ON CIVILITY, COMMUNITY, PROFESSIONALISM: MS. MANNERS RESCUES CIVILIZATION

With 650 students, the Law School is smaller than the high schools attended by many of its students. That our community is small, and located in a town that is also small, has historically led to an enormous sense of collegiality. When alums return to the School for various events, they inevitably remark on the closeness among members of their class and the development of longstanding friendships, both professional and personal.

Small communities make demands on their members. That we see each other every day -- and for students, well into the night -- imposes on us obligations of civility to assure that we are able to go about the business of learning and teaching unobstructed by unnecessary friction, bad feeling, and distraction. That our discourse must be civil does not, of course, suggest that it cannot, or should not, involve disagreement -- even sharp and passionate disagreement. Our community is an academic and professional one; ideas and disagreements about ideas are central to the enterprise. So is tolerance for ideas, and tolerance of mistakes, both necessary conditions for the pursuit of knowledge. Tolerance for ideas means that we all have to work hard to grapple with ideas, and not personalities, and to respond to criticism -- even sharp criticism -- without defensiveness. Tolerance of mistakes means that we direct criticism to the idea, and not the person.

Our small community is devoted to training future professionals. Part of the work that students do here is learning to behave as professionals. The charming Judith Martin, in her most recent book, *Ms. Manners Rescues Civilization*, remarks on one aspect of professional behavior in her usual delicate manner:
But they mean so well, the gentlemen of the old school protest when complaints are made about how they are treating their female colleagues. Haven't they welcomed ladies into their midst with open arms? Oops. Haven't most of them learned, by working at it for about twenty years now, that they are not supposed to call them "ladies"; they are supposed to remember that ladies like to be called "women."

But it's so difficult. Perhaps "open arms" was an unfortunate choice of words, but really, it was just an expression not intended to offend anyone, they explain. Ladies -- women -- are so sensitive nowadays. Oops. They didn't mean to suggest that they are more sensitive than regular people -- that is, themselves. Of course, the ladies are regular people, too. And they are trying to be sensitive. But see how confusing it is?

Miss Manners doesn't happen to believe it is all that confusing. Treating professional colleagues in a dignified and professional manner should not be something new or difficult for gentlemen. Because it is so simple, suspicion is cast upon the inability to master the forms.

Oh, all right. For those who insist that they mean well, but can't quite get the hang of what they are expected to do, here is a special gentleman's (so as not to say old duffer's) guide to behaving with traditional propriety toward ladies who are colleagues....The central lesson requires only two skills, both of which even admittedly unenlightened gentlemen proudly claim to know. They are supposed to understand professional behavior, having practiced it on one another for generations. They also profess to understand how to treat a lady.

To begin with the second part, crudity is never allowed .....Only a cad would fail to take the slightest hint that he has offended [someone], for which he accepts [that person's] word and offers the deepest apology.

In the old rules about the way gentlemen do business, they are required to maintain a respectful distance from one another, so as not to confuse personal likes and dislikes with professional relationships.....The professional behavior ought to be enough of a modern guideline, because it requires gentlemen never ever to seem to notice that the colleague he treats in a professional manner is a [woman]. He treats her according to her place in the work scheme....

See how easy it is? Miss Manners knows better than to suggest that the confused need only behave the way they have been behaving all along. Rather, she suggests that they behave the way they know they should have been behaving all along.

Or to paraphrase, "I was joking" is not an acceptable alternative to "I'm sorry."

Lauren Robel

LETTERS TO THE EDITOR

To the Editor:
I am writing in response to the recent announcement describing the first meeting of the Men's Law Cartel. Doubtless, others will write to argue that the announcement was insulting to women. By contrast, I write to submit that it was insulting to men. (I was not at the event itself, so I offer no comment on it; my remarks are directed exclusively at the announcement of the event, as it appeared in a recent ILA). I write with some reluctance, because I do not enjoy sharp public disagreements with students. Let me be very clear: I am commenting only on the material produced by the Men's Law Cartel as an organization. I do not know the individuals involved, and I ascribe no particular motives to them one way or the other. Some of them may have explanations for what they have done. Nonetheless, I strongly feel that their written communications were deeply inappropriate.

In my view, there is an important role for men's gatherings in late twentieth century America. We have discovered that much of traditional masculinity has been oppressive toward straight women, gay men, and lesbians. It has also sometimes oppressed straight men themselves. Therefore, we have had to re-examine much of what we thought it meant to be a man. At the same time, it has not proved possible to reject masculinity outright: realistically, a wholly androgynous world will not come about in our lifetimes, and it may not ever be desirable. As a result, men need to help each other to reconceptualize masculinity, to find a way "to be a man" without accepting its traditionally oppressive aspects.

Many believe that this task is impossible, and they suspect all male gatherings. Regrettably, they have good reason for this suspicion: men generally seem incapable of getting together as men without falling into one of two traps. First, they commonly become sophomoric. They imagine that the highest calling of the male is to get so drunk that he pukes on his shoes. Then, imagining that he is irresistible to women with vomit dribbling down his chin, he wanders the streets making lewd comments. Of course, this image is not a model of manhood at all; rather, it reflects a profound desire never to become a man, a prepubescent desire to shock simply to get a reaction. And it is so ridiculous that one cannot describe it with a straight face. Indeed, its proponents generally offer it with a humorous tone to give themselves deniability: they can claim that it was just all a joke, and those who were offended are oversensitive and humorless. These proponents insist that no one should be offended because their messages are all in fun; they don't mean anything.

But the messages do mean something; they have a clear and important implicit message. Truly offensive views are not funny. To take an extreme example, much worse than the MLC announcement, imagine that a group of law students formed a White Law Students' Cartel, and they invited black students to a party "to serve the food and drinks." We would not find this funny; it is merely offensive. When someone jokingly propounds sexist views, then, he is necessarily arguing that these views are not truly offensive. That is their message, and it is not just a joke. Indeed, it is not a joking matter at all. But the jokers seek to cloak that message in humor so that they won't have to defend it--presumably because they know, in this day and age, that they would fail. Feeling on the defensive, the jokers often try to mount a good offense: those who disagree with them are part of the thought police. The irony here is that the jokers themselves aspire to be the thought police: apparently, they get to decide what is funny, and those who dare to disagree get called shrill and hypersensitive. I am sure that tellers of racist jokes take the same view: the jokes are funny, and if blacks are offended, why, they just have no
sense of humor. This is a strange world, where sexism is funny and being offended at sexism is a crime against freedom.

The second trap is very different: when men gather, they are often sincere and earnest, but one of the things that they sincerely and earnestly wish to do is to subjugate straight women, gay men, and lesbians. The most prominent, recent example is the Promise-Keepers rally in Washington. In my view, all men should mourn the missed opportunity in this rally: these men deeply wish to become better husbands and fathers, to reform what they see as raging irresponsibility among men. Yet as a quid pro quo, they demand to become the "spiritual leader" of the family. Apparently, they will not accept responsibility unless they are allowed to be the head honcho; if "reduced" to equality, then they will flee the snares of family life. (Women, of course, have been responsible for generations while playing second-fiddle).

In the late twentieth century, it is often hard to be a good man: to be good, you must stop "being a man"; and to "be a man," you must stop being good. Despite this difficulty, I believe that a large number of men are struggling with quiet determination at precisely this task. They are seeking to keep the good and purge the bad from traditional masculinity, and they are doing so with very little support from popular culture. Unfortunately, we rarely hear from them; instead, the airwaves are dominated by Men Behaving Badly and the Promise-Keepers. And so I write to speak for this group, and to ask a question of the Men's Law Cartel. I ask this question not as a law professor, nor as a lawyer, but as one man to others: can you think of no better ideal of manhood than the one that appears in your announcement?

Sincerely,
David C. Williams

To the Editor:

The undersigned members of the law school community applaud the ILA for publishing the Men's Law Cartel (MLC) article. ILA's actions showed respect for the First Amendment. Our disappointment lies not with the ILA, but with the attitudes expressed by the MLC. In the spirit of the First Amendment we wish to combat speech with speech.

Those of us who were hoping that sexism was a thing of the past in the legal profession received a rude awakening last week when confronted with the inappropriate comments in the MLC's announcement in the ILA. The MLC has been described as a loosely affiliated group of male law students who meet for breakfast and other social events, some of which are apparently for men only.

The announcement, appearing in the "News for Student Organizations" section of the ILA, discussed a social event "sponsored" by the MLC at which "guys" were asked to wear coats and ties and women ("gals" in MLC lingo) "were asked to just 'bring the heat.'" Apparently this was the wording used in the party announcement that "members" of the MLC distributed to law students.
This description of the attire these men considered appropriate for their female classmates might have been considered merely in bad taste had it been confined to an advertisement for a private party. However, the placement of this comment in an announcement for a student organization event in an official law school publication is offensive, sexist and inappropriate. It creates a hostile environment for women law students, sending the message that the law school condones functions in which men dress like professionals and women are treated, not as colleagues, but as sex objects.

Members of the MLC who disagree should ask themselves what reaction they might get if they showed their ILA announcement to a woman hiring partner at a law firm where they would like to work. Would they be proud to claim membership in the MLC? Would they submit the same type of announcement to describe an office holiday party to a firm newsletter? How would the firm's female clients react?

Furthermore, MLC claims that the organization, such that it is, doesn't discriminate against women in membership and event attendance. We hope this is true. If a group of men wants to exclude women from their company, we don't object. But we don't want such discriminatory practices given the benefit of free advertisement in a newsletter sponsored by a state law school and paid for with tuition from state funds.

Finally, we challenge the men associated with the MLC to establish their organization as an official group. The law school could use a professional organization that helps men understand sexual harassment, deal with frustrations related to affirmative action hiring, and plan for a two-career family. If the men in MLC were to learn to discuss these issues, they might feel less inclined to lash out with such disrespect at their female colleagues.

Members of MLC, we thank you. Thank you for making all of us aware that sexism and discrimination are still a problem. Thank you for giving the entire law school community an opportunity to address these problems.

Sincerely,

Kendall Millard 2L; C.E. Manley, 3L; Isabele Noble, 3L; Andy Paine, 3L; G. Hudson, 3L; Reid Cox, 1L; Jenifer Snyder, 2L; Wes Marion, 3L; Molly Moran, 3L; J.T. Whitehead, 3L; Denise Bezick, 3L; Lisa Davidson, 2L; Clementine Rene Hawkins, 3L; Sandy Hamilton, 2L; Marc Pascu, 2L; Lynne E. Ellis, 2L; Emily Schabacker, 2L; Heather Rastorfer, 2L; Samantha Brauner, 2L; Andrew U. Straw, 3L; Rebecca Brackman, 3L; Wendy Schoener, 3L; Rebecca W. Gole, 2L; Laurie Robinson, 3L; Bernadette McKain, 3L; Tammy Earnhart, 2L; Dawn Wildrick-Cole, 2L; Carolyn Morehouse, 2L; Amy B. Lee, 2L; Erin Boen, 1L; Sandra Macklin, 2L; Shelly McBride; Paul L. Smith, 1L; Timothy B. Sexton, 1L; Robert R. Cline, 1L; Andrea D. Bontrager Unizicker, 1L; Jacqueline M. Goldman, 2L; Gabe Paul, 2L; Adam Barnes, 2L; Heather Leary, 3L; Aaron Leal, 3L; Chou-ll Lee, 3L; Brian Winger, 3L; Christine Mason; Jennifer Dombrow, 3L; Staci Terry, 3L; Sohini Gupta, 2L; Cynthia Bauerly, 3L; Mary Russell, 2L; David Anderson, 1L; Melissa Johnson, 3L; Martha Marion, 3L; Carla Garino, 3L; Ray Rayder, 3L; Liisi Baumgartner; 3L; Tony Kim, 3L; Matt Nochowitz, 3L; James Hillery, 3L; Sergio Garcia, 3L; Danielle Louton, 2L; Jennifer Engle, 2L; Joseph H. Merrick, 2L; Manisha A. Desai, 1L; Sylvia Edgar, 1L; Andrey Follooder; Monisha Chakrobortty, 3L; Shawna Eikenberry, 2L.
NEWS FROM THE FACULTY

Kevin Brown appeared on the ABC News Program "Nightline," Thursday, October 2 and spoke on Ray Schwarz' NPR radio program, Thursday, September 25. On both programs he discussed the termination of school desegregation.

Sarah Jane Hughes' essay "Law Enforcement Monitoring of Electronic Payment Systems" was published this week in Privacy in Electronic Commerce: A Compendium of Essays on the Use of Information. Other contributors to the collection include Janlori Goldman of Georgetown's Center for Democracy and Technology; Margaret Milner Richardson, former IRS Commissioner; and David Sobel of the Electronic Privacy Information Center. Professor Hughes has placed a copy of the book with the library for anyone who might care to read any of the essays.

NEWS FROM STUDENT AFFAIRS OFFICE

MICHAEL USLAN, PRACTITIONER IN RESIDENCE, OCTOBER 12 - 16

Mr. Uslan will be with us this week as our practitioner in residence. Most famous perhaps as the Executive Producer of the "Batman" movies, Mr. Uslan has written, produced, and directed several movies and television shows. A 1976 graduate of our law school, he started his career as an attorney for United Artists and was in charge of legal affairs for many movies. A fuller resume of his career is posted by the mailslots and on the first floor, glass-enclosed bulletin board. Mr. Uslan will participate in classes in Electronic Communications Law, Contracts, Trademark Law, and Negotiations. On Tuesday at 3:15 p.m., he will discuss alternative careers. He will also be available during the week for small group or individual meetings in his office, Room 16D (Career Service Interview Office). Students can drop by during his office hours, or they can sign up on the sheet outside his office.

Mr. Uslan's office hours:
Monday - 1:30 to 3:00 p.m.
Tuesday - 11:00 a.m. to 11:45 a.m.; 1:30 p.m. to 3:00 p.m.
Wednesday - 2:30 to 3:30 p.m.
Thursday - 10:30 to 11:30 a.m.

MULTISTATE PROFESSIONAL RESPONSIBILITY EXAM

The MPRE, for third year students primarily, will be given on November 14 at our school. This exam is required for membership in most state bars. The application deadline for this testing date is October 17, with November 5 as a deadline requiring the payment of a late fee. Applications are available in Room 024. Information regarding a one day Bar Review course for this exam is forthcoming.

NEWS FROM CAREER SERVICES
CALL-BACK OFFERS AND INTERVIEWS

At this point in the busy fall recruiting season, a number of students are getting call-backs for second interviews and offers of employment. These students may be juggling several call-backs and offers, not knowing when and how to respond appropriately. Employers want to complete the hiring process, while job-seekers are trying to maximize their options. Students who receive call-backs should respond as quickly as possible by phone to arrange or decline a second interview. In general, a student should take advantage of all call-back opportunities unless the student intends to accept an offer already in hand or the student has no real interest in a particular firm. Job-seekers should remember that call-backs do not guarantee that an offer will be forthcoming. Firms often invite back students from a number of schools to fill only a few positions, so limiting one's options may hurt in the long run. Of course, politeness and professionalism are in order, even when turning down an interview.

When offers are extended, students will have some time to narrow down their choices to make a decision. According to the National Association for Law Placement (NALP) guidelines, all offers to law students generally should remain open for at least two weeks. Employers making offers to students not previously employed by them should leave the offers open at least until December 1. However, after October 15, a student should not hold open more than four offers simultaneously, and after November 1, a student should not hold open more than three offers simultaneously. For each offer over the limit, the student should, within one week of receipt of the excess offer, release an offer. Students should be courteous when turning down offers. They can call to decline the offer, but it is a good idea to follow up with a letter to thank the firm for its interest and consideration. Students who wish to accept an offer should get back to the employer by phone and confirm the terms in a letter within a few days. Students should not accept more than one offer in an attempt to secure a position while waiting for the job they really want. Negotiating and establishing a time frame in which a student will respond to an offer is expected, and extensions of time are often granted.

If you have any questions regarding how to respond appropriately to a call-back or an offer, please see either Kathleen Austin or Christine Rodden in Career Services to discuss your situation.

CAREER FAIR

The Career Fair brings more than 15 attorneys from a variety of practice areas and settings to talk one-on-one with students in the main foyer. Stop by each attorney's table and learn about their practice area, career path and practice setting. Receive helpful tips on how to conduct a productive job search. Learn to network by actually doing it. The Career Fair will be held Tuesday, October 14, 11:45 a.m. - 12:30 p.m. in the Law School's main foyer.

MOVIE PRODUCER DISCUSSES BENEFITS OF LAW DEGREE

On Tuesday, October 14 at 3:15 p.m. in Room 121, Michael Uslan, an IU Law graduate and successful movie producer, will discuss how his law degree has helped in his career.
IBA ATTORNEYS OFFER CAREER ADVICE

On Tuesday, October 14 at 4:15 p.m. in Room 122, The Indianapolis Bar Association will sponsor a PIZZA PARTY and an opportunity for all students to explore their career options. Four to five attorneys will be present to discuss their work, job satisfaction, and to provide career advice. Meet attorneys from both the public and private sectors while enjoying pizza and sodas.

NEWS FROM STUDENT ORGANIZATIONS

SHERMAN MINTON MOOT COURT

All Moot Court participants are strongly encouraged to attend a lecture on oral advocacy presented by George Patton. The presentation will take place on October 15 at 7:00 p.m. in the Moot Court room.

WOMEN'S LAW CAUCUS

The WLC will meet Wednesday, October 15 at noon in Room 121. This week's meeting will include a "Career Contacts Fair." Lists of the Law School's alumnae who are willing to be contacted about their work experiences, both inside and outside the law, will be available. The lists will be arranged by region and will include specific contact information about each alumnus. Don't miss this excellent opportunity to network with alumnae and learn more about career opportunities. As always, everyone is invited to attend.

PHI DELTA PHI MEETING: ALL INVITED

Anyone not currently involved in a legal fraternity is invited to attend the PHI DELTA PHI meeting on Tuesday, October 14 at 12:15 in Room 124. Phi Delta Phi is the nation's oldest and largest legal fraternity. We focus on professional ethics and community service. We look forward to seeing you on Tuesday.

BUSINESS AND LAW SOCIETY

Are you interested in, or considering the JD/MBA joint degree program? Come and find out about this powerful business tool when the Business and Law Society hosts James Holmen, Director of Admissions of the MBA program, and Dean Fromm, Wednesday, October 15 at 6:30 p.m. in Room 124.

Mr. Holmen will speak about the admissions criteria of the MBA program, its consideration of law school students and will answer questions regarding the JD/MBA program from the business school's perspective. Additionally, Dean Fromm will discuss what it means to be a joint degree student within the law school and will speak to the JD/MBA degree's usefulness in landing jobs.

STUDENT LAW ASSOCIATION
Sick of interviewing, checking cites and outlining? Ready for a REAL good time? Then mark OCTOBER 31st, HALLOWEEN, on your calendars for THE law school party of the year: the return of Lucifer's Ball!!!! Start thinking of your costume NOW!

For all those who have books to unload, the SLA Bookstore in Room 004 in the basement is open Mondays and Wednesdays from 12-1. Stop by and get instant cash from your old books, and let us offer you fantastic, cheap deals on a variety of textbooks and study supplements!

SLA welcomes your questions, concerns or suggestions. We're here to bring you what you want, so feel free to approach any member. Stay tuned for more information about Lucifer's Ball!

AMERICAN TRIAL LAWYERS ASSOCIATION

ATLA will meet on October 15 from 5-6 p.m. in Room 122. This meeting will be open to all law students. During second semester, ALTA sponsors a trial competition open to second and third year students. There are many opportunities for first year students to get involved. Everyone is encouraged to attend.

CHRISTIAN LEGAL SOCIETY

The Christian Legal Society holds a Bible study every Tuesday at 7:00 p.m. All students and faculty are invited. The group meets in the library lobby.

ANNOUNCEMENTS

INTERNATIONAL BUSINESS LAW SCHOLARSHIP

The Elliot R. Lewis International Business Law Scholarship has been made available by an alumnus of the law school to allow an IU law student to attend the Annual American Bar Association International Law Forum. This Annual Forum brings together international legal practitioners from all over the world to discuss cutting-edge issues in international business law and practice. The recipient of the Lewis Scholarship this year will be able to attend the Forum in Scottsdale, Arizona in February 1998.

Interested students should submit to Associate Professor David P. Fidler the following documents: (1) a resume, and (2) a one-page statement of interest in a career in international business law. In the statement applicants should discuss their law school preparation for such a career and specifics about what type of international business law they would like to practice (e.g., transactional work with a specific region of the world). To be considered for the Lewis Scholarship, students should submit these documents to Professor Fidler no later than 5:00 p.m. on November 3, 1997. Applicants can direct questions to Professor Fidler in Room 249, or at 855-6403. Questions may also be sent via e-mail to: davidfidler@law.indiana.edu.

RESEARCH ASSISTANT WANTED
Steve Johnson is looking for a research assistant for both this and next semester. Having had (or currently taking a tax course) is desirable, but not essential. Hours are flexible. Those interested should leave a resume and note in his mailbox.

**PROFESSOR PESCOSOLIDO PRESENTS "THE IMAGE OF AFRICAN AMERICANS IN CHILDREN'S LITERATURE"**

On Thursday, October 16, at noon, in the third-floor faculty lounge, Professor Bernice Pescosolido from the Sociology Department will present a talk entitled "The Image of African Americans in Children's Literature." Professor Pescosolido, who has won the University-wide teaching award, has made a study of Goldenbooks, the first widely disseminated children's books. The Children and the Law Discussion Group is sponsoring this event. Everyone is invited. Snacks and drinks will be provided. Please RSVP to Martha Marion 3L or Professor Orenstein.

**CALENDAR**

**MONDAY, OCTOBER 13**

...Mr. Uslan, practitioner in residence, holds office hours, 1:30-3:00 p.m., Room 16D (Career Service Interview Office).

**TUESDAY, OCTOBER 14**

...Mr. Uslan, practitioner in residence, holds office hours, 11:00-11:45 a.m., Room 16D (Career Service Interview Office).

...Career Fair, 15 attorneys available to talk to students, 11:45 a.m.-12:30 p.m., Law School's main foyer.

...PHI DELTA PHI, 12:15, Room 124.

...Mr. Uslan, practitioner in residence, holds office hours, 1:30 - 3:00 p.m., Room 16D (Career Service Interview Office).

...Mr. Uslan, Executive Producer of the "Batman" movies, discusses alternative careers, 3:15 p.m., Room 121.

...IBA Attorneys offer career advice with pizza and soda, 4:15 p.m., Room 122.

...Christian Legal Society Bible Study, 7:00 p.m., library lobby.

**WEDNESDAY, OCTOBER 15**

...Women's Law Caucus, Career Contacts Fair, noon, Room 121.
Mr. Uslan, practitioner in residence, holds office hours, 2:30-3:30 p.m., Room 16D (Career Service Interview Office).

American Trial Lawyers Association meeting, 5-6 p.m., Room 122.

James Holmen and Dean Fromm discuss the JD/MBA joint degree program, 6:30 p.m., Room 124.

George Patton lectures on oral advocacy, 7:00 p.m., Moot Court room.

II Semester Registration materials are available.

Indiana Bar Applications need to be postmarked.

**THURSDAY, OCTOBER 16**

Mr. Uslan, practitioner in residence, holds office hours, 10:30-11:30 a.m., Room 16D (Career Service Interview Office).

Professor Bernice Pescosolido presents "The Image of African Americans in Children's Literature," noon, in the third-floor faculty lounge.

**FRIDAY, OCTOBER 17**

Deadline to avoid late application fee for MPRE. Applications in Room 024.

Page created and maintained by Patrick di Battista

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