

DISSENT

Vol. 7 No. 4

University of Oregon Law School

January 24, 1980

Over the Hump

Well, folks, it's that time of year again. The holidays are over, we survived the onslaught of finals and a new term has begun. January, of course, implies winter, clouds, rain and too many pages to read. January, 1980 also signifies the half-way point for the class of '81 in terms of our legal education here at the U of O. So before we all get far behind in the reading, the second year class is planning a little (?) party to celebrate the fact that we are over-the-hump.

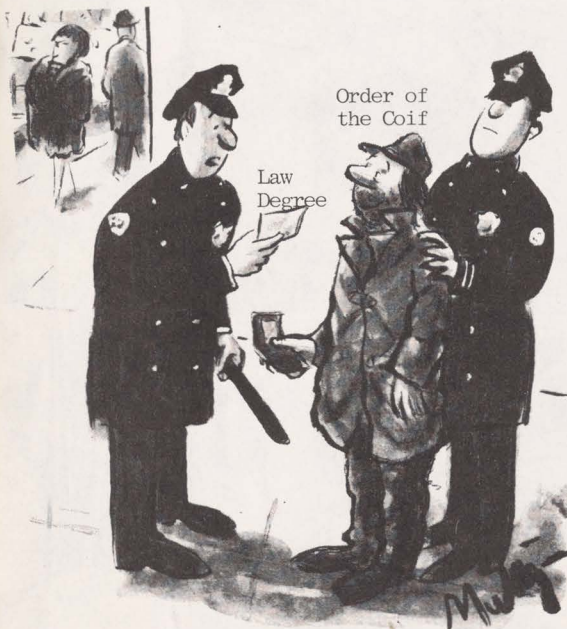
We are inviting the entire school to join us in for some hell-raising, partying good times. This year's traditional law school extravaganza will be held on Saturday night, January 26th, at the Eugene Hotel (Eugene Quality Inn).

Tickets will cost \$5.00. There will be dancing to the sounds of Uppepo and drinking to the suds of Henry's private reserve. (The first 12 kegs will be provided; after that you're on your own.) Wine will cost 75¢ and cocktails will be \$1.00 and \$1.30. Hot and cold food is going to be available and at around 1:30 a.m., as the music dies down, coffee and danish will be served to sober us all up.

The 2nd year class expressly warrants a great time for all. So plan to be there. Doors open at 8:45, the music starts at around 9:30 and the partying ends whenever. Tickets are on sale all this week. It will be the best money you'll spend all year!

Peter Swan Appointed Investigator

Home town boy makes good by investigating althletic scandal. For details ask distracting questions in class.



"Why, this indeed seems to be a license to beg, borrow, or steal."

Mock Trial Competition Results

The first team to represent U of O Law School at the Mock Trial regionals in Chicago has been selected: Tom Thetford, Bill Nichols, and David Allen. Coach Wayne Westling will prepare our team for these regionals and if they are successful, will also help them for the nationals in Dallas.

Good Luck and congratulations! Thanks very much to students who participated in the competition and helped us to work out the problems which are part of a new program: Cindy Burgess, Marcy Hikada, Bruce Moore, Randy Stevens, and Geoff Willson.

The Moot Court Board

Int'l Moot Court Spaces Out

The International Law Moot Court Team will make their arguments in Whittier, California, on March 7-8. Our team members--Lynn Cassel, Cynthia Buck, Geoff Willson, Ken Roberts, and Jim Klausen--will argue their briefs on a Space Law topic. Good Luck! Thanks to Jon Jacobson for his good coaching.

J. McGinnis

Fireside Chat

Prez Sez

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The Oregon Supreme Court has been considering for some time the recommendations of the Hilton Committee in regard to the rules which govern the process for admission to the bar in Oregon. The Hilton Committee submitted a comprehensive report to the Court after conducting many hearings. (Fred Merrill of our faculty was a member of this committee.)

The Court has decided, not surprisingly, to retain the bar exam, including the multi-state (multiple choice) exam. The multi-state exam is one day (six hours) and the essay portion of the exam is also one day (six hours).

The following subjects will be dropped from the list of subjects available for testing: conflict of laws and federal estate and gift taxation. A separate multiple choice exam on professional responsibility must be passed effective in February, 1981. In July, 1980, legal ethics will remain as one of the subjects available for testing on the one-day essay portion of the exam.

The essay exam papers of the top 25% of the unsuccessful applicants will be automatically re-read and re-graded by the Board of Bar Examiners before the results are announced. The Court is still working on a new procedure of independent review of exams for those applicants who fail and petition for review after the results are announced.

Primary reliance for admission to the Bar in Oregon will continue to be placed upon the education received at a law school approved by the American Bar Association. Only graduates of such schools may sit for the bar exam. Studies have shown a correlation between academic standing in this law school and success on the Oregon bar exam. Over the years very few students in the top half of the class have failed the exam in Oregon or in other states for that matter. The bar exam can be taken three times in Oregon and counting those graduates who repeat the exam, over 95% of our graduates who seek admission in Oregon are admitted.

Chapin D. Clark
Dean

Literary Issue

The Dissent is the SBA funded student newspaper of the University of Oregon School of Law.

Editor: Gary Marcus

Faculty Contributors: John Bonine, Chapin Clark, Dick Hildreth, Dennis Hyatt, Mary Lawrence, Peter Swan.

Enlightened Students: David Allen, Linda Audrain, Brian Doerter, Debra Ehrman,, Wendy Greenwald, Bob Lowry, Linda Mann, Bill McCall, W.M., Jan McGinnis, Kathleen O'Brien, Dan O'Neill, Mark Oswald, Mike Oths, J.R. Pincus, Brent Summers, Bill Waterman.

Dear Dissenters,

Welcome back (no offense intended) and Happy New Year. For those of us in our last semester 1980 will indeed be happier than 1979 if only for graduation purposes--it's hard to be jovial when the bar exam looms ahead, but let's not allow that to interfere with our euphoria. Re: finally getting out of this place.

The SBA's lounge operations are back on schedule with Czar Nicholas' return. Thanks to Catherine Riffe for her help during Dave's absence.

Main thing to look forward to is The Hump. January 26th at the Eugene Quality Inn (don't panic, they changed the name from the Eugene Hotel). More information should be available by the time of this printing.

I'm going to see the Dean about a few items (exam changes, to name one) and will report our discussion in the next Dissent. Our budget was submitted with a 60% increase over last year and hearings will be coming up!

Debra Ehrman

P.S. The Third Year Skate is rescheduled for Valentine's day (and the State of Oregon's birthday) February 14th.



"That's not dirt in your soup... it's earth!"

1980-1981 Editors Apply Now

Page 3

Every year hundreds apply for the position of Dissent editor; already rumors are running wild about who will take home next year's prize. Count Basie is applying under a pen name so his notoriety will not prejudice the Selection Committee. Professor Scoles secretly covets the spot but is afraid that his leadership of thirty-six other organizations will pale by comparison. Dave Frohnmayer drools at the prospect of the power he could wield, and he will file for the editorship as soon as it becomes an elected office. The Selection Committee anticipates an avalanche of student applicants in addition to the two dozen faculty who are expected to apply. Dean Clark also is eyeing the position and will give up his sabbatical if selected. "It's the next natural step in my career," he was overheard confiding to Sallie French.

And what, pray tell, are the qualities that a Dissent editor should possess? The Dissent editor should be half crazy. This is a self-fulfilling prerequisite as only those who are half crazy apply. The Dissent editor should relish the prospect of being verbally, psychologically and physically assaulted for no apparent reason. For practice, next year's editor should plan to spend summer vacation wandering around the New York subways. Finally, the editor should be skilled at soliciting contributions for some unpopular cause; for example, raising money in Eugene for Ronald Reagan.

Seriously, the criteria for selecting the Dissent editor will be based on the following factors:

1. Creativity: includes savoir faire, esprit de corp, joie de vivre, and fluency in French.
2. Responsibility: ability to meet deadlines, to be flexible, and to be even handed.
3. Solicitation Skills: ability to raise money in Eugene for Ronald Reagan.

Application Details

Since the Dissent has expanded and requires more work than in past years, there will be an assistant editor in addition to the editor. However, all applications should be for the position of editor. Applications must be in by February 1st. I will make recommendations to the SBA who will make the final decision, hopefully by February 5th. Applications should contain the following information in the following order:

Experience

Mention your writing experience; include your participation in the Dissent and any other relevant experience.

Editorial Policy

Mention what you feel is the purpose of the paper, and state what you would and would not do to achieve that purpose. Please be honest.

Production Details

For practical reasons, deadlines must be on Mondays with publication nine days later. State what your deadlines and publication dates will be for the entire year.

Transition Period

The new editor and assistant editor will start work with me on the February issue. I'll show you the ropes so we can make a gradual transition. It can't be learned overnight. The new editors will do much of the work on the March SBA Election issue, and will do almost all of the work on the April issue. The new editors will also have the joy of going before the IFC to help request next year's budget.

In fairness to the poor suckers who apply, I warn you that this thankless task is made redeemable only by the inner satisfaction you get knowing that you will be able to land a job in Reagan's campaign.

Gary Marcus



"And may I end my summation by saying you've been a beautiful jury."

Will There Be People's Law School Next Year? An Open Letter To David Florea

People's Law School, an organization which tries to work with the community and make the law understandable to them, is in danger of becoming non-existent next year. The problem is that to operate, PLS needs one, or preferably two, first or second year students to volunteer to be the organizers of PLS next year. Unless someone comes forward to do this, the tradition of carrying our law school education to the community will end.

The job of organizer can be easily learned, especially if interested persons were to work with Marilyn Odell, the current organizer, this spring term and learn the ropes. The job includes working with Lane County Legal Aid to do publicity for PLS, get teachers, topics, set up where it is to be taught and other general activities. The work is concentrated in the beginning of each semester and PLS runs pretty well by itself once it gets going. Finding teachers is usually no problem.

Other information can be obtained by talking with Marilyn Odell, locker #203. The past couple years PLS has developed a reputation with the community of reliability which has drawn more and more people to our classes every year. It is real important that this reputation is not damaged and appreciation of the community is a reward in itself for someone who chooses to do the job.

Wendy Greenwald
#91

By now you've probably gotten some angry replies (or stony silence) in response to your "Reverse Discrimination" gripe in the last Dissent. And you may wonder what all the fuss is about. I would like to offer the following excerpt, taken from the book Getting Clear by Anne Kent Rush, to show why at least one woman (me) is pleased when the professors use "she" and "her" as well as "he" and "his."

There is much concern today about the future of man, which means, of course, both men and women--generic Man. For a woman to take exception to this use of the term "man" is often seen as defensive hair-splitting by an "emotional female."

*Consider reversing the generic term Man. Think of the future of Woman which, of course, includes both women and men. Feel into that, sense its meaning to you--as a woman--as a man.

*Think of it always being that way, every day of your life. Feel the everpresence of woman and feel the nonpresence of man. Absorb what it tells you about the importance and value of being woman--of being man.

*Recall that everything you have ever read all your life uses only female pronouns--she, her--meaning both girls and boys, both women and men. Recall that most of the voices on radio and most of the faces on TV are women's--when important events are covered--on commercials--and on the late talk shows. Recall that you have no male senator representing you in Washington. . . .

Doesn't it bother you to be referred to as woman--which includes man, of course?

Linda Audrain



"Sure I shot him. What is that--a crime?"

**SUMMER
LAW STUDY**
in
Guadalajara
London
Oxford
Paris
San Diego

For information: Prof. R. Folsom
U. of San Diego School of Law
Alcala Park, San Diego, CA 92110

What I Did Last Summer by Dick Hildreth

(Professor Hildreth gets a five point deduction for every day his paper was handed in past the deadline.)

The summer began with a three-day conference on Comparative Marine Policy at the University of Rhode Island. Contemporary events have a way of underlining the significance of conference proceedings. During the conference, which included discussions of oil spills and marine mammal protection, a tanker and a freighter collided in the bay below the University of Rhode Island campus, and a large group of whales beached themselves at the Florence, Oregon south jetty. The leisure-time highlight of the conference was a ferry ride to Block Island and bicycling around the Island.

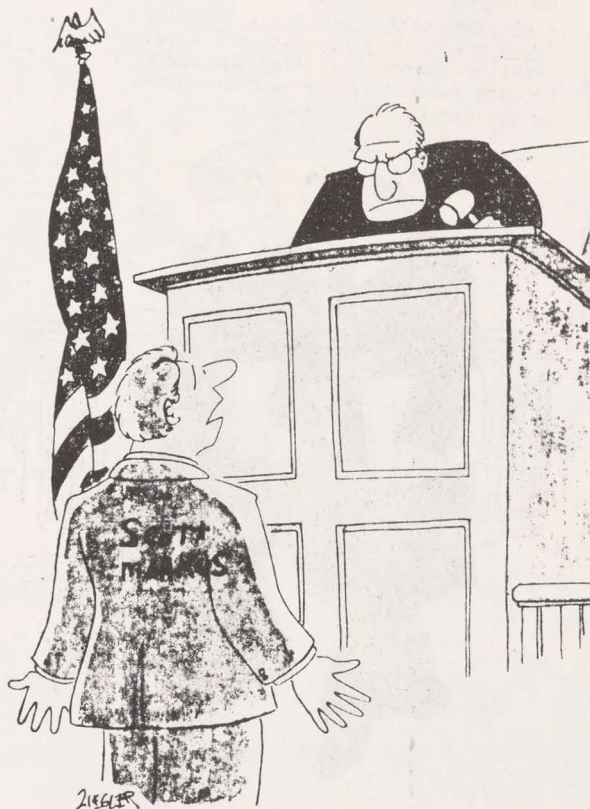
Next came a substantial chore: a week spent sorting and packing five years of accumulated papers and books in my University of San Diego Law School office. The problem was that, in a year and a half as a visiting professor, I had already filled up my office here. The partially completed consolidation of two offices now greets those entering Room 355.

Mounted on my office wall is a souvenir of another good part of the summer: a large poster announcing the annual copper festival of the village of Santa Clara in the Mexican state of Michoacan. Attending the festival culminated seven weeks in Mexico. Four weeks were devoted to teaching Comparative Environmental Law in Guadalajara as part of the University of San Diego's Guadalajara Summer Law Program. The Campeche Bay oil spill set the stage for a month of intense consideration of alternative legal responses to national and international pollution problems.

Three weeks were devoted to touring central Mexico by bus and car. Highlights for me were the tropical coast between Manzanillo and Puerto Vallarta, the mountain towns of Guanajuato and Patzcuero, the pre-Columbia sites around Mexico City, and, in hindsight, a Western Airlines DC-10 flown safely from Mexico City to Los Angeles.

The summer ended with another substantial chore: a week spent moving out of my home in La Jolla. Driving the loaded moving van the long miles north from San Diego on I-5 past snow-bound Mt. Shasta into Oregon provided a much-needed opportunity to reflect on what I was leaving and what lay ahead.

Prof. Dick Hildreth



"Give me a break, Your Honor. I had a great résumé until you came along."

The Gospel According to John (Bonine)

Gary,

(1) You should consider doing pieces on new faculty (Neil Cohen--was involved in the snail darter case in Tennessee [visiting]; Terry Thatcher--from National Wildlife Federation [permanent]).

(2) You might want to do a piece on the expansion of the Environmental Law clinic (now renamed, The Pacific Northwest Resources Clinic) and expectations of Terry Thatcher. He's quite an activist and has experience both in mining issues and in supervising clinical students at Georgetown. About a dozen projects are planned this semester in Idaho, Washington, and Oregon.

John Bonine

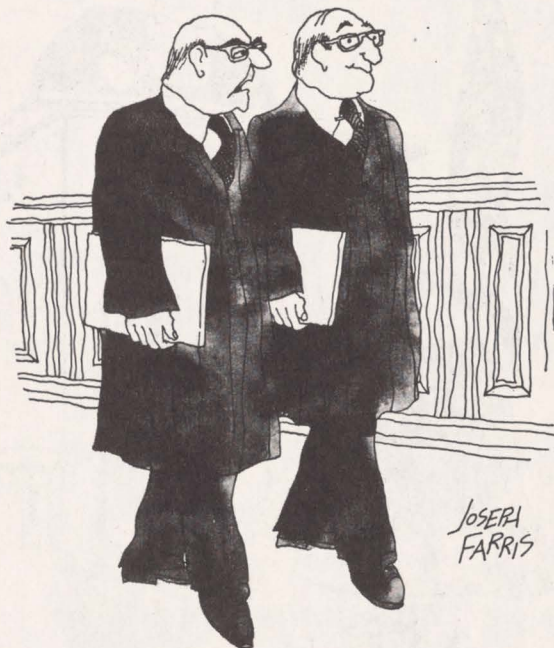
Renaissance Woman Renaissance Man

Mary Lawrence

Peter Swan

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To celebrate the birthday of Robert Burns, January 25, you can combine music and literature with a splendid new record (RCA ARL 1-3417), Robert White Sings Beethoven: Scottish, English, Irish and Welsh Songs with Ani Kavafian (violin), Yo-yo Ma (cello) and Samuel Sanders (piano)--after you have piped in the haggis, of course.



JOSEPH
FARRIS

"You're in the wrong profession. They'd never name a candy bar after a judge."

The Brethern

The Law Library has ordered copies of The Brethern, and when received they will be placed on Reserve to limit circulation to five days. In the meantime Professor Vetri has given the Law Library the Washington Post clippings which excerpt the book. Beginning January 14 the clippings have been put on the bulletin board in the Law Library.

An anonymous note in the Law Library suggestion box has requested the purchase of "a companion volume called The Sistern, in which a source known only as Deep Bucket is a well-spring of information on the inner workings of N.O.W. This is no watered-down version. It's the complete uncensored story of what happens when women go from high heels to pumps."

The Law Library staff cannot verify the title.

Dennis Hyatt

(Professor Swan submitted a sheaf of poetry written "many years ago." Two selections follow.)

Withdrawal Pains

Walking a deserted sidewalk
Beneath the light-spattered
Cliffs of office buildings
Being groomed for the coming day
Hands in pockets
Shoulders hunched against tiredness
He moves with a listless stride
Hunting what can never be found
His eyes see laughing evenings
Buried beyond reconstitution
But still forming the mosaic of love
He sees her dimly ahead
Eagerly he quickens his pace
She gets on a streetcar
Which he cannot catch
Because he knows
The sidewalk is empty
And the street goes nowhere

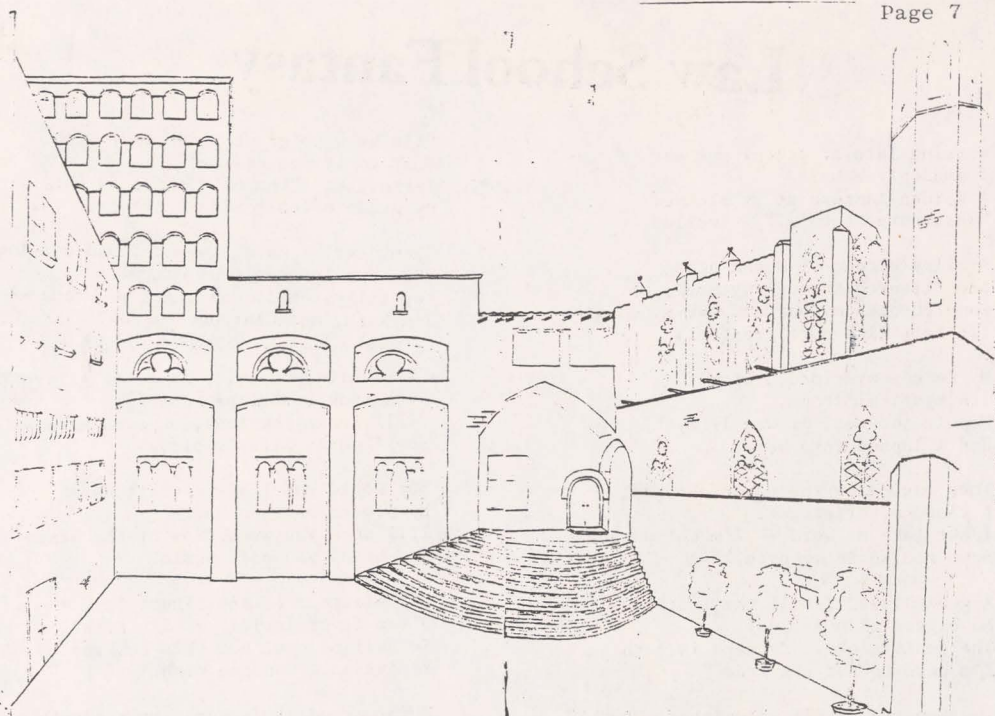
Diversion

The traveling players come no more
Their wagon of locked-up secrets
Is forever stayed along some forest lane
Dust-moted sunbeams
Still find the ancient route
But no wagon is silhouetted
No jingling horse bells
Call the children dancing
And bring the men to ask
What will ye be giving us?

The players would answer tersely as if
Saving themselves for the evening's
phantasy
Bumps under the weathered canvas
Hinted the nature of their properties
Could that be a knight's helmet?
Is that perhaps a headsman's axe?
Does a frolicking dwarf hide underneath?
Is there a tumbler this year?
Or a juggling jester draped in bells?
What will ye be giving us?

Today the masques are worn
Only on the proscenium arch
Flickering candles are forever snuffed
Mimes take curtain calls in old folks' homes
But the wagon's characters play on
Greed extends a bloodless hand
Introduced to Original Sin
The dominoed canter bows gravely
To query the cadaverous death's head
What will ye be giving us?

We laugh at our pastoral ancestors
To see pomposity deflated
We wince at human frailty
Secretly fearing inward revelation
Hate is swiftly condemned
Lest it recognize a face in the audience
Love is weepingly embalmed
For keeping 'til the day
The curtain falls and we supplicate
What will Ye be giving us?



(This is a reduction of a 16" by 20" drawing of a chapel in Barcelona. By Peter Swan)

Honey Lemon White Wheat Bread (Anti-trust Bread)

(Favorite bread recipe of Peter Swan)

Ingredients:

- 3 cups of all-purpose flour
- 2 pkgs dry yeast
- 1 tablespoon salt
- 1/4 cup honey
- 3 tablespoons shortening (room temp)
- 1 tablespoon grated lemon peel
- 2 1/4 cups hot water (120-130 degrees Fahrenheit)
- 2-3 cups whole wheat flour (add slightly more, if needed, while kneading)

Preparation:

In large mixer bowl combine all-purpose flour, yeast. Add honey, shortening & lemon peel. Pour in the water.

Beat with electric mixer at medium for 2 minutes and scrape bowl. Add 1 cup whole wheat flour and salt. The batter will be thick & elastic; it will pull away from the bowl in strands.

Stir in 1 or 2 cups of whole wheat flour depending upon the moistness of the developing dough. Allow to stand for 2 minutes to be fully absorbed (?). The dough should be elastic and soft at this stage and should not be overly sticky. If dough continues to be slack and moist, add additional amounts of all-purpose flour (usually not necessary).

Kneading:

Approx 8 minutes with occasional hard throws onto counter.

Resting:

20 minutes, covered (not in oven).

Shaping:

Knead dough for 30 seconds to press out the bubbles. Divide in half with knife. Shape into hemispheres (skin dough) and let rest, covered for 3-4 minutes. Then shape into a flat oval the length of the baking pan. Fold oval in half, pinch the seam tightly underneath to seal, tuck the ends under and seal them. Place in pans seam down. Brush with vegetable oil. Cover pans.

Refrigeration:

(2-24 hours, but 2-8 hours is best . . . I recommend about 3 1/2.) Remove when ready to bake. Uncover and let stand for 10 minutes while oven heats to 400 degrees. Prick surface bubbles, if any, with an oiled toothpick before putting into oven.

Bake:

Bake on lower rack. When loaves are golden brown and tapping bottom crust yields a hard and hollow sound, they are done. If not done return to oven for additional 10 minutes. (Remove from pan for last 10 minutes if desire a hard crust . . . for a soft crust brush tops with melted butter for last 10 minutes in oven . . . may also wish to cover tops with aluminum foil for last 15 minutes to avoid darkened appearance on crust.) Bake for 30-40 minutes (I've always found that 30 minutes was plenty).

Final:

Remove bread from oven and take from pans. Place loaves on wire racks to cool. (This bread freezes very well and can be frozen as soon as cool.)

Law School Fantasy

Page 3

Working late at school one eve,
I suddenly beheld
A golden lantern at my sleeve.
"What purpose this?" I dwelled.

A silky stream of smoke arose
And filtered through my brain --
Came through my ear and out my nose!
(It felt like pure cocaine.)

My senses overloaded with
Its mystical aroma.
Was it for real or was it myth?
Had I lapsed into coma?

Then magically the vapor changed;
A cloud materialized.
(Just take my word -- I'm not deranged . . .
Some see so in my eyes.)

A genie (yes, I tell the truth),
No bigger than a flea!
The genie spoke, "My name is Ruth.
I'm here to set you free."

I stammered, still astonished, "Ruth?"
I cautiously inquired.
(My manner may have been uncouth,
But, baby, I was tired.)

"You're 'Ruth?' I'm not just dreaming you?
You've come to set me free?
You're acting as you choose to do?
I'm not on LSD?"

"In truth, I'm Ruth," the genie said;
"I'm here of my volition.
It isn't drugs that you've been fed,
But active intuition."

"Oh my," I sighed. "For Heaven's sake!
For love of Allan Funt!
You're sure this isn't a mistake?
What is it that you want?"

"Relax!" said Ruth, "Be still; be cool.
I'm Good, I'm wise, I'm amorous.
I happen to hang out at school --
There are no candid cameras.

"I'm here to grant your every wish.
What is it you desire?"
I thought. "The only thing is this:
My grade point could be higher . . ."

"You jest!" Ruth laughed aloud and long.
"You surely aren't so narrow!
You silly soul! Don't get me wrong --
I'm Ruth, not Clarence Darrow.

"I'll give you gold, or gifts galore."
Ruth took a serious tone.
"I'll leave you love, or even more --
How 'bout a Kathy's clone?

"Or would you like to visit Mars?
My powers have no end.
I'll show you mysteries of the stars
And bring you back again.

"Or platters of the finest fare --
D'you favor fruit? Fowl? Fish?
So tell me now, but this beware:
You've only won one wish."

Ruth warned, "Of course it's possible
To grant your silly jest,
But, truthfully, it's plausible
That's not your best request."

In shock, I felt my hair grow curled;
My mind was in a daze.
Could Ruth be right? Does not the world
Spin 'round and 'round for A's?

Had I been wrongfully misled
By well-intentioned peers
Who cling to thoughts like, "Better dead
Than 'D'd'?" (What fans their fears?)

Was love of law deceiving me?
Does life have more to offer?
(Is anyone believing me?
Not Ruth -- you couldn't scoff her.)

Should I ask A's or choose to please?
It really may not matter,
But just to set your mind at ease --
I opted for the latter.

Kathleen O'Brien



"Oh, yeah? You and what army?"

BLUE

There is a man
who knows
how to play me

Like a fine-strung piano
each wire
in perfect pitch

Each ivory key
is warm and giving
as he presses each in turn

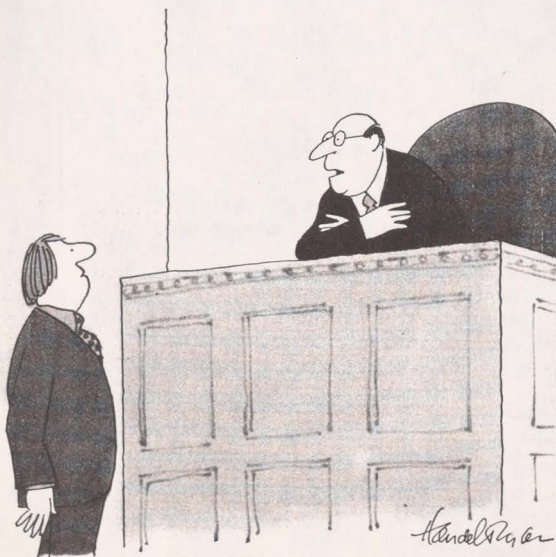
And every piece he plays
is written
in the key of love

W.M.

Oh women
how we look behind us
proclaiming that we understand

Our mothers, we say
bought into the American-Dream
(1950 style); and
they invested in it with their bodies,
their minds, their lives.

So, we gaze ahead
hopeful that all we have done
has created a "better" world for those
behind us.
But all I see
are china-doll-girls
painting their future
in tinsel and glitter
(in varying shades of eyeshadow)
and it looks like
the same American dream scene
(to me).



"It isn't just me. My wife has been following the case and she thinks you're guilty, too."

Some of us--excuse me--most of us are bemoaning the plunge back into the depths of our casebooks. Certainly I'm the type that moans the loudest. But I saw *Apocalypse Now* over the weekend and the stunning cinematography was a powerful reminder that the studies we're laboring to succeed in have more importance than finding a rich firm and/or a Sugar Daddy client.

Believe it or not, we are going to be in the forefront in maintaining the fragile philosophical constructs our society lives by. Some of us may even become legislators and try to shape society. Some of us may be sitting somewhere in Salem shaping silly putty in a soft room if we study any harder, too.

But we do owe ourselves a moment of reflection about the nature of society every now and then. I actually had such a moment once, before I saw Francis Ford Coppola's epic. And I thought I'd share it with you.

BLUE

I was in grade school then.
I didn't really know it was bad.
But he told me how it was, when we were older.
No legs had he, no legs had Blue
And now he smoked too much, Blue did.
But he was undeniable.
He was talking in his sleep
And I heard him say

"Tryin' to stay here, Uncle.
Been up down through the paddy
Nothin' but same old dyin'
Same old?
Yeah
Leadin' point
But got to get back, no booby
Don't sucker me, Charlie
Ain't no way
To go 'bout killin'
Should be up front
Like Light Brigades
Swinging swords an' shit
Not Huey droppin'
Like fucked up ants
Buildin' they own hills o' bodies
Don't give me no
Shadow boxin' with
Razors in the gloves
Every way now
Which way?
It's all comin' down on me
But gonna rain fire
On you, squat turkey
Cause old Blue been
Blown five pieces to four winds
Cause he tripped on point
Ain't no way
To die
Give me some slack, Uncle
This job's some bitch
Cain't do it no more
Tryin' to stay here, Uncle
But cain't do it no more."

He screamed it in a whisper
And I pulled the blanket to his chin
Wondering if there had ever been
A quiet night since. Bill McCall

A peach without a stone
Grows ripe in stifled need,
Absorbs the sun alone
And generates no seed.
Its beauty is for one.
Its only lust is greed.
Its soul cannot atone
For an unbegotten deed.
Oh, hear me all ye fruit
Who perish without a core
And fertilize the earth
But very little more,
Today you are all vanity.
Your youth has gone before.
Far worse to die a phosphate
Than a wise and solemm whore.

1967

And I have seen myself turned from death,
Crawling, grasping, scraping.
A boulder gives beneath my bloodied palm
Reaching, yearning, groping.
Exposed entrails mingle with the rock's dust,
Heaving, stretching, hoping.
Climbing o'er the mountain's rim,
The summit to attain,
Standing high against the wind
With the sun to greet my pain
And gorging myself on the frozen air
Resting, thinking, feeling,
Warm with blood the throngs below
Are moving, dancing, moving, reeling,
Gathering around the citadel's great base
A group, a people, a nation,
Shaking the mountain with their exultation.
And I have sunk from my blasphemy.
I've cowered before my desire.
And I've seen the same wild throngs
In somber gray suits
Telling me I should be good
And smiling at my gift of blood.

1968

Friends

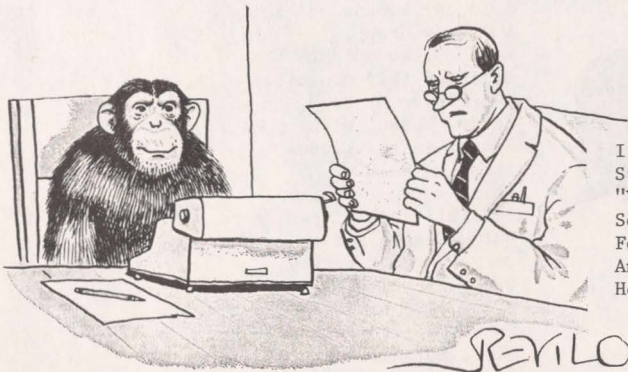
Our friendship
is like a finely spun cobweb
draped between
limbs of sturdy trees.
Gentle, fragile
the threads are stiffer than they look
and they hang on and on.

I open myself to you,
i open my heart
you can gaze inside,
through me.
I trust your gentleness
i am fragile
yet i open my arms,
my heart to you.
I keep on spinning cobwebs
even though my limbs are not
as sturdy as yours.
The threads are stiffer than they look
and they hang on and on.

Four brothers stood in the snow.
One mumbled, the other stirred,
The third cursed and the fourth just stared.
None of them understood why they hadn't
spoken before.
It's too late now.
It doesn't matter anyhow.
Their father is dead,
And the grave speaks for itself.

Theft

I feel like a thief in the night
Stealing you away from your home
"Your honor, I'm guilty,
Sentence me to death
For that would be better than repenting
And holding my heart
Hostage for life."



Gantsy's

No one eats an ice cream cone like you:
Rounding out the top
Slowly all around.
Carefully, each lick smoothing the
Curls of the one before.
Every now and then you suck the tip of
the cone
To get the drops of melted cream.

And when you're done
I love kissing your lips
And looking into your smiling eyes.

Torts

I'll tell you my theory of tort
An approach I'm sure you'll support
Vetri told me it's true
guaranteed if you sue
Though not yet affirmed by the court

You must first allege you've been hurt
really anything you care to assert
Assault and battery will do
emotional harm is nice too
If you dig you can always find dirt

Our next step is called cause-in-fact
This involves showing proof of the Act
if you haven't the proof to suffice
Be thankful for Summers v. Tice
It's better than a jury that's stacked

Duty is the next concept I believe,
probably the easiest of all to conceive.
It is where it ain't
there is no constraint
especially if your client can grieve

Now we shall move on to breach
Though there's not really much here to teach
even if this element is weak
the picture may not be that bleak
If there's assurance the judgment's within
reach

finally we reach the good stuff
Damages are never enough
when in doubt of the amount
multiply 6 times your count
To make up for the next case you muff.

(To Hell with Scope of Duty)

As originally written for Torts "B",
Spring 1978.

Dan O'Neill

You lie in a seashell room,
a secret chamber, its curves flowing
in opalescence.
They glow from an inner fire.

Spray from ocean sighs,
salty moon-pulled drops,
bead the walls with heavy moisture.
Condensing, they flow down the walls like
gold sea honey, forming pools
in your cupped hand,
and you drink deep.

Rare pink pearls, delicate sea flowers
with ruby folds and convolutions,
dripping with sea musk.

Mounds and hills of shining white sand,
lapped by foam that curls at their base.

Strands of seaweed swirl, hair-like,
in mystic signs;
the waves murmur them
in a secret language.

The roar of your blood
fills the seashell chamber
with the sound of the sea.

W.M.



Ed Gurney

"Can you tighten up those cuffs just a notch?"

Left Handed Response to Conundrum

12

Q: "What is is a law student can do, using only the left hand, while studying, that is constructive and not sensual?"

A: Take notes.

Which brings us to an "ism" (or form of discrimination, subtle though it may be) not mentioned in the above mentioned issue of Dissent: (much to my surprise, as it knows no socio-economic, racial, cultural or sexual barriers*) Handism.

Why is some one a person agrees with "right" while some one of contrary opinion is "in left field"? Why is there a "right" of way, and a left handed compliment? Right handers and south paws? Handism in language.

Ever try to use a butter knife left handed? (This example may be considered a poor one--probably elitist. Some students may know what a butter knife is but I doubt if any are currently in possession of one.)

How about scissors? Ever try to cut something left handed? (Wait, this may be construed as sexist because of all the stereotypical "homemaker" uses of scissors, guess that forgoes suggesting pouring grease from a fry pan too.)

Alright, let's consider writing in general. (I was going to use desks, but recall the law school doesn't have them per se.) As you may have noticed, our writing/reading system moves from left to right. For 90% of the populace this works out just fine, but for 10% of us (regardless of race, creed, national origin, sex, or year in school*) it means contortion, odd looks and blue (or black) hands. It also may explain why 10% of the population provides 30% of the "bonehead" English students.

The unkindest cut of all is to be writing in the presence of a long time friend and hear: "Oh, . . . you're left handed . . ." in the same basic tone you would expect to hear: "Oh, . . . you

have leprosy . . ." This is typical of right-wingers feelings, which is totally unjustified, but I don't see any students wildly indignant about that!

I suppose the Romans (who gave so much of what you're supposed to be studying) can be blamed for calling left sinister, but what can you expect from people who invented the fascist (right wing) salute?

Well, anyway, if this answer wins (I'm sure other lefties will figure it out and get theirs in first) donate the beer to MLSA, or if they feel the donation from an ASP (WASP being a redundancy) is condescending or something, then give it to Nick Pace; he'll know who to split it with.

Keep assisting in the balkanizing of society. ¡Egualidad total para los/las izquierdistas!

*or height

Brian Doerter
Correspondent

(O.K. You win. The first qualified recipient, even if it's Nick, can claim the beer.)

RUNNERS UP

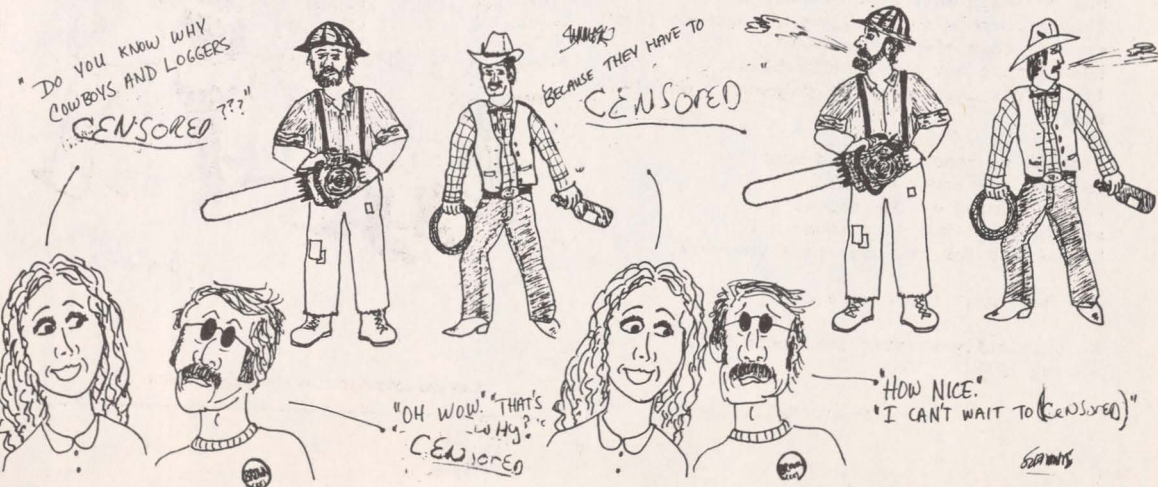
Practice two-fisted "speed writing" (requires a Wilson T2000 ball point pen).

ANSWER TO CONUNDRUM

Read the Braille edition of United States Code Congressional and Administrative News.

Brent Summers Gross Out Department

(Typical Nick Pace Image Cultivation Correspondence Course assignment. Censored by Mark Forrette so that the half dozen people who still talk to Brent Summers will continue to do so.)



Put This In Your Pipe and Smoke It

America Held Hostage - The Iranian Crisis

Commentary by Mark Oswald

- Day 100 -

It is raining in Eugene. But things aren't all that bad.

Harcourt Brace Jovanovich Legal and Professional Publications, Inc., publishers of the well known "Gilbert" law summaries, formally announced its program for national "Get-Tough, America" week. In response to President Carter's televised plea for laymen's advice, HBJ attorney Gilbert Lasomeri explained his firm's plan to solve the Iranian morass:

Once the law student sends in the "Latest Revision" update card from a 1980 Gilberts he is automatically registered for the drawing. Five students will be randomly selected to represent the hostages at the spy trial. A "rented" Air Palestine 747 will whisk them to Tehran where confined accommodations will be provided by the Tehran Hilton. . . .

It's been a bad month for Jimmy Carter. News of the spy trial follows in the wake of national turmoil over Jerry Brown's sweeping victory of the Iowa primary. They don't grow just wheat out there. ABC's Barbara Wallace spent three days negotiating with the University students holding the diplomats for television rights to broadcast the spy trials live. Wallace succeeded only when final White House approval for the Gilbert Plan was given. Explained State Department spokesman Coddling Harter III: "We're ready to try anything at this point."

At the gates of the embassy L.A. radio jockey Steve Mydol brought another load of rabbits to the hostages. Thousands of Americans have sent their Easter tidings to their imprisoned countrymen by mailing baby rabbits to Mydol's Tehran hotel. The bunnies continue to pour into Tehran Central Post despite a rabbit-bomb that exploded last week killing seven. Contrary to Mydol's intent, the pets are not being kept as "symbols of international brotherhood," and the black market flourishes in meat-hungry Iran. The United Nations General Assembly meets tomorrow to debate the plight of the harmless creatures.

Riding a wave of conservatism on the home front, Congress has approved \$3.2 billion to produce an "economical" Cruise missile. Chrysler Corp. is optimistic that they can "iron the bugs out" of its sophisticated terrain radar that allows the missile to fly 100 ft. above the ground at a fuel-saving 55 mph; but the

prototypes continue to dive into fashionable Santa Barbara on their way to Utah. Heads are rolling since the Bert Lance trial disclosed him as a SAVAK agent, and the fact that 86% of Georgia is owned by the Shah. Vietnamese refugee pleasure craft continue to clog San Francisco Bay as they celebrate Tet in traditional fashion.

Yet life still rolls on. I look out the window, it is raining in Eugene. It's nice to be home where some things never change.



"Whereas, pursuant to Article IV, Sec. 411, of the New York State Civil Practice Law, the party of the first part . . . Dynamite!"

ROPTS WENS

Trash Counter-Trash

Page 14

Well Michael, your Buckeyes may have lost their bid for the roses, but our beloved Ducks are facing far worse. FBI investigations, players lying to protect their team, a coach quitting and who knows what else. John Becker, the standout Offensive Coordinator, devised a finely-tuned offensive machine in his three star-studded years at Oregon. This fact leads me to believe some unknown assassin concocted an evil plot to stop the Ducks, before Oregon completely dominated the conference. This glory-monger got some players in trouble and whammo--the entire football program's in chaos and under scrutiny of our rightly-morals-minded President Boyd. But the quacklets won't go down that easy! No sir--they'll be ready come September for a bowl-bid season and a meeting in Pasadena with your bombastic Buckeyes.

Now as to your view of college basketball . . . Schlokens like yourself think players should be made to wear pads and helmets. Oregon has had it with the jump-into-the-fifth-row-broken-leg-loose-ball style of play featured under Herr Fuhrer Harter. Finesse is not taking charges all night and fouling out with ten minutes to go. I agree the ducklets have shot like "longshoremen loading bricks on a boat." Hey--they've been playing the cream of the Pac-10 (the Conference of Champions), not some off-the-street glue-sniffers from Dayton, OH. As for magic, there was plenty of it at McKale center when six quacks scored in double figures and Oregon thumped Arizona.

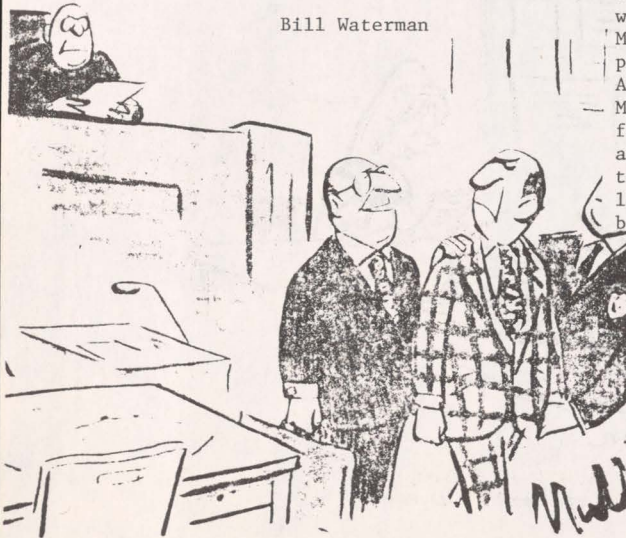
I know about your floor-burn fetish Mike, so I'd recommend another visit to the Pit. Maybe this time Oregon'll surprise you with their fine running game and youthful talent. Yes, the old Kamikaze days are over at Mac Court. They've been replaced by something better.

Bill Waterman

Bill:

It's starting to become so easy that I'm almost embarrassed to do it, but it's time for another "critique" of Duck athletics. Avoiding for a moment the football program [that is too easy], I'll turn my attention to the Roundball Quacks. As you know, I had my first opportunity to see a Mac Court ballgame last Monday night. Of all the quasi-collegiate athletics at U of O, BB was my one hope. Mac Court. Even the name held promise. Mac Court. Immortalized in the pages of Sports Illustrated as one of college basketball's greatest pits. Mac Court. Even Bill Walton's UCLA teams quaked at the thought of playing there, and with good cause. Well, Bill, I've seen it now and it is everything they say it is. Unfortunately, however, my visit coincided with the UO-USC game. The visit really would have been nice without the game. Imagine a packed house of spectators who showed up only to reminisce. The PA announcer could say "And now we're going to fantasize about the '74 season," and the crowd would scream and yell just like they did in the Ron Lee days. Dick Harter could put in an appearance, and we might even invite John Murray to show color slides of his floor burns, even if they did come from falling down while dribbling. No Bill, Jim Haney's crew just won't make it. Mac Court's atmosphere is just too beautiful to be ruined by such an outfit. Even at the SC game the signs of erosion were there. The biggest cheers came for a player in a red shirt. The visiting coach got a standing O. Don Carfino (SC's guard) said playing in Mac Court was "the greatest thrill of his life." Face it, Willy, when Dick Harter left, the good old days went with him. Even Idaho beats the Ducks now. Certainly UO will win a few games, but the magic is gone. Maybe the NCAA will let some wealthy patron buy the ball club and move it to Anaheim. If so, we might convince Ralph Miller to move his Beavers into Mac Court for the rest of the season. If not, I'm afraid my ticket-buying will be confined to off-days and wrestling meets--at least then I'll get to see some floor burns.

Mike Oths



"Come 1986, we'll look back on this judicial fiasco and enjoy a good, hearty laugh."

Of Woman Born, Motherhood As Experience and Institution

Of Woman Born, Motherhood as Experience and Institution

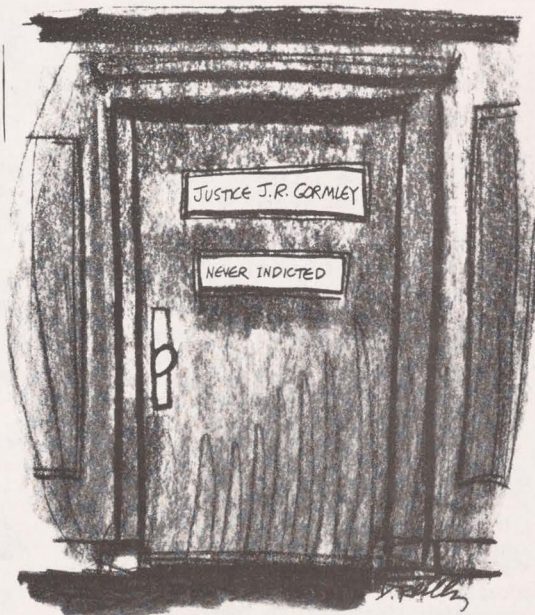
by Adrienne Rich

This small volume contains examinations of various topics relating to woman's historical, sociological, psychological and theoretical position in society.

"Anger and Tenderness" explores mothers' realistic feelings towards their role. "The 'Sacred Calling'" looks in depth at the historical development and psychological breeding necessary to produce today's institutionalized division between "public" and "private" life, and its double-edged consequences. "The Kingdom of the Fathers" analyzes the cross-cultural, historically-rooted patriarchy. "The Primacy of Mother" explores the ancient tradition of a humanitarian matriarchy, in clues from archaeology, psychology and physiology. Here, a vision of a large identity for woman is profoundly revealed. "The Domestication of Motherhood" reveals patterns of subjugation of woman, philosophically, historically, and in religious or mythological traditions. "Hands of Flesh, Hands of Iron" intensively describes beliefs and events of childbirth throughout history, including the development of the role of the male physician with resultant suffering, disease and death for women and newborn babies; the development of the obstetric forceps as an instrument of "convenience" with related unfortunate consequences; the fight for non-discriminatory treatment in the health care fields. "Alienated Labor" extends this theme in an examination of women's inbred psychology toward childbirth, introducing modern developments—"I am a woman giving birth to myself"—by renowned psychologists, Karen Horney, Freida Fromm-Reichmann; writers, Susan Griffin, Doris Lessing, Shulamith Firestone, Kate Millet; physiologists, Fernand Lamaze, Grantly Dick-Read, Sheila Kitzinger; anthropologists, Margaret Mead, Brigitte Jordan.

"Mother and Son, Woman and Man" magnifies the essence of that perpetual relationship—its current manifestations, its potentials and a discussion of the transition:

The most revolutionary priority that any male group could set itself . . . would be the assimilation of men in large numbers into a comprehensive system of child care . . . [also, the development of] the undeveloped capacity for sympathetic identification in men. . . . Perhaps for a long time men will need a kind of compensatory education in the things about which their education as males has left them illiterate.



We infantilize men and deceive ourselves when we try to make these changes easy and unthreatening for them. . .

It means that . . . we refuse them the traditional separation between "love and "work" . . .

Men are increasingly aware that their disorders may have something to do with patriarchy. But few of them wish to resign from it.

"Motherhood and Daughterhood" explores that intense relationship, the sorry consequences of its suppression for the lives of the women and the current movement to rediscover roots, fulfill needs, and become whole. This chapter raises rarely examined characteristics of the human psyche and suggests very satisfying approaches, designed to nurture a new humanitarian view of individuals and society.

In a rare, frank exploration entitled "Violence: The Heart of Maternal Darkness," Rich evokes the limits of tolerance in the human personality for abuse and suffering, and attempts to lay the blame for abuse in a social perspective:

The institution of motherhood cannot be touched or seen . . . women [must] never again forget that our many fragments of lived experience belong to a whole which is not of our creation. Rape and its aftermath; marriage as economic dependence, as the guarantee to a man of "his" children; the theft of childbirth from women; the concept

Solomon Rules

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE Page 1C

THE STATE OF OREGON,)
Plaintiff,) Case No. 80-0025
vs.)
MICHAEL WALTER WATT,) ORDER
Defendant.)

THIS MATTER having come before the Court on Jan 24, 1980 as ordered by this Court, for determination as to the ownership of certain personal property in the custody of the Eugene Police Department, the Court having heard testimony and other statements;

THE COURT FINDS THE following:

That the parties claiming the property in question resolved among themselves the rights as to all property save one pair logging boots; and

That neither party could carry the burden of proof as to the ownership of the disputed property;

WHEREUPON, the Court having offered either to give each party one boot or to settle the matter by a flip of a coin; and

The Court having determined that a flip of a coin was the proper method of determining ownership; and

The Court having flipped one United States Eisenhower dollar, said flip being called in mid-air by claimant Gregory Francis Wickes, said call being "heads"; and

The Court's clerk having observed said coin land on the floor of the courtroom tails up, and having announced the results thereof in open court; and

The Court having found that the coin in fact did land tails up in accordance with said declaration;

NOW THEREFORE IT IS HEREBY ordered and adjudged that said disputed belongs to and is hereby given to defendant Michael Walter Watt.

DATED this 24th day of January, 1980.

Solomon
Circuit Judge



CHRISTIANSON

"Diddle with this, Benson, until there's some truth in it."

of "illegitimacy" of a child born out of wedlock; the laws regulating contraception and abortion; the cavalier marketing of dangerous birth-control devices; the denial of the work done by women at home as part of "production"; the chaining of women in links of love and guilt; the absence of social benefits for mothers; the inadequacy of child-care facilities in most parts of the world; the unequal pay women receive as wage-earners, forcing them often into dependence on a man; the solitary confinement of "fulltime motherhood"; the token nature of fatherhood, which gives a man rights and privileges over children toward whom he assumes minimal responsibility; the psychoanalytic castigation of the mother; the pediatric assumption that the mother is inadequate and ignorant; the burden of emotional work borne by women in the family--all these are the connecting fibers of this invisible institution, and they determine our relationship to our children whether we like to think so or not . . .

To destroy the [patriarchal] institution is not to abolish motherhood. It is to release the creation and sustenance of life into the same realm of decision, struggle, surprise, imagination, and conscious intelligence, as any other difficult but freely chosen work.

The emergent view synthesizes the lessons of experience and the finest thinking of the day to present a potential for human society which is defined, first, by the absence of the abuse in existence to date, and second, by an understanding of humanity which is based not on myth and self-interest, but rather on a humanitarian yet truly utilitarian perspective, an honest evaluation of individual and social needs, and a broader vision:

To seek visions, to dream dreams, is essential, and it is also essential to try new ways of living, to make room for serious experimentation, to respect the effort even where it fails . . .

"There are ways of thinking that we don't even know about. Nothing could be more important or precious than that knowledge, however unborn." (Susan Sontag) . . . Many . . . are even now thinking in ways which traditional intellection denies, decries, or is unable to grasp . . .

It is this culture [of limitations] and politics of abstraction which women are talking of changing, of bringing to accountability in human terms.

J. R. Pincus

New Law Periodical Indexing Service

A new law periodical indexing service starts publication in January 1980. Called the Legal Resource Index, this new indexing service will directly compete with the well-known Index to Legal Periodicals (popularly called ILP) published by H. W. Wilson Company. The Legal Resource Index will include many more titles in its coverage than are covered by Index to Legal Periodicals, and as a result, many law-related journals which have been largely unknown and unused by legal researchers will become accessible.

Most researchers do not realize how few law-related journal titles are included in Index to Legal Periodicals. For example, the University of Oregon Law Library subscribes to more than double the 297 titles covered by ILP. For the past few years the American Association of Law Libraries has recommended that Wilson Company expand its coverage. But, the publisher has declined to include several recommended titles because they are covered in other Wilson indexes, such as Business Periodicals Index, Humanities Index, and Social Sciences Index.

Having reached an impasse with Wilson on the question of coverage, the American Association of Law Libraries withdrew its organizational support of ILP and contracted for production of another index. Thus, Legal Resource Index was born. It will include all but a few of the titles currently found in ILP (some foreign titles and ABA section publications are omitted) plus an additional 200 titles. Sales of ILP are hardly threatened so long as Wilson decides to continue it; most libraries will undoubtedly continue subscriptions, although perhaps with fewer multiple copies.

The immediate value of Legal Resource Index will be marginal since no retrospective indexing is planned. However, Legal Resource Index is a significant new research tool that all legal researchers should use for access to secondary authority. Copies of the Legal Resource Index will be kept at the index tables in the Reading Room and on the third floor in the Law Library.

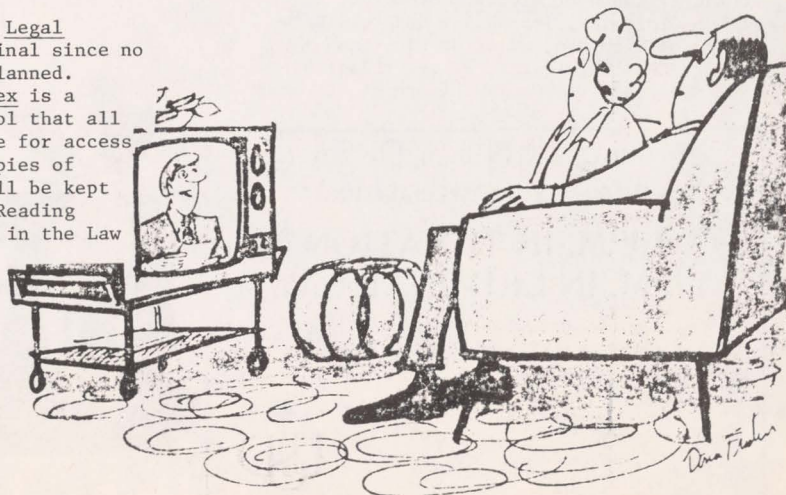
For the past two years University of Oregon Law Library acquisitions have concentrated on filling incomplete holdings in periodicals and increasing the number of subscriptions to law-related journals. Two of the criteria for selection and completion of titles adopted by Professor Surles, Law Librarian, are 1) whether the title is indexed in ILP, and 2) whether it would

be indexed in any new indexing service. Since he was a member of the AALL committee which worked with Wilson on indexing questions, he was able to anticipate new titles covered by Legal Resource Index. Accordingly, of the approximate 500 titles found in either ILP or Legal Resource Index, the Law Library currently has subscriptions to about 450 and, of these currently owns volume 1 to date for 400 of them.

As acquisition funds permit and sources for backfiles of journals are found, the Law Library intends to subscribe to all journals (and have volume 1 to date for all titles) indexed in either indexing service.

Professor Kay Ollerenshaw, Assistant Law Librarian for Public Services, has recently completed the second edition of the Law Library Serial Holdings List, and it will be reproduced and distributed in approximately two months. The Holdings List will show up-to-date holdings and location information for all journals in the collection, including those indexed. Copies of the Holdings List will be placed on Reserve and with each copy of ILP and the Legal Resource Index.

Dennis Hyatt



"A grand jury sitting in Terre Haute, Indiana, today handed up an indictment of society."

What Does Every Law Student Need?

This year's Client Counseling Competition "clients" are widows and widowers. Their problems will help you to develop interviewing and counseling skills. First, second, and third year students: why not take this opportunity for counseling experience and a professional critique?

Contestants choose their own partners, and interview a "client," then determine how to advise the client. The interview may take 30 minutes and partners have an additional 10 minutes after the client leaves the "office" to deliberate the problem and what action, if any, to take. Mixed panels of lawyers, psychologists, and sociologists will judge each team on their skills in the interview and counseling discussion and then give an oral critique.

How to prepare for this competition? The following information is available in the library: a memo from your "secretary" about the client to be interviewed; a short bibliography on counseling

techniques; judging standards; competition rules; and past competition problems and memos. In addition, you might think about your own experiences being interviewed and seeking help, and about any listening skills and lessons which you have acquired.

Video tape on last year's winning teams will be shown on January 23-30--where and when to be posted soon.

Intra-school competition to select our school team occurs on February 16th and 18th. If you have questions and want to sign up, contact the Moot Court Board or come to our information meeting on the 23rd of January at 12:30 p.m. Entrance deadline: 30th of January.

Competent interviewing and counseling skills are basic tools of a good lawyer but few of your courses will help you discover and refine these tools as this program will.

Jan McGinnis

Summer Law Seminars Abroad

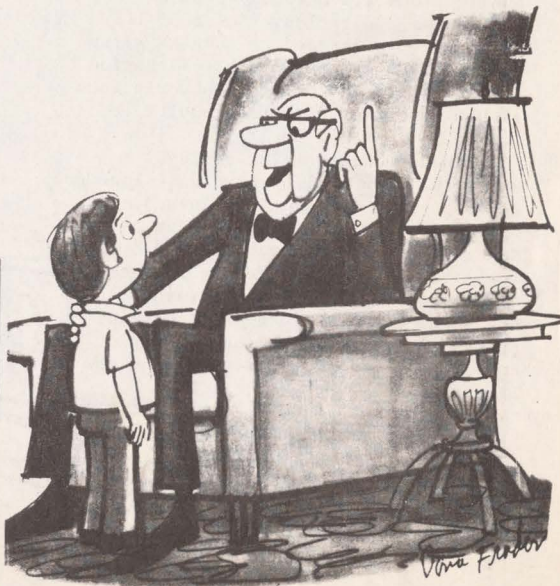
The University of San Diego is accepting applications from lawyers and law students for its summer seminars in Guadalajara, Mexico, July 7 - August 6, London, July 7 - August 9, and Oxford and Paris, July 1 - August 9. Courses vary in length from 10 to 40 days.

Paris focuses on international and comparative law; London on international business problems; Oxford on Anglo-American and Socialist law; and Guadalajara on law of the Americas.

The faculty includes Louis Sohn and Henry Steiner of Harvard, Xavier Blanc-Jouvan and Dominique Carreau of Paris, Richard de Friend of Kent, John Hazard of Columbia, John Kozyris of Ohio State, Clive Schmitthoff of King's College London, Charles Gordon and Warren Schwartz of Georgetown, Thomas Dienes of American and George Washington, Eleanor Fox, Norman Dorsen, and Andreas Lowenfeld of NYU, Page Keeton of Texas, Melville Nimmer of UCLA, Al Rubin of Fletcher School of Law & Diplomacy, Joseph Sax and Philip Soper of Michigan, Grant Morris, Lou Kerig, Charles Wiggins, Herbert Lazerow, Ron Maudsley, and Paul Wohlmuth of USD.

Courses include Comparative Law, Immigration Law, Comparative Copyright, International Business Transactions, Comparative Antitrust, International Commercial Arbitration, International Estate Planning, Tax on International Transactions, Comparative Labor Law, Public International Law, Comparative Civil Liberties, Comparative Products Liability, International Trade and Investment, Comparative Environmental Law, Comparative Criminal Justice, Comparative Mental Health, Law of the Sea, Selected Transnational Legal Problems, and International Economic Relations.

For further information, write: Professor Ralph Folsom, Law School, U. of San Diego, Alcalá Park, San Diego, CA 92110 U.S.A.



"Remember, son, we are a government of loopholes, and not of men!"

University of San Diego

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