management contracts in addition to other duties.

John B. Herron has become associated with the Philadelphia firm of Blank, Rome, Comisky & McCauley. He was formerly associate counsel with Commonwealth Land Title Insurance Company in Philadelphia.

David Kraut of Philadelphia has been named Chief Regional Civil Rights Attorney for The Department of Health, Education and Welfare in Region III, which oversees the Philadelphia area. Mr. Kraut worked previously with Community Legal Services here. His new duties consist of supervising a 9-lawyer unit which serves as legal counsel to The Office of Civil Rights, an agency responsible for HEW's enforcement of the Civil Rights statutes and regulations governing recipients of HEW federal funding.

Allen E. Rennett has become a partner in the firm of Richards, Watson, Dreyfuss & Gershon, 333 South Hope Street, Los Angeles, California 90017.

'S74 Susan Katz Hoffman is an associate with the management labor law firm of Deutsch, Weintraub & Glazerman, 99 High Street, Boston, Massachusetts 02110. She has recently been appointed co-chair of the Committee on Pension, Welfare and Related Plans of the American Bar Association's Labor Law Section.

Melanie J. Rowland, Assistant Dean at the University of Washington Law School, contributed major part of a supplement to the Community Property Deskbook, April 1979. She was elected co-president of Washington Women Lawyers, and was appointed to the Board of Directors of Northwest Women's Law Center.

Stuart Weisburg, of Silver Spring, Maryland, married Elizabeth Krucoff in June, 1979. He is an attorney with the National Labor Relations Board in Washington, D.C.

H. Vincent McKnight is law clerk to Judge William C. Pryor of the District of Columbia Court of Appeals.

Pamela J. Murphy of Philadelphia is law clerk to Hon. Leonard Sigerman, L'55, of the Chester County, Pennsylvania, Court of Common Pleas.
From The Editor

Thanks! Your response to our request for "news about you" has expanded our Alumni Briefs section considerably in our past two issues. Do keep us posted. What you are professionally or otherwise might be enlightening to other Alumni as well as to your former classmates.

Have We Heard From You Lately?

We want "all the news that's fit to print" about you—professionally or in general. The Journal’s Alumni Briefs section is the perfect forum for keeping in touch with classmates and with other Alumni. Information as well as your informal photographs are welcome. Please use the space below:

Name and Class: __________________

What's New: ______________________

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The Law Alumni Journal
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3400 Chestnut Street
Philadelphia, PA 19104

Reunions, Etc.

This spring the Classes of 1929, '32, '39, '49 February, and '49 June, held reunions unique to their particular needs and wishes. Elegant hotels in Philadelphia serviced the Classes of 1929, 1939, and June, 1949. The Class of 1932 held its annual dinner at the University of Pennsylvania Faculty Club, whereas the February '49 Class celebrated at the Locust Club of Philadelphia.

The Classes of 1954 and 1959 will be holding their respective 25th and 20th Reunions both on October 20. The Academy of Music Ballroom will be the site of the Class of 1954’s twenty-fifth milestone, while the Class of '59 will meet at the Law School for its celebration.

We encourage all class members who foresee reunions in their future or who just wish to “get-together” to contact Libby Harwitz at the School’s Office of Alumni Affairs.

CORRECTION

In our summer issue we confused the name of Ira Mark Goldberg, who is not an Alumnus of the Law School, with that of Ira Morton Goldberg, who is a member of the Class of 1967.

Ira Morton Goldberg has not taken a new position in Lackawanna County, as we erroneously reported, but continues his general practice in Cherry Hill, New Jersey, specializing in appellate practice, choice of law, and constitutional questions.

We regret our error and apologize to our Alumnus for any embarrassment we may have caused him.
IN MEMORIAM

12 Curtis G. Culin, Jr., Cranford, NJ, April 28, 1979
Harry M. Nofer, Philadelphia, PA, June 15, 1979

15 Edwin P. Longstreet, Spring Lake, NJ, June 4, 1979

16 Vernon S. Jones, Mobile, AL, November 16, 1978

18 Roger R. Townsend, Redondo Beach, CA

24 Judge Harold L. Paul, Seaford, DE, June 16, 1979

25 Edward Starr, Jr., Philadelphia, PA, June 24, 1979

27 Nathan J. Schneider, Philadelphia, PA, June 24, 1979

28 Martin Greenblatt, Philadelphia, PA, May 26, 1979

31 Charles Hunsicker, Jr., New Cumberland, PA, July 16, 1979

32 Frank A. Bruno, Lakewood, OH, May 11, 1979

40 Don C. Reiley, Bedford, PA, May 24, 1979
Paul Yermish, Narberth, PA, July 21, 1979

57 Archimedes Cervera, Bayshore, NY, June 17, 1979

58 John J. Runzer, Fort Washington, PA, July 2, 1979

74 Kenneth L. Mines, Philadelphia, PA, August 5, 1979