

MARQUETTE LAW SCHOOL AND ITS LAW REVIEW CARRY ON

Pandemic (or War) Notwithstanding

This set of entries begins with remarks by Dean Joseph D. Kearney at an end-of-year gathering for editors and members of the *Marquette Law Review* in Eckstein Hall's Lubar Center on April 9, 2021. The remarks noted the trying circumstances under which law review volumes were produced during both the 2020–2021 pandemic year and World War II. Then, in the entries that follow Dean Kearney's remarks, we present excerpts from a number of past Marquette Law School Faculty Blog items, expanding on the World War II era at the Law School, written by the late Prof. J. Gordon Hylton.

Joseph D. Kearney

Good afternoon and greetings to everyone. This gathering seems to me both a small thing and a large one: to be together with a group of students (outside of those with the good judgment to take one of my courses this year) and in fact to be with any nonfamily group for what amounts to a social occasion. Kudos to the leaders of the *Marquette Law Review* for taking the initiative as the pandemic recedes and we all try to “open up again” a little bit, subject to various protocols.

And kudos to all members of the law review for your work during the past year, in the most unusual and difficult circumstances of a pandemic. You do not need me to describe just what the circumstances involved, and in fact I am not quite sure how you have pulled it off. Here is what I *can* see: the fall and winter issues of volume 104 are now up on the website and available in print, and our editor-in-chief, Holly Stenz, reliably informs me that the spring and summer issues are not far behind. I also appreciate, from what is already in print, that it will be a high-quality volume.

And those things are enough for me, as a relative outsider, to know. The details of how you slogged through a pandemic, gathering sources and editing articles, are things with which

perhaps the Law School helped somewhat but that you sorted out for yourselves. This seems right: You are professionals, like past law students forming themselves into lawyers. You also have placed yourselves creditably in another worthy tradition, though a considerably narrower one, as editors and members of the *Marquette Law Review*.

This is a great tradition. I do not propose here to recount it in any detail, but I did spend a bit of time with your forebears, in preparing these remarks.

In particular, I looked at the volumes of the law review that this school—this journal—published during World War II. They are there for us: To this day, you can find the volumes on the shelves (and, of course, online).

Frankly, I have no idea how the editors and members then did it. Consider this brief and partial account by our wonderful former colleague, the late Prof. J. Gordon Hylton, about the World War II era at Marquette Law School:

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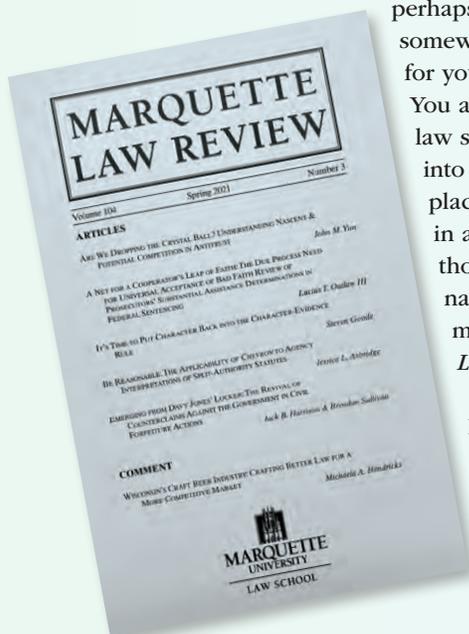
Although United States involvement in the war would not come until the Japanese attack on Pearl Harbor in December of 1941, the institution of the military draft and the darkening clouds on the horizon led to a decline in students in the fall of 1941, as the total enrollment dropped to 187 students. . . .

. . . .

By the beginning of the 1942–1943 academic year, the number of the students at the law school had dropped by more than 50 percent to just 85 students The situation got even worse after that, as enrollments for 1943–1944 and 1944–1945 were only 44 and 42 students respectively.

Professor Hylton has much else to say in his wonderful accounts, including the story of Clifford Thompson, a 1944 graduate who apparently was more than eight feet tall (you can find Professor Hylton's entries in various places on the Marquette Law School Faculty Blog). My primary point, though, has to do with the fact that, in the midst of this plummeting enrollment, the *Marquette Law Review* carried on.

We know this, even though we do not know how. The editors seem to have devoted no pages to an account of producing a law review with a skeletal staff, in the midst of the societal disruption caused by a world war. In the pages of



the journal, they left for us their professional work, not their personal accounts. There is a lesson in that, even as we might now wish to have the latter also.

Yet I have a strong intuition that, for themselves, they took away something else: friendships that for some of them lasted throughout their careers, even their lifetimes. When Tom Merrill, the Charles Evans Hughes Professor of Law at Columbia University, spoke at an end-of-year *Marquette Law Review* gathering a few years ago, as we approached the centennial volume, that is what he especially recalled about his own days, some 40 years earlier, on the *University of Chicago Law Review*. “Nearly all of my law school classmates with whom I stay in touch,” he said while here in Milwaukee, “are people with whom I served on the law review.”

Everyone’s experience is a little different, but I imagine that, for many of you, a similar thing will be true.

On a past occasion or two in your journal, I have had the privilege to reflect on its significance to the Law School. For example, a special issue of this journal, which I had the privilege to edit in 2002, was dedicated to the memory of the late Dean Howard B. Eisenberg. In the foreword to that issue, I looked back to the first page of the first *Marquette Law Review*, in 1916, where one W. A. Hayes, evidently a vice president of both the Wisconsin Bar Association and the American Bar Association, wrote as follows:

In giving the “Marquette Law Review” to the bench and bar of Wisconsin, the students of the College of Law of Marquette University have undertaken a most commendable work. The institution, like the individual, grows through its ideals and lives by its spirit. There can be no progress but through striving to reach the ideal. There can be no life, except the life of the spirit. But the institution which would expand and fulfill its mission must make known its ideals and communicate its spirit. The most effective way of doing both is by means of a suitable magazine. The “Marquette Law Review,” of which this is the first number, is such.

There are other ways that we make known our ideals and communicate our spirit at Marquette Law School, a considerably more expansive community than in 1916 or in the 1940s, but the law review continues to have a special place here. The way developing professionals come together to add to learning about the law sends a powerful message as to who we are and what we are about. Our successors will not know quite how you did it, 75 years from now, much more than we can reconstruct the processes whereby the journal persevered through World War II.

So, again, kudos and thank you to all of you. I hope that you will look back on your time on the *Marquette Law Review* as formative.

Speaking of Professor Gordon Hylton and World War II . . .

Dean Kearney’s references to Marquette Law School Faculty Blog pieces about the Law School in the World War II era, written by the late Prof. Gordon Hylton, lead us to offer some interesting and colorful excerpts from several of those pieces, lightly edited.

Marquette University Law School in 1939

Posted November 25, 2009

By 1939, Marquette University Law School had been training lawyers in Milwaukee for more than 45 years, and the school had been officially part of Marquette University since 1908. Since 1924, all law school classes had been taught at the Law Building (now known as Sensenbrenner Hall), which replaced an earlier building on the same site.

In 1939, the Law School boasted an enrollment of 248 students and a faculty of 10, plus 4 “special lecturers” and law librarian Agnes Kendergan. In addition, the Rev. Joseph A. Ormsby, S.J., served as the regent of the Law School. Although the school had originally offered instruction primarily in the evening, the evening division was terminated in 1924, and the last evening class was offered in 1927.

As an institution, Marquette University Law School was squarely in the mainstream of American legal education. The school had been admitted to the Association of American Law Schools in 1912, and in 1925, shortly after the American Bar Association (ABA) began to accredit law schools, it won ABA

accreditation. Historically, Marquette Law School graduates were required to take the Wisconsin bar examination to practice law in the state, but in 1933, after a long and sometimes bitter contest with the University of Wisconsin, the “diploma privilege” was extended to Marquette graduates.

Admission and Degrees: To secure admission to the Law School, applicants had to be 18 years of age and must have completed three years of college. There is no evidence that anyone who met these qualifications was turned down in 1939, but this was true for virtually every American law school before World War II.

Marquette students in 1939 had the option of pursuing two different types of law degrees—the bachelor of laws and the juris doctor. Marquette was one of several American law schools that offered the latter degree to provide recognition for students who entered law school with college degrees (which were required at only a handful of schools) and who performed extremely well while in law school. This two-law-degree program had been adopted at Marquette during the 1925–1926 academic year.

The standard law degree was the bachelor of laws (LL.B.), which was the equivalent of today's J.D. degree. To earn this degree, students had to complete 85 hours of law courses, including four hours of Office Practice and four hours of Moot Court, with an average grade of at least 77. (In 1939, the Law School was in the process of changing its grading system. The school had previously used the traditional letter system, but beginning with the class that entered in 1938 and for many decades, students were graded on a numerical basis ranging from 60 to 100. A grade of 93 or better was considered an A, and cumulative averages of 71 and 74 were required to continue after the first and second years, respectively.)

The second degree was the juris doctor, or J.D., degree. For it, students were required to have entered law school with an undergraduate degree, to complete the requirements for the LL.B. with an average grade of 88 (which was in the middle of the B range), and to prepare and submit an acceptable thesis by May 1 of their final year. The thesis, if accepted, became “the property of the School and at the direction of the Dean [could] be published.” By 1940, the J.D. was clearly passing out of fashion among Marquette law students. Although the degree was awarded to 67 students between 1926 and 1937, no one earned the degree in 1938, and the last two recipients received the degree in 1939. The J.D. degree remained on the books for several more years but was discontinued sometime between 1942 and 1945. (The J.D. would supplant the LL.B. at Marquette and across the country in the mid to late 1960s.)

The Academic Calendar: In 1939, the academic year started and ended much later than it does today. Law School classes did not begin until September 26, and the first-semester examinations did not end until February 2, 1940. The second semester began on February 6, with graduation on June 12.

Tuition for the regular academic year was \$230—although those who opted for payment on the installment plan had to pay an additional \$4—and board and lodging could be found in the vicinity of the Law School for an estimated \$7.50 per week. Third-year students who were also candidates for the law degree had to pay an additional \$12.50 diploma fee.

The Student Body: The 248 students enrolled at the Law School during the 1939–1940 academic year consisted of 76 seniors (third-year students), 72 juniors, 97 freshmen, and 3 special students. (Special students were enrolled in classes but were not candidates for degrees.) All 97 students in the freshman class were

male. There were two women in the senior class and three in the junior.

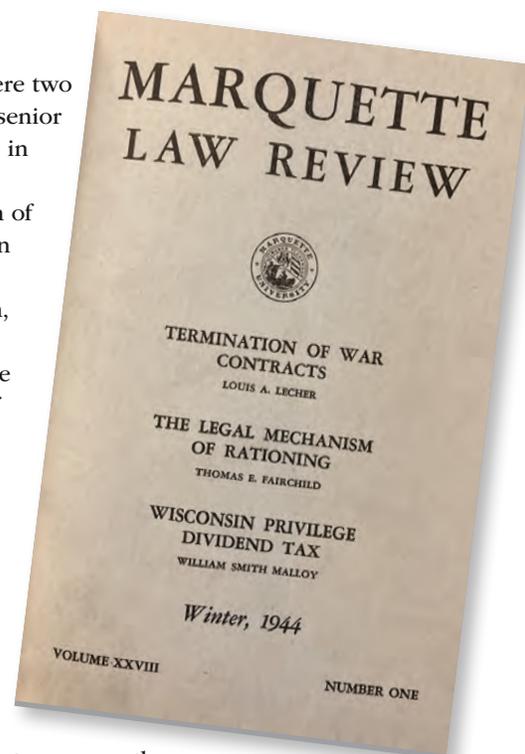
Eighty-seven of the 97 freshmen students were from Wisconsin, and 58 were from Milwaukee proper. Nine of the 10 out-of-state students were from the Midwest, including Jim Ghiardi, who was from Negaunee, Michigan, and who went

on to an eminent career on the Law School's faculty. The only student with a hometown outside the Midwest was Jim's future faculty colleague Ray Aiken, whose parents lived in Jacksonville, Florida. Only 18 members of the class were listed as having earned undergraduate degrees prior to beginning law school, although several, including Jim, earned their bachelor's degree at the end of their first year of law school.

The Law School Curriculum: The Marquette University Bulletin for 1939–1940 described the Law School's method of instruction as the “case method,” which it asserted “inculcates habits of accurate reasoning.” However, the same document also emphasized that the faculty neglected “neither the purely scientific nor the practical element of legal education” and noted that special attention was given to Wisconsin law.

To earn the law degree, students had to pass 85 credit hours of courses, most of which were required. All of the first-year classes—which included four yearlong courses and five that lasted one semester—were required and counted for 34 of the 85 credit hours. Each class was taught in a single section.

Students in the fall of 1939 had Dean Francis X. Swietlik for Contracts, Prof. Otto Reis for Torts and for Agency, Prof. J. Walter McKenna for Criminal Law and Procedure, Prof. Francis A. Darnieder for Introduction to Law, Prof. Willis E. Lang for Personal Property, and the Rev. Joseph A. Ormsby, S.J., for Natural Law and Jurisprudence. In the spring, Contracts, Torts, Criminal Law and Procedure, and Natural Law and



Jurisprudence continued with the same instructors. The final spring-semester course was Domestic Relations taught by Prof. Carl Zollmann. All of the professors, except for Rev. Ormsby, were full-time law professors.

Student Life: The only law school-specific activity listed in the Law School Announcement was the *Marquette Law Review*. However, law students were encouraged to take active interest in the university band, the university choir, the university chorus, the university symphony orchestra, intramural sports, and the various social, dramatic, literary, debating, and religious organizations. In a report to University President Raphael McCarthy, S.J., in 1939, Dean Swietlik noted that the Law School was concerned about the social life of its students and thus regularly sponsored “smokers,” annual dances including the Barristers Ball, and an end-of-the-year banquet for the law students, the faculty, the Milwaukee bar, and the Wisconsin judiciary.

Legal fraternities also played an important role in the social life of the Law School. Fraternities in 1939 included Delta Theta Phi, which had its own building, Phi Delta Phi, and Tau Epsilon Rho, a fraternity for Jewish law students.

According to the university yearbook, the *Hilltop*, “extracurricular activities [were] prominent in the law school,” and students were encouraged to participate “in organized religious and social movements for the common welfare of their fellows.” While the Law School acknowledged the importance of “the development of the social side of the student’s character,” its official publication cautioned: “No student activity is allowed to interfere with study.”

The Subsequent Law School Experiences of the Class of 1942: In spite of the reportedly grueling nature of the first year of law school, 90 percent (88 of the 97) freshmen students in 1939–1940 returned for their second year in the fall of 1940. A similar percentage of second-year students (79 of 88) returned for the third year of law school in 1941.

It was during a three-day break for the Feast of the Immaculate Conception during the fall semester of 1941 that Japan attacked Pearl Harbor. The likelihood of military call-ups prompted Marquette to accelerate its spring 1942 schedule, and in May, 69 members of the class received law degrees.

Marquette University Law School and World War II

Posted July 23, 2014

World War II was hardly kind to the Law School, its enrollment quickly shriveling as potential law students found themselves in military uniforms.

During the 1940–1941 academic year, the Law School appeared to be prospering with an enrollment of 225 students, all but eight of whom were males. (One of the male students was James Ghiardi, who was then a second-year law student.)

Although United States involvement in the war would not come until the Japanese attack on Pearl Harbor in December of 1941, the institution of the military draft and the darkening clouds on the horizon led to a decline in students in the fall of 1941, as the total enrollment dropped to 187 students. Female enrollment dropped from eight to six.

By the beginning of the 1942–1943 academic year, the number of the students at the Law School had dropped by more than 50 percent to just 85 students. The situation got even worse after that, as enrollments for 1943–1944 and 1944–1945 were only 44 and 42 students respectively.

To deal with the dramatically smaller classes, the Law School cut the size of its faculty and moved to a three-semester-a-year format that allowed students to complete the law program in just 24 months. Many of those who did enroll at the Law School during the war were ineligible for military service. For example, James D’Amato of Waukesha, at 5’1”, was too short for military service, while his classmate Clifford Thompson, who was reportedly more than 8 feet tall, was both too tall and too old to be drafted. Thompson, who had a successful career in Hollywood as an actor and as a performer with a number of circuses prior to law school, achieved the distinction of being the tallest lawyer in American history upon his admission to the Wisconsin bar in 1944.

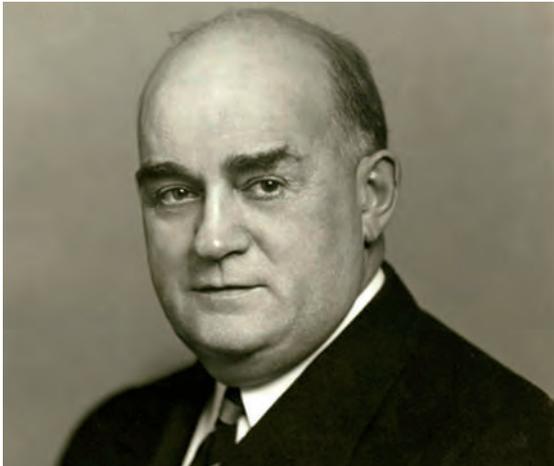
One might have thought that the onset of the war would have led to an increase in the number of female law students, but that did not happen, as female enrollment amounted to only 5 students in 1943–1944 and only 6 in 1944–1945.

Moreover, the end of the war did not result in an immediate influx of new students into Marquette or other law schools. World War II did not officially end until the Japanese formally surrendered on September 2, 1945, and the logistics of demobilization made it impossible for many soldiers who wanted to pick up their lives by going to law school to enroll in time for the fall 1945 semester. But enrollment in 1945–1946 did increase from 42 to 93 (including 11 women). The following year, 1946–1947, saw the tide fully turned as 332 students, including 8 women, enrolled in the Law School, which at that time was a record for the institution.

Francis Swietlik, Marquette Law School, and Polish War Relief

Posted October 18, 2010

Francis X. Swietlik, dean of Marquette University Law School from 1934 to 1953, was a nationally recognized leader of the American Polish community from the early 1930s until the 1960s. During World War II, he was a leading figure in the effort to provide relief for Polish refugees and prisoners of war, and his efforts extended to the provision of general humanitarian aid to the country once the war was over. Although he initially cooperated with Poland's post-war Communist government, once it became clear that Poland had become a satellite state of the Soviet Union, he joined the ranks of those who campaigned for the restoration of a non-Communist, democratic government in that country.



Dean Francis X. Swietlik, ca. 1940.

Swietlik was born in Milwaukee in 1889 to parents who had recently emigrated from Poland. He was educated at Marquette, where he earned his bachelor's, master's, and law degrees. After graduating with the Class of 1914, he began the practice of law in Milwaukee, and in 1916, he joined the Marquette law faculty on a part-time basis. He taught at the Law School while practicing law for the next 17 years (save for the time he was in the military during World War I), and he was named dean in the fall of 1933, when the previous dean, Clifton Williams, resigned.

In 1931, Swietlik was elected censor of the Polish National Alliance, the largest Polish fraternal group in the United States. The censor was one of the organization's two highest offices—the president was the other—and was very much a policy-making position. Swietlik held the position of censor for 16 years, but at the same time held a number of

other important positions in the Polish American community. In 1934, he was selected vice-president of the Polish American Chamber of Commerce, and that same year he also presided over the American delegation to the International Congress of Poles Abroad, held in Warsaw. In 1939, he was also chosen as president of the Polish American Council, an organization founded to promote the preservation of Polish culture in the United States.

As a leader of the Polish American community and the man who was generally recognized as the primary spokesman for the Chicago Poles (which featured the largest concentration of Polish Americans of any region of the United States), Swietlik opposed those who insisted that Poles living abroad remained citizens of Poland, which reappeared as an independent country in 1918, after having disappeared from the map of Europe more than a century earlier.

Such Polish nationals believed that expatriate Poles were first and foremost Polish citizens, regardless of where they lived, and that as such they owed a duty of loyalty to the current Polish government. For Swietlik, in contrast, American Poles were Americans first and Poles second, and while he was proud of his Polish heritage (and was fully fluent in Polish), he believed that Poles in the United States owed no special obligations to the relatively new government in Warsaw.

After the German and Soviet invasions of Poland in September 1939, Swietlik became actively involved in the cause of Polish war relief, first as a leader of the Polish National Alliance and then as the director of the Polish National Council, which eventually changed its emphasis and name to Polish War Relief. By one estimate, Swietlik raised almost \$17 million in the United States for humanitarian aid to Poles in Europe.

Swietlik was also a prominent defender of the foreign policy of President Franklin D. Roosevelt. As a supporter of the president, Swietlik advocated American support for the Polish government in exile in London, but he also endorsed the idea of Polish-Soviet cooperation in the war with Germany. Not all Polish Americans agreed with Swietlik on the latter question. Although the government in exile also embraced the idea of cooperation with the Soviet Union, a growing number of American Poles found it troubling that the United States not only was allied with a country that had invaded Poland (the U.S.S.R.) but also was unwilling to pressure it to agree to reestablish the pre-1939 border between the two countries.

As the scope of atrocities committed against Poland by the Soviet Union became known in 1944 and 1945, and as it became clear that the U.S.S.R. was not going to return to Poland any of the territory that it had seized in 1939, many American Poles broke with Roosevelt. Swietlik, however, remained loyal to Roosevelt. He had supported FDR's decision to run for an unprecedented third term in 1940, and he campaigned extensively for him inside the Polish community. Swietlik also consulted personally with the president on Polish issues both before and after the 1940 election (which was, of course, won by Roosevelt).

By 1943, it was becoming apparent that Swietlik's loyalty to Roosevelt and his policies was hurting his popularity among his fellow Polish Americans, many of whom were increasingly hostile to what they viewed as FDR's pro-Soviet Polish policy. When the Polish American Congress was formed in the fall of 1944 with an agenda that was clearly hostile to the Soviet Union, Swietlik was conspicuously ignored by its founders, even though he had been one of the best-known Polish Americans in the country for the past several years (and even though he was present at the organizational meeting).

Although his political influence waned after 1944, Swietlik remained committed to raising money for relief of Poland. He traveled to Europe after V-E Day to survey the situation, and from 1945 to 1949 (when the Communist government of Poland announced that it would not accept any more humanitarian aid from the West), American Relief for Poland under Swietlik's direction raised at least \$3 million in aid. Remarkably, he accomplished all of this without ever taking a leave of absence from his duties at the Law School, which usually involved teaching a full load of courses.

In the aftermath of the war, Swietlik received numerous citations for his efforts on behalf of the Polish population. He was honored by the governments of Poland, France, and Portugal (where American Relief for Poland had staged rescue efforts after 1941), and in 1952, he was named a Knight of the Roman Catholic Order of St. Gregory by Pope Pius XII. He was also involved with the resettlement of 120,000 postwar Polish refugees into the United States, which had been made possible by an act of Congress in 1948. Although the organization was largely inactive after 1949,

Swietlik remained president of American Relief for Poland into the late 1960s.

In the postwar era, Swietlik also adopted a much more critical position on the Soviet Union and eventually denounced some of the policies of the Roosevelt administration that he had earlier supported. He remained dean at Marquette Law School until 1953, when he was elected to the Circuit Court of Milwaukee County. He continued to teach at the Law School, even after his retirement from the bench at age 70 in 1959. He died in Milwaukee in 1983.

The Law Professor Who Coached the Football Team

Posted January 17, 2017

Marquette University Law School has long been associated with the world of sports. Although the National Sports Law Institute has represented the connection in recent years, the school's relationship to the sports industry goes back much further than the 1989 founding of the institute. Federal Judge Kenesaw Mountain Landis, later the first commissioner of baseball, was a lecturer at the Law School shortly after it opened; Carl Zollmann, the first major sports law scholar, was on the Marquette law faculty from 1923 to 1940; and a number of outstanding athletes, including Green Bay Packer end (and future U.S. congressman) Lavvie Dilweg and Olympic Gold Medalist (and future Congressman) Ralph Metcalfe, studied at the Law School in its early years.



(From left) Frank Murray, Marquette football head coach, speaks with Charles Ellis, backfield coach, Ralph Heikkinen, line coach, and Robert Erskine, end coach, 1947.



Marquette University's Law Building (later renamed Sensenbrenner Hall), ca. 1940.

However, no one has ever combined the two fields more perfectly than Professor Ralph I. Heikkinen. During the 1947–1948 academic year, Heikkinen both taught full-time at the Law School and coached the Marquette varsity football team, at a time when the team played at the highest level of collegiate competition.

Heikkinen was already well known to sports fans in the upper Midwest when it was announced that he would be joining the Marquette faculty and staff in the spring of 1947. A native of the Upper Peninsula of Michigan, Heikkinen had grown up in the community of Ramsey. He had enrolled in the University of Michigan in the fall of 1935, where he excelled academically. Not only was he an outstanding student, but he was a published poet and the president of the student government. On top of that, he was an undersized lineman who made the powerful Michigan football team as a walk-on.

By the time he was a junior, Heikkinen had developed into one of the best two-way linemen in the country. Although just six feet tall and weighing only 183 pounds, he was voted as his school's MVP during both his junior and senior years and was chosen unanimously as a guard on the 1938 All-American team.

After completing his college career, Heikkinen was drafted by the Brooklyn Dodgers of the National Football League. Because of concerns over his size and the extent of his interest in playing professional football, he was not chosen in the 1939 draft until

the 12th round, the 105th overall pick. Finally, after accepting an invitation to play in the 1939 College All-Star Game, which pitted the top senior collegians against the NFL champion Washington Redskins, "Heik," as he was known, decided to sign with the Dodgers. However, the football success he had achieved in Ann Arbor was not to be repeated in Brooklyn. After only three games of the 1939 season (in only two of which he actually played), the Dodgers released Heikkinen.

Within three weeks, Heikkinen was in Charlottesville, Virginia, where he accepted a position as assistant line coach for the school's football team, which was coached by former Marquette head coach Frank Murray. At the same time, he enrolled as a first-year student at the University of Virginia School of Law, even though the fall semester was already underway.

In 1940, he was promoted to head line coach at Virginia, a position that he would hold for the next five seasons. When not coaching the Cavaliers, Heikkinen divided his time between his legal studies and his involvement with the University of Virginia's flight preparatory school, which was established as part of the United States Navy's V-12 program during World War II.

Heikkinen excelled academically. When he graduated, he ranked number one in his class. After graduating from law school in June of 1944, Heikkinen remained on Murray's coaching staff. However, at the conclusion of the 1944 season, he announced his decision to accept an associate's position with the New York law firm of Cravath, Swaine & Moore.

Following the 1945 season, Coach Murray left the University of Virginia and returned to Marquette University, where he already was a legendary figure. During his time as the head football coach of Marquette from 1922 to 1936, the Golden Avalanche/Hilltoppers compiled a won-lost record of 90-32-6, culminating with an appearance in the inaugural Cotton Bowl during Murray's final game at the helm. In 1946, Murray was enthusiastically welcomed back to Marquette.

During Murray's first season after his return, the Golden Avalanche went 4-5-0. At the conclusion of the season, head line coach Al Thomas stepped down. To replace Thomas, Murray convinced Heikkinen to return to coaching. Heikkinen was initially reluctant to return to coaching, but Marquette sweetened the pot by offering Heikkinen a full-time position as associate professor of law as well as that of Murray's chief assistant with the football team.

Murray suffered a heart attack in the spring of 1947, which required his role to be reduced for the rest of the calendar year. As a result, Heikkinen was offered the chance to run the football team's spring practice in April and to coach the team from the bench during regular season games in the fall (although Murray officially remained the head coach). Heikkinen accepted the position, with the stipulation that he would be allowed to retain his New York affiliations and would be free to return to New York at the end of the 1947–1948 academic year, if he chose to do so.

The addition of Heikkinen brought the Law School faculty to 15, which included eight full-time professors. In addition, the faculty included seven part-time lecturers and instructors, and a regent, Rev. Edward McGrath, S.J., a Jesuit who was also a professor of jurisprudence. The most prominent of the part-time faculty was Milwaukee lawyer Carl Rix, who taught Property and who was wrapping up his term as president of the American Bar Association.

Heikkinen taught a variety of courses, but he specialized in corporations and security transactions. He was also quite conscientious when it came to making sure that his coaching duties and opportunities did not interfere with his classes. Shortly after he joined the faculty in the summer of 1947, he declined a much-coveted invitation to coach the North team in the Upper Peninsula High School All-Star Football Game because it would have required him to cancel some classes. During several away games during the football season that fall, Coach Heik had to follow the team in a later train, and in one case take an airplane, to avoid missing any classes.

Under the joint direction of Murray and Heikkinen, the 1947 Marquette football team got off to a roaring start, defeating South Dakota, St. Louis University, and the University of Detroit in its first three games by a combined score of 101 to 47. The winning streak came to an end, however, in game four, when the Hilltoppers lost in Milwaukee to another Jesuit school, the University of San Francisco, 34–13.

The next week featured the game that most Marquette fans felt was the most important of the season, the annual matchup with the University of Wisconsin in Madison. Marquette fans seemed confident that this could be one of the rare years that the Catholic school might defeat the state university. But the Badgers won 35–14.

The suddenly dispirited Hilltoppers proceeded to lose their next three games to Michigan State, Villanova, and Indiana, all of which had winning

records in 1947. The team finally rebounded in its last game of the season, which required it to travel to Phoenix the weekend before Thanksgiving. There, it defeated the 5-2-0 Arizona Wildcats.

Following the end of the football season, Heikkinen continued as a faculty member at the Law School, and most members of the school community assumed that he would remain at Marquette the following year. He participated in the spring football practice in late April of 1948, and several newspapers reported that he would be part of the Marquette coaching staff in 1948. However, in August, the university announced that Heikkinen had resigned both his teaching and coaching positions to return to law practice in New York. According to Heikkinen's friend, Professor Jim Ghiardi, in a 2014 interview, no one at Marquette ever knew exactly why Heikkinen decided to leave.

Shortly after his return to New York, Heikkinen became the executive secretary and attorney for the Studebaker-Packard Corporation, an automobile company that had been a Cravath client. In 1958, he left Studebaker to work in the legal department of General Motors, where he remained until his retirement in 1978. After leaving Marquette, he never again worked as a football coach.

Heikkinen died in Michigan in 1990, where he lived in the Detroit suburbs.

Heikkinen was not the only combination football coach and law professor in American history. Lawyer and Hall of Fame coach Daniel McGugin coached the Vanderbilt football team and taught occasional classes at the Vanderbilt University law school during the first three decades of the 20th century. Similarly, Fred Folsom taught part-time at the University of Colorado law school while coaching the school's football team from 1908 to 1915. However, Heikkinen was a full-time law professor, and he managed to hold both positions in the post-World War II era, when both coaching and law teaching were more demanding tasks than they had been forty years earlier.

Since it appears that Heikkinen is the only person to be a full-time major college football coach and full-time law professor at the same time, it is entirely appropriate that he accomplished this distinction at Marquette University, where the connection between law and sports has long been recognized. ■

Historical images in this article and on page 3 of this issue are provided by the Department of Special Collections and University Archives, Raynor Memorial Libraries, Marquette University.