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REMARKS BY PROFESSOR MILES McDOUGELL
YALE LAW SCHOOL ASSOCIATION
WASHINGTON, D. C., JUNE 11, 1974



Mr. Chairman, Mr. Vice President, Mr. Stewart, distinguished guests and friends.

The Vice President does us a very great honor to come here today and I feel a very great honor to participate in these proceedings. It isn't every old law professor who's had opportunity to teach a future President. (Laughter) I am reminded of a story--that President Laurel was supposed to have introduced him first to Senator Lodge upon an occasion like this as a young statesman with a great career and public service still awaiting him. Jerry's already had a very great career, and we all hope that there's a still greater one awaiting him. There has been some comment in the press about his ability to sit in chairs -- his sitting ability. I don't think at the Yale Law School we ever before had anyone so close to the Presidency. But we did have William Howard Taft as a member of our faculty after he was President. And we had a special chair built for him that graces the faculty club at Yale, and I am sure that if he comes to a few more of these banquets that Jerry can very shortly fill that chair. (Laughter) We're going to save it for him for the future. My assignment on this occasion was simply to bring you greetings and good wishes from the Yale Law Faculty, especially from Dean Goldstein, which I hereby do. It was thought at one time that another might represent Yale and I was told simply to be light and anecdotal and to recall some of the misadventures the Vice President might have had in law school.

I don't intend to do that. I intend to take my assignment very seriously and right some ancient wrongs.

There has been suggestions about the quality of the Vice President's

scholarship. I even had a newspaper reporter call me up when the hearings were being held to find out. He said, "We understand that you're a former teacher of the nominee for the Vice Presidency. What kind of student was he?" I said, "He was a good student, not only with me but in the law school more generally." The fellow replied, "I can't believe it. Wasn't he a bad student?" I said, "No. He was a good student." The fellow just hung up on me. (Laughter) He obviously didn't get the answer he wanted.

I happened to discover that I was in a very privileged position. I didn't know it until I sat down and got my files and thought I better get these files before we started claiming immunity. I discovered that I had interviewed him when he had applied for admission to the law school, and it was written right in my own handwriting. A lot of comments about him and guessing about what his probable future would be. But beyond this, I taught him for three years in property law. I even taught him future ^{interest (?)} ~~statist~~. And at noon time, he and J.W. Moore, present Professor of Procedure, and a young man by the name of Victor Johnson, who's now associated with a multi-national corporation operating out of Nashville, used to go to the gym and shoot basketballs together. So I know him very well and I might say the Vice President was one of those guys who could shoot from more than 25 feet out. He could hit ringers from way out toward the middle and to the best of my memory he was chewing gum while he was doing this. (laughter)

But to get on with my job, I got out this file and as I said was very happy to discover that I had a lot in it, and I am going to read you a few things. The file begins with a letter from Dean Clark, later Judge Clark, to the Chairman of the Athletics Board, a man named Farmer, saying that ordinarily we wouldn't admit people on a part-time basis, and he was very suspicious of an assistant football coach, and it would be a very great risk.



Then the second item was a letter from Associate Dean Gulliver to Mr. Ford telling him that it would be a very great risk for him to come over and then there is an interview by me in my handwriting. In those days we had a personal interview for all applicants to the law school. And there I was picked to get a third opinion of this young student who wanted to come over here, and I wrote under the appropriate headings entries like the following: Goodlooking, well dressed, plenty of poise, personalty excellent. Then under another heading, informational background, not too good. (Laughter) He was interested, mature, sense of purpose and I should predict the following average. We had to predict the average that people would get and I put down in flat numbers between 1 and 100, and when I turned over to the end of his record, I came within 4 tenths of 1 percent of what he finally ended up with, and this included grades in three different law schools, University of Michigan one summer and North Carolina in one summer. And then I ended up, maybe in deference to these two Deans, I don't know quite why I didn't just sort of _____ "I see no reason why we should not take him". (Laughter)

Then I looked on a little further at these sponsoring letters. One sponsor said, "He is modest and unassuming, but has high qualifications for leadership." And then the second sponsor, "He is a young man of pleasing personality and a natural leader." Then he adds another link, "and I can't say anything about his grades." (Laughter) The third sponsor, "In a course with 100 students, he was almost at the top." So he was climbing pretty fast even then. Fourth sponsor, "He combines a clear logical mind with earnestness and fairness. Of Mr. Ford's personal integrity, I have a very high opinion. He is direct, honest, likeable and fairly dependable." One law professor, "Frankly, I must say I was very favorably impressed with him. I think he will make a good practicing lawyer."



And then I saw what the applicant's aspirations were. He thought he would like to practice law and out of Grand Rapids or Detroit. He thought his connections there would be of assistance to him.

Looked down at his class. The class included many such well known names as Peter Frelinghuysen, Raymond Schafer, Sergeant Shriver, Judge Maurice Lascure and an infinite number of people who are now presidents of these multi-national corporations in the departments of Wall Street that you never heard of. (Laughter)

Then I looked on to his grades, and this is the most encouraging thing of all. His highest grade, an A-plus was in legal ethics. (Applause) He had very good grades in property law and very good grades in income tax law. (Laughter) His lowest grades were in Trust & Estates, and as I said earlier he seemed to have aspired to just a certain grade all the way through. This was almost from his grade school on. He was never aspiring to be at the top, but he was going to be close to the top.

When I got all through this, I thought I could have been a lot funnier if I had made this up or elaborated on it a little, but what I have read you is a fairly close approximation of the truth.

In conclusion, I would like to say I do greatly admire the Vice President for his courage, for his taking on all of these responsibilities at this very perilous time in our country. When I was working on space law at one time, I saw a statement by a scientist that impressed me. He referred to the possibility of life on other celestial bodies. He said, "Sometimes I think we are alone." He said, "Sometimes I think we are not." And he said, "Either way it's terrifying." (Laughter) I happen to have had the privilege of reading the Vice President's speech and acceptance of an honorary degree from his alma mater, the University of Michigan, the other day. It sort of threw me off at first. He started quoting Mao Tse Tung and saying all kinds of things about the beauties of China. But he

ended up pretty well (Laughter) and decided the United States was really better than Communist China and with a quotation from John Steinbeck which I thought was very apt. He said, "Unlike any other thing in the universe, man goes beyond his work, walks up the stairs of his concepts, he merges. He has his accomplishments."

If a former tie salesman can become one of the greatest Presidents in our history, I am quite sure a former assistant football coach can do the same, and I very much hope that he doesn't zag when he should have zigged.



Actually you should know that I extended the invitation to the Vice President to join us when he was the Minority Leader of the House of Representatives. He accepted the invitation when he was the Vice President of the United States and the way things have been going lately he was holding off (much Laughter)

Actually Mr. Vice President, your attendance here today has nothing to do with the fact that I read in the ^(Newspaper) ~~NY~~ yesterday that the University is going to raise an endowment of 239 million dollars. This clearly could not be used for political purposes/because all four members who hold offices ~~is here~~ we have in the Law Association this year are card-carrying Democrats. As a matter fact when we made the arrangements with ~~his~~ ^{your} office we were asked where it would take place. We told them to get any hotel except Watergate. (Laughter) We said we would agree as long as it wasn't the Marriott, so was settle for (Watergate?)

But actually you are here for one reason and one reason only, and that is, of course, both the Yale Club of Washington and the Yale Law School Association wanted to recognize your remarkable accomplishments and to wish you a very non-partisan God-speed in your work. And I am privileged to present you with the award of the Yale Law Association ^{School} as the Alum ~~ans~~ ^{mus} of the Year of 1973 and 1974 in recognition of your accomplishments as lawyer, legislator, Vice President of the United States, and you will notice there is some room on the bottom just in case. (Laughter - Applause)





Vice President --

Mr. Goldpar, Mr. Sears, Professor McDougal, members of the Yale Club, members of the Yale Law ~~School~~ School Association, distinguished members of the judiciary, the Executive Branch and some of my former associates -- in the Congress, it is really a wonderful experience to be here and I am deeply grateful not only for the award, Mr. Goldbar, but for the patience that all of you have exhibited by staying when I unfortunately had to stay on the Hill to perform one of the few functions that I infrequently am called upon to do -- ~~to~~ to break a tie. The United States Senate, I didn't find out until later, actually pays my salary. It doesn't come out of the Executive Branch. And I think they do that for a particular purpose -- namely that when you're suppose^d to be there to break a tie -- you are suppose^d to be there. (Laughter)

But I was notified at 12:30 this noon that there would be a very close vote on an important amendment and so I stayed and it took a little longer in the Senate as it normally does than in the House, and to let you know that it wasn't a phoney argument for my tardiness -- the vote was 45 to 46 and there were some shifts at the last moment that made it that close and the margin shifted back from time to time.

What I should do having made you wait is use an old technique that we had in the House of Representatives to revise and extend your remarks and then sit down -- (Laughter) On the other hand I will not do that because I do want to express my appreciation for the honor. But I will try to live within another rule of the House of Representatives -- namely the five minute rule.

It does seem to me that I should express to the members of the



faculty and the members of the Yale Law School classes while I was there my very, very deep appreciation for not only the faculty assistance and friendship which I cherish very, very much, but to my former classmates also I am deeply indebted. As I was driving over here this afternoon I was trying to recollect some of the outstanding professors that I was privileged to have at Yale Law School -- Truman Arnold was one -- Miles McDougal was another, Gene Rostil was another, Jimmy James and, of course, one for whom I have the greatest admiration -- a person that I really looked up to was Harry Showman.

I will never forget one time I was taking a course from Truman Arnold and at that time he was being considered by the United States Senate for, I think, the Assistant Attorney General, the head of the ~~Anti-Trust~~ ^{Anti-Trust} division, and he went down before one of the Senate committees and was severely integrated because he had written some book -- the title of which I forget at the present moment -- and several Members of the Senate ~~was~~ ^{were} very upset about some of the statements or passages in that book and they gave him a very, very hard time. He came back to the first class following that Senate integration and we all stood and applauded and gave him a real ~~rouse~~ ^{rousing} welcome back to New Haven -- and as only Truman Arnold could do it he stood there for a moment and said -- "You sound just like the United States Senate." (Laughter)

I do wish to thank Miles McDougal for the very kind words. I won't contest the accuracy but it is nice to have the opportunity of seeing an old professor who ~~w~~ ^{did} contribute significantly along with many others, ~~and~~ ^{and} whatever preparation that was required by myself at Yale Law School.

It was, I don't mind admitting it, very difficult for me to work

at the job as an assistant football coach and at the same time seek to absorb all of the wisdom and all of the knowledge that the law school tried to impart to me. I can say without any hesitation or reservation that the years that I spent at the law school -- the years that I spent in New Haven, contributed very significantly in my subsequent ~~career~~ career in the Congress and now in the career that I now have as the first "Instant Vice President" under the 25th Amendment.

I don't think really that I can be generous enough in saying thank you to all of you, as well as to Miles and Gene Rostil, who I understand are the only professors still on the faculty who were there when I was there. And as I see some of my former classmates, I can't speak loudly and affirmatively enough in my appreciation for their friendship and their help.

While I was waiting for the Senate to get around to vote, I attended a luncheon which discussed a matter that I think perhaps some of you might like to hear a comment or two concerning.

As I think most of you know, this morning in Austria the Secretary of State in response to some of the charges that had been made against him, said to the press that he was going to resign unless his integrity and honor were cleared without question. It seems somewhat strange that an alumnous of Yale ~~Alumni gathering~~ University at a Yale Alumni gathering ought to speak up for a former professor of the Harvard faculty -- but I intend to do so -- and with your indulgence let me just make this comment. -- Apparently at a meeting of the Senate Committee on Foreign Relations there was an unanimous vote taken supporting the Secretary of State, and I am told that at that meeting that Democratic ~~Minority~~ ^{Majority} Leader, Senator Mansfield, the former Democratic candidate for the Presidency, Senator Humphrey, as well as, virtually everybody else, spoke affirmatively on behalf



of the Secretary of State. And I/^{am}told from authoritative sources that Senator Mansfield said that under no circumstances should the Secretary of State resign.

And let me if I might with your indulgence read to you the statement that I made for the benefit of the Press -- ~~(See statement attached)~~
I feel as strongly concerning Henry Kissinger, as Senator Mansfield, Senator Scott, Senator Humphrey and others -- and my statement is as follows:

(See Statement attached)

It seems to me that at this crossroads in world history -- we as a nation -- Democratic as well as Republican -- whether from Yale or Harvard or otherwise owe a great Secretary of State the Accolade that he has so richly earned. And I for one hope that he continues this great service.

Thank you very much.

(applause)



(?)

I am told that the Harvard Club has this room next and that the National Government has come to a total stop and so you are free to leave --
(Applause and laughter)



Question to VP from Press

VP - reply -- Information from one or more committess I was pleased to see that the Senate Committee on Foreign Relations released the letter from Dr. Kissinger to the Committee and that Dr. Kissinger got a very ~~strong~~ strong favorable reaction from the Senate Committee and the strong statements made by individual members defending him in condemning those who are among the faceless leakers.

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