

YOUNGSTOWN STATE UNIVERSITY

ORAL HISTORY PROGRAM

Youngstown Law School

Personal Experience

O H 974

JOSEPH LUCAS

Interviewed

by

Paul Carlson

on

April 15, 1977

## JOSEPH LUCAS

Joseph R. Lucas, born on February 19, 1917, in Duryea, Pennsylvania, has earned eleven degrees, including three doctorates. A child of the Depression, Lucas learned early in his life to work hard. At one time he worked as sales clerk in Macy's Department Store, and also as a construction laborer in Long Island. After being ordained as a priest and serving his first Solemn Mass at Sacred Heart Church in Duryea, Pennsylvania, on June 3, 1945, his first assignment was at St. Patrick Church, Kent. There he became Chaplain of the Newman Club. He received a doctorate in Theology from Angelicum University in Rome in 1952, a Doctorate in Psychology from the University of Ottawa in 1952, and a Doctorate in Canon Law from Lateran University in Rome in 1962. Since 1952, he has been a full-time philosophy instructor at Youngstown State University. Earning his Juris Doctorate degree from the Youngstown Law School, he also received the Land Title Guarantee and Trust Company Award, the Rose Rigelhaupt Memorial Award, and the Grace Prentice Maiden Award. In 1970, he also made an unsuccessful bid for a seat in the United States Congress.

C This is an interview with Dr Joseph Lucas for the Youngstown State University Oral History Program, on Youngstown Law School, by Paul Carlson, on April 15, 1977, at 10 10 a m

Dr Lucas, could you tell me something about your background, your family, education, and early experiences?

L Well, I came from Pennsylvania My parents are of Slovak origin I was educated in a public school I went to St Thomas College, then to St. Mary's University of Seminary in Baltimore, then back to the University of Scranton I took a degree in Philosophy and in education I taught school for a year in the public schools I worked in various summer resorts and Macy's Department Store in New York during the Depression Also, I worked in construction I then became a social worker in the state of Pennsylvania for a year and a half I then went to the University of Ottawa, where I studied Theology and Psychology for four years I went to Kent State University as a chaplain and took a Masters Degree there, a Masters of Arts in Education. I then became high school principal of St Mary's in Warren At the same time, I became an instructor at Youngstown University in 1947 I went to Europe to the Angelicum University in 1952, where I studied for a doctorate in Theology. I came back here as a full-time teacher in 1953, after one year I then went to law school in the evenings and took my law degree here. I went to Europe, to Rome, in 1958, where I studied canon law, and I came back here in 1959 and finally got a doctorate of canon law in 1962 Since then I have been teaching here as a full-time instructor and professor I am a full professor now, and a distinguished professor That is my history up to the present

C How was your early education, your high school? Did you study a lot when you were in high school?

L I was a pretty good student. I did not do anything else except study and worked around the house or pick coal and things like that , for the winter furnace

C What was it like to work at Macy's during the Depression in New York.

L I sold juvenile furniture. During the summers, I was a bartender in the summer resorts in the Catskills Mountains I worked construction as a laborer, after I had my degree, because there were no jobs I was also an assistant plumber during the war, in reconverting ships to transport ships for the war

C What was a typical day like at the seminary? Were you at two different seminaries?

L Yes, I was at St Mary's and I was at Ottawa University. Of course, as a priest, I also had to live a sort of seminary life in Rome when I was there on my two stays

of education, both in 1952 and 1958. A typical day was you would just get up in the morning, have morning prayers, and then you would have mass. Then breakfast. You would have a class for about twenty-four hours a week. You wore a cassock all the time. Even in Ottawa, we used to wear a cassock while we played ball or hockey, because the rules were very strict up there at that time. Now, of course, there they are very lenient. But, it was a completely programmed day where you just went to class and studied, besides the necessities of eating and sleeping.

C It is a little bit different than from a typical day of a university student here?

L Oh, absolutely. It is like night and day.

C Which degree did you get at the University of Scranton?

L An A.B. degree. At Ottawa, I got a bachelor of Theology and a licentiate of Theology. I also got an M.A. and Ph.D. in Psychology. At Kent State I got an M.A. in Education. At the Angelicum University in Rome, I got a doctorate in theology. At the Lateran University in Rome, I got a bachelors and a licentiate and a doctorate in Canon Law. I got my Bachelor of Laws here at Youngstown, which was converted, I think, in 1966 or 1967 into a Juris Doctorate, doctor of laws.

C What was your major in your undergraduate study in Scranton?

L I had a double major. One was in education and one was in Philosophy.

C Then you got a Master's in education from Kent State.

L Right.

C You were the chaplain of the Newman Club.

L Yes, chaplain for the Newman Club from 1945 to 1947.

C did you have a lot of contact with the students at Kent State?

L Oh, yes, and with the faculty, and the president. The president was the former superintendent of schools in Youngstown.

C Your first trip to Rome was in 1951. Did you sail on the *Queen Mary*?

L Yes. How did you know that?

C. It was in *The Vindicator*.

L: Yes, I sailed on the *Queen Mary*, and then I came back on the *US Constitution*. The other times, one other time, I sailed the ocean from Naples. I went back and forth to Rome about five times for my studies. I had to go back for some exams in 1960, so I flew back and forth. Then in 1962, I went back again to defend my doctoral thesis in canon law, so I flew back and forth. In 1951, I visited my brother in Germany. From 1958 to 1959, I spent time there with another brother of mine who studied medicine in Rome, from 1953 to 1959.

C: Was your studying regimented in Rome or did you have quite a bit of easy studying?

L: No, there was more freedom in Rome. I was a graduate student and I was a priest. When you are not a priest and you are in the seminary, your day is regimented all the way through. Even your mail was censored. As a priest, you have privileges. You are obliged to go class. While I was over there, I visited Greece, Italy, Lebanon, Syria, and Israel.

C: How did you travel when you visited those different places?

L: By plane.

C: Where did you serve your first Mass?

L: It was at Sacred Heart Church and I was nervous. You are always as a newly ordained priest, when everybody is watching you and you are wondering if you are going to make mistakes or not. I was ordained a priest in 1945. I belonged to the Diocese in Youngstown. I served as an assistant at St. Patrick's while I was a chaplain at Kent for two years. Then I served for two years at St. Mary's in Warren while I was principal of the high school and director of athletics. Since that, I have been teaching full-time here at the university. I am just a resident at St. Rose in Girard. I function as a priest by saying mass everyday and by helping out on weekends with the services. I also function in the diocese. I have been vice-president of the Senate of Priests, I have been president of the Senate of Priests. I am still chairman of due process in the diocese with any disputes that come up. I have been on the personnel board for about six years. Right now, I am chairman of the Central committee, which is running the Senate of the Diocese. So, I am involved in diocesan work.

C: In 1962, you were co-chairman of the philosophy and religion department.

L: Dr. Riley and I had our own separate courses in which we granted majors. I was running what might be called a neoscholastic major in Philosophy. So he had charge of his department and I had charge of my own department. This existed from 1952 until it became Youngstown State University in 1967, when we merged the departments.

C Looking back on your earlier education, what would you say were the chief influences on your life?

L Well, I always wanted to become a priest and so that was my goal. I always wanted to be as good as I possibly could in whatever I undertook. So, you see, I was a student all of my life. I was always working for two degrees at one time. For instance, when I was at Ottawa, I was taking about 25 hours a week. But I studied outside of class at least seven hours everyday, seven days a week. When I was in Rome, I would even study on holidays or do work, like on Christmas and Easter, there was no day off for me. Otherwise I could not have obtained the eleven degrees I have obtained. You have to do a lot of work in writing the thesis and preparing for the exams. I did not have very much recreation, I will tell you that much.

About my family, I have seven brothers and sisters, a big family. One of my sisters is a teacher, my other brother is a director of Pediatrics in Lincoln Medical Center in New York. I have a brother who is an economist and a sister who is a nurse, and a sister who is a telephone operator. She did not get an education. We were a closely knit family, very strictly brought up. We were always taught to be on your best behavior, you never brought home anything that would disgrace the family. So that is why they all turned out pretty good and no one got into any trouble.

C Is that in Duryea?

L Yes, it is a little small town of about 8,000 population. It was a coal town. In a small town, you do not get into much trouble. We were pretty busy because we went to school and then after school you had to go and either work on the farm, which I had to do during the summers and after school, or else you went on the dumps to pick coal. You would bring it home, crack it, and get it ready for winter. My only other hobby was fishing. Something that was inexpensive. You got some kind of a line, then went down and cut off a branch and got a couple of hooks, that was the way you acted as a kid because you had no money at all during the Depression.

C Did the Depression strike pretty hard in the small town?

L Oh, sure. In fact I was so strapped for money that I was only able to pay my tuition in the seminary for one year, then I was out. After I graduated from college, I was out for three years doing various jobs, including that job as a social worker. Then when I went into the seminary, I had no money and the seminary carried me along for four years without my paying a dime. It was just on the strength of my character and desire to have an education. So after I became a priest I had to pay all that money back.

C You were never at need to find anybody to play with, with seven brothers and

sisters

L No, but in those days you were too busy to think about playing. In our family, the play was on studies and subjects. We were always studying to keep up. You were always checked on by the rest of the family, whether you had the right grammar or not, so there was no real play when we were children growing up, even right through high school.

C Were you one of the older children?

L I was the fifth. My father died when we were all pretty young and, therefore, we all had to sort of be on our own. You had no clothes. For example, through four years of college, I wore one suit that I got for graduation at high school. We did not have any money.

C Do you still keep in touch with your brother and sisters?

L Yes. My brother is in New York, and I have a sister in Scarsdale and a sister in Monticello. I go back and forth all the time, three and four times a year. My brother and I, especially the doctor, we do a lot of fishing in the Delaware river, trout fishing and whatnot. That is our main recreation.

C Would you tell us about your running for Congress in 1970?

L I think that was 1969 to 1970. Yes, I thought I would like to get into politics and I had very high ideals. I was going to represent the people instead of getting messed up in this, what might be called corrupt politics. My difficulty there was that, my own bishop and the bishops and the United States were against me. So, I could not put on a campaign. I only got my literature out two weeks before the election. I came in fifth of fifteen, so it was not bad. I did not spend much money and I ran the whole thing by myself, I had no workers. But the bishop was afraid that the politicians around here would look askance at my running. In fact, I met the Archbishop of Cincinnati two weeks before the election here in Youngstown. He was chairman of the bishops to investigate priests being in politics. He told me that they were going to make a decision, which they did the week before the election and came out against priests being in politics. This influenced a lot of the Catholic vote. I did not hesitate to tell him my position because I told them if they were going to take a strong stand and it was going to be published in the newspapers, that maybe they were violating my civil rights and I might sue them. It was not successful and I have no further intention of getting into politics. It is too involved, too time consuming to try to run between here and Washington. The remuneration, me as a single man, why I pay it all in income taxes anyway. I have to get the satisfaction from doing the job. Right now I am doing some bankruptcy work in the federal courts, acting as a lawyer trustee, in some bankruptcy cases.

- C So you kept up with your legal education?
- L Yes I passed the bar and I am a lawyer in the state of Ohio I can practice law in the local courts, state courts, as well as in the federal courts
- C Have you practiced?
- L I only do an occasional probate of a will guardianship, but otherwise, I am not deeply involved in the law
- C Did your decision to run for Congress have anything to do with your stand on the Vietnam war?
- L No I thought that the reason why I ran was that after Mike Kerwon, the field was open. This was something that I would like to do, and I thought I could do a better job than anybody else who would run, in representing the people here It was a personal interest in that kind of work I like to deal with people and I like to be always out with them In fact, you seldom find me home
- C Have you noticed much of a change in the students since you have taught here?
- L Well, when I began teaching in 1947 to about the time of the trouble at Kent, the students were very well disciplined and, of course, I am a very disciplinary teacher I make sure that I have the upper hand in class at all times In fact, the former dean of Youngstown University told me I was the most strict disciplinarian teacher on campus I noticed that the students were upset and disturbed during that period for about four or five years, but now they have changed. They have got back to being, I would not say docile, but at least being respectful to the professor and being serious about their work
- C What about the academic caliber of the students? Has it gotten better or worse throughout the years?
- L I think it has improved I find that students, in the last four or five years, indicate that they know more philosophy through their exams than they have in the past It is remarkable, I have very excellent papers on examinations That is a high percentage of the students -- ninety percent of the students are that way. So I think they are more serious and they are beginning to understand philosophy now Maybe I am a better teacher.
- C How were your instructors in Scranton, Ottawa and Rome?
- L I would say because I have always been, except for Kent State and Youngstown, in Catholic schools or universities, and since the atmosphere was ecclesiastical, it was always serious The professors were highly trained, more so than in



Europe We always got a good education all the way through I enjoyed my professors at Kent. I got along with them well on a personal basis I suppose because I was a priest dressed up with a collar all the time, we had more of an academic relationship than the average student with the teacher It has been odd because all the while I taught here until it became a state university, I always wore my clerical collar in class, but since it has become a state university, from the president down, they always referred to me as Doctor, so I got the hint that they wanted me to dispense with the clerical garb Since that time I do not wear any I think that most of the students would know that I am a priest, but some of the students do not

C What was your doctoral thesis?

L My PhD was in the Philosophy of Future Teachers I tried to get at how they were going to approach a view of life with their students. It was a survey, I had a questionnaire and a survey made up It was tested in about seventeen universities, all different kinds: Catholic, Protestant, secular. That was the PhD Then I wrote a doctoral thesis in Theology on cardinal Newman's Doctrine on Physical Miracles I wrote a doctoral thesis in Canon Law In fact, my last licentiate thesis in Canon law had to be written in Latin All my exams were taken in Latin in Rome, orally The defense of my thesis for an hour was in Latin You see, that is pretty unusual today All of my lectures that I attended and all my courses that I attended in Rome were all taught in Latin In fact, all of my courses at the University of Ottawa in Theology were in Latin, except for church history, which was in French In fact, I took one year of Hebrew, taught in Latin

C So you speak French, too, then?

L I was able to speak French pretty well, especially when I went to France. You forget it now, unless you are having a conversation I have absolutely no trouble in getting along when listening to lectures in Latin I only had trouble with one professor He was Syrian He lectured and wrote his book in Latin, which is hard. They have sentences that are like a whole paragraph Then they throw all the verbs at the end of the paragraph and you have to understand that.

I have been a student all of my life I have been in the academic field, except for my high school principalship and director of athletics, dean of boys at St Mary's in Warren, but all my time is spent in studying and going from one degree to another In fact, I was going to get a doctorate in education and I talked it over with the dean, who I knew at Kent State and he said, "You are crazy; you have got enough degrees What do you want another one for?"

C Has studying always come fairly easy to you?

L Oh, yes I never had any trouble

- C That seems like that is a quality of the whole family
- L Yes, well, you see my family was very poor. My father was a coal miner and when he died, of course, he left us, and the family thought that the only way to better themselves was through education. In fact, I sent my brother to Rome and paid for his education there. I did it only by earning what I did here at the university. When I was working part-time for the first four years from 1947 to 1951, I was only getting three dollars an hour. Then I came back and was hired full-time, twelve months a year, teaching eighteen hours. Until 1967 from 1952, I always taught six courses per semester, six three hour courses. That is a heavy load and I was going to law school at night. I taught summers and my salary, for the first year, was \$3500 a year. See, our family is close together, if somebody needs an education I would help them out, so I sent my brother to Rome to go to medical school because it was so hard to get in school here. That is the way my family has always been, to help each other out. We are closely knit
- C It seems now that, maybe if you worked as a coal miner you could make more money, than if you pursue an education
- L. That is right. If you are working at the General Motors plant in Lordstown, you will make more money than going to school, getting a degree and trying to get a job as a teacher in a grade school or a high school where there are no jobs
- C It is probably even harder to get a job in the university?
- L Yes, it is very difficult, especially in Philosophy. Non-existent, practically. You are better off today going into some technical work. It is too bad because you wonder where all of these students are going to get jobs after they get their degrees. When they are getting academic degrees, arts and sciences. It does not look too good for the future. I just happened to start early enough. I went into so many different fields. I went into psychology, education, philosophy, canon law, theology, and finally into civil law. So I could get a job almost anywhere. I would not be at a loss for a job even if I did not have my job here
- C Do you enjoy the atmosphere in Youngstown?
- L I enjoy a cosmopolitan city where there are a lot of different kinds of people. Of course, as a priest, I have an entree into a lot of circles that the average person does not have an entree into. In fact, I get so many invitations to dinners that I just cannot take them
- C You were teaching during the day those eighteen hours during the week, and you would go to law school at night?
- L Yes. Then I would have to say mass every morning and confessions on

Saturday and take two masses on Sunday I was working all of the time, seven days a week

C I think I started in 1953. Actually, I enrolled in law school in 1952, but the dean, at that time, of the law school was not pleased that I had enrolled in school, because he thought that I was not serious, that I just wanted to get a lot of education. It turned out that in 1952, I had a conflict with my classes. So I had to drop out of school. I started in 1953 and I completed the four year course in three and a half years, I graduated ahead of my class. I got to know the professors so well that the dean, now, wanted me to switch from philosophy to teaching law in the law school. He offered me a job but, of course, you see, the law school decided to end in 1957. They decided to carry it through for the students that were there and then to stop it. I was thinking about teaching law, but I just did not have the opportunity. After my second year in law, I received the prize for the highest grades in the law school and I received the prize for the best exam in real estate property. Then when I graduated, I received the highest prize for general excellence. I think I received another one too, at my graduation. I took the bar. I went to Cleveland to take a two week bullet course and I had no trouble passing the bar. I suppose it was because of my background in philosophy. I could analyze cases very easily and be able to take principles and apply them.

C. Who was the dean at that time? Dean Falls?

L Dean Falls was the first one, this was the Westenfield that I was dealing with. Falls died just shortly after I got into the school.

C Westenfield was the dean when the law school closed.

L yes, I think he became dean in about 1954 and he was dean throughout the whole time of the law school, until it closed.

C How often did the law classes meet?

L I think for three nights a week.

C What were the students like there?

L Well, the students in the law school, compared to the university as a whole -- and that was Youngstown College at the time -- were much better than the university students. Why? Because they were in a professional school and they had to make it, because if they did not have good enough grades they could not take the bar. So they were more serious. Furthermore, they were older students. Whenever you get older students, you get students that are more serious because they have more at stake. For example, teaching at the

university, even from 1952 on, teaching during the day and the night was different. In the night, you had the veterans who were the serious students. I think the situation is pretty much the same today, except that I would say that because many of the night students today are so busy with family and job, they are not as good students as the veterans were. They miss more class, they do not have the time to prepare their work as well. But when you go to a professional school, like a law school, your studies depend on whether you are going to make it or not. So those students are serious.

C Were the law school students, at that time, pretty well assured that their education was going to pay off for them?

L Well, I would say so because if you became a lawyer and passed the bar, you were assured of having work. There was nobody that would say that we do not have a job for you. All you had to do was go out and attach yourself to a firm or even do work by yourself. In those days, passing the bar was a very difficult thing. That was another incentive for the students to study, because at that time, only about an average of 62 percent who took the bar exam passed. Now, today, it is about 92 percent. Maybe we have better students today and they pass better. But I think the law examiners are less strict.

C I noticed that throughout this history of our law school here, our graduates did real well on passing the bar.

L They did well because in the law school, you had strong teachers. You had strict teachers like Noels White, who taught torts and contracts. You did not dare come into his class after he closed the door and if you were not going to be there at school that night, even if you were in Chicago, you had to send him a telegram notifying him or call him by telephone and tell him that you were not going to be there. So, you see, it was a very strict disciplined class. In fact, I remember two incidents with Noels White. I got into his class the first year, and the first lecture that he gave -- I wore my collar all of the time because I thought I had to as a priest -- I sat in the back of the room. The lecture started out with, "I have no regards in this class for people of professional status, or about their degrees, or their position in this university," and he looked at me. Well, I felt like two cents. Then when I dropped out and I came back again, he gave the same lecture the first night I was there. Gee, this guy is prejudice. He was a Third degree Mason and I was a Catholic priest. We became the best of friends later on, and he would do anything he could for me. He insisted on my getting the awards and whatnot because the university, when they found out that I was getting two awards at one time, they thought they should divide it up among the students and therefore we will not let one student get the awards. Noels White would not put up with that. He said, "If Lucas won the two awards, he is going to get them."

The other time, I remember, was in his torts class. He asked me for a

decision on a case and I said I think this is it. Well, he slammed the desk and he said, "You do not. It is or it is not." My point is, that is the kind of teachers we had there. Falls was a good teacher, Westenfield was good. John Newman was teaching there at the time and was one of the trustees of the university. Noels White was good. I cannot remember a couple of other teachers, but they were all good. We had an excellent faculty. Judge Maiden was nice. There was a teacher who was the mayor of Poland; he was a very good teacher.

C Tatmon?

L Yes

C Did you have Carlisle as an instructor?

L No, I did not have Carlisle

C Did you have Paul Morts?

L No, I did not have Paul Morts

C Did you have to study real hard for the law exams? Were there frequent exams?

L You have to prepare at least fifteen to twenty cases for every night of class. I would teach during the day. I would have my textbook and start to study maybe three or four in the afternoon, to prepare these cases. If some of them were in the law library, then I would have to get down here at about five o'clock and study in the law library until seven. I would say the preparation for each night's work would be, at least, four or five hours.

C Which buildings were used at that time for the law?

L We were using Ford Hall on which the fine arts building is now standing

C Were the classrooms full? Were there a lot of law students?

L There were three years, and there were about forty students in each year, in each class. Some of them were smaller, it depends. After you got up, some dropped out, but in the beginning classes, I think, there were about forty. We were not such a large school and, therefore, you knew all of the student. It was a very friendly atmosphere. I would study with the students, especially with one of the lawyers in town who was the secretary of Renner's Brewery. We used to go over to the brewery and drink beer and eat pretzels and study law.

C Was the education that you received at the law school a good one?

- L Yes, it was a good foundation because I had no trouble with the bar. No trouble I got a fairly high grade on my first try. In fact, I took the bar in June and I taught up until about the 12th of June, my six courses, and gave exams. The next day I ran up to Cleveland, spent two weeks up there, took the bar and that was it. So, I felt that I had a pretty good education.
- C What was the reason that you went to law school?
- L Well, I wanted to take advantage of the opportunity of getting an education in law. The opportunity was here and it did not conflict with me. Perhaps one of the things that triggered my going to law school -- I say I had the interest, but this really triggered it -- was the fact that I was talking with a lawyer, arguing with him one day, and he came to the conclusion and told me, "You may know theology, but you do not know law." So I said, "Well, I am going to study law and I am going to show you."
- C Are you aware of the reasons why they finally decided to close the school?
- L Well, they never said anything, but you know, the American Bar Association did not like night schools. Why? Because these small schools were putting out too many lawyers and the competition was getting greater. I think what the bar association did was put pressure on the university to close it. There might have been some pressure from lawyers in the local area because they seemed threatened that there would be an over-supply of lawyers. Maybe the university, for its own sake and its appearance or relationship with the community and lawyers and so forth, decided it was the best thing to do. Evidently, they were not making money on it.
- C It seemed like Noels White thought the school would be around if he approached you to be a future professor.
- L Yes, he asked me to take over his classes because at that time, he was thinking of retiring. He wanted me to teach torts and contracts. But then Westenfield, whom I did not get along well with at the very beginning, also asked me if I would teach in the law school. He thought that perhaps I might handle courses better like legal ethics than anybody else because of my philosophical background. But, Westenfield and I became close friends. We respected each other. As I said, the law school decided to terminate and I just kept in the philosophy department.
- C Would you be in favor of re-establishing a law school?
- L Yes, very much so. I think it would be an asset to the university and the community. It is very hard for students around here to get into law school. There are so many that want to go into law and just cannot make it. It is getting

as hard to get into law school as it is to get into the school of medicine

C After you graduated from the law school, had you wanted to set up a practice? Do you think you were qualified or the education qualified you?

L Yes The education qualified me, but I was prevented from practicing law by the canon law of the church, I could not practice In fact, I was a very close friend of Judge Ford, who gave Ford Hall here to the university and had been a trustee of Rayen Engineering School, wanted to give me a couple of cases In fact, he called up the bishop and the bishop said absolutely not

C The law has changed, though, since then?

L Since Vatican II, you know, priests have a lot more leeway in what they can do So I did not even ask the bishop's permission; I just went ahead. And nobody stopped me Of course, as a priest of the dioceses of Youngstown, I supposed I could really say that I am perhaps the most independent priest of the diocese I have my full-time job here and the bishop exercises very little control over me

C You are happy that you went to law school and got an education? No regrets?

L Absolutely In fact, if I do not practice that much law, for example, as lawyers do, I feel right now that I would not be able to do it, unless I did more studying I have a lot of friends who are judges and lawyers, very close friends I like that association, which I would not have had, especially that closeness, if I were not a lawyer In any profession you are accepted, if you are in But if you do not have the education or the degree that they have, if you associate with them, you just are not acceptable There is still that wall between you

C What qualities do you think a good lawyer should have, besides having to have a good education and the knowledge?

L Yes, I think this goes without saying, I think you should have high morals, integrity, but over and above that, I think he should have a good education, but he should be a good student You cannot be a lawyer today unless you keep up with the stuff You could practice law haphazardly Frankly, I would be afraid to practice law that way because I would be afraid of being sued by the clients for not doing a good job I think this is what many lawyers lack In other words, they do not keep up with the law, they are not students If you want to be a good lawyer, you have to be a student all the time you are practicing because you have to research the law all the way

C In our attempt to get an overall picture of the graduates of Youngstown Law School, I wonder if you would be willing to answer a few questions on current controversial issues? I just read a work by Justice Forer, she was a Common

Pleas judge in Philadelphia. She wrote a book, *The Death of Law*. It was just published in 1975. If you think that we live in a just society, do the people with wealth, is the law really just? She is saying that you have doctors who rip off the government in the Medicare payments. You have the wealth, white collar crime that goes undetected. Those indigent people are the ones who get slammed into jail and have to wait weeks for trials. She is saying that law is a myth in this country.

L. I do not think so. I think where you have human beings, you always have some injustice. I think that, in general, our law systems works pretty well. It is true, what you are bringing up. If you have money, you can hire the best lawyers and the best minds to defend you. The person that does not have the money, of course will not have the best representation in the law if he cannot pay for it. But on the other hand, they have made attempts to overcome some of the inequities by having the public law defenders for the indigent to go to and either get representation without any funds or with a minimal of funds. So, in general, I think we have as best a law system as anyone in the world. You do get lawyers who do not know the law and who do not adequately represent their clients, from that standpoint, as well as the money standpoint. I think the law is as fair as we could get it at this time.

C. I think one of her major thesis of the book was, she looks at Agnew as being free. She just does not feel right sentencing somebody.

L. That is true. I think for political reasons, and even for reasons of moral credibility, some of these cases which normally should have been proceeded with, like Agnew and Nixon and perhaps some of the others in the administration, are left go. Now, that is unjust, but sometimes I suppose, like the case of Nixon, it could be justified in letting him go, instead of destroying the credibility of the people in their government. It is also true that these fellows had been caught, but there are many who are not caught. It is covered up. For example, Congress does not want to pass a very strict ethical code for the legislatures. That is unjust. They are covering up some of their own things. They did not proceed, at least as of yet, with the influence of this Korean Parks on the legislatures. How many legislatures are involved there? That is injustice and that should be corrected. Where you are dealing with human beings, even if it is in the church, you are going to have some inequity because it is that human error there, and human weakness. Not only error, but weakness. We cannot get a perfect system. I would agree with her that there are too many things covered up by big politicians who have not been brought to trial, whether it is income tax or what. There is an inequity there. If you, say, owe a big income tax of five hundred dollars, maybe you can compromise for ten cents on the dollar with the Internal Revenue Service. On the other hand, if you are a poor person and owe \$57, why they get after you and make you pay the whole amount.



C Another area of controversy, especially with the youth, is the decriminalization of marijuana? Would you be in favor of that?

L I do not think so. I think we tend to be, both the courts and people, too permissive to the youth. We are not doing them any good, we are causing them to lack self-discipline and to have troubles in their lives and unhappiness, as well as causing society to be burdened with the crimes that they commit because of the drugs that they are taking, even including marijuana. I am troubled over that marijuana issue. The reports that I have read, some doctors say that it is not harmful and other say it is harmful, so I do not know. I have not gotten the facts as to how damaging it is. I do know some kids who have been talking about it and have gotten into numerous automobile accidents and have been irresponsible. So whether my experiences are limited and I am not able to make a judgement, I do not know. My overall idea is that, I think our youth is too permissive and I think it is damaging them, as well as damaging society.

C In your mind, then, there is not too much correlation between prohibition, the time when everybody said it was damaging, and marijuana?

L No, I think they are on a different degree. I think alcoholism is damaging, but it is not, I do not think, in the same category as taking drugs, which I would classify marijuana as.

C What about your ideas on capital punishment?

L They would be different than the bishop of the United States. The bishop of the United States doubts whether capital punishment is effective in deterring people from crime. My position is, number one, that the state has a right to take a life for a serious crime. Number two, I think the effectiveness of capital punishment may be disputed, but I would be on the side that would say keep capital punishment for major crimes.

C Are you saying that it is a deterrent?

L That it is a deterrent, yes. I think our courts and judges have become too lax in applying the law and as a result, I think crime has increased. We are just going to go steadily down hill in the country, if we just do not have some law and order. That is consistent with freedom and individual's rights. That is always a big problem, but nevertheless, I think we are going too much toward leniency. Otherwise, why would we have so many crimes? You know you are not safe today. You lock your house and you are not even safe then. You cannot let your house alone. If there is a funeral or wedding in your house, you are thinking of being robbed because the people are out at dinner and so forth. You are mugged on the streets. It is not safe. When I was growing up you could walk anywhere. When I worked in New York in 1940 or 1941, I would walk from town

square all the way down to the bowery, past those lofts in which there was nothing, never afraid. Now I was in New York about three or four years ago and at high noon, when I saw all the characters walking down 5th Avenue and 7th Street, I was afraid. Maybe it is because I am getting old and being a conservative and I was younger then and I was not afraid. But many of my friends around here have been robbed during the daylight in new York, and stabbed. One of my friends was stabbed in Warren. Now why should we have that situation? That difference from the past to now. Is it lacking in morality and character and self discipline? Even around here, you park your car on a lot and somebody will bang into it and they will not even report it. There is no sense of responsibility and morality of justice.

C Today is much more characterized by crime.

L Oh, yes. Look at the statistics when the government puts them out, about the crime in the cities. Youngstown and Cleveland do very badly.

C the last report I heard, we were up about 6% from last year.

L I do not keep the statistics in mind, but I know that we were up. I would not take Youngstown as an example because it seems that Youngstown has a lot of crime always, so many unsolved bombings and murders and whatnot. So the rackets must be pretty strong around here. Crime has gone up even in the good neighborhoods and in the smaller towns and cities that did not have any rackets.

C. How do you feel about the abortion issue?

L I would be dead set against abortion. On the issue of artificial contraception, I think that there is certainly leeway for one's own conscience, I do not think that is an issue, at least to me. On abortion, I think that taking a life at any stage of its growth is murder. Whether you are 90 years of age or one month old as a fetus, you are a human being. My judgement is based on the fact that here this fertilized ovum is complete. It is only at one stage of its development. So whether you take its life at one month or whether you take it at one year or ten years, this is only a stage of its development. If you cannot take it after it is born, why should you take it before it is born. I think we have lost the sacredness of life. Who is going to say in the future at what stage you should die. I think we have lost the Judaic Christian concept and even the concept of western civilization, that each human being is sacred. In my eyes, from a medical standpoint, there is no question that a fetus is a human being.

C Is there anything else that you think might be important, that we did not discuss in this talk?

L Trying to review my life is pretty hard to see what is a highlight. This is my 29th

year at this university I cannot think of anything except that I have always enjoyed teaching and being here I would not change it. My association has always been pleasant I have always been close and good friends with the former president and dean and his wife. I never had any difficulties at the university

End of Interview