The Docket, Issue 2, February 1975

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SBA MIDYEAR REPORT

by Barry Gross

President .................. Barry Gross
Vice President ............ Fran McGowen
Secretary .................. Carl Vinlar
Treasurer .................. Lynne Rubin

Third Year Representatives
Hank Pedicone  Jack Tucci  Mark Schultz

Second Year Representatives
Vincent DiMonte  Sharon Gratch

First Year Representatives
Charles McClafferty

Ellen Wharton (At large)

Faculty Advisor ............ Professor Waish

This is the first year that the Student Bar Association has operated under its new constitution which was ratified by the student body last March. There are two major differences between the old and the new constitution. The membership of the Executive Board of the S.B.A. has been increased from 12 to 13 members with the addition of a first year representative to be elected at-large by the first year class. There is also now a veto power by the student body of any Executive Board decision by the use of a referendum provided for in the new constitution.

The SBA began the year by sponsoring the Annual Orientation Program, under the able leadership of Vice President McGowen. This again proved to be a highly successful avenue for the first year students to become acquainted with the academic, athletic, and social aspects of the Law School.

As in past years, the Student Bar Association not only sponsors and conducts a variety of academic and social functions on its own, but also provides financial grants and other support to virtually all of the student organizations in the school. This year's SBA budget totaling $6,250 is nearly double the budget of last year. The additional $3,000 provided for in this year's budget was secured from the university budget itself. There will not be any further student billing. The Ad hoc Committee on fees under the vigorous leadership of Jack Tucci along with the full-fledged support of Dean O'Brien was able to get money for SBA activities from the university's general

SBA Grants to Other Student Organizations:

<table>
<thead>
<tr>
<th>Organization</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Law Student Division'of the A.B.A.</td>
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<tr>
<td>Inter Club Council</td>
<td>200</td>
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<tr>
<td>National Lawyer's Guild</td>
<td>250</td>
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<tr>
<td>Community Legal Services</td>
<td>490</td>
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<tr>
<td>Muncy Prison Law Project</td>
<td>271</td>
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<td>Black American Law Student Association</td>
<td>391</td>
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<td>Rugby Team</td>
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<td>Women's Law Association</td>
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<tr>
<td>Total</td>
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SBA Programs

<table>
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<th>Amount</th>
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<td>Symposium</td>
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<td>T.G.I.F. Parties</td>
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<tr>
<td>Coffee Houses</td>
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<tr>
<td>Dinner Dance</td>
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<td>Mixers</td>
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<td>Movies</td>
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<tr>
<td>Year End Reserve</td>
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<tr>
<td>Total</td>
<td>$3,235</td>
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Total Amount

| SBA Treasury                    | $6,250 |
| Grants                          | 2,733  |
| SBA Programs                    | 3,517  |
| To be Appropriated              | $282   |

The SBA sponsored the second annual law school tennis tournament won for the second year in a row by Barney Noble. The SBA has also made available to the student body a wide collection of study aids including Gilberts, Legal lines, West Horn books and West Nutshell books through its bookstore run by a Student Franchise.

Next semester the SBA will continue its social program with mixers, coffeehouses, the Dinner Dance and more TGIF parties. A movie series under the direction of Marc Weingarten will offer a new type of social activity to the student body. The SBA will also hold its annual symposium, in late March.

One of the main projects of the SBA for the Spring Semester will be the continued work of the Conference Committee headed by Sharon Gratch and Fran McGowen.

Continued to page 3

WOMEN’S ASSOCIATION

At the meeting of the Steering Committee held on Tuesday, November 26, the Women's Association discussed the activities planned for the coming semester. Although these arrangements are tentative at present, the Committee hopes to have firm commitments made by Christmas.

A large part of the program involves the continuation of the discussion series which was instituted this semester with the W.O.A.R. rape discussion. This event drew a substantial number of students and proved to be greatly interesting, thus the program is being extended. Three discussions are planned for next semester.

The first to be held in January, shall deal with insurance and credit for women. Not only will the participants explain the discrimination encountered by women in attempting to obtain either insurance or credit, but also will attempt to discover what lawyers can do to alleviate the problem. The group hopes to include a prominent women lawyer who is knowledgeable in this field in their discussion.

The second presentation, tentatively scheduled for February, pertains to financial responsibility and management for women. An explanation of the economic picture will be offered in an effort to encourage more women to invest in various markets which are traditionally entered into by men. This discussion is expected to relate to the financial conditions of both single and married women.

Continued to page 5

IN THE BEGINNING

PART I

John Haiebian

Beginning in the 1920's, thoughts of establishing a law school at Villanova University were first discussed, but since the Bishops of the United States and the Trustees of the Catholic University in Washington had either requested or mandated that no Catholic University or College should open such a professional school until the University was well established, the plan was dropped.

In 1953, the Augustinian college of Villanova became a University and a law school was established. The founding of the law school was the culmination of intricate planning that was initiated towards the end of 1951. The President of Villanova at that time, Reverend Francis X. McGuire, D.S.A., formed a group of eminent lawyers and judges from the Philadelphia area to advise him during the planning. Moreover, this group emerged as the "Board of Consultants" of the present law school.

The goal was to incorporate the first full-time school of law under Catholic auspices in the State of Pennsylvania, which would "strive for the optimum requirements of legal education."

The search for a dean was commenced. Although the first few prospects were not...
SKEPTIC TANK

"Faculty Faculties"
Jane Siegel

Did you ever wander into a classroom, after thoroughly studying an assignment the night before, sit down, listen to the professor’s discussion and wonder if you and The Man were talking about the same law? Did you ever watch a professor turn moldy, bad-joke-encrusted pages of lecture notes and follow along with him in a copy of last year’s class notes—word for word? Did you ever hear that guilty, gasp-indigestion feeling before you went into a whole lecture that the professor knew exactly what was happening, but somehow the link was missing between his mind and his mouth? Worse yet, have you had that gnawing, traitorous suspicion that some very fine lawyers are not the greatest teachers? And finally—to be answered only by people who do NOT hear voices and think people are following them—did you ever have the fear that even if something could be done about any of the above situations, the “Faculty” would find out about it and you would be ‘rubbed out’ in the final exam or the Don would make you an offer you couldn’t refuse?

The preceding questions are not for purposes of being classified as a subversive nor will affirmative answers be used against anyone upon application for admission to the Bar. As a matter of fact, some of these very complaints are frequently kicked about in bars. The issue is what can be done about teaching inaptitude right now, right at the source of the problem—in the horse’s mouth, so to speak.

But before all of the following is dismissed as mudslinging and/or lunatic fringe, perhaps the facts need to be delineated more precisely. There is no institutional nor any fancy basis to the grievances; just a simple truism: In the law school context, to be a student of the law requires a teacher of law. In order to become the best lawyer possible, the highest quality education obtainable is a critical factor. Other than changing law schools, it is up to the students and faculty to work together to see that the “ability to teach” and the desire to teach (assuming the ability) are not only present in each and every new and tenured professor, but that “the tools of the trade” are kept sharp.

There are some presently existing channels to express criticism and have an impact on the quality of our legal education. Students must use them or shut-up! New channels must also be developed. Professors need to take advantage of the opportunities offered to learn improved teaching techniques or go back to private practice. There are two caveats that are necessary before any grading campaigns are launched. One, the ability to teach the law (or any other subject) is very different from an individual’s ability to understand and practice law. A weak teacher is not necessarily an incompe-tent lawyer. But this is a school and not a law pro and teaching skills are primary. Second, personalities can’t really be changed. If a student is not learning because she or he doesn’t like the professor’s personality or simply doesn’t bother to prepare, then that student ought just call it a day. But the desire to learn is at least as important as the ability to teach in the process of education.

There are several affirmative actions students can take to improve the quality of education. First, there is a new tenure system in operation. For the first time the tenured faculty has a voice in the recommendation process. By voting for this procedure the faculty now has an opportunity to con-sider “the ability to teach” as a quality necessary for tenure. But how do the other professors know? Tah, tah, tah... students to the rescue. What better source of info about the crime than the victims? All those little white course evaluation forms from the SBA have to be filled out responsibly by every student. The summa of those forms is distributed by the SBA to EVERY faculty member. That means that if Profes-sor Superannuated takes his own stack and does with them what he does with everything else—trashes them; he’s still not safe. Every other faculty member knows that 95% of his students rated him, on a scale of 1 to 5, as a negative 3. Faculty cannot only exert informal pressures and offer help, but can withhold recommendation for tenure while he cleans up his act. Even worse, the professor is al-ready tenured, if he has any kind of self-image at all, the whole thing becomes rather personally embarrassing. And remember, the Dean sees the summaries too and he is instrumental in determining what professor teaches what course. But all of this hinges on a statistically significant number of victims filling out the SBA forms. If only 12 out of 80 fill the form out, its too easy for Profes-sor Pompous to say, “Well, just the border-line crazies that don’t like my terrific sor Pompous to say, “Well, just the border-line crazies that don’t like my terrific”.

In connection with the new tenure system there is another opening for grassroots student input. (Are you listening, SBA?) The Rank and File Committee (better known as the Rank and Tenure Committee) headed by Prof. Gerald Abraham, has not yet set up formal guidelines or procedures for deter-mining what and how the faculty should consider in recommending tenure. Student suggested standards, as submitted by the SBA could be of critical importance at this stage of policy formulation. If the SBA could possibly put this on their docket of things to do, right after money for rugby balls, that ‘still small voice’ could be effectively heard.

However, since the students are known to carry minor biases when evaluating faculty, why can’t the Rank and Tenure Committee, itself, the year before tenure is considered for a new professor, periodically observe his classes? Not just the “baddies” but all the “yearling” profs should be observed. And since age can make one senile just as easily as it can make one wiser, tenured professors should not be immunized from constructive criticism by virtue of their gray hairs. Maybe it should ‘all just hang out’ and the course evaluation forms should be oral, with the prof present to explain his objective and hear comments. The idea is not meant to be a Salem warlock trial, but it does lessen the possibility that the written form will simply go from the little cardboard box in the hall-way to the big cardboard box by the inciner-ator without ever passing before Professor Blunder’s big brown eyes.

And lest the students think the faculty is totally blind to criticism and unaware of their own deficiencies, there is the all new self-help remedy already in operation—“The Teaching Effectiveness Program.” This pro-ject is for faculty members and weekly presents demonstrations, lectures and movies on teaching techniques. Articles are recommended and discussion covers wheter it is like to learn under various teaching approaches. The lecturers and the movies and the articles are done by nationally renowned teachers of law so that one need not worry that it is purely a case of the blind leading the blind. And since a spoonful of sugar helps the medicine go down, any suggestions or questions on this program should be addressed to Prof. Thomas McNamara... “Dear Prof. McNamara, please make the Teaching Effectiveness Program mandatory instead of vol-untary. Why should Prof. Torpid, whose major teaching problem is that he doesn’t care anymore, escape the benefit of the program because he is too lazy to even look at himself and see that he needs it?”

Finally, a few more action-packed suggestions are in order. The school has just pur-chased an automatic video tape machine. This could be set up in the rear of a class-room and instead of just the Rank and Tenure Committee-viewing professors, the individual could, if he can stand it, later go see himself as others do. Additionally profes-sors should not teach the same course more than say five years. This would preclude Prof. Moldy, who has been teaching the Continued to page 7

ABA ANNUAL MEETING

Graduates, faculty members and students planning to attend the American Bar Association Annual Meeting in Montreal, Canada (August 7-14, 1975), are requested to notify John T. Bradley, Class of 1973, Washington Plaza, Apt. 105, 1420 Centre Avenue, Pitts­burgh, Pa., 15219. If a sufficient number of people will be attending the meeting, an attempt will be made to arrange a dinner.

THE VILLANOVA DOCKET

Published four times a year in Octo­ber, December, February and April at Villanova University School of Law, Villanova, Pennsylvania 19085 by the students of the Law School, for the friends, Alumni and students of the Law School.

The submission of articles and information is welcomed and encour-aged.

Editor in Chief ...............Jack Tucci
Associate Editor ...............Jane Siegel
Sports Editor ..................Bill Walters


Photo credits: Frank Saschin and John Reed.
CURRICULUM PLANS DISCUSSED

by Sharon Gratch

A small breakthrough in establishing open channels of communications between student and faculty members of the Law School occurred at the recent open curriculum committee meeting. The most controversial subject of discussion was student dissatisfaction with the sectioning of Constitutional Law II. Nearly 200 students had registered to take the course with Professor Dowd. In order to reduce the class to more manageable proportions without eliminating 46 people, the course was sectioned between Professor Dowd (B) and Professor Valente (A). Ungrateful though it may seem, students in Section A greeted this arrangement with consternation because they were slated to be denied the teacher of their choice. At the meeting, students had an opportunity to express their frustration. Basically, at issue was a very natural desire to control one's own education. Students were angry that even the limited freedom of choice which can currently be exercised over curriculum is subject to ex post facto curtailment. A people raised against the capricious nature of the assignment of teachers. The faculty advanced the rationale that having one professor teach the same section both semesters was justified by a newly aroused interest in continuity. The responsiveness of this reasoning was exposed by Section B people who have Professor Walsh for Con. Law I and Professor Dowd for Con. Law II. The outcome of the meeting was a compromise. All third year students who waited until this year to take Con. Law II in order to have Professor Dowd are permitted to switch into his section. However, no second year students will be allowed to switch, nor will third year students in B be able to take Professor Valente. While it is comforting to know that some students, at least, will be getting their choice of teachers, there is no justifiable basis for this discriminatory treatment. The obvious solution to the scheduling snafu was suggested several times at the meeting—let students choose which section to take. Since it was a unique problem, it called for an equitable solution. It would have been a small concession to make but one which would have gratified 196 people. The arguments against freedom of choice were administrative hassle and the stare decisis effect. But the issue involved one course in an unprecedented situation so neither answer was satisfactory. There does not appear to be any logical reason why an exception to the system could not have been made in this one case. Perhaps the decision to stand firm can be traced to a proclivity to adhere to precedent. The argument against freedom of choice was a clear indication that our women students possess the requisite academic and personal credentials and should be encouraged to apply in the future. Assistant Dean Weiser does not yet have information on this year's application procedure but will put up a notice as soon as she receives any information.

SBA MIDYEAR REPORT

Continued from page 1

Committee was active in the fall semester with the aid of Dean O'Brien in laying the groundwork for an investigation of both the food service and the nature of the cafeteria facility itself. The SBA is also planning to concentrate on further developing the Faculty Course Evaluation Program to both aid the student directly, and to get it put into the faculty tenure decisions.

The SBA will continue to be of service to the student body. However, as in the past, the SBA can only be successful if the student body is willing to participate in its activities and decision making. The SBA meets every Monday at 5 p.m. in Room 13A. All meetings are public and student attendance is encouraged. The representatives you elected will, as in the past, continually come before you to ask for your suggestions. They are called "representatives to represent you. Thus, if you have any complaints or suggestions tell them or come directly to an SBA meeting. It is your duty to make your complaint or suggestion known; it is ours to correct or implement; only if you participate fully in your SBA will the Executive Board be able to perform its function.

Sincerely,
Barry Gross
President

Regina David, presently a second year student was last years recipient of a $1,500 fellowship from the American Business Women's Association. More specifically, Ms. David was the recipient of the Founder's Scholarship which is granted every five years to a woman in a designated field of study which women have not traditionally entered, such as law, dentistry and veterinary medicine. The recipient of the Founder's Award is chosen from the whole United States. In interim years the President's Scholarship of $1,000 is made to a woman from each of the Association's regions. The application procedure for this award is less complicated than the AAUW though the applicant must submit information on financial need, academic ability as well as a biography and recommendations. The scarcity of scholarships available to professional students makes these two particularly attractive. The fact two Villanova women have qualified for these awards is a clear indication that our women students possess the requisite academic and personal credentials and should be encouraged to apply in the future. Assistant Dean Weiser does not yet have information on this year's application procedure but will put up a notice as soon as she receives any information.

SCHOLARSHIP RECIPIENTS

Randy Rosen

Two women law students were recently designated recipients of fellowships designed to aid women in pursuing their studies in traditionally male-dominated fields. Janet Scovill, a third year student, is one of 80 women out of 867 applicants who received a fellowship from the American Association of University Women. (AAUW) this organization annually award approximately 100 fellowships to doctoral or post-doctoral candidates or to women completing their final year of professional training. As the association states, "Emphasis is placed on the capability and qualifications of the applicant, the significance of her project as a contribution to knowledge and her potential as a scholar." The award is in the form of a stipend to be used as the recipient desires. Aside from academic and personal qualifications the awards are made on the basis of financial need; this year the maximum award was $6,000. The application procedure for this fellowship is quite involved and requires detailed financial information about the applicant as well as biographical and academic background.

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SOME REFLECTIONS ON PAKISTAN AND ITS CRIMINAL AND CONSTITUTIONAL LAWS

by Professor Donald Dowd

Pakistan is a relatively small country, but within it there is a startling variety of climate, peoples and geographic characteristics. In the extreme northeast the traveler may visit mountain passes surrounded by cold, threatening peaks of more than 25,000 feet and inhabited by blue-eyed, rosy-cheeked mountaineers. He may visit the intensely hot deserts of the Sind, the lush river land of the Punjab, the wild west-like atmosphere of the northwest frontier or a thriving semi-tropical seaport metropolis—all within an area which would not fill the United States.

But what I found most fascinating was that one could travel through time as well as space. In some villages life goes on very much as it did 5,000 years ago—mud houses, simple agricultural implements, the dress that could have been seen in prehistoric Mohenjo-Daro. At another place one could easily be in the Baghdad of Harun-al-Rashid—the noise, the confusion, the markets, the variety of costumes and animals (except for the occasional incongruous presence of a truck or a car) seem to convey all the sights and sounds of a vital, middle eastern city of the 8th or 9th century. In another city, such as Lahore, filled with horse carriages, British colonial architecture, and superb remains of its Moghul past, one could easily feel that one was in 19th century British India. Isamablad in its stark, geometric rawness gives a not too reassuring picture of perhaps the 21st century.

Although fascinating I shall not discuss further the startling features and evocative qualities but rather pass on to a more prosaic consideration of the legal system which is in operation in that country.

The purpose of my visit to Pakistan was to consider, as part of a study group of different disciplines, possible problems of its legal system and the potential for "modernization." Any evaluation of the law, however, cannot be separated from the people and the land where it is operative and as we think about the law, we should also have in mind the desolate mountains, the deserts, the over-populated cities and the strange mixture of past, present and future.

It would seem difficult for any legal system to operate uniformly well in a country so varied in space and time. It may be surprising that the code of criminal law and criminal procedure still in operation in Pakistan is the mid-19th century code developed by Macaulay and the law commissioners for British India which in turn was based in part on Livingston's code for Louisiana. Twenty years after Pakistan's independence from England I saw no sign of general dissatisfaction with the code, no indication of any attempts to amend or reform it, and indeed a certain reverence for it. In the course of a short visit one can come to no profound or perhaps even satisfactory preliminary conclusion, but I talked with an extraordinary variety of judges, practitioners, scholars and law students and as far as the criminal law is concerned there was no expression of even an interest in supplanting the "colonial" law by any other system, although several other sources of law might seem more fitting.

Pakistan is almost entirely Muslim. Of all the religions in the world Islam is perhaps one of the most eclectic and superb remains of its Moghul past, one eastern city of the 8th or 9th century. In different disciplines, possible problems of its constitution is its open avowal of socialist philosophy. The present Prime Minister is a pragmatic socialist. In some areas of economics there has been a movement towards nationalization and recently there is a new, more modern law labor law. Nevertheless, even among the most leftist lawyers I spoke to suggested that the criminal law ought to be modified along "socialist" models. Although there is great admiration for China and the Chinese accomplishment, although politically feared, respect for the Russian socialist experiment, any borrowing from these countries has been strictly in the area of economics and social planning, and not at all in the area of their approaches to the criminal law.

In a way, it would seem that since I heard no complaints there was no problem of modernizing criminal law in Pakistan. Yet I am somewhat uneasy about this conclusion. Behind the apparent unanimity of opinion is the fact that this opinion is still necessarily only that of those who are educated, are familiar with English and are familiar with the inherited wisdom. A subtle and difficult problem in Pakistan is presented by the fact of the use of English as the official language of the educated while the vast majority are either unfamiliar or imperfectly familiar with it. This lead not only to a class distinction but a psychological dissociation between a small literate English-speaking elite and the rest of the citizens. In one sense it would seem that having English as the lingua franca for the country, a language which is not only understood within the country but throughout the whole world is a great advantage for a developing state. In science, letters, diplomacy and international law it would seem highly desirable to have an educated class which can communicate easily and freely with colleagues throughout the world. The cost, however, in terms of perpetuating such an extreme example of Disraeli's "two nations" may be too great.

The same problem exists in the law. It certainly impressed me as I was discussing the law with the Chief Justice of the High Court of Punjab that we spoke in the same language and understood each other and shared the same legal heritage. Yet, watching a trial in Lahore, listening to the confused, fast recorded in English, listening to the judges and lawyers talking one language while witnesses talked another and feeling a generational sense of bewilderment on the part of all except the counsel and the judge made me wonder if a system so alien to so many could really work very well. I also wondered whether a legal code evaluating human behavior based on a rationalist conception of man held in England in the 19th century could provide an adequate basis for evaluating conduct of the majority of people in a country such as Pakistan today. It is certainly presumptuous of me to say, after a two-month visit, to say there is a problem that those who are in the system do not appreciate. But I merely suggest that a more detailed and careful study of the actual operation of the law might uncover weaknesses in the law which we might otherwise think were its merits.

If the legal system for the law might uncover weaknesses in the law which we might otherwise think were its merits, few felt that there was any possibility of returning to the simpler more direct criminal justice system administered by local leaders in rural areas.

A rather startling aspect of Pakistan's new constitution is its open avowal of socialist philosophy. The present Prime Minister is a
and the division of the country between West Pakistan and what is now Bangladesh. I shall only briefly comment on the constitution from the point of view of its political structure, but I shall emphasize those facets that would be of interest to an American lawyer. The new constitution established a parliamentary system with a titular president and relatively strong prime minister. It provides for a federal republic. It sets up a central administration and establishes parallel administrations for the provinces. There was some comment on how the constitution in spite of its form has effectively facilitated a dominance by the Prime Minister and central government and that the local governments do not provide as they do in the United States a basis of independent political organization. In fact, in the last year the Prime Minister effectively removed opposition party leadership in both Baluchistan and the Northwest Frontier Province and the party of the Prime Minister is now dominant throughout the country. Some critics also say that the constitution makes it too difficult to unseat a prime minister since this cannot be done without an alternative prime minister suggested at the time of a vote of no confidence. Since the opponents of the regime say that it is impossible to offer such a shadow government, in effect Pakistan has a presidential system without the usual presidential responsibilities. Also a temporary provision in the constitution prohibits for a period of time those who are on a party from voting against that party and therefore there is little likelihood of the Prime Minister being upset by a vote of no confidence. Those favoring the constitutional provisions, however, point out that the experience with Bangladesh shows that the constitutional provisions carry a heavy price and the problem of unstable governments, such as in Italy, had to be avoided.

From a legal point of view the provisions that are most interesting, however, are those guaranteeing human rights. Like the American constitution the material law contains provisions for a bill of rights or declaration of rights. Due to the emergency created by the war with India and the loss of Bangladesh and the continuing potential for disintegration caused by opposition in the frontier provinces, these provisions were suspended under the equivalent of a Defense of the Realm Act. The Prime Minister assured us that this was a temporary situation and, in fact, before I left Pakistan, certain provisions had already been relaxed. The opponents of the regime say, however, that there is no protection of civil rights. They assert that they have been subject to every form of physical abuse from assault to sodomy to murder, that they have been imprisoned without trial, that they have been falsely charged with crime, that some judges have dealt with them corruptly, that even when they have obtained a writ securing their freedom they have been immediately rearrested and that in general they are given neither the protection provided in the constitution. It is, of course, difficult if not impossible to assess such complaints but I can only assert that they were made by prominent attorneys and even former members of the government.

On the other hand, the Chief Justice of the High Court of Punjab said that the courts have been and are courageous in interfering with human rights, in protecting the rights even in spite of the emergency provisions. He cited the extensive and successful use of habeas corpus and the fact that in the past the Supreme Court of Pakistan went as far as holding the entire regime of a former president as unconstitutional and illegal. He admitted that there were difficulties in the nonjudicial aspects of the administration of criminal law but said that all magistrates are being brought within the authority of the court, and that the court was proud of and firm in its independence. Those supporting the government argue that with increased stability the protection of constitutional civil rights will be strengthened. The opponents say that the violation of such rights at the moment is a cause of instability and that the country cannot tolerate greater political dissent and the protection of this dissent but must restore political freedom if it is to survive.

One thing that even a casual visitor would notice is that freedom of the press as we know it does not exist. Newspapers regularly carry accounts of the suppression of the press. Newspapers and that the tone of the newspapers is anything but critical of the government. Again it is argued that an unregulated press could fire the secessionist flames and religious strife. There seems to be a certain siege mentality which would prevent the full development of freedom of speech or the press. Although this is true in many nations, the fact that Pakistan adheres to English law and Anglo-American constitutional ideas perhaps makes these restrictions of liberty seem more in congruous and indefensible than they might under another system.

Perhaps it might be appropriate to make a few observations of legal education and the legal profession in Pakistan. Pakistan, not unlike many other states, has far too many law students and far too many lawyers. The study of law comes after college as it does here. However, in Pakistan one normally finishes college at an earlier age. Legal studies are considered by most students the great hurry to go out into the working world. Law is studied primarily on the English model with set subjects and a lecture system. There are little or no innovations in the curriculum and the classes are extremely large. At the University a very small number of full-time teachers and a large number of part-time teachers share responsibility for legal instruction. Many students do not complete their course and, who do only a fraction enter the profession.

Among those who do become lawyers a great number fail to survive in practice. However, in my short stay I met many brilliant, effective lawyers and I was honored to be present at the annual meeting of the Bar Association where the interest was high and the questions intelligent. I left with the impressions that although there may be too many marginal, unsuccessful lawyers in the country, lawyers constitute a significant portion of the leadership elite. The law is to a large measure what lawyers make it. Therefore, returning to the problem of "modernization", I think any serious suggestion for change would have to come from the leading lawyers of the country. The possibility of success of such programs would depend in large part on widespread support from the Bar. I see little likelihood of any changes being either inspired or supported by the Bar and therefore prospects of "modernization" of the criminal law seem very dim.

My observations and comments are, of course, necessarily very tentative. Pakistan, its laws and legal systems are worthy of a good deal more careful study and observation. I hope this initial foray will lead to continued contact with colleagues and friends and to deeper understanding and sympathy for the vital role of the law in Pakistan's growth and development.

Professor Donald W. Dowd
Villanova School of Law
October 1974

CURRICULUM PLANS

Continued from page 3

system for self-scheduling, something we all knew and loved and took for granted in college. The committee was concerned with student opinions though not exactly galvanized to action by them. It could be that there were not enough students in attendance to impress upon the faculty how strongly we do feel about picking our own poison. The curriculum committee could be an effective vehicle for changing the one part of our law school experience that we can't ignore. So come to the next open meeting and tell the faculty what you have been telling other students all year about your classes and professors. A victory would be nicer to write about than a compromise.

WOMEN'S ASSOCIATION

Continued from page 1

In April the last forum is planned on the subject of employment opportunities for women. A panel of speakers is being arranged for this discussion. Its members will be representative of a broad spectrum of women working in different areas of the law. Generally each of these meetings will involve a formal or semi-formal presentation by the principal speaker followed by a potluck supper during which the topic may be discussed on a more casual basis.

In March, the Association plans to stage a mock rape trial. Participants will range from law school students to possibly some lawyers from the office of the district attorney. The Association hopes to make the trial as close to real life as possible and is attempting to obtain a prominent local judge to preside. The Committee hopes that this trial will be a successful activity and intends to publicize it widely next spring.

In addition to these special activities, the Women's Association will continue to hold their regular meetings on Tuesday afternoons periodically throughout the semester.

Marina Llacouras
interested in gambling on a law school which did not even exist, Fr. McGuire, who personally conducted the search, was successful in securing Harold Gill Reuschlein for the position.

In September of 1953, although the first class contained only 70 students they represented 30 colleges and universities from 6 states. The original faculty numbered six men of outstanding legal caliber. Along with Dean Reuschlein were John G. Stephenson, III, from the University of Miami law school, Arthur C. Pulling, who established the law library, Thomas J. O'Toole, John Macartney and Francis Holahan.

In March of 1954, only 7 months after the school had begun, provisional approval by the American Bar Association was obtained, with full approval coming in 1957. The first issue of the law review was to be conducted the search, was successful in securing Harold Gill Reuschlein for the position.

Arthur C. Pulling, who established the law library, was familiar with Villanova through the friendship of Reverend Francis X. McGuire, O.S.A. In 1947, Garey received an honorary degree from Villanova University. Upon his untimely death in 1953, Villanova received an enormous sum of money that eventually went towards the construction of the law school facilities which were formally dedicated in April, 1957.

At that dedication ceremony, Chief Justice of the United States Supreme Court, Earl Warren, delivered the convocation address and a United States Senator from Massachusetts, John F. Kennedy, received an honorary degree of doctor of laws.

Four years after the first entering class, the Villanova School of Law had its own facilities to allow it to pursue the goals of a legal education more effectively.

(To be Continued)

THAT CHAMPIONSHIP SEASON

M. Charles

Most observers agree that the past I.C.C. football season was a dismal success. Everyone who played or watched a game enjoyed themselves. The enthusiasm level was as high as in any other year. Problems were encountered in two other areas. First, the league this season did not have the top-to-bottom quality which was present in past years. One local philosopher has maintained that this drop in quality was caused by the increased number of non-male students. Five or two more seasons should provide enough empirical data to test the validity of this theory.

Second, and most important, the lack of adequate facilities was a hindrance throughout the year. In what could only be the result of a conscious decision-making, the Law School is given last priority when facilities are being assigned. This season the only adequate field close to the Law School was given to a group going by the name of the women's field hockey team. It seems to be forgotten that there are approximately six hundred students at Garey Hall who pay the same fees as all other students. The $60,000 in fees paid by the law students to the University should buy us more than: 1) the postage-stamp size piece of wilderness where the games were held; 2) the eight hours per week we are allocated at St. Mary's gym, and 3) two bags of lime (which were used up before the season ended. It should be a top priority of the SBA to ensure that we are not discriminated against in the assignment of facilities and that we, in fact, receive adequate facilities. The only alternative is to work for a reduction in the fees the law students pay to support undergraduate activities.

The playoffs went much as expected. In Division I, WSO (Don Mancini, et al), TMA (led by the Notre Dame Twins), and CIA (featuring Mark Sigmund, one of the top 50-1) all made the playoffs. In Division II, TMH, BLSA and CIB entered the post-season competition. After two tough elimination rounds, CIB and TMA, a real Cinderella team, became the finalists.

The championship activities took place in a driving rain storm, An exciting preliminary game was arranged by Jack Tucci. A law school team comprised of women (all who happened to be from the first year) battled a team from Rosemont to a scoreless tie. Plans are in the making for a basketball game featuring these two squads. Everyone was impressed with the spirit and talent shown by the women. All who participated are thanked. Their efforts were well received and appreciated. The first year women showed that it was possible to participate in activities outside of the classroom and library which are non-legal and fun. Hopefully, women in the other classes (particularly the second year) can make this discovery. Then they might be able to smile.

The championship game looked more like a water polo match. The scoring was held down by the nasty weather. CIB triumphed by a margin of 18-0. It was a good game and probably the best team won...
THE RUGBY SCENE

If anyone can remember back as far as the last Docket issue, they will recall that the Garey Hall ruggers (GH) had just successfully defeated Temple Medical School R.F.C. and First City Troop R.F.C. This article hopes to bring the reading public up to date with the latest activities of the rugby club and also to chronicle the past glories of the club as it swept the remainder of its fall schedule.

The next team to fall to the mighty thrashing machine of Garey Hall was Philadelphia College of Osteopathy. As was the situation throughout the season, the opposing club was much larger than GH. However, the City-Liners were never really any match for the experienced side fielded by the Law Schoolers. In fact, the game was so one-sided in its play that PCO made GH’s play look like that of the famed Barbarians.

The game was very physical. PCO has been known as a side of poor sports. They lived up to this reputation on this day. Throughout the game, small altercations broke out and ruined any continuity of play which could be established. The first half was marred by a nasty brawl centered around Ed Evans and Mike Kravitz. The trouble started when some PCO players took exception to a wayward Ed Evans forearm. The bad feelings which surfaced placed a damper on the post-game party. Only a handful of PCO players joined the festivities.

The real challenge to teaching skills is dealing with first year law students, every professor should have to teach a first year course periodically. (Note: the preceeding suggestion does not stem from any sadistic desire to subject first year students to the likes of Prof. Putrid or Prof. Mumble who only descend on second and third year students) but it might just help all concerned. And finally, remember the Dean. If a substantial group of students have a reasonable complaint about a teaching tactic—see him. The buck has to stop somewhere and if the teacher himself will not respond to rational criticism, then perhaps the Dean will.

But, most importantly, remember those SBA eval forms. Keep those cards and letters coming in.

THE RUGBY SCENE

Continued from page 2

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