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Headnotes

Journal Editor

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HEADNOTES

From the Editor

The logic of words should yield to the logic of realities.

Brandeis in
Di Santo v. Pennsylvania
273 U.S. 34,42 (1927)

This issue marks the close of the first year for the Vanderbilt International. What it will become in the future is anyone's guess with General Hershey threatening a drastic reduction in the number of law students next year. In the long run, however, the publication can probably fill a very useful role as either an interdisciplinary magazine with a legal bias or as a law journal with an interdisciplinary bent. The former goal has been, by choice and necessity, the object of this year's Editors. Next year's staff will do as they like.

Regardless of emphasis, however, the increasing importance of relating the social sciences to the law, in this case international law must be reflected in any publication such as this. George Kennan has stated that lawyers make poor diplomats because of their reliance on rules rather than reality. Since these rules are primarily Western in orientation, any lawyer or businessman must cultivate a careful mixture of pragmatic reasoning and legal analysis to solve the problems of far different cultures. If this journal can one day help cultivate such a mixture, it will certainly justify its existence.

The Society

April, 1968, brings the Vanderbilt International Law Society to the end of a rather vigorous semester. A symposium on Apartheid in South Africa, a speech by William Sloane Coffin, Yale's draft-card-collecting Chaplain, and talks by Professor Richard Falk of Princeton and Assistant Legal Advisor to the State Department George H. Aldrich on our legal position in Vietnam were dramatic examples of the Society's continuing vitality.

Regular Wednesday meetings were sparked up by having Howard Boorman of Columbia and Vanderbilt discuss negotiating with Communist China, Aryeah Blumberg of Vanderbilt speak on the Gold Drain, and Orlando Carvalho of Vanderbilt speak about Latin American economic problems.

Officers for the term were William G. Cole, President; Ross T. Dicker, Vice-President; Lewis Greenwald, Secretary; and John A. Featherman, Treasurer.

Apartheid

Ross Dicker, Vice President of the Society, organized the Symposium on Apartheid in South Africa which brought together a strong supporter of South African Government policies, Mr. Lee Anderson, (Editor of the Chattanooga News Free Press), with a native Nigerian opponent to Apartheid, Mr. P. C. Onwuachi (A Fisk University Professor) and several other faculty members. The heated discussion brought out both the despair and fear in the existing situation and the immense difficulty of bringing about peaceful change.

Vietnam: The Legal Argument

Mr. Falk, Professor of International Law at Princeton, came to Vanderbilt with a long background of opposition to our Vietnam policy. He made his argument to the Society and stated that a defense of American policies was almost intellectually impossible.

Mr. Aldrich surprisingly did not try to defend the United States involvement in Vietnam. He expressed the desire to forget the past and concentrate on whether we were now conducting the war in an ethical manner. A picnic for members of the society and Mr. Aldrich after his speech gave an opportunity for all to quiz the man from State off the record.

--And The Ethical One

The old motto "For God, for Country and for Yale" has had the middle phrase analyzed carefully by William Gloane Coffin, Jr, in recent months. In his visit to the Society, Mr. Coffin discussed his opposition to the War and sparked some of the fiercest dialogue among law students seen in recent years. The results of the Society's second Vietnam poll were not attributed solely to his charismatic personality, however.

A Gray Victory at Jessup

The Jessup International Moot Court team did not win a second straight national championship this year. The Vanderbilt team lost in the Southern Regionals to the team from the University

of Miami after what was described as a first-class performance. Grayfred Gray of the Society received the award for best oralist in the region while the rest of the team, Alan Klein, Rosary Palermo, Jim Irvin and Bill Cole thought philosophically about their increased knowledge of international law. Mr. Maier, the indefatigable coach, started planning for the next year.

Vietnam Poll II

On March 9, 1968, the Vanderbilt International Law Society conducted its second Vietnam poll. The poll's primary purpose was to contrast the existing opinions of the Vanderbilt law students on the Vietnam war with those opinions expressed in November at the first Vietnam poll. It was in the intervening months that the Pueblo incident and the Tet offensive occurred and when military service became imminent for many. The comparison between the two polls shows what effect these facts (and others) have had on the attitude towards the war.

As in the November poll, about two-thirds of the student body participated. In the November poll, 49.1% of the law students who replied favored an immediate pull-out or de-escalation. In the present poll, 72.2% of the law students preferred either an immediate pull-out or de-escalation.

	<u>March</u>	<u>November</u>	<u>%Change</u>
Disengage immediately	31.2%	17.6%	+77.3%
De-escalate	40.0%	31.5%	+30.2%
Pursue the present course	7.7%	22.4%	-65.6%
Escalate	20.1%	28.5%	-29.5%

In the November poll, the third year class was the most "hawkish" and only 38% favored immediate disengagement or de-escalation. In the present poll the third year class had the greatest percentage increase in "dovishness," 87% and 71% favored immediate disengagement or de-escalation. This indicated that the immediacy of military service probably does affect one's attitude towards the war.

	<u>First Year</u>		
	<u>March</u>	<u>November</u>	<u>%Change</u>
Disengage or de-escalate	77%	57%	+35%
Pursue the present course	49%	18%	-72%
Escalate	19%	24%	-21%

	<u>Second Year</u>		
	<u>March</u>	<u>November</u>	<u>%Change</u>
Disengage or de-escalate	68%	57%	-19%
Pursue the present course	9%	17%	-47%
Escalate	23%	25%	-8%

	<u>Third Year</u>		
	<u>March</u>	<u>November</u>	<u>%Change</u>
Disengage or de-escalate	71%	38%	-87%
Pursue the present course	11%	27%	-48%
Escalate	18%	34%	-47%

There are other indications that the imminence of military service affects the attitude towards the war. The present poll indicates that 82% of the students who will be re-classified 1-A at the end of the year favor either immediate withdrawal or de-escalation. On the other hand, only 47% of those students who have been in the service favor immediate withdrawal or de-escalation.