Villanova Student Goes To World Conference

From September 12 to 18, 1965, over 3,000 jurists, representing 110 countries, gathered in Athens, Greece for the second world conference for "World Peace Through Law." The purpose was to coordinate the efforts of the international legal profession for the achievement of a world-wide community of law and order via international jurisprudence.

His Excellency, Alex Quasson-Sarkis (of Ghana), the then President of the United Nations General Assembly; and the Right Honorable Lord Denning of England, who is Chairman of the Magna Carta Trust and Master of the Rolls.

Bens was one of 306 law students from fifty different law schools chosen to assist the delegates at the conference. Bens felt that "one significant trend was a growing awareness by legal experts that international problems could be approached on a practical day-to-day basis, rather than on theoretical grounds."

Among the resolutions passed at the conference were those in favor of international tribunals with jurisdiction over one geographic area, such as Latin America and another for the formation of a commission to compile a multi-lingual legal dictionary and a handbook on comparative law.

Bouscaren, the guest speaker at the Law Forum on November 19, 1965, dealt with a topic that has become increasingly important in the last few years. Bouscaren's speech stressed the international character of our nation's principal enemy—the International Communist Movement. Unlike our enemies in past conflicts such as World Wars I and II, this enemy is one which knows no national boundaries or frontiers. Indeed, elements of this enemy exist in our midst, right here in the United States. This is evidenced, said Bouscaren, by the series of demonstrations against our presence in Vietnam, and the efforts aimed at disrupting the draft, actions which have been labelled by Senator Kuchel as "seeds of treason." Advocates of our "international enemies," the modern Father Coughlin, preach pacifism and isolationism, preach war as a savior, and, as Bouscaren sees it, this is understandable in human nature. These conflicts, thoughassador.

Valente Files Amicus Curiae Brief in Girard Integration Litigation

The pending litigation over the question of integration of Girard College against the will of Stevens Girard, who set aside a fund for a school for white male orphans, has found one of the members of the faculty of the Villanova School of Law involved.

William T. Valente, who came to the law school this past September, has filed a brief amicus curiae in his representative capacity for the Fellowship Commission of the all white institute of learning.

The Fellowship Commission is in support of the complainants who are the applicants for admission in the all white institute of learning. The commission in the previous litigation over integration at the institution had also supported the complainants.

Mr. Valente has addressed the St. Thomas More Society, the archdiocesan group in the City of Philadelphia, on the issue of the Girard situation. The Philadelphia Bar Association is helping the City of Philadelphia, on the issue of the Girard situation.

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U.S. Intervention Discussed by Bouscaren

Professor Anthony T. Bouscaren, the guest speaker at the Law Forum, pointed out that "one significant trend was a growing awareness by legal experts that international problems could be approached on a practical day-to-day basis, rather than on theoretical grounds."

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The statement concluded with the assertion that although the board still felt that the area should be designated for light manufacturing, it would be changed to “Residence A” in order to protect the merchants shoppers and townpeople generally from the ravages of prolonged and potential dangerous demonstrations. When, over the objections of plaintiff and other owners of property in the disputed area, the trustees re-designated the area residential, plaintiff brought suit against the trustees seeking a declaratory judgment that the defendants had exercised their power in such a way as to deprive him of his constitutional and statutory rights. The trial court granted summary judgment for the defendants, but the Appellate Division, Second Department, reversed, holding that the trustees had acted without their statutory delegation of power to enact regulations which are in accordance with a comprehensive plan and which encourage the “most appropriate use of land throughout the municipality.”

The facts of the case are taken from the opinion of the Supreme Court of New York, Appellate Division, Second Department, in Dena v. Guide, 265 N.Y.S. 2d 239 (1965).

Unfortunately, the trustees of the Village of Hempstead are not unique in having exercised their power in defiance of a show of force by a minority group which immediately saw discrimination in an official action that happened to affect them adversely. Last year, Philadelphia city officials acted from similar motives when they banned blackface from the Mummer’s Day Parade. Whenever government officials act purely out of deference to the demands of a vociferous and threatening minority group, they betray the unprotesting majority who are entitled to expect that their leaders will perform all official acts in accordance with what is good for the whole citizenry.

Municipal authorities faced with these situations are naturally and legitimately concerned with the safety of the public and of the property of private citizens. In fact, in some cases, where only a relatively minor interest is attacked, the proper course may be to sacrifice such interests in order to preserve peace. (The Mummers’ Parade case may be an example of such a situation). In most cases, the proper course is to ignore the show of force and act in accordance with the official duty to the community absent the possibility of demonstrations. This course of action should not be confined to cases, like Village of Hempstead, where access to the minority group’s demands means sacrifice of someone else’s constitutional rights. For public officials are bound to consider not only the immediate consequences of their decision in a particular case, but also the long run effect of repealed manifestations in the face of opportunities. It is obvious that the effect of such acquiescence is mob rule and near chaos.

Peaceful demonstrations are a useful and effective tool for the elimination of discriminatory situations, but they should be employed only where actual, unlawful discrimination is being committed. Municipal officials can take an important first step in confining demonstrations to their proper sphere by taking official action strictly in accordance with the official duty to the community absent the possibility of demonstrations.
From the Dean's Desk

As I See It...

By Harold Gill Reuschlein

The new semester is well under way. On the whole we are pleased with our new schedule which enables us to conclude the first semester before Christmas. However, next year we shall reduce the interval between semesters by at least a week.

Those of us who have just returned from the winter meeting of the Pennsylvania Bar Association in Pittsburgh are most grateful to our Pittsburgh alumni, Frank O'Hara and Alan C. Kaufman '64, for arranging a fine Villanova Law Luncheon. Reunion at the "Top of the Tower" was most pleasant.

Though the exact date is not yet certain, the annual Alumni Dinner will be held at Garey Hall in late February. Clark Hodgson '64 and Alan C. Kaufman '64 are co-chairmen for the dinner. Last year's dinner was a colossal success. Watch for the date!

Saturday, March 26, will see Garey Hall hum with the final argument in the H. C. Appellate Moot Court Competition. The distinguished bench will be graced by Chief Judge Charles A. Schaeffer, LL.D. '61, of the Court of Appeals of New York as the Chief Justice. His associates will be Justice Robert L. Dobson, Supreme Court of Pennsylvania and Judge Austin L. Staley of the United States Court of Appeals, Third Circuit.

Congratulations are in order for James W. Schwartz '58, newly elected president of the Villanova Law Alumni, and to all who serve with him as new officers of the Villanova Law Alumni Association.

Very shortly the 1965 edition of the Law Alumni Directory should be in your hands. This is the first printing of a completely new directory since our first directory was issued in 1960. For the painstaking and patient effort which produced the new edition, I am especially grateful to Joseph A. Walheim '61, Vice Dean George D. Bruch, and my secretary, Miss Lindsay.

Very soon, Jim Schwartz will be selecting the Annual Giving Chairs for our 1966 Campaign. We want very much to begin our campaign much earlier this year. As a matter of fact, we hope to launch the campaign in February rather than in April. The final results of last year's campaign are now tabulated.

We had been making a habit of announcing that 82% of our alumni contributed. This was true for three years, 1962, 1963 and 1964. Last year, 1965, a record 84% of our law alumni contributed. For this achievement our hat is off to Bill O'Kane '62. But the campaign dragged through the summer months and this we hope to avoid by beginning our 1966 Campaign in February.

This academic year will be a year of decision for those of us who guide the destinies of Villanova's School of Law. We are committed to a student body which would, at minimum, be 350 and, at maximum, 400. This will require the immediate construction of a modest addition to Garey Hall. Unless such an addition is completed within the next two or three years, we shall have to cut back the size of entering classes drastically.

More and more, we discover that we could attract many out of state students and students from central and western Pennsylvania if we could provide a place for them to live. As a matter of fact, with the competitive position as it is, our lifeblood is more and more likely to be an increasing percentage of out-of-state students. Our law school residence facilities are almost inadequate — if the School of Law is to go forward. Fortunately federal funds are available by way of favorable loans for residence construction and there is the likelihood of a partial grant for an addition to the Law School. Our alumni are too few in numbers and too young in years to pay for needed buildings — but for whatever you, our alumni, can do, particularly to interest others — we shall be calling upon you and counting upon you. And now may we all have a happy and blessed 1966.

Events Calendar Is Added Feature

In order to acquaint our readers with events occurring at Villanova School of Law, the Docket has added a Calendar of Events as one of its permanent features. You will find the Calendar of Events will provide a quick reference for you and will stimulate your interest!

Order of the Coif Holds Annual Dinner

The Villanova Chapter of the Order of the Coif held its annual dinner and meeting on Friday, October 22, 1965 at Garey Hall. Dean Reuschlein opened the meeting with a few remarks followed by the reports of the officers who are William E. Moott, '59, president; Michael R. Brandly '63, vice-president; and Robert L. Dobson, secretary.

The members elected from the class of 1965 were then installed. They were Robert L. Dobson, Jack J. Bernstein, Joseph F. Bursac, William B. Frelich, James L. M. Hogan, Robert M. Schwartz and Thomas M. Twardowski.

The topic for this year was presented by Samuel Morse Law School and Associates as the focus of the night.

The Reverend John M. Driscoll, O.S.A., vice-president for Academic Affairs of Villanova University and Mr. Lane were the guests at the affair.

Dean Continues Leas for Seniors

Mrs. Harold Gill Reuschlein has been issuing invitations for Sunday afternoon teas to members of Villanova School of Law classes whose names are on the roll. Each year the guest is chosen from the size of the third year class, the second year class invites small groups each Sunday.

Those members of the third year class who have been invited have thus far have enjoyed the hospitality of the dean and his wife. Two of the alumni who were also invited were Mr. Lane, who lives in New York, and Mr. Lane was the guest at the affair.

The Coif lecture for this year was presented by Samuel Morse Law School and Associates as the focus of the night.

Six from Villanova Attend Institute

Six members of the faculty and student body of Villanova School of Law attended the annual meeting of the Association of American Law Schools.

In attendance at the meeting held in Los Angeles, Calif., were: Dean Harold G. Reuschlein, Assistant Dean George D. Bruch, Gerald A.ものの, William O'Brien and John G. Stephenson.

In conjunction with the meeting was the annual meeting of the Association of American Law Schools held in Los Angeles, Calif., which was attended by Jane L. Hammond.

Dean Reuschlein presided at the Round Table on Jurisprudence in his capacity as Chairman of the Round Table Council.

The views expressed by the Editors or Staff of this newspaper do not necessarily represent those of the Villanova School of Law or Villanova University.

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VILLANOVA LAW REVIEW

FEBRUARY, 1966

Portrait of Professor John Stephenson Is Presented to Law School by Class of 1965

The portrait of Professor John Stevenson which was placed in the main corridor of Garey Hall last September, was presented as a gift to the Law School by the Class of 1965. The portrait was painted by Mr. Joseph Essig, a well-known portrait artist who has done portraits of such notables as President Dwight D. Eisenhower and other members of the Union League in Philadelphia.

Professor Stephenson was chosen as the subject of the class gift in recognition of his long service to the Law School. As he is the only faculty member, besides Dean Reuschlein, who has been at the Law School since its inception in 1956. When asked how he first learned that the Class of 1965 had chosen him for this honor, Professor Stephenson said that he was given a hint after having remarried to Dean Reuschlein that he was beginning to feel like a "piece of furniture around here" because of his tenure at Villanova.

The Dean knowingly forewarned Professor Stephenson that the Senior Class was about to "make" him a piece of the furniture. It was shortly after this occurrence that the representatives of the Class of 1965 visited Professer Stephenson with their proposal, which he gratefully accepted.

Professor Stephenson related that the portrait took approximately six months to complete, but most of that time was spent in preliminary work done by Mr. Essig from photographs and sketches made earlier of his subject. During the final weeks, as the finishing touches were being completed, Professor Stephenson sat for Mr. Essig at his studio. He said that it was a great pleasure to watch the artist at work. But, Professor Stephenson emphasized that as he observed the likeness of himself take final shape, he began to experience the "odd sensation of watching someone chisel my tombstone."

However, in reflecting on the entire experience, Professor Stephenson humbly admitted that, "The portrait is an honor for which I shall always be truly appreciative, and reconciliations between Jewish and Christian faiths.

The law students were led by a line play characterized their defense.
Two New Faculty Members Bring Varied Backgrounds, Ideas to Villanova

John Stuart Carnes, a recognized authority in the field of eminent domain in the Commonwealth of Pennsylvania, is one of the many assets recently acquired by the Villanova University School of Law.

Carnes, Frankino Join Law Faculty

Steven Frankino comes to Villanova with a distinguished academic background. Born in Butte, Montana, he emigrated to Washington, D.C., to attend the Catholic University of America as an archdiocesan fellow. While there, Chicago where he taught Legal Writing and Moot Court. During this time he completed his course work for a Master's Degree in Law specializing in International Law and Comparative Law.

From 1963 to 1965 he was Assistant Professor at Catholic University where he taught Contracts, Commercial Transactions, International Business, Conflicts of Law, and International Law. He was also the faculty editor of the Catholic University Law Review and Most Court Advisor and moderator of Gamma Eta Gamma Legal Fraternity.

At Villanova he is presently teaching Conflicts of Law, International Law, and Torts. He and his wife, Rosemarie, are expecting their first child sometime in June.

For the past two summers, Professor Frankino has been engaged in legal work and research in Europe. He is presently a member of the District of Columbia Bar and the Experts' Committee for the World Role of Law Committee in Washington.

UPCOMING EVENTS

February
4 Friday—Law Forum, Paul Goodman; "De Facto Corporations, People or Automations," Garey Hall, P.M.
8 Tuesday—Semi-Final Round—Reimel Moot Court Competition, Garey Hall, 8:00 P.M.
March
4 Friday—Law Forum, Professor James H. McFadzien, Purdue University; "The Pennsylvania Inheritance Tax Dispute," Garey Hall, 8:00 P.M.
12 Saturday—Student Bar Association Dinner Dance, P.M.

June
26 Saturday—Final Round, Reimel Moot Court Competition, Garey Hall, 2 P.M.

April
1 Friday—Law Forum, Professor Kenneth B. Clark, City University of New York; "Sociology and the Law—Conflict or Compromise," Garey Hall, 8:00 P.M.
2 Saturday—Law Review Dinner
16 Saturday—Program: "Free Press and Fair Trial." Discussions to be held all day at Garey Hall. Discussion, Garey Hall, 8:00 P.M.
22 Friday—Consultants' Day of Visitaton, Garey Hall.

May
15 Sunday—Class Day
16 GRADUATION.
A.L.S.A. Defined

Often students ask, "what is this American Law Student Association?" and the answers vary considerably. The following is a dialogue that appeared in the University of Connecticut School of Law newspaper. Perhaps it will help to answer some of your questions concerning the Association. I was not sure at the time of my election to the Third Circuit Vice Presidency what the function of it was. This article helped me. It is with the kind permission of the Editors of the University of Connecticut School of Law newspaper to reproduce it.*

Application blanks for those interested students are available in the Student Bar office.

PAUL X. McMINNAMAN
President, Student Bar Assoc.

What Is ALSA?

Conversing in the cafe between Lomax Zerox, Max, boy law student (hereinafter "X") and Tony Llewelyn Sylvester Adams (hereinafter "Al").

Al: How about joining ALSA?

X: What does she look like?

Al: I'll explain it to you . . .

X: O.K.—as long as you're buying the coffee.

Al: To start with, ALSA is a national organization composed of 128 Law Schools representing about 35,000 students. It is sponsored by the American Bar Association.

X: Who belongs to it?

Al: Membership is available to any law student so long as they first join their school's Student Bar Association.

X: Aren't we all members of the SBA here at UCONN?

Al: Yes—some schools, however, have individual memberships to the ALSA.

X: How much does it cost to join ALSA?

Al: Two dollars a year.

X: Where can I get an application blank?

Al: Down the hall at the SBA bookstore. You have to admit, two dollars isn't much of a strain on the budget—is it?

X: I thought I was supposed to ask the questions.

Al: O.K. Go ahead.

X: What do I get for my two dollars?

Al: You can say you belong to ALSA.

X: Besides that?

Al: Well, there are quite a few things. First, you get a year's subscription to the Student Lawyer Journal, ALSA's bi-monthly publication . . .

X: Don't I get that already?

Al: No. ALSA sends all law students a complimentary issue of the Journal at the beginning of the school year. After that you must be an individual member to receive it.

X: What else do I get?

Al: ALSA holds two conferences a year. Any member can attend and participate in these. They are geared to development of professional thinking at a pre-professional level and are attended by students from many other Law Schools.

X: So far so good—I like to go to conventions.

Al: Also, ALSA sends out a series of pamphlets which deal with subjects of interest to Law Students.

X: Such as?

Al: Well, for example, they distribute booklets dealing with how to take a Bar exam, how to write law school exams, placement, research, tips on partnership, corporate practices—just about anything dealing with law.

X: Some of those pamphlets deal with actual practice—are they any good?

Al: I dunno, I'm not a lawyer.

X: What else does ALSA do?

Al: They have an extremely attractive Life Insurance Policy geared to the needs and resources of law students. It is a term convertible policy which offers all the regular features at prices that students can afford.

X: Sounds good—anything else?

Al: One of ALSA's most important functions is the administration of the Fund for Legal Education. This program is a loan fund which allocates, on a revolving basis, money which students can borrow to finish school. Rates are generally competitive with other resources, and repayment is delayed until the student is established in practice.

Basketball League Commenced by Club Council; New Winter Sports Addition Receives Support

The new basketball league discussion at the Interclub Council was overwhelmingly welcomed by the Law School. The School for the second time in the immediate future.

The tentative starting date is Friday, January 29, with tip-off time chosen is 12 noon to 2 p.m. Since this will conflict with Federal Court, many of the students will not be able to participate; however, this was one of the few time periods available to the law school due to the heavy scheduling of other groups at Alumni Hall where the game will be played.

The teams, consisting of about ten players each, will not be arranged by clubs due to the uneven number of players signing from each club. Five substitution will be permitted. The method of choosing teams has not been decided upon at this time. However, college basketball rules will be applied whenever possible including the no time limitation shooting rule. There will be foul shooting in accordance with college basketball rules. If most students who have signed are still interested in playing, there will be about six teams.

There are those who ask whether a basketball league should be so closely knitted with a law school curriculum. The answer to this is three-fold. First, it is important to be in shape physically, as well as mentally. Secondly, sports, especially basketball, teach something that is not present in the law school curriculum—teamwork. Thirdly, basketball helps relieve the tensions that accumulate during the school week.

In the past, we have had a very successful football league, in which the different law clubs loosely compete to see which one has the best football team. Unfortunately, the football league ends in October. The proposed basketball league will begin at the end of football and summer vacation.

In order to give our full support to the basketball league and make it as successful as the football league has been.

Dowd Speaks to Police on Arrest Process, Problems

On October 19, 1965, Professor Donald W. Dowd spoke to the Newport News police on the subject of Professional Police Officers. He spoke on the problem of discretion in the arrest process, promulgation of arrest or arrest discretion. The association is made up of police officers who have attained the rank of captain or higher.

On October 26th, Professor Donald W. Dowd spoke to the staff of the State Judicial Conference seminar on sentencing. The seminar was for articles in the Student Lawyer Journal—so you probably know, they are about the same as Law Review comments. The organization also has regional and national officers who work with 14 standing national committees. All those people are drawn from the membership-at-large.

X: I'm convinced.

Al: Good—I just happen to have aicc (Continued)

The opportunity of bringing one of the House into office if he wins and would also provide the electorate with the desirable opportunity to either register its approval or dissent of the administration at mid-term.

Which of these three plans, if any, will eventually be adopted remains to be seen; but, in the next few months, we can expect full discussion and debate on this subject. President Johnson has made the first move towards extending the present two year term. It is now up to Congress to move forward on this issue by removing it from the political limbs of a congressional committee, by studying the pros and cons, the alternate plans for the time of the elections, the political reasons and consequences of change, and finally, by rendering a judgment on the merits that will best enable the members of the House of Representatives to effectively represent the will of the people in Congress.