

THE MAILBOX CONT'D

that they are, separated from the medical department. They only house prisoners. Attempts by the corrections officials to transfer a prisoner, who apparently has a mental condition to a mental hospital have been to no avail. There is a hangup in the medical department here. So the prisoner remains in the hold and not receiving any medical treatment or care. When the lawsuit was filed we asked for community support, but our lawyer stipulated that the masses of the community need not make their presence known in the Alexandria Federal Court. I feel reasonably sure that the medical and racial priorities showing clear discrimination and malpractice mentioned in the suit were deleted on purpose.

Even though Judge Bryan ordered the guidelines, rules and regulations to be compiled and submitted, will it have any effect on the fairness of treatment to us, the inmate, as intended? The Court ordered one thing, but what the correctional force will do is another. When we ask for community support we do not get it. Lawyers have

offered little or no legal representation and no one seems any too anxious to aid a prisoner at Lorton. Lawyers want money. We don't have money. So, most prisoners rely on "jailhouse" lawyers.

The community cries and moans about supporting our needs, but when we initially move ahead to voice and air our grievances the community has a deaf ear. The alleged prison reform activists and groups in the Washington area have done very little — only carried a banner. As a member of a prisoner self-help group known as the A.L.E.R.-T.S., Inc. which has an outside charter, we and our outside members see little concern in the community.

Maybe we should file suit and a civil action against the community, or society for failing to live up to their word. They are guilty of supporting the repression and reproaches that we succumb to daily.

NATHANIEL WRIGHT III
Lorton Reformatory
Lorton, Virginia 22079



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Antioch's fading promise

STEVE EARLY

(The author transferred from Antioch to Catholic after one year of law school.)

IN September 1972 a new law school opened in Washington amidst national publicity and fanfare in the local press. It was heralded as an "activist law school," an innovative and experimental institution committed to the use of law as an instrument of social change. Its aim was to produce poverty and public interest lawyers almost exclusively. Its method was to be a "wholly clinical" approach involving students in the day-to-day work of the Urban Law Institute, a "teaching law firm," around which the school was built. Students were to "learn by doing," and at the same time provide much-needed legal services to the black community of Washington.

By September 1973, more than half of Antioch's first year faculty had left for jobs elsewhere; twenty to thirty members of the 145-person founding class had transferred to so-called traditional law schools (most of them to Catholic University); and students who remained began their second

year angry, frustrated, or uncertain about their experience of the previous 12 months.

What went wrong with the attempt to change legal education at Antioch Law School during the first year? Why should students and faculty be leaving such a place when their liberal and radical counterparts around the country are still struggling for even minor reforms aimed at making other law schools more like Antioch?

The story of Antioch cannot be understood apart from that of its founders and co-deans, Edgar S. and Jean Camper Cahn. Its problems flow directly from their politics and personalities. The irony of Antioch is that while the school could probably not have been started without the Cahn's genius for salesmanship and self-promotion, its survival may well depend on limiting their role in its operations.

Both members of this unusual husband-and-wife team graduated from Yale Law School in the early 1960's. They rose to prominence

from *Colonial Notes*, newsletter of the local National Lawyers Guild

the tragedy of richard II



An outrageous fabrication of the War of the Rose Garden. My attorneys, along with those of Mr. Shakespeare, will see you in court.

—Victor Gold, Former Press Secretary to Vice President Agnew

Something had to come out of Watergate that I could enjoy and "The Tragedy of Richard II" is it.

—John Osborne, Noted Nixon Watcher

Pep up your outlook with *The Tragedy of Richard II*. Paradoxical? Maybe. This satire on the current political scene is plotted along the line of Shakespeare's *Richard II*, a kind of formula Barbara Garson successfully used in *MacBird*. But if the Bard has supplied the plot, Myers has provided up-to-date punch and insightful humor. It's fresh as tomorrow's headline, perennial as a classic, witty, clever, funny, good satire!

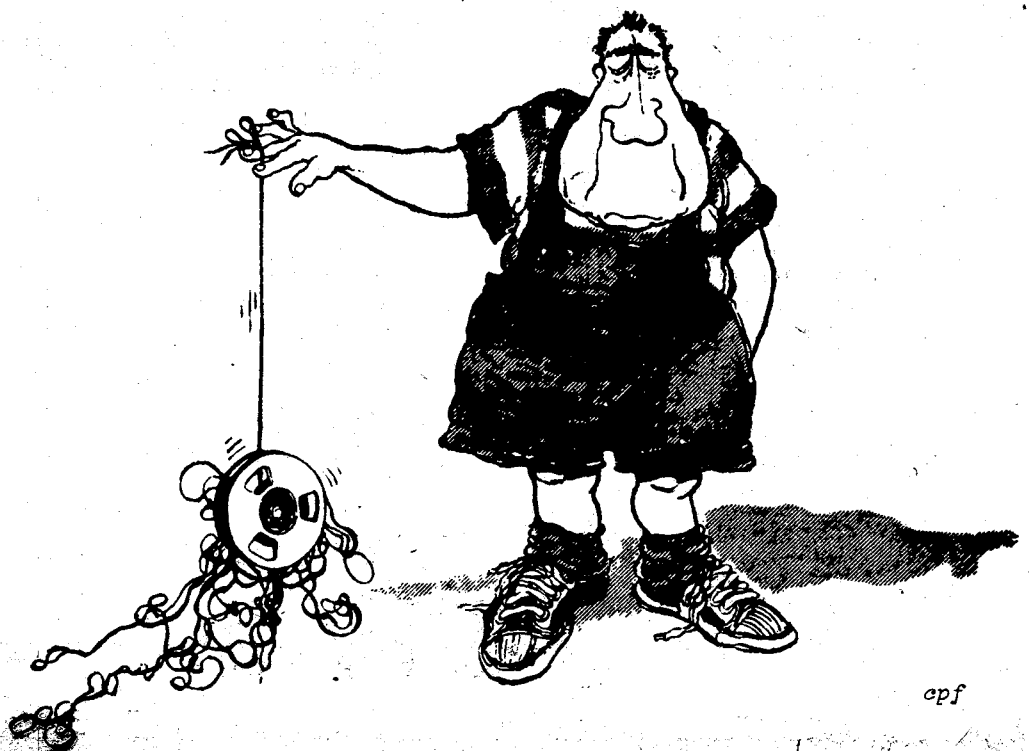
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as a result of their work under Sargeant Shriver at the Office of Economic Opportunity where they helped create the OEO Legal Services Program. Prior to launching Antioch, Jean Cahn served as director of the Urban Law Institute, a teaching law firm formerly associated with George Washington University, while her husband (son of the famous legal philosopher Edmund Cahn) directed the Citizens Advocate Center, a Washington-based public interest group sponsored by the ABA.

Because of their contribution to Legal Services and various articles they had written in major law reviews, the Cahns became known not only as vigorous defenders of the legal rights of poor people, but also as would-be reformers of the American law school. They also developed a reputation as people who were publicity-hungry, difficult to work with, and better at promoting new programs than actually running them.

Antioch Law School was to be the embodiment of the Cahns' idea about legal education and their concern for the problems of the urban black poor. It represented a marriage of government money (over \$1 million from OEO) and one of the leading progressive undergraduate institutions in the country, Antioch College. Antioch College has expanded far and wide in recent years and operates several other graduate centers in the DC area. With the law school, however, it did little more than lend its name and reputation. The Cahns were free to run the school as they saw fit, with no outside direction apart from that provided by a purely advisory board of visitors chosen by the Co-deans themselves.

To their credit, the Cahns managed to recruit a varied and experienced first year class for a new law school. By refusing to rely solely on traditional criteria like scores and grade point averages, they were able to draw a higher percentage of students from minority backgrounds. Only a third came directly from college and among those who didn't were Father James Groppi (the noted civil rights activist from Milwaukee), a 53-year-old retired foundation official, a nun, an architect, two members of U.S. Olympic teams, several professional journalists, a housewife in her forties and two draft resisters (one of whom is a former state senator from Rhode Island).

With this mix of students and a young activist faculty, expectations were bound to be high. Many in Antioch's first class had given up a lot to come to law school and were paying a considerable amount (\$2900 a year) to remain there. Students and faculty alike arrived thinking that they would have a significant role in creating a new institution with great radical potential.

The gap between rhetoric and reality they discovered upon arriving last September could not have been wider. The Cahns had written extensively about ways of making government bureaucracies responsive and accountable to recipients of tax-supported social services, about the need to democratize community organizations involving the poor. When it came to running their own law school, however, democracy, accountability, and group-decisionmaking were all ignored.

Faculty meetings were closed to students and the faculty was barred from meeting unless one of the co-deans were present to preside. All important decisions about the clinical program, academic curriculum, scheduling, etc., had either been made already or, worse yet, had not been made but would be made solely by the Cahns.

Not only was the governance bad, but so was its product. While the Antioch administration lavished money on fancy publicity brochures describing the law schools' "architectural innovations," most classes were held in two nearby churches. Classroom space was still lacking after 12 months and thousands of dollars worth of work (still incomplete) and the library was so inadequate that students could rarely use it for any extensive research.

Even more disconcerting was the confusion and uncertainty surrounding the academic program. Educational innovation during the first year consisted mainly of giving traditional subjects like Torts, Contracts, Civil Procedure, Criminal and Administrative Law new names like "Private Law and Remedies," "The Lawmaking Process," "Public Law," and "Legal Decision-Making." The form and content of these courses remained the same as those offered at any other law school. Much time was spent (and wasted)

in a so-called "Professional Methods" course of little discernable design or subject matter, and the second and third year program lists an unusually large number of required courses including such unknown quantities as "Federal Grants and National Goals," "Decisions and Decision-Makers," and "Multi-Dimensional Problem Solving."

Many of the problems of the curriculum and the clinical program can be traced to the Cahns' attempt to substitute the "clinical experience" for the wider range of academic courses offered at most law schools. The Antioch approach is based on the premise that it is possible to learn large areas of substantive law through work on individual cases in a poverty law firm. (Most of the ULI's cases are referrals from the Neighborhood Legal Service Program offices and thus the range of legal problems has been as narrow as the case load is large.)

In using actual cases to teach legal skills, Antioch has set another difficult goal for itself: to provide large-scale legal services to the community. The results so far have been disappointing. Many students feel that academic preparation at Antioch may suffer (and will ultimately be more limited) because of the heavy reliance on clinical methods. Equally important, the client community (represented by a vocal clients council) has made it known that the legal services offered to date have been "lousy."

Attempts by members of the first-year faculty to constructively criticize and change school policies were repeatedly rebuffed by the co-deans. Two attorney/professors who had been highly rated by students were not rehired; others who had planned to stay got the message and left when their one-year contracts were up. When students tried to organize a student association, their motives were impugned and their criticisms of the school were met with charges of racism. (Throughout the year, the co-deans sought unsuccessfully to pit minority students against the white majority by telling the former that white student critics were endangering the school's survival.)

Student discontent at the law school reached its peak in late spring when several groups of students, one numbering over ninety, sent petitions or letters of protest to President James Dixon of Antioch College, the college's board of trustees, and the law school's board of visitors.

After an emotional three-hour meeting in June, at which the Cahn's administration of the school was assailed by students and faculty alike, the Board of Visitors undertook a six-week investigation which resulted in several proposals for structural

reform. These, however, may be overlooked in the continuing controversy over the school's apparent financial difficulties. The co-deans, joined by some board members, blame the students for bad publicity which they say has hurt fund raising; students argue that they had no choice but to bring the school's problems to the attention of outsiders in order to get something done about them.

Meanwhile, a sizeable number of students who completed the first year have left and the new first-year class arrived amidst a shortage of classroom space and clinical instructors that is bound to create further tension, confusion, and poor client services. Nevertheless, Antioch has received provisional accreditation from the ABA and continues to enjoy considerable support from the ABA's Section on Legal Education (which apparently regards the school as its own private experiment and does not wish to see it fail.)

Clear lessons from the Antioch experiment are difficult to draw at this point. The first major attempt to employ a full-scale clinical approach to legal education has obviously been colored by the two dominant personalities which control the school. While the effect of the Cahns' arrogant, high-handed and often incompetent administration has been evident in the disillusionment and dissatisfaction of many of the faculty and students, the impact of their politics on the school has been less apparent. In the long run, it will be no less important.

To understand the politics of Antioch Law School — which are the politics of Jean and Edgar Cahn — it is necessary to consider the Cahns' own view of the school. Their purpose in starting Antioch was not merely to produce more "people's lawyers" and paraprofessionals. Their larger goal is nothing less than "revitalizing the legal profession" and "restructuring" the entire legal system. They propose to do this by involving the private bar in poverty and public interest law and encouraging the creation of more clinical law schools under the sponsorship of large corporate law firms and local bar associations.

Needless to say, the legal profession has never functioned as an advocate of workers, consumers, or poor people and it is not about to begin. The bar has traditionally been a guardian of the dominant social and economic interests in American society and law school have always been a training ground for capitalist lawyers. Yet the Cahns expect to change all this through the simple use of clinical techniques which expose both lawyers and law students to the real nitty-gritty of social problems. The fact that rich and poor, corporate lawyers

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and "NINEVAH SHALL BE DESTROYED!"
— WHEN THEY SHALL CRY "PEACE, PEACE" THEN COMETH
SUDDEN DESTRUCTION! COMET'S CHAOS?

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and community groups, do not share a community of interest has apparently never occurred to them.

Ten years after the War on Poverty was launched, the Cahns's still look to the federal government and the "private sector" (Arnold & Porter, Covington & Burling, etc.) for solutions to the problem of poverty. With the Great Society in ruins and their own contribution, OEO Legal Services, on the verge of extinction, their thinking remains rooted in the failed social programs of the 1960's. But thanks to the Cahns, welfare liberalism is alive and well at Antioch.

Like OEO itself, the Cahns's approach is based on the premise that poverty can be eliminated by curing the individual problems of poor people. Thus they stress that the school represents "clients, not causes" and favor band-aid legal service of test-case litigation that bears little relation to any on-going organizing among groups within the client community. The school's handling of so-called "economic development" problems is one example of this. Antioch styles itself as "corporate counsel to the poor" and offers a variety of services to black businessmen and other "minority entrepreneurs." At the same time, hundreds of black working people who belong to some of the most active labor organizations in the DC area get little or no help. Why? Because the Cahns regard unions as a "majoritarian white concern" and have been openly hostile to the idea that labor law should be an important part of public interest practice.

The Cahn's exclusive focus on federal programs is equally restrictive. Second-

year students are presently engaged in a losing battle to make a four-credit required course (taught by the co-deans) optional. The course — "Federal Grants and National Goals" — is an introduction to the fine art of grantsmanship and most students would rather not take it in lieu of more substantial upper-class electives. Unfortunately, traditional subjects like corporations, taxation, anti-trust, and business regulation are not very important to the Cahns. As they see it: "Neither the poor nor their lawyers should be required to reinvent the wheel" (or even learn about it for that matter). Should a problem arise in one of these areas, the corporate law firm offers a "ready source of expertise."

The rationale for private firm involvement in poverty and public interest work is suspiciously like that developed by Sargent Shriver at OEO when he invited big corporations like Xerox and Litton to help run government-funded social programs. The "private sector" is said to be more efficient, better organized, and more adept at the techniques of "problem-solving" and "creative conflict resolution." The OEO experience is hardly one to emulate, though. No one did more than Sargent Shriver to eliminate "maximum feasible participation" by the poor in OEO community action programs. Shriver is now fittingly enough a member of the Board of Visitors at Antioch.

The Cahns's brand of liberal opportunism goes far beyond alliances with Shriver and the faded New Dealers at Arnold & Porter (where senior partner Paul Porter serves as Antioch's national fundraiser).

Two years ago Jean Cahn turned up as fervent, if unlikely, supporter of Lewis Powell's nomination to the Supreme Court. Why would a black woman, activist lawyer, and long-time civil rights advocate favor the appointment of a racist reactionary like Powell? Because as President of the ABA, he had lent his support to OEO Legal Services — a gesture which failed to impress the Congressional Black Caucus, the National Organization of Women, the National Lawyers Guild, and all the black lawyers in Virginia, Powell's home state. All of these groups testified against him.

More recently the Cahns's short-sighted approach led to another political fiasco. In an apparent effort to win friends and influence people high in the Nixon Administration, they invited then-Attorney General Richard Kleindienst to speak at the law school.

As Antioch's troubled first year drew to a close, the Cahns's, rather than accept responsibility for their own considerable contribution to the school's problems, tried to blame them on a handful of students — "revolutionary types" who should "Never been admitted." Such rationalizations are not encouraging. The problems of Antioch remain and the Cahns seem to have learned little from the experience of the first year. Either they will have to change or find new ways to explain away continuing challenges to their own limited vision of a different kind of law school.

LETTER FROM LORTON

WHAT does a person look for when he comes out of prison? For the most part the individual does not want to go back. You could say, one of the first things the ex-convict starts to do, if he is smart, is to take inventory of himself. Immediately, he begins to consider all of his possibilities for advancement and of doing something meaningful. The former prisoner cannot help but think of the time he has lost and the ground he has to gain just to stay in the race. The latter thought is usually the one he negatively becomes obsessed with and the lack of patience leads to frustration and, subsequently, back into illegal efforts to survive.

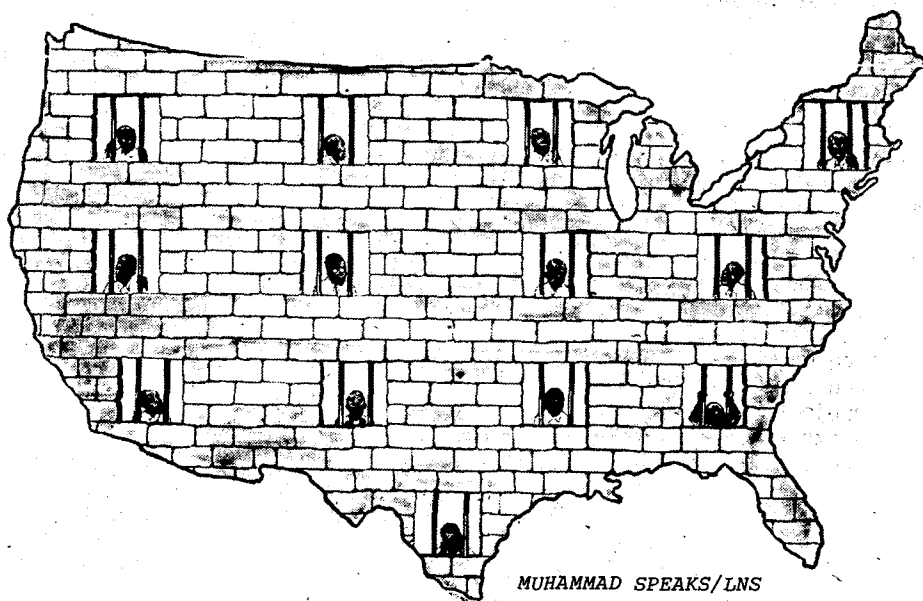
If our former prisoner is one of the fortunate who may have a talent, vocational skills, or academic accomplishments, and if someone listens to his earnest pleas for a chance to give of himself, our man may go far.

Let's look at some of the obstacles this ex-convict is faced with upon his release, if it can be called that. Personally, I disagree with the supervision bit. Once a man has served his time or is awarded parole, he should then be also given the chance to govern his own life. The constant pressure and clinging efforts of parole boards and drug-surveillance programs are demeaning and not conducive to an individual in the process of readjustment and hinders the ex-cons progress.

The so-called half-way house routine in many cases defeats its own purpose. Being in a half-way house is psychologically worse than close confinement, especially if the individual is housed there for long periods subject to its stringent regulations. A parole plan should only require a once-a-month call-in, the parole-officer's involvement should be limited to assisting the ex-con, upon the former prisoner's request, in job placement, domestic problems and other community relations.

One of the most obvious problems the inmate is faced with leaving an institution is the lack of financial support. Most always the resident returning to the community is without funds and quite a few will clearly demonstrate that they are a little too proud to ask for a hand out.

"This is my morning. . .cut me loose!"



"Hey screw, you're on my time...!" A happy and boisterous conversation or yelling can be heard coming from the bathhouse early 5 a.m. on any cold morning from a group of men about to be released. None of them is at all affected by the brisk air. A guard asks, "Hey John, what are your plans for the future...what you gonna do?" "Look man," a graying 30-year-old begins to retort, "There ain't no time for thinking what I'm gonna do...I'm just gonna do it...and plenty of it. If people leave me alone, I'll leave them alone!"

It is all too clear that these men feel they will cross the bridge of survival when they come to it. The greatest thing on their mind is getting out. It does not take a genius to see that the reaction of these potentially free inmates is the result of being inhumanely placed into such adverse positions. They will forever be confronted with a stigma without mercy or the mildest consideration.

This writer is swiftly approaching some sort of release eligibility with optimism and hope. What chances do I have? Qualifications are for mere menial labor, clerical, mail and file, some literary skills, house-keeping and a talented professional musician (saxophonist). Just who will employ this man?

It is a bit naive for me to figure on help from the so-called Christian brethren and the multitude of prison reformers. Who will help these men fresh from the drudgery of prison life, an inhumane life? David Newman's composition, "Hard Times" is forever on our minds and I include the tune on every set the band plays.

PEACE!

CARL S. TURNER, JR.

If you have, or know of, a job for Carl Turner, please write him c/o Box 25, Lorton, Va. — ED.