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Censorship Won't Solve Problems, Dean of IU's Law School Believes

By ED MOSS

Courier-Journal and Times Staff Writer

BLOOMINGTON, Ind. — "When the government tries setting tastes in literature and films it's like opening a Pandora's box," William B. Harvey said over a cup of coffee in his office at Indiana University here.

Dean of the university Law School since last August, Harvey has many opinions concerning the rights of the individual. Concerning so-called obscene and pornographic material, he believes that setting up a local censorship board is not the answer.

"I believe there is a line beyond which the right of each person to select what he wants to buy and read can be curbed, but I am in favor of individual choice," Harvey said.

Harvey has other thoughts, too, on the press and its relationship to the people. He made these comments:

TV Trials Questioned

"The right of a free trial is compatible with the right to know and a free press. Hopefully, a set of standards for professional conduct on each side will come out of a dialogue now going on between lawyers and the press media.

"I don't see how anyone can deny that, in a number of cases publicity has significantly interfered with the accused's right to a fair trial. On the other hand lawyers, judges and prosecutors who hunger for publicity for their own or their clients' benefit have done things which the newspapers only reported."

Harvey believes with modern equipment trials can be televised without any significant distraction in the courtroom. He fears, however, that the more lurid trials would attract television coverage and this, he thinks, "would serve the public least."

"The actions of court officials should be visible as they can be," Harvey said. "The scrutiny of the public is one of the best guarantees that these decisions are defensible. I find it offensive, and I think most people do, that people in official positions should make decisions in secret with no opportunity to become known and thoroughly reviewed."

Harvey thinks there should be open



Staff Photo

WILLIAM B. HARVEY
New law dean at IU

meetings of government agencies and free access to public records. He thinks this should be true on both local and national levels and where there is doubt the facts should be made known and actions relating to them debated.

"It is perfectly clear that the federal government has not dealt honestly and candidly with the American people concerning operations in Southeast Asia for years," Harvey said. "There is no doubt that a credibility gap exists between the federal government and the people."

Harvey believes that underdeveloped

areas, both in this country and abroad, are in need of more lawyers to help people with low economic status. He thinks, in some cases, help with legal problems would aid deprived persons to move out of their dependency.

"The legal profession ought to be sensitive to the ways in which the range of full legal services can be made available on an economic basis to low-income people and the ordinary wage earner," Harvey said.

"We don't do our job if we just teach students to be sophisticated in application of rules. The lawyer must see the legal rules in their social context. They should have sensitivity to human needs."

Enrollment in law schools is going up sharply and there is a need for more lawyers in the light of Supreme Court decisions concerning rights of the accused, Harvey said.

Experience Backs View

"There's no doubt we need larger numbers and improved quality in the legal profession. Quite frankly, the legal profession needs to be upgraded. We need more lawyers who have been educated in a way so that they can provide the services needed in a changing society."

Harvey has a personal interest in developing the legal profession in underdeveloped areas. In 1963 and 1964 he served as dean of law and director of legal education at the University of Ghana in Africa. He and five other teachers were asked to leave by then Premier Nkrumah for alleged subversive activities. When they refused Nkrumah had them deported.

Harvey, who came here from the University of Michigan School of Law, achieved a full professorship at age 34. He is co-author of a widely used casebook on contracts and has contributed many articles to professional journals.

In addition to being dean of the law school and professor of law, Harvey holds a joint appointment as professor in the university's Department of Government.