

DETROIT REVOLUTIONARY MOVEMENT RECORDS

BOX 7 OF 16

FOLDER 7

GUILD BROADSIDE WSU

Guild Broadside

LAW SCHOOL

Military discipline, mental push-ups, the training of the legal mind - one, two, three, four, res-ipsa-loc-qui-tur.

Entering law school gives one naustalgia, remembrance of things past. High school, the romantic days of mis-education, of being trained to be a loyal and faithful citizen, to learn how not to think so that one can effectively function. College made most of us forget about mandatory attendance, rigid rules and demeaning faculty attitudes. College revived us and gave us the illusion that we were there to learn and not to be packaged, processed and shipped out or rejected for those unusable products. And then we entered law school, and we were told as we were each time we graduated to a new school, we were going to learn how to think. Legally that is, if any distinction can be made. They started to teach us how to think and told us not to fear our confusions, we would awaken soon, it was only a matter of months.

The awakening does come, but it is different from what our mentors had in mind. The law student is being prepared to fill a corporate role in a technocratic society. The property relations of feudal society are not as far removed from our supposedly modern society as one would believe. The law student is dehumanized. His ability to think in an integrated form is destroyed and his mental processes are reduced to syntactical structures of formal proofs. He is taught not to identify legal problems with intrinsically related social problems. This is aptly expressed in the mentality of HOLMES, J., "I sometimes tell students that the law schools pursue an inspirational, combined with a logical method, that is, the postulates are taken for granted upon authority without inquiry into their worth, and then logic is used as the only tool to develop the results". (Address reprinted in Collected Papers, 1920, p. 210, 238). Ralph Nader expressed this process as built into the teaching method. He states that, "These techniques were tailor-made to transform intellectual arrogance into pedagogical systems that humbled the student into accepting its premises. Law professors take delight in crushing egos in order to acculturate the students to what they called 'legal reasoning or thinking like a lawyer'. The process is a highly sophisticated form of mind control that trades off breadth of vision and factual inquiry for freedom to roam in an intellectual cage". (Law Schools and Law Firms, New Republic, October 11, 1969). The archaic property relations of men must be preserved by a legal automaton which can effectively enforce the status quo. The legal machine must be built and the law school provides an excellent factory for turning out a product ready for consumption by the law firms.

Of course, if you start off with the right raw materials, the chances of a smoother operation and better final product are improved. High tuition rates for those who can afford a limited income for three years (and we are advised not to work for the sake of our careers) immediately excludes the segment of our population which is most in need of a legal system that has some relation to producing political, economic and social structures. Look to your left, look to your right, one of those people will not be here next year. These are our introductory words to law school. Competition for grades is the mode of production. 'Law review will help you get those high paying corporate jobs'. This is the world of the sons of the managerial technocrats, the white upper middle class boys (boys not meant generically) doing their feudal duties so as to inherit the manor. Where justice calls for cooperation, compassion and a united struggle for change, law students are immediately subjected to a system of competition, selfishness and individual gain.

This program of selection is reinforced by law school rules and classroom procedure. An unprepared student is warned of his slovenliness. Yet, it is the person who must work after school who has the least opportunity to be prepared, to be punctual, to afford the additional costs of parking and supplementary materials. The entire attitude of the law school is one of an indifference to cost and 'if you can't make law school, a full time activity, then you shouldn't be here'. The C.L.E.O. program which was a partial attempt to remedy this situation is about to fall. The law school does not consider it a high enough priority to continue even if at the expense of the law school. This is an example of the institutional racism created by a corporate society which has no use for black people in its managerial class (except in a limited capacity to tend the cabin).

The production of professional automaton cannot be interrupted by such extraneous considerations as real social needs. The process must continue, the student must be carefully graded and processed for easy selection by law firms. Training continues each day. The marine corps makes men, the law school makes lawyers. It is difficult to say which is more perverse. Destroying one's capacity to think and function as a human being is a difficult process. Each day students are reminded of their inferior positions. They are insulted and degraded by their teachers in the name of the learning process. The role of the lawyer is esteemed. The classes are run by coercion, fear and faculty ego. Mandatory attendance creates an audience captivated only by force. "Who will be the sucker", "where were you when I created the earth", "attention, right fact". The law student is here again in a similar position to the marine. One is the element of oppressive force that the power structure uses for securing and stabilizing its interests, the other is the element of repressive force that the ruling class uses to preserve the economic and social conditions which best serve its needs.

The freshman program deals exclusively with the law of these primitive relations of human beings. Life, liberty and even sexual relations are given dollar and cent values which define human relations in terms of chattel. We are each day so imbedded in these non-solutions to social and economic problems that they become believable. The real needs of our society are subjugated to a legal system that builds solutions based on avarice and individual gain. We are told of the dynamic self regulating system of common law and the just solutions that stem from it. Hundreds of years of wisdom and solid foundation, what could be more desirable than that? Dred Scott was a mere fluke quickly remedied by our enlightened times. Newtonian physics also had hundreds of years of testing and wisdom behind it. It answered the questions of its times, but contradictions set in and absurd results began to enter. When Michaelson and Morley discovered that ether had no effect on the speed of light, and when other important discoveries which contradicted Newtonian theory went unexplained, all of Newtonian physics was cast into doubt. Enough discrepancies appeared so as to throw three hundred years of science into suspicion. The contradictions of our legal system have become glaring. There is not just a need to revitalize our system or make it work. It has outlived its usefulness. Einsteinian physics discarded the foundations of Newtonian physics. We are challenging not just the results of our system of law, but its very foundations. While the conspiracy trial goes on in Chicago, we learn about strictly construing criminal statutes. While Mitchell and Kleindeist corrode justice in the justice department, we learn about just decision. While the poor suffer in decaying cities, we learn about urban planning. While our nation commits genocide in Viet Nam, we learn about mens rea. While a racist is appointed to the supreme court, we learn about civil rights.

As law students we can work to change the nature of our law school in order to equip us to help change the nature of our society. The curriculum can be changed to one which will provide the training we will need as fighters for change, and not as corporate functionaries. One of the main tools by which the student is intimidated into submission is grades. Grades function to channel students into law firms and to provide the necessary atmosphere by which teachers coerce their students into obedient self images. The institution of a pass-no credit system would eliminate a major portion of the competitive, coercive hinderances to our learning that grades now pose. It would help to restore faculty-student and student-student relationships conducive to learning and based on a genuine desire to teach and learn. The ranking of students on such arbitrary and capricious grounds as test scores could cease. The inequitable practice of giving out funds according to grades rather than need would stop. The ridiculous status and prestige of law review would disappear (perhaps law review would consist of

students who actually wanted to write scholarly articles or who had the ability to write them). Corporations would lose their service lists. There is little need to discuss the unfairness and total lack of need of testing and grading, except to mention that tests reflect the intellect of the test maker and grader as well as the test taker. The Wayne Medical School has instituted a pass-fail system to the satisfaction of its students. Many prominent law schools have eliminated the conventional grading system.

Another area that calls for change are the rules of classroom procedure. One freshman professor requires his students to hand in unprepared cards, if they have not prepared the days assignment. A faculty-student relationship based on such practice is outrageous and serves only to destroy the human capacities of the student by portraying law as an inflexible, omnipotent force not to be challenged by mortals. It is not unlike the medieval cathedral, built with such immensity and grandeur as to let one know the church is unchallengable. It is not unlike the high school which channels ordinary students into obedient citizens by strict rules and a presentation of the government as an all good, all knowing force, not to be questioned by its patriotic followers.

C.L.E.O. must be made a first priority of the law school. The city of Detroit is almost 50% Black American, yet the law school runs only a token program which is losing its funds. The goal of the law school should be a 50% black enrollment, even if this means open admissions and limiting other programs to provide funds. There are many other changes we can bring to the law school which will help make it serve our need as "new" law students. This will be the subject of future Broadside articles.

Perhaps the law school has no windows because justice is blind, or perhaps it is because they don't want us to see what's going on outside. We will not serve as the functionaries of an archaic repressive corporate legal system. We have come to fight for human decency and dignity. The law school is put on notice.



Guild Broadside

OPEN LETTER TO THE DETROIT CHAPTER

The Wayne Student Guild was disappointed that the Guild Office Committee did not see fit to hire a Guild student to work at the Defense Office. This would have afforded an excellent opportunity to increase communications and responses with one another. We believe the reason given was that a student does not have full time to devote to the office. This brings to our mind Judge Carswell's logic in allowing employers to discriminate against women who have children. The Guild was not hiring a secretary or a "gal Friday". It was filling a need of the office to enable it to function as a political entity. A Guild student would have been perfectly to fill that need. Guild students intend to volunteer time to work in the office during the summer and over the school year. We are willing to work for free and it seems appropriate to us that if some money were made available it should go to support a Guild student willing to devote his or her full energies to the office.

"The Relation Of The Student Chapter At Wayne To Its Parent Detroit Chapter". This at first impression seems to be a reasonable title for an article dealing with the working relation between the Detroit Chapter and the Wayne Chapter. A symmetric relation is one in which if x stands in a certain relation to y , then y stands in that relation to x . A "parent" relation is not such a relationship. If P is a parent of C , then C is not a parent of P . Such a relation is asymmetric. For this reason a reference to the Detroit Guild Chapter as the parent chapter of Wayne should be unfitting.

The need for young talented lawyers in the movement has been made apparent by recent events. The Detroit Chapter May Newsletter responded to this need and presented the new clinical program as a beginning step. There is a shortage of movement lawyers in Detroit that can be likened to an epidemic. Certainly the political repression and the number of associated arrests is reaching epidemic proportions in that there are not a sufficient number of criminal lawyers to respond to these arrests. For the Guild chapter to be effective as a motive force in preventing political disaster it must reproduce at a new and accelerated pace. It must train and support Guild students who are in law school to respond to this crisis. In these terms, "parent organization" is a fitting term. However, a symmetry must be created which does not now exist in a parent relation. Guild attorneys must become aware of the fact that law schools are basically antagonistic to non-professionally oriented students. Guild students who are raising political issues in law school, who are trying to recruit fellow law students to their cause and who are going to put time into working with the Detroit Guild in active political legal work are going to suffer repercussions. The student with the attitude that he is not becoming a "lawyer" or the related academic counterpart is not the commodity that law schools are happy to turn out. Devoting time means devoting school time and earning

time. We do this not because we are "charitable", we do this because it is the most effecient and effective use of our time as political people. Thus, the overall relation of the Detroit Guild to the student Guild is one built on each giving what he can most effectively in his possition offer to fight for the political goals we as Guild members have. Comradery is a symmetric relation.

Detroit Chapter attorneys should make the fullest effort to give first priority to providing jobs, both summer for Guild students and full time for graduates. The "academic grading standard" can in no way reflect upon the quality of a student who has sacraficed classroom time to work in Guild activities. The Guild student will be prejudiced in this respect as well as being an unappetizing package for non-movement lawyers. He can function in Guild work only if employed by a Guild attorney. This is the most expedient solution to on one hand allowing students to work for the Detroit Chapter and on the other hand allowing the Detroit Chapter work for Guild students.

The Wayne Chapter praises the newly formed clinic and sees it as an excellent example of the type of reciprocal role we can play with one another to further our effort.

We also suggest that in line with the proposals of the May Newsletter, that a placement office be set up for Guild students to be located at the defense office. We urge all Guild attorneys in Detroit who have summer or full time positions available to reserve them for Guild students and make this information known to the office so that appointments and interviews may be set up. A file on prospective employees will be kept at the office and made available upon request.

We regret the decision not to place a Guild student in a staff position at the office. We are going to law school because we are aware of the role a lawyer can play in a political movement. We are not becoming "lawyers". Our first allegience is to legal vehicles of political change. We recognize the Guild as such a vehicle. To see attending law school a few hours a week as a conflict to such an allegience is beyond our comprehension.



Guild Broadside

LAW CENTER

The Guild Student Chapter at Wayne, in an effort to clarify our goals, has been evaluating the present Guild Program in Detroit. In order to increase the Guild's effectiveness, and implement the many new and exciting ideas that have come out of our discussions and out of the ideas presented at the Washington Conference, we propose the creation of a "Law Center".

The Law Center will be an extension of the present Defense Office with facilities for resident students and intern lawyers. The operation will be expanded in significant ways to offer new and more developed political legal aid, research, and instruction to political organizations, Guild attorneys and Guild students. Organizational efficiency, competent manpower and resources are necessary to meet the legal needs of a growing radical community in Detroit,

In terms of basic efficiency the new Law Center will increase the size of the physical plant and the number of people available. An entire floor of a large house will be devoted exclusively to the Guild office, it will be operated by the present staff who will be able to utilize the resident students and intern lawyers in its operations. Office facilities will include offices for the attorney and staff, a larger, vastly improved library and research area, a student study area for all Detroit Guild students, and a meeting room for the use of all Guild members, Wolverine Bar Association students, and other radical, political organizations. Available research will include a complete file of recent briefs, opinions, and legal papers of political significance. This will facilitate and coordinate the work of Guild Attorneys in Michigan as well as link our work nationally. The center will be open on call to Guild Attorneys and emergency mass defense actions 24 hours a day with people there to assist in providing emergency briefs and other legal services.

The Law Center will be an ideal location to administer all Guild activities (board meetings, conferences, fund raising, organizational activities) since all necessary material and resources will be available to serve a greater number of people. The Center will provide exposure and training for Guild students as well as be a place for student activities. As a self-perpetuating structure, the resident student and intern lawyer program will train future and new attorneys to continue Guild operations based on revolutionary political principles. To effectively serve the people, we must train and provide the skilled and high calibre defense expected. The resident program will utilize the limited funds and energies of students and will provide the major source of income and labor for operating the premises.

We see our first task as organizing law students who are politically motivated, to develop their political awareness as well as legal potential, to provide the best legal training and political exposure necessary to expand the membership of the Guild. We see the organizing of members as a necessary first step in the Guild's role in the Movement. Students will not only receive legal training but will be exposed to revolutionary political thought and analysis. We wish to develop a political perspective that will take us closer to the goals of the movement. Presently, the Guild fights the oppression of third world struggles with in the United States and of white radical revolutionary organizations by the State. We are moving into the 70's. No revolutionary movement has won by mere defensive actions. The 70's will call for offensive actions by a consolidated movement, not on nationalist lines but on revolutionary thought. And to move, we must have a constituency. The Guild, as a service organization to political groups, must grow by necessity as political groups grow and take offensive tactics.

In order to increase our outreach to political organizations and see that the Guild responds properly to their needs, the residents of the Center will keep in close contact with the various political groups in Detroit. This contact will be insured by having "non-professionals" who are interested in the law live in the Center and work as full members. We must be a magnetic center of attraction for all serious political organizations, people who relate to legal work, as well as lawyers and law students.

The Law Center represents the logical step in the emergence of the Guild as a necessary tool and important political force in Detroit. The present office demonstrated the potential for rapid growth by organizing old, and attracting and utilizing new sources of energy. The office has begun a serious politicization of the Guild and created a center of attraction and activity for dedicated Guild attorneys and students. It is now time to expand our facilities. The new Law Center will recruit, organize, and politicize new and future attorneys. The resident program and the legal center will demonstrate our capability to grow into a vital political legal force.

In the words of our President, Doris B. Walker;

Everywhere I have been impressed by our members' understanding that this period of intense and growing struggle and increasing repression requires from us the most serious commitment and a historical perspective. They are aware that there are no quick easy answers to our special problems as Guild lawyers: recognition, analysis, and exposure of legal-political questions; coordination of legal defense (including defense of lawyers); forms of organization such as setting up new chapters, dues and finances, and publications.

I was particularly struck by the whole new "feel" of the Los Angeles chapter: students and professors rallying to the support of Professor Mike Tigar under attack (with others including Professor Angela Davis) by Governor Reagan; young lawyers working hard and selflessly to serve the people in establishing new "collective" forms of practicing law; older lawyers revitalized, and young and old (and middle-aged) working together and learning from each other.

To summarize the programs of the Law Center and to put them in context with the programs endorsed at the Guild Convention in February, I will list some of the endorsed Guild programs and resolutions followed by an outline of the programs of the Detroit Law Center.

The following are among the programs and resolutions endorsed and passed at the Guild Convention:

1. Establishment of a national committee to coordinate movement defense work by providing assistance in particular cases and crisis situations; circulating information, briefs, and other documents; holding clinics and training programs in aspects of movement defense work; and engaging in discussion and analysis of common problems and current developments.
2. Establishment of a national committee to defend lawyers who are subject to disbarment, contempt, or other attacks.
3. Continued efforts to organize law school chapters to assist students in finding jobs, and to support black law students in attacking racism in the law schools and the profession.
4. Expansion of Guild publications....
5. ...Set up mass defense offices, and determine the best means to develop an effective legal response to repression.
6. Oppose sex-based discrimination in the legal profession and propose legal action to compel law schools to eliminate sex discrimination in placement offices, recruit women to eliminate present sexual imbalance, and eliminate marital status titles from applications.
7. Support the establishment of child day care centers and resolve that Guild law offices either provide day care centers for the children of their employees or adjust their time and monetary compensation...
8. Establish a Guild Law Student placement bureau.
9. Support policy of open admission to law school for black students with undergraduate degrees.

(From the Guild Practitioner, Vo.1 28, No.4. at 122-124)

Outline of the Detroit Law Center Programs

1. Defense Office

Providing free legal defense to individuals and members of movement organization. Providing mass defense during demonstrations and crisis situations. Coordinating city wide legal defense.

2. Research Center

Providing local and national Guild attorneys with information, briefs, memorandums, periodical files and other documents for legal research. Receiving and circulating briefs, memos, etc.

among Detroit Guild attorneys. Exchanging briefs and other legal documents with defense offices around the country. A complete library of criminal defense materials. 24 hour research and emergency brief writing service.

3. Clinic and Training Program

Housing the criminal law clinic. Exposure and participation of Guild students, new attorneys and Center residents to Guild cases and projects. Regular discussion and analysis of legal-political problems by residents, students and interested non-professionals.

4. National Committee To Defend Lawyers

Detroit is being considered to run and coordinate this program (See item 2 of convention resolutions listed above). The law center will provide the facilities and labour resources to carry this program.

5. Student Center (Study and Lounge)

Organization and education of law students. Area to assist students in their school work. Lounge to promote student contact with the Center and other Guild attorneys and activities. Non-resident student coordinator to insure that the center remains responsive to and offers non-resident students opportunities and accommodations within the Center. Holding of students meetings and political discussions. Coordinating the student law school program of open admissions with a composition of 50% black and 50% women; institution of a pass-no credit system with no probation or "flunking out"; complete curriculum reform to respond to the needs of "peoples lawyers"; and accreditation of the Guild Criminal Law Clinic.

6. Black - Women - Guild Law Student Coalition

In support of the Black Law Student organization and the Womens Liberation Organization at Wayne Law School, the Wayne Student Chapter of the N.L.G. has adopted a resolution calling for the support of these organizations and the opening of all of our facilities for their use as well as automatic membership in our chapter. If the space is available an office will be set aside for the use of the Black Law students. This means that Black law students will have the same use of the Center's facilities as all other Guild students.

7. Placement Office

As was suggested in Broadsides no. 7, the Law Center will contain a file on prospective employees of Guild Law Firms. Interviews will be arranged and job information will be made available to students, graduates and lawyers interested in procuring employment.

8. Outreach

Each resident will be responsible for keeping contact with and relating the activities and legal needs of various political organizations back to the Guild. Non-professional Guild members will play an important role in keeping the guild responsive to the black, brown, womens, workers and military liberation struggles.

9. Broadsides and the Newsletter

Broadsides is an informal publication of the student chapter which will be written and printed at the Center. It is an important organizing tool and a special issue will be devoted to Guild activities and be distributed to all freshmen law students in Detroit.

Guild Broadside



THE MAKING OF A RADICAL LAWYER

Gerald Lefcourt, member of the New York Law Commune, is representing the 13 members of the Black Panther Party of New York who are on trial for conspiring to blow up department stores and the Botanical Gardens.

Lefcourt was interviewed last month in the office of the Law Commune by Claudia Dreifus for the EAST VILLAGE OTHER. Excerpts of that interview follow. The full interview is in the Sept. 15, EVO.

GL: Well, I come from a very middle-class and apolitical background. When I went to New York University as an undergraduate student, I must confess that I was quite conservative...This conservative bent stayed with me until I entered Brooklyn Law School, where things like the civil rights movement really started opening my eyes...The experience which really set about to radicalize me was working for the Legal Aid Society after I graduated Law School. Legal Aid blew my mind. It was the most horrible situation you can imagine. The Legal Aid Society had somewhere in the vicinity of 130,000 criminal cases a year! Under circumstances like that, there was nothing that even the most dedicated of lawyers could do for his clients. Legal Aid

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POLITICAL TRIAL NEWS

Conspiracy Trial In Detroit

The defense attorneys for the three White Panthers charged with bombing the CIA office in Ann Arbor two years ago (Pun Plamondon) and conspiracy to bomb the office (Pun, Sinclair, and Forest) filed extensive pre-trial motions this week. The motions will probably be argued next Monday by the defense team of William Kunstler, Leonard Weinglass, and Buck Davis, all of the National Lawyers Guild. Davis heads the Detroit Guild Defense Office.

The motions concern bias in jury selection, discovery, bill of particulars, constitutionality of the federal conspiracy statute, a psychological exam for Valler (the self-proclaimed bomber who is now the prosecution's star witness), wiretapping, severance of the substantive count of bombing from the conspiracy charge, and quashing the prosecution since it is being carried out for political purposes. The defense is also attempting to get the ransomlike \$100,000 bond on Pun reduced to a reasonable level.

Los Seite and Charles Garry

Charles R. Garry, the trusted lawyer who has defended most of the Black Panther leadership, is presently representing three of the Latin-Americans in the "Los Siete

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de la Raza" (seven of our people) trial in San Francisco. Garry calls this trial, in which the defendants are accused of killing an undercover police agent in 1969, "as important as Huey's...these are the brown people being treated as Blacks."

The trial is in its third month. The defense rested Friday and the prosecution is presenting rebuttal witnesses this week. The Hall of Justice has been heavily guarded since the courtroom has been usually filled with supporters of Los Siete, who see this prosecution as an enormous frame-up, racially and politically motivated.

Both sides agree that the bullet that killed the agent, Joseph Brodnik, was from the gun of his partner, Paul McGoran. The prosecution claims that when the agents tried to question the defendants as burglary suspects a scuffle took place and one of the defendants corroborated this story on the stand.

The defendants also have testified that the two police agents approached them with a stream of racist slurs ("Your father's a grapepicker; I eat grapes." "You greasy bastard, I'm going to wash my hands on your back." etc.) and finally initiated a fight. A newspaper reporter who was an eyewitness testified that McGoran had been "asking for it" when he started his harrassment.

The defense has given evidence that McGoran was a heavy drinker and a racist, with a reputation for being quick to draw his gun.

Garry brought in a teacher at the College of San Mateo as a character witness for his client Mario Martinez. She described him as "an excellent student" and "a leader" and attempted to read a short essay he wrote for her class. In it he expressed his commitment to the struggle of all races for justice and freedom from oppression, important character evidence in a political trial like this. When the prosecutor objected that it was irrelevant, Garry argued that the essay established (1) that a man of Mario's character could not form the specific intent to commit murder and (2) that Mario had the kind of commitment to his people that would make his story credible. (He claims to have been taking brothers to college on the day of the shooting.) After long protests from Garry, the objection was sustained.

At one point in the questioning of Mario, he first refused to answer a question, but after a conference with Garry did reply. The prosecutor, playing straight man, asked "What did Mr. Garry just tell you?" Mario: "He said you were a tricky son of a bitch but I should tell the truth." Garry just grinned.

We have just heard the news: Los Siete has been acquitted! The enormous community effort to aid in their defense was a success and joyous celebration followed.

Garry must begin the Hillard case immediately, according to one federal court; New Haven says Bobby Seale's trial must start then also; and another Panther case is set for Oct. 26. Huey Newton's retrial has been set for January 11, over Garry's objection. The courts seem to be intentionally working with the federal government to force Garry to drop some of his work. But Chicago showed that he can't let that happen.

(This article was prepared in part from news reports in the New York Times, Oct. 11, and the Berkeley Tribe, Oct. 9-16.)

lawyers, instead of being lawyers, are really left to being clerks that shuffle people through the legal system. They never have the time to discuss facts with their clients or to prepare adequate defenses. According to N.Y. Times Oct. 4, N.Y. Legal Aid Services will be cut back because of lack of needed financing from O.E.O. For me the situation was horrible. I MEAN, I COULDN'T SLEEP AT NIGHT WHILE I WAS REPRESENTING LEGAL AID CLIENTS. I used to walk into court and see Legal Aid clients screaming for help -- not knowing what they were being charged with, not knowing why they were behind bars. As a lawyer I knew that I really couldn't help them.

CD: Did you begin to do anything at Legal Aid to change that situation?

GL: Yeah...and that was the beginning of a lot of things. What I began to do was to talk to some of the other Legal Aid lawyers about starting some kind of union to help provide more proper representation of our clients. In the process, I began to publicly criticize Legal Aid. And guess what? They fired me. So, I filed a lawsuit, which we handled in a political way, for the right of Legal Aid lawyers to speak out on issues.

CD: What was the final outcome of your case?

GL: Legal Aid hired one of the biggest Wall Street firms to represent it. After seven months, the judge decided that my speech was such that it did indeed create a moral problem. Therefore, Legal Aid had a right to fire me. But the union was formed and the Legal Aid attorneys did go out on strike this past year over the very issues we were talking about then.

CD: Did your unscheduled departure from the Legal Aid Society lead to your becoming counsel to the Panthers?

GL: It took a long time of traveling before I got there. Just at the time I was getting fired, the events at Columbia University were happening. Something like eleven hundred criminal cases came out of the student strike there. I volunteered to help. I was given the cases of Kenner and Rudd, who were charged with attempted murder. During the course of the summer, I became very close to Mark Rudd. At 6 a.m. on August 21, 1968, I got a call from him saying that three Black Panthers had been arrested in Brooklyn. The Black Panther Party in New York had only been in existence for about a month at the time. It was New York's first major Black Panther bust. When I got to court, I discovered that the three panthers were charged with assaulting police officers -- although they had no weapons. Now, three unarmed black people are not likely to assault five armed and uniformed policemen at 2 a.m. When the defendants entered the courtroom, I really flipped. All three Panthers were in bandages. One had his arm in a sling. Another had a wound on his head. Of course the police officers were in court smiling. What really happened was that the Panthers had been assaulted by five armed policemen, who then had the gall to charge the Panthers with assault! The Panthers, before going to the judge, asked what I thought bail would be. Having had

a lot of experience in the bailsetting process in New York, I suggested \$1,000 or so. None of them had any records. None of them were carrying weapons. Well I was completely surprised when the judge set the bail at \$50,000 each. At that point I found that there exists something special in the law called "Panther Bail." "Panther Bail" is another word for preventative detention.

The colossally high bail sent me through endless bail hearings. In one of the hearings, in a large Brooklyn courtroom, Bill Kunstler and I asked for a reduction of bail. The judge instructed us to move to another courtroom, and as we were doing this, we suddenly discovered that everyone from the first courtroom was going to the second one. They were all white males. And they were all wearing Hawaiian sportshirts with bulging sides. Inside, there must have been another 250 -- occupying all the seats. As Bill and I tried to enter, we suddenly found these off-duty policemen physically attacking us! We were getting kicked in the legs, punched at, shoved and called things like "nigger lover." A lot of these guys were wearing badges. They were screaming things like: "White tigers eat Black Panthers." It was incredible to see such a scene in a courtroom.

About a hundred and fifty of them ganged up on the Panthers and slugged the shit out of them. Right in the court hallway. That incident really opened my eyes. It was also the beginning of my relationship with the Black Panther Party.

CD: In addition to representing the Panthers, you have another famous client in Abbie Hoffman. Abbie's been party to some bizarre busts but what is the most unusual one you can recall?

GL: It's thanks to Abbie that I spent one of the most unusual and hilarious days of my life. We had to go to Chicago because Abbie had missed a court appearance in Chicago on September 8, 1968. So we made arrangements for him to go back and give himself up because a warrant had been issued for his arrest. Abbie had told the Chicago people that we would take the 8:00 am plane from New York. We got to Kennedy and all of a sudden Abbie realized our plane was leaving from La Guardia! PANIC! So we raced to La Guardia, missed the 8:00, but caught an 8:30 plane to Chicago. The plane landed at O'Hare. As Abbie and I stepped off the plane, some of the biggest Chicago policemen I had ever seen grabbed us. The cops immediately accused us of taking another plane to avoid them - which was ridiculous. We had come to Chicago to make that court appearance! Well, Abbie was arrested for missing the court date we had come all the way to Chicago to appear at. Now, our appointment in court was for 11:00 am. We had not missed it yet. When we got to the airport precinct, they made Abbie empty his pockets - where they found this little penknife. "Ah, ha," said the cops, "now we have you!" And Abbie was arrested on a new charge: possession of an illegal weapon. In court, the Judge thought it was absurd that he had been arrested at the airport. He set trial date and released Abbie. But for us the day was just beginning. The minute we got out of court, we suddenly found that Hoffman was charged with illegal possession. Now we had to go to a new court to get bail on the new charge. We did that and just as we're leaving the second court, two men come up to us and say: "Abbie Hoffman, I presume?" Abbie nods. The guys explained that they were from the FBI and that Abbie was under arrest. I jumped in: "What the hell for?" "Crossing state lines with an illegal weapon." It's that God damned penknife again. So, we were under a Federal charge. We were taken to the Federal Commissioner's office to get bail on the new charge, but the Federal Commissioner couldn't be found and Abbie had to spend the night in jail. The next day, we finally bailed him out.

That morning, we boarded a New York bound plane at O'Hare. The plane taxied on the runway and suddenly stopped. The doors opened and in walked these three gentlemen in business suits: "You're Abbie Hoffman? We're from the House Committee on Un-American Activities and we have a subpoena for you to appear in Washington." That was the end of quite an experience with Chicago's law enforcement authorities.

CD: I understand you were jailed by Julius "The Just" Hoffman during one of your trips to Chicago. How did that come about?

GL: Well, I was one of the original attorneys in the Chicago Eight case. I was representing Abbie. Abbie and I had a discussion and came to the conclusion that it was more important for me to represent the Panther 21 than to remain on the Chicago case. So Abbie released me from Chicago and I went back to New York.

(After Bobby Seale stated he intended to represent himself), Hoffman looked at the Notices of Appearance that had been entered for all the defendants - and noticed that at one time there were four other lawyers who had filed Notices of Appearance on behalf of some of the clients. I was one of the four. Hoffman immediately ordered all of our arrests. There was me, there was Michael Tiger, a Professor of Law at UCLA, and there was Mike Kennedy and Dennis Roberts, who both practice law in San Francisco.

CD: How did you learn of your arrest?

GL: The Associated Press called me and asked me what I was going to do about it. The Law Commune immediately went into Federal Court in New York and got an order nullifying the arrest order from Chicago. The New York court said that I could not be arrested if I went to Chicago on my own, so I went to Chicago.

I went down to Hoffman's courtroom and was immediately arrested myself. The four lawyers originally had planned to fight Hoffman in our local jurisdictions, but Tiger didn't have a chance. They arrested him and dragged him cross country under guard, which eliminated any possibility of separate defenses. I was brought before the Judge and ordered to try the case under arrest. Mike and I sat at the defense table, unable to contribute anything useful to the defense. During lunch, Judge Hoffman sent us to jail, with Jerry Rubin and Bobby Seale. The four of us had lunch together in a cell.

CD: As a lawyer who has handled hundreds of criminal cases, how did you like finally ending up behind bars yourself?

GL: Well, I didn't like it at all. But I learned some very important things that day in jail. It was a Friday and they were serving us these really disgusting fish sandwiches for lunch. Since I didn't like fish, I left mine standing. Bobby looked at me as if I was crazy. "Left-court," he said, "you don't understand yet. You're in jail! You don't have a choice. You're not going to eat again until maybe seven or eight at night...and you might not get to eat that meal, which means that you won't eat till six tomorrow morning." So I ate my fish sandwich. Aside from learning something very basic about surviving behind bars, Bobby and I had a very important conversation that day during lunch. Bobby wanted to know what Mike and I thought about his being without a lawyer. Out of that conversation, he made a decision that he was going to represent himself. We had discussed the idea during lunch and thought it was feasible.

CD: What happened when you returned to Julius Hoffman's courtroom that afternoon?

GL: By the end of the day, it still wasn't resolved what Mike Tiger and I were doing in Chicago. The whole issue really centered around Judge Hoffman's attempt to get Bobby Seale represented by some kind of lawyer. He simply did not want Seale to represent himself. Hoffman had said quite openly and publicly that if Seale would say that William Kunstler was his lawyer, he would gladly release Mike Tiger and myself from jail. We were being held hostage, Hoffman was blackmailing Bobby to waive his sixth amendment rights, and of course, none of us would go for that. We stood firm and we wouldn't give the the judge that kind of committment. So, at the end of the day, Hoffman found us in contempt of court, had us sent to jail for the weekend, and promised that he would sentence us the following Monday. "What about bail?" one of our lawyers asked. "I don't give bail to contemptuous lawyers," Hoffman answered. That night at 10:00 P.M. the Court of Appeals released us on bail.

CD: Did your arrest spark any outcry from the legal profession? It was, after all, one of the first of Hoffman's really horrendous illegal acts.

GL: It certainly did. That Monday hundreds of lawyers came in planes from all over the country to protest our sentencing. The lawyer demonstration hit the Justice Department in Washington right in the face. They didn't want to do anything that would really arouse the legal profession - lawyers are too key to the functioning of the power structure. Someone in the Attorney General's office evidently reached Hoffman, because when we came to court on Monday, he vacated his order of contempt and released us. The lawyers' demonstration really was what freed us.

CD: What was the message for you in that?

GL: It was quite clear. Lawyers banding together can do something. The message of that demonstration was that the spectrum was beginning to be filled.

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Mayor Daley has announced that Chicago is seeking to host the Democratic and Republican conventions.

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