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## CENTENNIAL ESSAYS

### RUTGERS LAW: THE EARLY SEVENTIES

*The Honorable Michael Chavies\**

I attended Rutgers School of Law–Newark from 1971 through 1974. So, yes, I was a product of the seventies, along with all that those glorious years had to offer: Vietnam, the Civil Rights Movement, the demand for equal rights and opportunities for women, the Nation of Islam, and Muhammad Ali. These events and their personalities converged upon the United States, and the City of Newark attracted these issues with a strong magnetic force. Remember too, my entering class was just four years removed from the Newark Riots—the civil disturbances that followed the assassination of the Reverend Dr. Martin Luther King, Jr. Newark was attempting to claw its way out from under the near devastation that had been the result of that unrest. Near this time, Newark elected its first black mayor, Kenneth Gibson.<sup>1</sup> This provided a much needed spiritual anecdote for the disenfranchised who had long suffered from the lack of a governmental voice. However, it also helped prove true that no one man or administration would be able to cure the ills that plagued such a polarized and fragmented city for so very long.

In 1967, Muhammad Ali, “The Greatest,” had just been prosecuted for his conscientious objection to service in the military.<sup>2</sup>

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\* Shareholder, Akerman Senterfitt; J.D., Rutgers School of Law–Newark, 1974; former Florida Circuit Court Judge.

1. KEVIN MUMFORD, *NEWARK: A HISTORY OF RACE, RIGHTS, AND RIOTS IN AMERICA 197-200* (2007).

2. See *Clay v. United States*, 403 U.S. 698 (1971) (reversing Ali’s conviction in a unanimous decision).

This event was not lost upon most. Not only was Ali a hero to nearly all of Black America, but the legal battle he waged and won four years later before the United States Supreme Court would prove to be a case followed by those in and out of the legal world for many years to come.<sup>3</sup> Ali was only one man, but other groups also forged ahead with progressive movements. This era saw the height of the Black Muslim movement in America, and although perhaps not a group that impacted every community in America, they were certainly a presence in Newark in the early 1970s.<sup>4</sup>

Women, too, were fighting hard for their rights. The Women's Liberation Movement was gaining great traction in the United States. On April 17, 1971, the Women's Liberation Day event was held in Boston.<sup>5</sup> The New England Women's Coalition marched from Copley Square Plaza to the Boston Common, where a rally was held and national speakers advocated for women's liberation.<sup>6</sup> It was a sight of strength and action.

Finally, there was the Vietnam War. In 1971, U.S. bombers launched heavy air-strikes against Laos and Cambodia.<sup>7</sup> This action set off heavy protests by undergraduate and graduate students throughout the United States.<sup>8</sup> The student body of Rutgers Law did not ignore this call for resistance to the war, and many law students, in one form or another, would find a way to demonstrate against our continued involvement in Vietnam and Southeast Asia. Vietnam was an event in American history that affected every member of society as he or she awoke to face the world each and every day. Rutgers Law School and its students were no exception.

For some, however, the pressures from this war were even more compelling. In December 1969, the first draft lottery since World War II was held in Washington, D.C.<sup>9</sup> Every young man in the United States between the ages of eighteen and twenty-six was assigned a draft number according to his birth date.<sup>10</sup> Those with low draft numbers knew that they could be called to service at any time.<sup>11</sup> This

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3. *See id.*

4. MUMFORD, *supra* note 1, at 109-11.

5. Archives and Special Collections Dept., Northeastern Univ., Women's Liberation, <http://www.lib.neu.edu/archives/voices/w-intro.htm> (last visited Feb. 25, 2009).

6. *Id.*

7. *Vietnam: The Legacy*, UNITED PRESS INT'L, Apr. 19, 1985 (Domestic News).

8. *Id.*

9. Selective Service System: History and Records, The Vietnam Lotteries, <http://www.sss.gov/lotter1.htm> (last visited Feb. 25, 2009).

10. *Id.*

11. *Id.*

singular issue created extreme anxiety, which was resurrected, revived, and revisited every afternoon when they opened their mail.

Throughout all of the events above, the civil rights movement was still as fervent as ever. Although the Civil Rights Act was passed in 1964,<sup>12</sup> the United States Supreme Court, in the spring of 1971, upheld busing as a legitimate means of achieving public school integration.<sup>13</sup> This action, by the highest court, ignited protests, some extremely violent, across the United States.

What made Rutgers Law School so extraordinary during these years is that it did not resist any of these outside influences. Rather, it encouraged its students to engage in all that was happening outside of the school's walls. The wonderful clinical programs, like the Constitutional Litigation Clinic, overseen by the famous Arthur Kinoy, of the Kuntsler, Kuntsler, and Kinoy law firm, was just one example of the school's commitment to exposing its students to these societal happenings. We were fortunate enough to attend law school at a time when activism was encouraged.

Some years earlier, a group of students at Rutgers Law School founded the Southern Mobilization Project. The goal of this program was to travel to states in the south—principally Mississippi—and work with civil rights attorneys. This is exactly what we did during an exhilarating summer in 1972. We learned from those lawyers that it wasn't enough to practice law, but that our calling was to practice law to effectuate change. Sound familiar? So, in June 1972, as we packed ourselves into our Volkswagen Beetles and weather-worn Camaros, and listened to "Just My Imagination" by The Temptations, "Tired of Being Alone," by Al Green, and of course, "What's Going On" by Marvin Gaye, we knew that heading south would not just make us better lawyers, but also, in a very small way, to help us make history.

I went on to become a legal aid lawyer, a public defender, a circuit court judge, and a shareholder in a major Florida law firm that advocates for diversity among our lawyers. Each one of my career choices was influenced by my Rutgers experience. I thank Rutgers, its professors, its outstanding clinical programs, and of course, my fellow students, for providing me with the vision to shape my legal experience.

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12. Civil Rights Act of 1964, Pub. L. No. 88-352, 78 Stat. 241 (codified as amended in scattered sections of 42 U.S.C.).

13. See *Swann v. Charlotte-Mecklenburg Bd. of Educ.*, 402 U.S. 1 (1971).

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