

The Harvard Law School Record

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H.L.S.A. MAY EXPAND ITS PROGRAM

Council Meets To Weigh Proposals; Dine With Faculty

The Council of the Harvard Law School Association is meeting today at the Ritz Carlton Hotel in Boston to consider proposals for enlarging and strengthening the organization of the Alumni. This evening they will have as their dinner guests the entire faculty of the Law School. President Conant has been invited as the guest of honor. The business meeting of the Council will involve making important decisions as to the future form of the Association. A series of proposals, all part of an integrated plan, has been drawn by Reginald Heber Smith, Treasurer of the Association and the agenda, containing an outline of the new plan, was sent in advance to all members of the Council for their study.

Chief among the features of the proposals is a provision for regional Harvard Law School Associations, permitting greater participation in Alumni affairs. Each regional association would elect a vice-president who would sit with the Council of the national Association.

The agenda calls for a consideration of an increase in annual dues which now are at the nominal figure of two dollars. If the dues are increased it is proposed to refund a part of the increase to the regional Associations. Provision is made for excusing graduates from all dues until they have been out of school for three years.

One of the chief problems to be discussed at the meeting today is that of increasing the total membership of the association. At present fewer than one-quarter of the graduates belong to the Harvard Law School Association. Plans for contacting all graduates and securing their membership will be considered.

The dinner which will be held in the evening is an annual affair given by the Association for the faculty. Tonight there will be about sixty persons in attendance.

NEWS BRIEFS

The editors of the *Harvard Law School Yearbook* have reported that, according to the information they have received, the *Yearbook* will be ready for distribution on May 15 as scheduled. Notices will be posted announcing the actual distribution date.

David S. Stern, fifth term, of Red Hook, N. Y., was named as chairman of the summer activities committee of the United Nations Council at Harvard in elections held last week.

Henry Cabot Lodge, Jr., U. S. Senator from Massachusetts has introduced in the Senate a bill (No. 986) which would permit the Veterans Administration to provide on the job training payments to veterans after they have been admitted to the bar.

Under a present ruling of the Veterans Administration, on the job training payments cannot be made to veterans who have passed their bar examinations.

The bill has the endorsement of the American Bar Association. In hearings before a sub-committee of the Labor and Education Committee of the Senate this week, Professor Sidney Post Simpson of the N. Y. U. School of Law; Conrad Snow, of the A. B. A. Committee on Veterans Affairs; and Thomas D. Burns, young lawyer-veteran of Boston, appeared to testify on behalf of the bill.

Number 1, Volume I of the *Columbia Law School News*, student publication at Columbia Law School, made its appearance on Tuesday of last week. The new paper is a four-page tabloid, containing law school and alumni news.

The *News* will be a student-controlled publication, but its financial affairs will be supervised by an alumni Board of Trustees, appointed by Dean Young B. Smith.

BOOK-BINDINGS

The latest information which the Record has received concerning the casebook situation is contained in a letter from Mr. Harvey T. Reid, editor-in-chief of the West Publishing Co. He announced that the first permanent bound casebook of the postwar period has been shipped on May 3 for use at the Harvard Law School. Five other law school books have been scheduled for rebinding in hard covers during May and Mr. Reid announced that the West Co. will convert the remainder of their publications as soon as possible.

QUAKERS OFFER STUDY PLANS

International Service

Seminars Begin June 27

To law students who feel that the world has been rushing past while they have remained immersed in the witty diversities of the law of Sales, Real Property, and Insurance, the International Service Seminars operated by the American Friends Service Committee offer a chance to catch up with events in the international field.

For seven weeks this summer, beginning June 27, the Friends (Quakers) are sponsoring study groups made up of 35 students each. In each group it is expected that there will be only 7 or 8 Americans, the other students coming from abroad. The groups will gather at some lake or mountain site to live, work, play and study together.

Under the leadership of authorities such as Professor F. S. C. Northrop of Yale, Leo Szilard of the Chicago Institute of Nuclear Studies, and Quincy Wright, the students will study present conditions, future trends, national and international interests and problems. Each of the seven seminars will have its own teaching staff which will be reinforced by visiting professors whose stay will be for 3 to 5 days.

Living as an independent unit in locations selected for scenic and recreational attractions, the groups will have an opportunity to combine an outdoor existence with informed study. In their play, in their study, discussions, and meditation, members of the seminars will tend to think of the problems of each nation in terms of their interdependence and in terms of what types of political, economic, and social organization will provide the most satisfying life and an enduring peace.

Three of the seminars will be in New England, two in the Middle West, one in the Southwest and one on the West Coast. There is a charge of \$100 for (Continued on page three)

LAW STUDENTS TO HOLD A. V. C. POSTS

Three Law School students figured prominently in the annual elections of the Harvard Chapter American Veterans' Committee last Thursday when 250 of the University's 831 members met at Emerson D to designate their officers for the coming year. William L. Hungate of Bowling Green, Mo., (Missouri '43) 4th term, was elected chairman of the Finance Committee; George D. Dysart of Centralia, Wash., (Washington '41) 2nd term, chairman of the Veterans' Affairs Committee; and Russell H. Jackson, Jr. of Columbus, Ohio, (Ohio State '41) 4th term, delegate to the A.V.C. Convention to be held in Milwaukee next month.

The results were as follows: chairman, Stanley Karson, '49; Executive Secretary Andrew E. Rice 1G; Recording Secretary, Selig S. Harrison '48; Treasurer, Lawrence M. Jaffa 1 Div; Vice-Chairman, William E. Nelson 1G. Committee chairmen chosen were John Quisenberry, Housing; Robert Koblit, National Affairs; Daniel Phelan, International Affairs; Stanley Lafchie, Student Affairs; Charles Hoitash, Membership; Edward Slater, Publicity; William L. Hungate, Finance; George D. Dysart, Veterans' Affairs.

Also, ten delegates were elected to attend the A.V.C. Convention. They were Richard G. Axt '46, Thomas R. Brooks '50, Robert L. Fischelis '50, Frank L. Haley '45, Selig S. Harrison '48, Russell H. Jackson, Jr. 2L, Stanley C. Karson '49, William E. Nelson 1G, Andrew E. Rice 1G, and Reginald H. Zalles 1G.

Pound Retires After Thirty-Seven Years; Will Advise Chinese Gov't



ROS COE POUND

After thirty-seven years of teaching at Harvard Law School, Dean Emeritus Roscoe Pound retires at the end of the present term. May thirteenth will be the last meeting of his present course in jurisprudence, the field in which he is an internationally recognized authority.

Students here who have had the opportunity to study under Dean Pound have enjoyed a rare privilege and have found in him an unequalled teacher, friend and philosopher of law. As dean from 1916 to 1936, he led the Law School to new heights of greatness; Langdell Hall was completed, the most extensive law library in the world collected, and a brilliant faculty was assembled. The great amount of administrative work necessitated by the position of dean, however, did not prevent him from making significant contributions to legal philosophy as acknowledged leader of the school of sociological jurisprudence. His writings, notably "Outline of Lectures on Jurisprudence," "The Spirit of the Common Law" and "Introduction to the Philosophy of Law," are world famous.

Instead of retiring to the life of ease which he richly deserves, Dean Pound plans to return to China, where he will act as an adviser to the Chinese Ministry of Justice on matters of judicial reform. In accordance with his philosophy of "do the job at hand, and do it thoroughly," he is occupied at present mainly with the task of settling his American affairs so that he will be able to remain in China for as long as needed. His China plans call for work on a pro-

ELECT MARTZ HEAD OF KINGS BENCH

Officers and a program for the Summer Term were selected by King's Bench Tuesday afternoon, April 29, at its last luncheon before suspending activities for the examination period.

Clyde O. Martz, 5th term, was re-elected chief justice. Other officers include Alvin S. Hochberg, 5th term, associate justice; Richard F. Staples, 2nd term, scrivener, and Patrick D. McGee, 5th term, re-elected justice of the exchequer. In addition to these officers, the following members of the Council of Justices were elected: J. W. Frey, James J. Kalled, James L. O'Dea, Louis J. Ostric and Paul V. Slater, all of the 5th term.

Appointments by Chief Justice Martz include: Membership Committee: Ostric, chairman; Stanley Caidin, J. Taylor Greer and James Harding; Social Committee: Frey, chairman; Salter, assistant chairman; Herbert Ascherman, Clifford Cordes, Carlton Crotty, James Felt, James Gardner and Tony Gera. Kalled will act as assistant scrivener, and O'Dea will be assistant justice of the exchequer.

ALUMNI CELEBRATE AT CLASS REUNION

ALUMNI SUBSCRIBERS

With this issue the Record suspends publication for four weeks to cover examination and vacation periods. The next issue of the Record, vol. 4, no. 1, will be published on June 11, 1947.

IN ABSENTIA SUBSCRIPTIONS

Students planning to take the summer term off may subscribe to the Record at the special student rate of \$1.50 for 12 issues mailed to their summer residence. Subscriptions may be sent by mail, together with check or money order, to the Harvard Law School Record, Cambridge 38, Mass., or may be placed directly at the office on the third floor of Austin Hall.

STUDENT POLL FOR RECORD

Ninety-six Percent Want Newspaper To Continue

Incisive criticisms and paeans of praise, deliberative analyses and off-hand comments, and an overwhelming expression that the newspaper continue in existence, resulted from tabulations of the quiz sheets which THE RECORD distributed, and students filed in, during registration last week.

Ninety-six percent of those polled were in favor of the continued existence of the paper. While some took issue with individual policies expressed in the editorial columns, and were opposed to the continuation of certain departments, the bulk of the students seemed convinced that the paper fills a need in the school, and should continue even after the post-war overcrowding is alleviated.

Many men lauded the staff for its investigation of problems encountered by law students, including the expose of the paper-bound casebooks, the campaign for a more efficient library, and the drive for a faster publication of grades following examinations. Several students suggested new material on which to base editorials.

Contrasting views on the editorial job of THE RECORD were adequately expressed by two students thusly: "Since the paper has discontinued the former, rather obvious and childish, practice of being the mouthpiece for one, some, or all of the editors' pet theories on controversial non-law school matters (which could very well have ultimately had the effect of dividing the student body up into groups) it has performed and will continue to perform a necessary function—as liaison agent between the school and the student body, and between the students themselves. An orchid to those who have written the (Continued on page three)

Graduates of 1922 Hold Twenty-fifth Anniversary Party

The 25th anniversary of the graduation of the Class of 1922 was observed on Thursday and Friday of last week by a reunion held in Cambridge, attended by 75 members of the class.

Fifteen of those who attended came from Boston and vicinity, 20 more from New England, 20 from New York, and the remainder from various other states and foreign countries. Pierre Georges Lepaulle, who received his S.J.D. degree in 1922, came from Paris, France to be at the reunion.

On Thursday, the graduates and their wives were entertained at a cocktail party at the Faculty Club, given by the Boston group, and on Friday evening the reunion dinner was held at the Hotel Continental.

The proceedings at the dinner on Friday were opened by First Marshall Ethan D. Alyea of New York, who turned the meeting over to Toastmaster Robert Cutler of Boston, class secretary.

Appearing on the program to give brief addresses were some of the professors who taught the class while they were in school, including Roscoe Pound, Samuel Williston, Calvert Magruder, and Zechariah Chafee, Jr., who gave the substance of his famous final lecture in Equity 3.

Former professors of the class who were unable to attend, were Austin W. Scott, Manley O. Hudson, Morton C. Campbell, Francis B. Sayre, and Felix Frankfurter.

The effect on the school of the influx of veteran students, and the continuing efforts being made by the school to raise its standards, were explained to the gathering by Acting Vice Dean Archibald Cox.

Part of the lighter vein was supplied by Charles Gaston Smith, LL.B. 1923, who spoke of his experiences in the Army after becoming a draftee at the age of 44 years and 11 months.

The feature speech of the evening, which was not formally on the program, was made extemporaneously by Mr. Lepaulle, who, during the German occupation of Paris, served as a lawyer by day and in the resistance forces at night.

The principles he learned here became temporarily useless during the occupation, he said. The contract law which he learned from Professor Williston was supplanted by the directions of German commissioners; the evidence and remedies taught by Professor Chafee were temporarily set aside in favor of the forceable removal from jail of those unfortunate enough to get into trouble; and the principles of law and justice taught by Professor Pound were (Continued on page four)

Watch And Ward Society Imposes Its Standards Of Decency On Community, Says Professor Howe

The words "Banned in Boston," have long been regarded by authors and publishers as an infallible means of raising a book's sales, while the nation's cartoonists and columnists have found them choice prey for their jibes. Recently the much publicized trial of "Forever Amber," again focused attention on the controversial Massachusetts censorship laws.

According to Professor Mark DeWolfe Howe, of the Harvard Law School, these statutes pose problems which law students interested in civil liberties might well consider. If Massachusetts has acquired a somewhat unenviable reputation of maintaining a system of censorship more appropriate to a theocracy than to a modern state, Professor Howe believes that it is not principally due to the law in books but to the law in action. Until 1945 the statutes of Massachusetts were not substantially different with respect to censorship than those of other States. Publishers and distributors, here as elsewhere, were criminally liable for selling books characterized, after the fact, as obscene or indecent by judges and jurors. The seller might be found guilty regardless of the fact that

he had no knowledge of the contents of the book which he sold.

Professor Howe, who is well known in literary circles as the editor of the "Holmes-Pollock Letters," and is currently working on the official biography of Justice Holmes, feels that "The absurdities of Massachusetts policy were principally owing to the fact that virtue was organized for action in the Watch and Ward Society and in militant religious groups, and being organized was able with the support of the prosecuting officers of the State, to impose upon the community standards set by the legionnaires of decency. Unfortunately the courts, when prosecutions were initiated, accepted the standards of the legionnaires as appropriate standards of statutory interpretation and thus gave such wide application to the statutes that virtually all realism became obscenity. Booksellers in such an atmosphere were not unnaturally hesitant to sell books which might later, to their cost, be determined objectionable."

A partial remedy for this situation was found in 1945 when the legislature, acting under the impulse of the book trade, adopted two new statutes. The first

changed the substantive law by making knowledge of obscenity an essential element in the crime of selling an obscene book to persons over seventeen years of age. The second changed the procedural law by providing for the initiation of proceedings in rem on the equity side of the court. These proceedings conclude with a declaratory judgment that the book in question is or is not obscene. In this equity suit all persons interested in the publication, such as publisher and author, may appear. If there is a finding against the book in these proceedings all persons subsequently selling it, if it is obscene, are conclusively presumed to have sold with knowledge of its character.

However, says Mr. Howe, "On one very important question the meaning of the statute is far from clear. It is left doubtful whether a finding that the book is obscene in the equity suit is conclusive on judge or jury before whom a subsequent seller is criminally prosecuted. Should the statute be interpreted to make such finding in the civil suit, conclusive in the criminal case grave constitutional questions will be presented. (Continued on page three)

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Editorials

On next Tuesday afternoon Roscoe Pound will give his final lecture before retiring as Harvard's first University Professor. Thus will end his thirty-seven years as a faculty member here, twenty of which were spent as Dean.

There is very little which can be said on this occasion that has not already been often repeated. The honors which have been accorded this learned and kindly man reflect the world's appraisal of his contributions to juristic learning and legal education. There is hardly a volume published today in the field of jurisprudence which fails to cite the ideas of Pound.

It is safe to say that the modern age of Harvard Law School has been its greatest, and that Roscoe Pound is the individual who is chiefly responsible for that greatness. His name is a worthy addition to the high tradition represented by Langdell, Ames, and Thayer.

The student can but echo the words of a second year man who, as he left the classroom after a lecture in jurisprudence was heard to say: "What a privilege it is to study under such a man."

THE EDITORS

Letters to the Editor

To the Editor of the RECORD:

The Eskimo, I am told, is always surprised by the advent of spring. Despite the fact that it must arrive with enough regularity each year to assure him that it is a dependable annual event, he is still taken aback when he finds himself faced with it.

Some of our faculty must be part Eskimo. I have found, and many others in terms ahead of me have found, that there is a disconcerting tendency on the part of some of these gentlemen to save the "best" part of the course for a final slug that sends the student into the home stretch groggy and reeling.

Why is it that we move leisurely along doing perhaps one case a day for about three-quarters of the course and then suddenly have to cram in the bulk of its most difficult matter in the last few weeks before examinations? In some courses, where we did five pages per day earlier in the year, now, right before examinations we do twenty-five to thirty pages. What rule of pedagogy justifies such a lopsided presentation of material?

Possibly the shortened curriculum gave a semblance of an excuse to this practice when that was first encountered. Perhaps new members of the faculty on their first attempt at teaching were not able to foresee the inevitable crush at the end of the year.

But it is not only newcomers who do this, nor instructors teaching under the shortened curriculum for the first time. Some veteran faculty members seem equally guilty of this practice.

Perhaps we should review all year. But even if we do, how can anyone be expected to do even a fair job of evaluating material that is tossed at him right before examinations? No review of that material is possible and, unfortunately it usually constitutes the greatest part of the examination.

And when this jam-up teaching is present in more than one course, as it all too frequently is, the result is one horrible nightmare.

Perhaps I've missed the point of it all. But it seems to me that logic, fairness, and experience would dictate the need of presenting a course so that, if anything, the bulk of the material is presented early in the year. This will permit the student to review with some perspective in the last few months of the term. But, under any theory, at least on even pace is more desirable than this sweepstakes which precedes each examination period.

GEORGE J. GRINDLE,
Fourth Term.

To the Editor of the RECORD:

Some weeks ago a fastidious person by the name of Bathless dropped a cake of soap in this column and Dean Griswold proceeded to slip and fall on it in the very next issue in which he made a plea for suggestions as to how we can keep our larceny-inclined law students from using the Langdell lavatory soap for extra-curricular washing.

Several hours of intensive research in back issues of Popular Mechanics has led me to what I believe to be a solution to the problem. It seems that a remarkable new gadget called a soap-dispenser has reached such a stage of perfection that it can now be found in some of the very best lavatories. These ingenious little devices are attached firmly to the wall, dispense soap in liquid form and will make it exceedingly difficult for even the most energetic student to make off with any considerable quantity of soap. The Dean's picture of some of our students seems to be one of a villainous, book-tearing, cigarette smoking vagrant but I doubt if any of them will go to the trouble of taking a tool-kit into Langdell to carry off the soap-dispenser intact.

This may not furnish a complete solution to the case

of the slippery soap because I suspect that an occasional student will slip furtively out of the lavatory, book-bag dangling from his teeth, his cupped hands full of the precious liquid, and hurry home to his private shower to soap himself generously with Law School soap. But what the Hell! If he wants a bath that badly, I say let him have it.

Bathless II

Off the Record

THE REASONABLY PRUDENT MAN

1.
There's a queer little fellow whom all of you know,
And the deal the Fates hand him is raw.
Though his life is a drama of trouble and woe
He's the popular pet of the Law.
He's a chronic unlucky defendant.
He's the man the decisions all blame,
He's a God-given gift to the legal profession,
And this is the poor fellow's name:

Refrain

The Reasonably Prudent Man,
He's the toy of malevolent fate.
Though he's gentle and kind
You'll invariably find
That he'll wind up in back of
The ball known as Eight.
He looks for the light at each crossing,
And his contracts he'll carefully scan.
How the gods must chortle
To watch this poor mortal,
His life is a mishap
From portal to portal—
The Reasonably Prudent Man,
The Reasonably Prudent Man.

2.
When he's closing a contract or signing a lease
His ways are regrettably slack,
He reads every word that is written in front,
But ignores the fine print on the back.
He's the fellow who slips on the pavement,
He's the target for taxi and van.
Though his name is enshrined in judicial reports,
It's no joy to the Reasonable Man.

3.
This curious chap is romantic at heart,
But his love life's a series of shocks.
He dreams of soft moonlight and marital bliss
And invariably ends on the rocks.
A Reno divorce is the sequel
To each tender connubial plan,
For the Unreasonably Imprudent Man, alas,
Is too much for the Reasonable Man.

(This lyric is by Newman Levy, written for a musical revue, coincidentally entitled 'Off the Record,' presented by the Association of the Bar of the City of New York, March 27, 1947. It may be sung. The Bar Association gladly supplies quartets for outings, picnics, wakes, and clan gatherings.)

A LEGAL PRIMER

The Liberal

See the Funny Man with Long Hair carrying a sign, children. Is he a Sandwich Man? No, he goes to Harvard Law School. He is a Young Liberal. He is Picketing the Coop for paying Dividends. The Coop must be run by Decadent Capitalists. The man is a member of the Young Liberal League, the Harvard Student Union, the Embattled Veterans (Cambridge Chapter), the John Reed Society, the Friends of Republican Spain Movement, the Promoters of Freedom of World Labor, Bundles for Ukraine, and Electrical Workers Union 508. My he looks tired. He has been up all night at a Rally. This afternoon he must go to a lecture on The Proletariat and Interplanetary Organization. This evening he must picket his English professor for not taking off his hat while reading "Scots wha hae wi Wallace bled." When you go to Law School, children, be Apathetic Tories and let the World Crumble about you. You'll get in more Golf.

Publius II

The Book Shelf

GENERAL PRINCIPLES OF CRIMINAL LAW. Jerome Hall, Indianapolis: Bobbs-Merrill Company, 1947. Pp. x, 618. \$7.00.

Professor Jerome Hall of the University of Indiana School of Law, author of *Theft, Law and Society*, has made another noteworthy contribution to the subject of criminal law. His *General Principles* is not meant to be, nor is it susceptible of adoption as, a last minute "cram pop" for students taking criminal law. For those seeking to fan the dying embers the day before the examination there are several much more suitable works.

Yet the serious student of criminal law (and all students are by definition serious these days) will find that his understanding of the subject will be vastly improved if by some point well in advance of the examination he has finished the book.

Because these opening remarks have been directed at student acceptance of the book, it is not meant to imply that practitioners and judges will find the book of little use. The unfortunate thing is that the great bulk of those who practice daily before criminal sessions will in all probability not take the time to study and ponder the social and legal problems of the criminal law as Professor Hall points them up. The practice of criminal law will probably never be sufficiently attractive to many practitioners in more "respected" fields, but those who only handle a criminal case for an important client as well as those who derive their livelihood from the field would serve their clients and society better by grappling with some of the provocative ideas discussed by Professor Hall.

In this review it is, of course, possible to discuss only a few of the fifteen major topics which are covered in this book. Three of them struck this reviewer as particularly worthy of comment.

(Continued on page three)

Gallery

HARRIS B. STEINBERG

Trial Lawyer



bubbie of conceit in the legal profession. His cartoons have appeared this term on page two of the RECORD. Six new ones are being displayed in an exhibition being held by the Association of the Bar of the City of New York.

Steinberg graduated from Harvard Law School in 1935 and entered a cold depressed world. Jobs were by no means plentiful. He joined the staff of Thomas Dewey, then District Attorney of New York, at a dollar a year and stayed on—with a two year interim in the Securities and Exchange Commission—for five years at periodic increases in salary.

The years with Dewey were active ones. Steinberg took part in a number of the trials that were features of Dewey's racket busting days. He appeared in court and before the Grand Jury frequently—for years almost daily—and found that he enjoyed trial work immensely. Briefs and appeal work were important, too. "They keep you thinking like a lawyer. A trial lawyer who doesn't keep studying is in danger of beginning to practice by ear."

"You don't have to be a character with a gift of gab to be a good trial lawyer," he says. "You need a good deal of common sense and, primarily, a liking for people. Most important of all is careful preparation of the case before you ever appear at the trial. Don't think you won't make a good criminal lawyer just because you only get two hours of Criminal Law at Harvard. You get the basic knowledge necessary at the School; you will learn the rest—the statutes and procedure—in your own community."

The term with the S. E. C. in Washington, and two years with the Attorney General of New York State, as a special investigator, preceded his entry into private practice about a year ago. He is very pleased with his practice, concentrating on trial work in domestic relations and criminal law. He also does extensive appeals work in both fields.

Steinberg is both optimistic and pessimistic about the future for men in the School.

"Getting good grades is fine. With a few exceptions, a high ranking man will succeed in the law as he would have succeeded in any field which he might have entered. As to the men with grades in the medium and lower brackets, other factors such as personality, drive, and perhaps family connections, will compensate for the few points difference in marks—which may or may not accurately reflect scholastic ability. I have a wide acquaintance among lawyers in the East and of all the Harvard Law School graduates I know, I am unaware of one whom I would consider a failure in life."

"The other side of the picture," he went on, "is the fact that the law is not geared to pay much at the beginning of a man's career. It has to be a long pull. You are better off taking a job that offers the experience you want rather than to accept one solely on the basis of the salary offered. To men with children—the veterans—I know that may not be practical advice. It's going to be a tough pull for some of you, there's no doubt about that. But the rewards will be lasting, satisfying, and almost certain."

He advises that anyone coming to New York to practice in a law office for several years to acquire familiarity with the courts and the elements of practice. However, in the event that no satisfactory job can be found after a reasonable period, he sees no reason why anyone cannot open an office immediately. It will be a good deal tougher than working for someone else first, and returns at first may not even cover expenses, but within a few years a young practitioner should be on a paying basis. Expenses can be kept low by renting office space from another lawyer in his suite.

Besides drawing cartoons, which he does at night and during holidays, Steinberg is very active in the Association of the Bar of the City of New York. He has served on many of its committees. He wrote several of the lyrics for the Association's musical comedy "Off the Record," which was presented in New York on March 26, 1947. He also acted in the show. Lyrics from the show will be published from time to time in the RECORD.

"I never have time to do anything," he laughed, "but I always manage to do it."

Public service, says Steinberg, is a must for every lawyer at some time in his career, preferably in an early stage. A job as Assistant District Attorney, Assistant City Counsel or some such position is valuable for the wide acquaintance a man makes. It rapidly matures the young lawyer. Most important of all there is the sense of doing something worthwhile for the community, which gives a feeling of self-respect and dignity to a man.

While many lawyers think that a legal education is a fine preparation for a career in business, Steinberg has some doubts.

"In my opinion, the law makes a man too careful to be a very successful business man," he explained. "The main factor in the success of the business men I know seems to be an element of audacity, of a willingness to take chances. In fact, I know of several business men who hire lawyers to act as a brake on their imaginations. Perhaps in the large corporations, where almost everything is channeled, that wouldn't be as true as it is in the smaller outfits."

H. K.

Sub Judice

A SENSATION DIES ****

A short time ago this column reported a libel suit involving several of the counsel appointed by the court to defend the alleged seditionists in the joint wartime trials held in the national capital. The trial had a dramatic interruption when the presiding judge suffered a heart attack and succumbed causing the proceedings to be halted. Counsel for some of the defendants moved to dismiss and Mr. O. John Rogge, then Special Assistant to the Attorney General when called upon to answer the motion stated in court that he had doubts whether a conviction could be sustained. This was in January of 1946. He went on to say, however, that that was only his personal opinion and that the Department of Justice thought otherwise. At a second hearing on the motion Rogge stated his doubts again and referred to past decisions of the Supreme Court as the reason.

On March 1, 1946, the Government asked for a postponement of the trial alleging that it was believed that certain testimony might be available from witnesses in Germany which would directly establish guilt of certain of the defendants. The court stated that although it was unusual for a court to permit an investigation in a criminal case for the purpose of building up a doubtful case because of the gravity of the offense and the unusual nature of the crime and non-availability of such evidence during the war the postponement would be granted. Mr. Rogge went to Germany and made his investigation for the Government. Upon his return Mr. Rogge informed the court that an analysis had been made of the evidence found in Germany and that it had been turned over to the Department of Justice. Shortly thereafter Mr. Rogge suddenly resigned from the Department in the midst of a cloud of mystery.

Defendants again moved to dismiss. Mr. Lamar Caudle, Assistant Attorney General appeared for the government and stated that the government wished to proceed to trial. When asked upon what basis he was unable to give the court any reasons why the Department of Justice felt differently than Mr. Rogge but a brief and Rogge's report were offered to the court. These were rejected since the government wouldn't furnish copies to the defendants.

The court, after considering all the circumstances felt that a delay of four and one half years plus Rogge's previous doubts had resulted in a denial of the constitutional right to a speedy trial. The motion to dismiss was granted. *U. S. v. McWilliams et al*, 69 F.Supp. 812 (D.C. of U.S. for D.C. 1946).

WHAT, NO LLB? ****

Adolph Starr brought proceedings against the State Board of Law Examiners and the Supreme Court of Indiana under the Federal Declaratory Judgment Act for damages in the sum of \$50,000.00 and a declaratory judgment directing defendants to certify him as a member of the Bar of the State of Indiana. In his complaint Starr alleged that he was, "a man of sterling character, with a keen intellect and a clear understanding of human relations; that he has an excellent record of civility, habits and industry; that he has an education in military and governmental affairs and is a graduate Master of Sciences and Bachelor of Laws; that he has circumnavigated the globe and visited foreign countries; and that he has held positions of importance and responsibility in times of peace and war," and that notwithstanding his qualifications and grades defendants have assumed "Omnipotent Power and Authority" and that he was denied the Privileges and Immunities of a Citizen of the United States and equal protection of the laws.

The trial judge bent over backwards to aid the plaintiff and appointed a highly respected and able lawyer to aid Starr and also appointed a former member of the Indiana Supreme Court an Amicus Curiae. The District Court, after a full hearing dismissed as the complaint was held to state no cause of action and the court had no jurisdiction. On appeal the District Court was affirmed and the court held that the right to practice law in a State is not a privilege granted by the Federal Courts and the Supreme Court of Indiana had exclusive jurisdiction to admit attorneys to practice law in the courts of that state. *Starr v. State Board of Law Examiners of Indiana*, 159 F.(2d) 305 (CCA 7th 1947). The law on this point was well settled and was decided by the Supreme Court in *Bradwell v. Ill.*, 16 Wall. 130 (1872).

NOT BY THE SWORD ALONE ****

Joe Parker was a test pilot for Republic Aviation and per his employment contract was sent to Ia Shima, where under an exchange contract between Republic and the U. S. Army, Parker was engaged in testing Army aircraft. Ia Shima was a former Japanese possession acquired by the United States by Conquest. While testing a P-47 fighter plane Parker crashed on the takeoff and was killed. Under the Defense Bases Act there was provision for "compensation for disability or death resulting from injury to persons employed at military, air and naval bases acquired by the United States from foreign countries and on lands occupied or used by the United States for military or naval purposes outside the continental limits of the United States. . . . After a hearing Parker's widow was awarded compensation by the Deputy Commissioner of the U. S. Employees Compensation District. Republic instituted action seeking a permanent injunction suspending and setting aside a compensation order making the award. The Deputy Commissioner moved for summary judgment. In granting defendant's motion the court found it necessary to state the law regarding acquisition of territory and concluded that Ia Shima was not "acquired from any foreign government" in the International Law sense since the U. S. got it by conquest but the U. S. did "acquire" it in the popular sense of the word. However, the court went on, Congress did not mean to use it in that sense and did not contemplate acquisition by conquest but had in mind such acquisitions as the Bermuda Bases and others as obtained from Britain. The compensation award was allowed to stand, however, on the grounds that the Commissioner had made his interpretation substantially in accord with another statute on the same subject and that Congress had the same intent under both statutes and unless his interpretation was plainly wrong on the law it should be sustained. *Republic Aviation Corporation et al v. Lowe et al*, 69 F. Supp. 472 (D. C. D. N. Y. 1946).

Alumni Notes

Alumni are especially invited to forward contributions to this column to the Record office, Austin Hall, Cambridge 38, Mass.

Northeastern University School of Law has announced the appointment of 10 practising lawyers as new faculty members. Among the appointments are the following Harvard Law School graduates:

Donald G. Allen, LL.B. '38, associate, Ropes, Gray, Best, Coolidge & Rugg, lecturer in bankruptcy; Donald T. Field, LL.B. '34, of Brown, Field, McCarthy & Field, lecturer in wills and administration; Dunbar Holmes, LL.B. '38, lecturer in security; Harold Horvitz, LL.B. '25, of the firm of Guterman & Guterman, lecturer in bankruptcy; Robert M. Segal, LL.B. '42, lecturer in administrative law; Roger D. Sucam, LL.B. '03, a member of the firm of Hale & Dorr, lecturer in conveyances; and Robert L. Thompson, LL.B. '30, lecturer in patents.

The Greater Boston Family Society, at its annual meeting April 9, re-elected Roger F. Hooper, LL.B. '14, president of the board of directors. Spencer B. Montgomery, LL.B. '16, was elected a vice-president; Brooks Potter, LL.B. '27, was named treasurer, and Paul B. Watson, LL.B. '19, clerk.

LL.B. '14—Charles P. Howard, Massachusetts Middlesex county treasurer, has received a citation and the Legion of Merit for his work in Austria as deputy regional military government officer, and other activities, from May, 1945, to August, 1946.

LL.B. '33—John F. Rich, partner in the Boston law firm of Burns, Blake & Rich, has been appointed a trustee of the New England Gas & Electric Association.

LL.B. '43 ('47)—Jack Edwin Hawthorn is associated with the firm of Dorsey, Colman, Barker, Scott & Barber, 1300 1st Nat'l-Soo Line Bldg., Minneapolis, Minn.

LL.B. '43 ('47)—John Barrett Lawless is a member of the legal department of the Delaware, Lackawanna & Western Railroad, 140 Cedar St., New York City.

POUND—(Continued)

he was an assistant professor at Nebraska, as well as Commissioner of Appeals of the Nebraska Supreme Court, Dean of the University of Nebraska Law Department, and professor of law at Northwestern and later at the University of Chicago. Four years after his appointment here, he was named Carter Professor of Jurisprudence, and in 1916, upon Ezra Thayer's death, he was appointed dean. Dean Pound has conducted classes principally in jurisprudence, equity and property. Upon his retirement as dean in 1936, he was immediately elected University Professor. This position gave him the opportunity not only to teach at the law school, but at Harvard College and Radcliffe as well. The courses he taught there, which included government, philosophy and one on Lucretius, afforded him much pleasure. Just now he is very proud of a silver bowl recently presented to him by his last Government 43 class.

For his outstanding work in the legal field many awards have been bestowed on Dean Pound. In 1940, he was awarded the American Bar Association's gold medal for "conspicuous service to the cause of American jurisprudence." He is possessed of seventeen honorary degrees: one LL.M., fourteen LL.D.'s including one from Cambridge, one L.H.D., and a J.U.D. from the University of Berlin. Only recently a collection of legal essays by leading philosophers was published in honor of his seventy-fifth birthday.

Internationally recognized as one of the outstanding champions of progress and humanity in law, Dean Pound has been much sought after as a lecturer in foreign law schools. He has lectured in all leading English Universities, and in Australia, Germany, Italy, Holland, and France. He is also a member of foreign professional organizations, and is a corresponding fellow of the British Academy.

RECORD—(Continued)

editorials the past term. One can be panned therein and not possibly take offense thereby. Much can be accomplished in this manner." Said another student, "The 'Sweet' policy enraged me at times while at others it made me glow pleasantly. The present policy does neither. It is lukewarm. It attempts to be so careful, so objective that it conceals its point by too many 'ifs' and 'howevers' . . . Before you ever get to your point you hedge and squirm so much about not knowing all the facts and being unwilling to make accusations that your conclusion, after all the labor, is a very weak offspring."

While all but one of the paper's departments received a vote to continue, several suggestions were made by the students. The Record realizes that many did not have adequate time to express their opinions fully, and requests that any students who desire more fully to elaborate on their plans communicate with the editor. Suggested to the staff were the following: More stories on out-of-school activities of students; more articles on the actual practice of law; sample answers to examinations; editorials on non-legal topics; concentration in the "Gallery" column on the faculty, rather than other lawyers; more news from other law schools, with a possible procurement of regular correspondents therein; fuller coverage of job-openings; stories on sports activities in which law school groups participate; stories on the careers of men who did not complete the law school course, and many others.

By a vote of 51%, the students favored the retention of the present size of the paper, rather than a reduction to tabloid. Seventy-four percent were satisfied with the coverage of news stories. Sixty-nine percent desired the continuation of the alumni notes; 74% in favor of articles; 89% for the Calendar; 87% liked the Gallery; 85% thought the Letters to the Editor column was effective; 77% were in favor of light features; 71% in favor of serious features. Ninety percent approved of Off The Record; 91% enjoyed Sub Judice, and 77% liked The Book Shelf. Since only 43% of the students favored the continuation of The Witness Stand, that department will be dropped as a regular feature, effective next term, and will be run only periodically.

Choice quotes from the replies follow: "Don't for heaven's sake let the paper get into the hands of the honors men. Preserve it as one activity in which a man can participate whether or not he has a B average." "Aren't the some non-members of the faculty worthy of mention in the Gallery who are from states other than Ohio?" "Send copies of THE RECORD in which a student's name appears to his hometown newspaper." "Eliminate the present cartoons and substitute Lil Abner." "Pay three or four of the top-ranking editors." "Sub Judice is one of the best commentaries on cases I've seen." "The West Publishing Company does a much better job than Sub Judice." "The Letters Department gives an excellent opportunity for an expression of student opinion; even the infantile letters help to show a section of that opinion."

HOWE—(Continued)

Professor Howe believes that it is too soon to say whether the statute of 1945 will make any difference in Massachusetts policy with respect to book censorship. It would certainly be a mistake to expect too much of a statute which was designed to protect booksellers rather than to change basic standards. As yet the decency legionnaires effectively enforce their concept of "a new Heaven and a new earth wherein dwelleth righteousness." Virtue still remains organized and "civil libertarians," says Mr. Howe, "are still considered civil libertines. There is, however, some ground for hope that the statute will afford reason its first opportunity to be heard. Yet one must never forget in these matters that laws can do little when public opinion remains indifferent."

J. S.

BOOK SHELF—(Continued)

The maintenance of free institutions is in no small measure dependent upon an enlightened and vigilant administration of criminal justice. The author remarks early in the book that "In democratic countries the political significance of criminal law had been almost forgotten when the impact of dictatorship, with its unvaried first move to seize control of the coercive legal apparatus, revived a startled realization of the dependence of civil liberty on criminal law."

Concern for the welfare of various groups of weak members of society has led in many countries to a demand for individual treatment of their crimes, as, for example, in the case of juveniles. This movement away from the rule of law is regarded rightly with a jaundiced eye by Professor Hall. The difficulty is that uncontrolled discretion, no matter how well informed or good intentioned, may well represent too drastic a departure from the rule of law. It might be too good an opportunity for those who would like to see all "socially dangerous" conduct punished as the needs of those in power dictated. "The burden of proof should be on those who claim superior knowledge and ability to attain better results by extra-legal methods."

Criminal Attempts

Professor Hall presents a very interesting history and rationale of criminal attempts which are among the most intricate and complex manifestations of "external harm." The criminal attempt may run the full gamut from insignificant preparation right up to the brink of a completed crime. In early English law there was no harm in trying. Actually the law of criminal attempts with punishment for the actor did not develop until the Court of Star Chamber gave it strong impetus in the 16th century.

Though unsuccessful attempts at ordinary crimes were not punished in early English history, nevertheless treasonous attempts were penalized. In fact the language used in trials and indictments for treason was usually that of the attempt. Many theories explaining the nature of criminal attempts are put forth, but none of them finds approval from Professor Hall. It is his view that the history of the doctrine of criminal attempts and the social policy of maintaining vague definitions because of the variety of fact situations possible explain the inadequate definitional aspects of punishment for an attempted crime.

Crimes While Intoxicated

On the question of intoxication and crimes Professor Hall neatly pricks the judicial bubble that "voluntary intoxication is no excuse, but intoxication may be considered on the question of whether a defendant had the requisite intent to commit the crime." The cases cited show how barbarous has been the treatment of those who unfortunately commit crimes while intoxicated.

It has long been the fashion to say that if intoxication were more mildly treated that convictions would never be obtained. The criminal about to set forth on his venture would first imbibe to whatever extent he felt necessary. Or possibly intoxication would be successfully feigned. Generally speaking one with criminal business in mind would not want to run the risk of incapacitating himself for his venture by first becoming inebriated. On the issue of feigned intoxication the factual determination should be no more difficult than on the issue of insanity.

Professor Hall has four suggestions on criminal responsibility of inebriates. First, the rule on "voluntary drunkenness" should be confined to experienced drinkers. That of course does not help those who are ill with alcoholism. Secondly it is recommended that the exculpatory doctrine phrased in terms of negating specific intent be eliminated. Third, the harmful aspects of the felony murder doctrine and its kin should be terminated. Last, the majority rule which permits mitigation of murder committed by the intoxicated to second degree murder should be changed to reduce the offense to manslaughter.

At the present time science is making important strides in the field of the cause and possible cures of alcoholism. The criminal law has much to learn from such research by way of human reclamation. Many cases of crimes committed by inebriates produce defendants worthy of treatment or hospitalization rather than the electric chair or life imprisonment. Professor Hall points the way to a more sensible administration of an important element of the criminal law.

CHARLES W. DAVIS, JR., '47.

GRIFFIN VICTOR IN SQUASH TOURNAMENT

Frank H. Griffin, Jr., became the current squash champion of the Harvard Law School on Friday, May 2, by defeating Charles A. Lord in the tournament organized by the Phillips Brooks Committee. The match was played on the Hemenway courts and the scores were 18-15, 18-16, 11-15, 15-8. Griffin, who ranks number eight in the state of Massachusetts, learned most of his squash at Princeton where he played on the same team with the present national champion, Charles Brinton. Both finalists come from Philadelphia and Lord learned his squash at the Germantown Cricket Club and the William Penn Charter school in that city.

The final match was featured by Griffin's fine corner shots and after the score was eight all in the fourth game these corner shots paid off. Lord had a lead of 13-11 in the first game but Griffin tied it up at thirteen all and went on to win in a set of five. Griffin had a 13-12 lead in the second game and went on to win that game after being tied up.

O. Williams and J. King were the other men who gained semi-final berths. Both of these players, in addition to Griffin and Lord, were members of last year's Lincoln's Inn team which played in the Boston "A" league. In the semi-final matches Griffin defeated King in three games and Lord won by default over Williams when he sustained a huge blister on his racket holding hand. Other players in the tournament who showed promise as material for the Lincoln's Inn team for next year were C. Johnson, who gave Williams a close battle, L. Zins, an Amherst man and A. Santry.

With the completion of the squash tournament, the attention of the Phillips Brooks Committee will be turned to softball. Thayer Drake, a member of the committee, has announced that softball equipment is available, which can be signed out at the Hemenway desk.

Groups of men who want to form a team to compete with other Law School teams this summer are requested to register their team name and its manager at Hemenway, so that games can be arranged.

QUAKER—(Continued)

seven weeks which will cover tuition, board and room. Should this charge be beyond the range of a student's purse, it is hoped that this fact will not be a deterrent. No one should hesitate to make application because of the expense, since there is ample provision for scholarships.

In a time when the energies of nations are bent on repairing damages and reconstructing a world in which peoples can be fed, clothed, housed, educated, and employed in constructive tasks, it is vital that an understanding of national problems be combined with a similar understanding of the problems faced by people in other countries. By studying the questions side by side with nationals of other countries a deeper knowledge can be gained than Langdell alone affords.

To implement this conviction, the Friends started these seminars in the summer of 1943. For seven weeks the students lived on small campuses, singing one another's songs, hiking and swimming together, helping each other with beds and dishes, studying together and exchanging points of view on international affairs, racial differences, and ways of building a new world in which people could work together toward a higher standard of living and common goals of peace and understanding. More than 24 different nations were represented among the students and faculty of the first seminars. Fifty students concentrated on the place of Latin America in world affairs; another group made an intensive study of "The Peoples of Europe—their Future" and another group worked on the role the Orient could play in world cooperation.

Any student at the Law School who is interested in attending one of these seminars this summer should see Ruth Houghton at the American Friends Service Committee office in Harvard Square—1374 Massachusetts Avenue—as soon as possible.

ROGER SCHAFER, 3L.

Shakespeare Comments On Use Of Othello In Evidence Exam



Prof. Maguire's final examination in Evidence next week will be based on the "record" of a lower court proceeding. Othello will serve as this record. As to this choice, the words of Shakespeare are expressive:

"Fie . . . it is impossible" —Act IV, Sc. 2, L. 134
 ". . . the bloody book of law
 You shall yourself read in the bitter letter" —Act I, Sc. 2, L. 67-68
 "Villainy, villainy, villainy!" —Act V, Sc. 2, L. 190
 "I am not merry. . ." —Act II, Sc. 1, L. 123
 "Why, there's no remedy; 'tis the curse. . ." —Act I, Sc. 1, L. 35
 "Take hold on me, for my particular grief
 Is of so flood-gate and o'erbearing nature
 That it engulfs and swallows other sorrows
 And it is still itself." —Act II, Sc. 1, L. 55-58
 "For mine own part . . . I hope to be saved." —Act II, Sc. 3, L. 111
 —N. B. T.

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Calendar

THE LEGAL WORLD Summer Term

The current Spring term ends on Saturday, May 24. The Summer term begins on Monday, June 9.

Candidates for Degrees in June

All candidates for degrees in June who plan to attend Commencement Exercises should leave their names with the Receptionist in Langdell Hall before Saturday, May 10. Requests for admission tickets (normally limited to two) are to be made at the same time. These tickets will be issued in due course.

Law Wives

On Wednesday, May 14, Gladys Reed Edling, home service consultant with the Suffolk Bank, will give a talk on "Practical Ideas for Home Furnishing and Interior Decoration" in Kendall House at 8 p. m.

Book Authorizations

Book authorizations for the Summer term may be obtained in Weld Hall, Room 8, beginning Thursday, May 15 through Saturday, May 24.

Southern Students

The first meeting of the Southern Law Students Club of Harvard, organized for the purpose of discussing subjects of common interest to Southerners enrolled in Harvard Law School, will be held on Wednesday, June 18, 7:30 p. m., in Kendall House. Further details will be announced later.

THE UNIVERSITY WORLD Lectures

Poetry reading: T. S. Eliot will give a reading from his own poems today (May 7) in Sanders Theatre at 4:30 p. m., under the auspices of the Morris Gray Poetry Fund. This is open to the public.

Regional planning: The Department of Regional planning of the Graduate School of Design is offering a series of lectures by William Graham Halford, Visiting Lecturer on Civic Design. Mr. Halford is Professor of Civic Design at the University of Liverpool, Chief Technical Officer of the Ministry of Town and Country Planning, and co-author of the Plan of the City of London. The dates and titles of the lectures, which are open to the public, are: Thursday, May 8—*New Towns and Public Opinion*; Tuesday, May 13—*Progress in the Redevelopment of Central Areas, 1944-47*; Thursday, May 15—*Preservation and Amenity Questions*; Tuesday, May 20—*Control of Private Development since 1909, and the Present Position*; Thursday, May 22—*Industrial Location and Development Areas*.

The funnies taken seriously: On Tuesday, May 13, Emanuel Winternitz of the Metropolitan Museum of Art will give an illustrated lecture on *An Aesthetic and Psychological Interpretation of the American Comic Strip*, in the Fogg Art Museum, at 4 p. m.

A. V. C. Anniversary Dinner

On Thursday, May 8, the A.V.C. Harvard Chapter will have an anniversary dinner, with Charles Bolte, its National Chairman, and Wilbur Bender, Dean-elect of Harvard College, as guests of honor, in the Hotel Continental, at 7:30 p. m. It will be \$3.50 per plate. The proceeds will be used to finance the delegation to the Convention in Milwaukee. All students are invited to attend the dinner; tickets may be purchased at the Phillips Brooks House.

REUNION (Continued)

forgotten during the totalitarian regime.

He concluded by saying that although he was compelled to forget on the surface all the things he learned here, they were a sustaining influence on him during the occupation.

Chairman of the reunion committee was Faneuil Adams of Boston, who was actively assisted by Alfred Gardner, Robert R. Duncan, and Harry Kirkpatrick.

The New York committee was headed by Mr. Alyea, who was actively assisted by Alfred Heuston and Solomon Herzog.

AMES QUARTER-FINALS

Official announcement of the eight winning clubs in the qualifying round of the Ames Competition has been made by John J. Delaney, Jr., Chairman of the Second Year Committee of the Board of Student Advisers.

The clubs named are the Blackstone, Casner, Langdell, Morgan, Powell, Pow-Wow, J. Smith, and Hughes. Having survived the qualifying round eliminations, these clubs will argue against each other in the forthcoming quarter-finals.

Individual honors in the round, for the best oral, went to East Birkett, of the Langdell Club, who scored 78. Messrs. Greener and Stamper, of the Holmes Club, won the best brief award, with a score of 75.

How Black Is Red?

The following article was written for the Record by George C. Bryan of the Graduate School of Arts and Sciences.

America has long been a land of paradoxes. From the time that the Puritans attempted to establish a congregational theocracy, Americans have puzzled, amused, or enraged those who met them and those who sought to analyze their past behavior. Future Toynbees may well ponder what appears to be the last act in the schizophrenic drama that is America—the relentless march toward the destruction of Western Civilization in the name of democracy and the free enterprise system.

In a country which claims to have built the most rational economic system ever known to man and then to have developed the most extensive and intensive educational system in the world, it is more than paradoxical that the defenders of such a system should vent their frustrations in an hysterical orgy of hate and misunderstanding of Soviet Russia; it is tragic. An irresponsible press, an indifferent public, and a group of intellectual and public leaders all seem to be suffering from the same malady, an intense desire to regard whatever America does as right, and whatever Soviet Russia does as wrong. Only if America seeks cooperation and understanding with Russia as an equal will there be peace. The surest road to war is to resolve the present world situation into a death struggle between the United States and Soviet Russia. If Americans refuse even to try to understand Russia, our patterns of thought and behavior responses will be geared in advance to lead us to thoughts and actions which preclude world peace. A double system of values has never worked; it certainly will not work now.

Russia's Capacity to Wage War

Russia not only does not want war, she is utterly incapable of carrying on war, and will be incapable of doing so for some time to come. What we do now will determine, in large part, what steps Russia takes in the future to prepare herself for her place in the world. Her losses during the war were prodigious: 1700 towns, 70,000 villages, 84,000 schools, 4,000 libraries, 1,000 factories, 13,000 bridges, 40,000 miles of railways, 7,000,000 citizens. Considering how long it is taking America with all its advanced industrial techniques and know-how to get back to a smooth running economy, and with no continental destruction whatsoever, it is ridiculous to expect that Russia is prepared to march on the western democracies, or will be in the near future.

Russia's Security Problem

All nations are concerned with the problem of security from foreign aggression, the United States and Russia not excluded. What are some of the zones that we have considered essential for an adequate defense? Virtually all of the western hemisphere, outposts in the Pacific Ocean, and a strong Great Britain in the Atlantic. How often have we been threatened with invasion through these crucial areas? Yet, just since 1900 Russia has been attacked from Manchuria three times, from Turkey twice, from Poland and the Balkans four times. Is it at all unreasonable that Russia desires to secure herself along these historic routes of invasion? How can she secure these areas? Only if she is assured that those who are controlling those areas look favorably toward Soviet Russia. It is a pleasant pastime for intellectuals and moralists to bandy about such terms as "independent sovereignty," "rights of the smaller nations," the glories of a "free vote," of the "free enterprise system," but unless we are willing to regard the Russian drive for a security zone in the light of her recent history (and in the light of our own drive which now extends almost to the very frontiers of Russia herself!), we will not be able to distinguish between aggression and the organic necessities of any country. When a nation goes beyond this minimum zone (as the U. S. is seeking to do in Greece and Turkey), the world must watch out.

Past Events Illuminate Russia's Future Actions

One must not take the attitude that recognition of such Russian needs represents an incessant "giving in" to Russia. Rational consideration of the events before the war and since indicates an equal willingness on the part of Russia to compromise with our own views—if not something more. This country refused recognition to Soviet Russia for many years—why should this be regarded by us as any less galling to the Russians than such actions would have been viewed by us in our formative years? In the years leading up to the Nazi attempt to rule the world, many of the leaders in the Anglo-American world fervently prayed that

Hitler would attack Russia, not to give us time to prepare to aid Russia, but to crush this new "peril" which "threatened" the western world. When the Nazis moved in on Czechoslovakia, which nation said that this was the time for the western world to arise and stop the fascist onrush? Certainly not Great Britain or the United States. Which was the only major country not to be carried to new depths in the debacle of the free enterprise system in 1929? Are these, and a host of similar events, policies designed to inspire trust, cooperation, and friendship on the part of the Soviet people toward those who lead the western democracies?

War Brought Degree of Cooperation

During the war a high degree of rapprochement was achieved. Hopes were high that the millennium, if not reached, at last was at hand. Although there were vast ideological differences, some fundamental agreements were reached by the leaders of the three great powers. More important, there seemed to be a general sense that it was possible for the Anglo-Americans and the Russians to come together, iron out differences, and come out with some relevant and significant agreements. There were, to be sure, the skeptical on both sides. The F.B.I., the Naval Bureau of Intelligence, certain Congressmen, a few intellectuals, and many well known newspapers refused to be swayed by the people's hope the world over for peace. The agreements included such important things as the following: some sort of world organization must be established designed to prevent another war; it was recognized that another war would mean the end of western civilization as either the Russians or the Americans know it. Some sort of international inspection of atomic energy was assured. In general, mutual security zones were agreed upon. Specific plans were not drawn up, as indeed, was not possible, but a solid basis of understanding was laid. The future was in the hands of the leaders of Russia and the Anglo-American "bloc." If democracy has any meaning in political terms, and if a broad educational system is of more utility than a convenient method of numbing the masses, then the American people, as well as their leaders, must be held accountable by future historians for what they fashioned. In terms that the rest of the world could understand, the following is a partial list of what America has done. Small wonder, that many Russians look toward America with questioning eyes.

Post-War Policies Brought Disillusionment

As soon as the war was concluded, the British and Americans, having fought the war in the name of "democracy," "freedom for the people," and so on, at once instituted a policy which led to the suppression of many of the peoples of the world. American weapons were used by the British in order to arm enemy Japanese troops to fight the natives of Java to preserve Dutch property interests! To the world America announced by her actions that she simply did not give a damn about the people of the world. The Marxian analysis that economic interests rule the thought patterns of men perhaps seemed applicable to a great many people outside the United States.

British activities were equally forward-looking in Greece where a popular movement was smashed with the aid of British arms. In spite of the fact that there was a popular resistance movement to the fascist invaders in Greece during the war, the British insisted upon dealing with the government "in exile," and would not recognize any members of the underground as part of such a government. At the close of the war those who had actively fought the fascists in Greece during the war were suppressed, and the British gave aid to a group which included many who waxed fat under the Nazi occupation. America now seeks to take over where the British left off—in the name of democracy.

Minimum Security Zones Compared

America demands that her strategic zone of defense extend far out into the Pacific. On November 6, 1946, President Truman made it clear that America regarded the million square mile area of the Pacific as essential to the security system of the United States. If the Security Council of the United Nations would not approve of exclusive American trusteeship (which would give the U. S. complete control over these islands and their peoples, with no right of any kind of international inspection whatever), Mr. Truman made it clear that the U. S. would retain the islands by right of conquest. For some reason America seems to feel that she is the only great power which must have a

minimum security system. And she is determined to maintain it regardless of such concepts as independence, freedom, etc. Yet, when it comes to a question of a minimum security system for Russia, America has indicated that it must not extend beyond Russia's own borders! America opposes Russian policy in the areas adjacent to Russia. Should Russia be less concerned that there be a friendly Poland to her west than we that there be a friendly Canada to the North? If we insist on two sets of values in regard to her security system and ours, the result must be antagonism, misunderstanding, and conflict.

Russia's Alleged Obstructionist Tactics

We have accused Russia of obstruction and transgression whenever international meetings have been held. Yet, who was it that took the attitude that the lack of mention of reparations from current production from Germany in the Potsdam agreement meant a specific denial of the Yalta agreement wherein such reparations had been accepted? Or take the atomic energy question. Russia has agreed to international inspection; that is a simple fact. She also consented to discuss the entire matter on an informal basis. It has been the United States which has insisted upon formal votes; it has been the United States that has insisted that there must be managerial control of the development of atomic energy. Anyone who has the slightest familiarity with Russia realizes that she would never accept a kind of control which would mean outside control of the entire Russian economy. Yet, America pushes forward on an all or nothing at all basis.

Planless Free Enterprise

At the present moment it is generally conceded that the United States is the industrial and economic leader of the world. The responsibility of such a position is enormous. The economies, in fact the very life of many nations, depends in large part upon what happens to our great industrial system. Again in the name of the free enterprise system the United States is refusing to accept a positive role—we remain the only important country in the world that has refused to make full employment a public policy. Reports from the economic conference in Switzerland indicate the utter futility of talking over plans for a peaceful world economy when the most important part of that world economy rejects the very purpose for which the conferences are being held. America cares little whether

or not the world goes down with her in her next great economic collapse.

Is Our Policy the "Right" One?

This list could be extended almost indefinitely: aid to Franco, the "model" American press with its objective attitude illustrating the uses of a free press, our attitude toward the oil of the Near East, deep internal cleavages, on and on and on. The recent Greek-Turkey "crisis" is but one link in the long and dismal chain. That the United States knew long in advance of the British intention to withdraw is quite evident. Yet, the administration saw fit to hold back its decision until it would serve as a threat to Russia at the Moscow Conference, and until it could be labelled as "emergency" legislation. Recent reports from the Greek government state that the "rebels" have been driven into a small area 175 miles square by the government troops. To say that support of Greece and Turkey must be done in order to promote democracy is to make a mockery of the English language. The essence of the Truman Doctrine is really quite simple: support of the United Nations equals opposition to Communism, whatever that may entail. Which is exactly what many Russians have thought all along: that the United Nations was little more than a convenient place for the capitalist countries to oppose Communism.

Self-Criticism and Mutual Understanding Needed

This review has been purposefully one-sided. If one is desirous of reading the charges against Russia, he merely has to pick up a copy of his local newspaper. In spite of what your newspaper says, Russia does have a valid point of view; unless we stop all our propagandistic nonsense right now, and seek genuine understanding with Russia, while admitting that we have made fully as many errors as she, you and I, and all of what we know of western civilization are doomed. The first prerequisite to world peace is world understanding. It is a foolish person who refuses to try to understand on the supposition that the other side is

not going to try either. Secondly, we must give intelligent support to the development of a world organization. A world organization which can help maintain peace is not one that necessarily must support our policy always and everywhere; it must not be our baby. Third, we must give positive aid in solving the problems of the peoples who suffered in this war, not just negative aid to anyone who will oppose Soviet Russia. The essence of life is change; the essence of the American policy is support of the status quo. Failure to meet the problems of the peoples of the world by soothing our consciences with the dope of archaic words but delays the inevitable process of change. And from a purely selfish point of view, such a policy is earning the unforgetting hate of the American colossus by the people of other lands. Lastly, we must earnestly attempt to solve our internal problems in a way that looks to the future, not to the past, and to resolve the internal inconsistencies which frustrate us and drive us to reassure our failing sense of security by irrational attacks upon all who are not a part of the "in group."

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