



# CONSCIENCE

The Hofstra University School of Law Newspaper

Volume 4, Number 5

"Asking you to ask yourselves . . ."

February 22, 1977

## Tighten Building Security To Halt Vandalism

by Vicki Lindgren

Security regulations at the Law School are now being stringently enforced due to a rash of thefts and vandalism during the past semester. The regulations involve the closing of the Law School building at 12 P.M. on weeknights and Sundays and at 6 P.M. on Saturday nights (in the past, the building was open until 1 A.M. on weeknights). According to Stuart Rabinowitz, Associate Dean of Students:

"It used to be that students had the right to stay in the Law School building until one o'clock rather than twelve o'clock and even that was not really enforced by security personnel—the security people would come by, see students, check their I.D. cards, and let them stay in the building.

What's happened is, we have been having a rash of thefts, vandalism, attempted theft—twice people have tried to break into my office—faculty offices have been broken into, and tape recorders, calculators, and typewriters have been stolen and they—whoever 'they' are—have broken into the student lounge.

"Thus, it has become necessary to have some sort of time cut-off, because on all the investigations that the security department has done, it has been concluded that all thefts have taken place at night, when the library is closed and there's nobody around. If the doors are left open anyone can come in and hide—maybe even borrow a student I.D. card."

In addition, the security-alarm

devices will now be put to more effective use. Rabinowitz explained that:

"The utility of security-alarm devices can be destroyed unless there are absolutely clear hours when no one can be in the building. There must be a certain point in time when no one is in the building in order for this to work effectively."

In the past, student I.D. cards were checked on Sundays, to make sure that only law students were entering the library. When asked why this security measure is no longer being enforced, Rabinowitz responded:

"It is simply a personnel problem. The University won't provide us with a full-time person at the door; it's a question of budget lines. They won't provide us with anything other than what

we already have, and what we have are student aides who work at the library. However, there are not enough people to man the library while at the same time checking student I.D.'s. So, it really is a budget problem more than anything else.

"But most of the vandalism takes place after the library is closed. I don't know who does it, or how they get in, but it's easier for the security department if no one is allowed in the building, because then they don't have to check it every hour. If the alarm system is supposed to work properly, there have to be certain hours when no one is allowed in the building, so it has become necessary to set a time limit."

According to Rabinowitz, the new security provisions are not inflexible. If there is a real need

for a student to remain in the building after hours, he-she can consult Dean Rabinowitz in advance, and under special circumstances permission can be granted to remain in the building. For example, there are times when Law Review and CONSCIENCE staff members have had to remain in the building beyond the time limit, and arrangements have been made to accommodate them. Rabinowitz said, "If there is a real need for a student to remain in the Law School building, because he-she is doing work that cannot be accomplished anywhere else, he-she can come to me in advance, and tell me why they have to stay, and I can call Security in advance and tell them, so that they will not be physically flung out of the library."

## Attorneys-In-Residence

by Denise Sher

On Wednesday afternoon at 1 P.M. in the Moot Court Room, the Hon. Edwin J. Freedman relayed a great deal of valuable information to an eager audience in his lecture on "How to Try a Traffic Case." He emphasized the point that trying traffic cases is a lucrative, yet little practiced specialty in the legal field. Possessing the skill in trying traffic cases will be extremely helpful when many of your friends and members of your family will approach you with this problem.

It is a reality that a good number of attorneys have never set foot in a courtroom to try a case. Judge Freedman expressed his feeling that every lawyer as part of his professional responsibility should try at least one case. He continued, "what better an opportunity than to try a traffic case."

Judge Freedman covered various aspects of the Vehicle and Traffic Law. Among them were

reckless driving, traffic signs, speed contests and equipment violations. He related several valuable tips on the strategy of trying your client's traffic case. Firstly, read the law; more likely than not you will find a legitimate legal defense to the charges. Secondly, go to the scene of the violation; observation of the area will very often be the key to the winning of your case. Thirdly, take advantage of the numerous disadvantages a police officer encounters at the time he is writing out the summons. And fourthly, never attack a police officer's motives in your examination of him or her during the trial.

In conclusion, Judge Freedman expressed his desire for the continuance of this "Attorneys in Residence" program to provide law students with some knowledge and tools that cannot be acquired through the normal course of study in law. Please join us every other Wednesday at 1 P.M. in the Moot Court Room. You will find that is time well spent.

## Shuart Hopeful No Tuition Raise

by Stuart Rosenthal

Hofstra University President Shuart is "cautiously optimistic" that there will be no tuition increase next year. In a meeting with campus press representatives on February 9, he explained that this has been a "stabilizing year." He described university income as generally "on target" or "better than last year." In answering questions about the shape of the budget, he said, "We've come a long way."

The University still has a \$4 million cumulative operating deficit, but the budget for this year is balanced and a program to decrease the debt over the next five to ten years is being formulated. President Shuart said that an important aspect of staying out of financial difficulty is the ability to shift resources to those areas where they can be optimally utilized. He explained that tenure is one obstacle to this policy. "Nothing is sacred," he said, but not everything is to be changed. He said that all facets of campus operations are to be examined in order to reach intelligent decisions about those changes which will be necessary. President Shuart blames some

of the University's financial difficulties on the change in population in college-age groups, which is creating problems for universities across the country. Shifts in the numbers of school-age children have also had an effect, as the demand for teachers is decreasing. The effect of this on the education department is obvious.

### Applications Up

While the education department is receiving fewer applications for admission to its graduate department, most other areas of the university are experiencing an increase in the number of applications. Undergraduate applications for admission are above the levels reached last year at this time, as are applications for admission to the School of Law, the School of Business and the doctoral degree program in psychology. This, of course, cannot be immediately translated into increased enrollment and revenue but is an important first step. It is because of all these favorable signs that President Shuart has no plans to request the Board of Trustees to authorize an increase in tuition.

## Students Appointed To Standards Committee

Chief Justice Warren E. Burger has appointed three members of the American Bar Association Law Student Division to a committee studying proposed standards for lawyers wishing to practice in the federal courts.

Those named were David C. Stoup, Kansas City, Mo., division president and a third-year student at the University of Missouri School of Law; Steven

C. Charen, New York City, division delegate to the ABA House of Delegates and a third-year law student at New York University School of Law, and Andrew Goodman, New York City, governor of the division's 2nd circuit and a third-year student at New York University School of Law.

They will join 12 federal judges, 6 educators and 6 practitioners on the Judicial Conference of the

United States Committee to Propose Standards for Admission to Practice in the Federal Courts. The students will sit as nonvoting members. The committee held its first meeting in San Antonio, Tex., Dec. 9-10. It plans to meet again April 18-19 in Carmel, Calif.

Last April Conscience carried a special report on proposed admission standards. Copies are available in the CONSCIENCE office.



# Just One Day In The Life Of . . .

by Larry Stern

The oath of office of the President of the United States has been administered to 38 men, six in my 25 years. I watched four take the oath on television; this was my second experience as part of an inaugural crowd.

January 20, 1977 found Vietnam and street confrontations recorded history, and Watergate, simply a luxury condominium once again. The Capitol was a happy place. Five and one-half years of education, internships and summer jobs had made D.C. more like home than anywhere else to me, and it was good to be back. For the first time in eight years the Democrats controlled both Congress and the White House, and old friends were falling over themselves getting out resumes, scurrying for better jobs. My two years at Hofstra had passed quickly, and I too had resumes in my suitcase.

The day had not started well. Heavy traffic had caused me to miss the 8 A.M. shuttle by minutes, and I rescheduled my day by telephone. A friend from college days, who had told me two years ago that Jimmy Carter would be elected, had arranged for my invitation. I agreed to meet him at his office and pick up my tickets. One hundred seventeen thousand general admission tickets had been distributed by the Joint Congressional Committee on Inaugural Ceremonies. In addition, there were 34,000 preferred standing passes as well as tickets for 16,000 seats. In short, an intimate group of some 167,000 people would be converging on the Capitol, and I was worried about how close my cab would be able to get to the Hill.

Sharing a cab with a freshman Congressman's administrative assistant, my mind was awash with dreams, both old and new. Since my first visit to Washington as a child, the Capitol has fascinated me. I still have never seen another structure I find more beautiful nor any architecture that says more of America. I dropped off my bags and hurried to try to get a choice view.

By the time I arrived, the wings of the platform were filled. Members of the House of Representatives to the right of the President's podium, Senators to the left. It was an hour before the ceremony, and the crowd was filling in.

The weather was cooperating, at least in comparison to

earlier in the week. But at slightly above freezing, it was still cold. I was grateful that in my excitement, I had not forgotten to put on my long underwear.

As the Presidential party arrived, people began to push. The Capitol had been closed off by police and special military forces. To gain entrance, tickets had to be shown at specific points. Somehow, some orange ticket holders who were entitled to seats wound up behind preferred standing room (blue ticket) holders. One lady screamed, "I gotta get through; I've an orange ticket!" and somebody replied, "The only person who has to get there is Jimmy Carter." Being about the largest person in the crowd, I found myself playing policeman and wondered who had done the advance work on entrance points.

But on the whole, the mood was festive. I couldn't help but think of what John Kennedy's inauguration, sixteen years earlier, must have been like. Remembering hearing his speech on television, I was brought back from my recollection of his Boston twang by the Southern draws yelling for this other former naval officer, the new President, whose cabinet was not drawn from Cambridge and New York but from Atlanta. The excitement that Kennedy had generated by the politics of hope was now replaced by a question asking, "Why not the best?"

The ceremony seemed short. Introductions by Senator Cannon. "America the Beautiful." The Invocation by an Atlanta bishop followed by a chorus of Amens from the crowd. "The Battle Hymn of the Republic" sung by the Atlanta University Center Chorus. House Speaker Thomas P. O'Neil administered the oath of office to Vice-President Walter Mondale and then Chief Justice Warren E. Burger swore in the President.

He took the oath on a Bible given to him by his mother and one used by George Washington. He took the office, as he had campaigned, as Jimmy Carter. Somehow, it seemed fitting.

President Carter began his inaugural address with a humility that marked most of the day, thanking the man he had defeated for his service to the nation. Tremendous applause followed, partially for the new President, but mostly for the old. There were very few men on either side of the platform who did not like the former President. Even the press corps stood and clapped, and tears fell

from Ford's eyes. It was an indescribable moment. Watching power pass peacefully between presidents had always amazed me; never, however, had the men on the podium seemed so human.

Carter went on to give a low-key speech. But the crowd was friendly and most came to see, not to hear. The ceremony was concluded by a benediction and the National Anthem. The podium cleared, and the crowd waited for the motorcade to bring the dignitaries to a solar-heated viewing platform near the White House to watch the Inaugural Parade. Many hoped to catch a closer look at the new President.

It was then, perhaps more than at any other moment that day, that Jimmy Carter made history. For the first time, a newly inaugurated president walked the route back from the Capitol to the White House. Whether or not the Secret Service knew in advance, I don't know. But the press and spectators had not, and the people went wild. It was cold out there, believe me. But a path of warmth followed the walkers.

At this point I was warm inside a Congressional office watching on television. The spirits were already flowing, and celebrations abounded. As I watched I wondered whether Vice-President Mondale was contemplating whether it was proper for him to stay in his car or get out and walk with the President. Wisely, I thought, he let the President bask in his moment with wife and family and waited until the part scheduled to be walked, before joining him.

The parties that evening were in some ways refreshing but in others a let-down. There were few superstars, whom I admit I had hoped to see. President and Mrs. Carter made an appearance at all seven, but on the whole it seemed mostly people like me, citizens who paid \$25 a ticket to say they were there. But good spirits prevailed and it was three A.M. before the orchestra called it a night.

Guests lingered, not wanting the day to end. But morning was quickly approaching, and President Carter had let his staff know he expected them at their desks early that day ready for the task ahead. It may not have been Camelot, but it had been a very special day.

## Carter's Pardon Not Good Enough

by Wayne S. Leibert

Within seven hours after assuming the presidency, Jimmy Carter did what he promised he was going to do. He announced that he was going to grant an unconditional pardon to virtually all the men who were peaceful draft resisters during the Vietnam War.

The pardon affects 13,000 men, 9,000 of whom have already been convicted and will have the convictions wiped away. However, it does not affect approximately 100,000 men who landed in the armed forces and then fled. Although many of these men deserted after committing crimes, quite a few deserted because of genuine objections to the war.

The adverse reaction came swiftly. Senator Barry Goldwater called the pardon "the most disgraceful thing a president has ever done." Apparently the Senator from Arizona does not believe that President Johnson disgraced this nation by lying to us about Vietnam. Or has he forgotten how Richard Nixon lied to us about Watergate, only to resign in disgrace? By trying to bind the nation's wounds, by forgetting the past, President Carter has not disgraced us. Rather, he has earned our respect by taking a very important step.

But, I am afraid Mr. Carter's program is not enough. Once in the service many men realized that they simply could not obey questionable military orders. The Nuremberg principles described a war crime, *inter alia*, as the "... wanton destruction of cities, towns or villages, or not justified by military necessity." These men did obey the law. They obeyed a higher law. They disobeyed a military command rather than disobey the Nuremberg principles. The U.S. government simply did not make the reasons for the orders in Vietnam so unmistakably clear that none of the servicemen could have questioned the propriety of following orders. So these men made their moral choice, and rather than sin against their consciences, they sinned against the state.

At Nuremberg a number of people were convicted

after the tribunals rejected the defense that they were only following orders. Do we deny that the Nuremberg principles also apply to the United States? If we are serious about war crimes, and Nuremberg was not a matter of vengeance, then President Carter must not only pardon draft evaders, but also many of the deserters as well. We must not punish the many who decided that the military orders they received were morally unacceptable, especially in a war that was totally unacceptable.

Those who believe that such an extension of the pardon would enable future dissidents to veto the foreign policy of elected officials should look back into history. George Washington did not punish deserters following the Revolutionary War, and neither did Madison following the War of 1812. Lincoln issued a general amnesty following the Civil War. In each of these instances the nation looked to the future, instead of looking back. Bringing all the men home will help us forget the past and enable us to squarely meet the future.

The staff of CONSCIENCE joins the entire law school community in wishing Professor Herman Hillman a full and speedy recovery from his illness. We anxiously await his return to his regular teaching routine.



## Work-Study Meeting

On Wednesday, March 16 at 1 P.M. in Room 238, Adrienne Sachs, Coordinator, Federal Work-Study Program at Hofstra, will speak to law students about the work-study program.

The work-study program is a federally funded program through which students who qualify through the Financial Aid Office as financially eligible are able to work for government agencies or non-profit organizations.

Work-study offers an excellent opportunity for those students who have financial need to earn part of their law school expenses while at the same time work at law-related jobs. Students who

apply during the second semester and are accepted will be funded for the summer (during which they can work full-time) as well as the next school year (during which they can work part-time).

If you feel that you might be able to establish financial need (this is based on your income plus your parents', if you are not independent of them) and are interested in work-study, you must attend one of the meetings. (This includes students now on work-study who must reapply!)

At this meeting, the application procedure, job opportunities, when decisions will be made, and any other matters of concern to you regarding work-study will be discussed.

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# Down With Legal Lexicon

by Neil Weinrib

One of the most adverse consequences of law school has been the inculcation of legal language into the speech, writing and daily actions of students. From the moment of entering Hofstra, the law student is virtually bombarded with a host of sterile and meaningless words and phrases which are eagerly digested and conveniently utilized without any hesitation. This phraseology includes: moreover, further, in terms of, insofar as, it is well settled, etc. The legal lexicon is stilted, anachronistic and altogether too succinct. Worst of all—it's contagious!

In fact, it is crystal clear that "legalese" has exerted a chilling effect upon the capacity of law students to speak, think, and act in unstructured terms. There I go again. I just fell into the trap of using legalese when I could have resorted to plain and simple English in order to make the point that legal language stinks. Think about it. Do you realize that you are thoroughly inundated with hackneyed words and moot expressions whose only purpose is to take an innocent, everyday sentence, and cause it to reverberate with the strength and power of "the law?"

Legal language injects virility and ego yet transforms intelligible thoughts into abstract and utterly incomprehensible arguments that only a lawyer can understand. The result of bastardizing our native tongue with monotonous boilerplate expressions is that we've succeeded in insulating our profession from normal, obscene Americana. Is that what we want?

Legalese can take a simple sentence like "Gimme a glassa water or I'll break your arm" and turn it into the following: "It is my firmest desire to request the immediate delivery of one drinking vessel filled with distilled water. In the event of noncompliance you shall herewith receive a severe fracture of the radius, ulna and humerus."

Legal language is all-pervasive. It even affects our social relationships. For instance, take the usual case of a law student who wants to end a long and drawn-out romance. Without even realizing it, he will write his ex-love: "This is to inform you that the party of the first part, after serious thought and deliberation, wishes to terminate this prolonged and unfruitful relationship with the party of the second part."

Legalese stops at nothing. It can seriously interfere with one's ability to read and enjoy good poetry. Robert Frost, in "Stopping by Woods on a Snowy Evening," wrote:

The woods are lovely, dark and deep,  
But I have promises to keep,  
And miles to go before I sleep  
And miles to go before I sleep.

Now, add a heavy dosage of legalese and observe the not-so-subtle transformation:

The said forest is characterized by extensive depth and an inherent lack of illumination.

Moreover, as I embark upon this lengthy sojourn, I have sworn to obey numerous affirmations prior to lapsing into a state of slumber.

And in music too, legal language can murder one's appreciation of a song's lyrics. The Beatles' "I Want to Hold Your Hand" becomes "It is my firmest intention to grasp your metacarpus." Or, the popular disco hit "Get Up and Boogie" is transformed into "Please be advised that you shall hereby rise and gyrate."

It is therefore "well settled" that we, students of the law, have been duped by the legal profession into learning and using a nonsensical form of communication. Legal language, if not quashed, must be confined to the classroom. It is utterly criminal to allow this pernicious phenomenon to turn us into obeisant automatons at the expense of losing our rich and rewarding English language heritage. Ain't that the truth?

## Elie Wiesel Lecture Series

Elie Wiesel, noted author and Judaic scholar, will give three special lectures at Hofstra University during the spring semester.

The lectures, presented by the University's Division of Continuing Education, will be given at 8 P.M. on Mondays (February 28, March 7 and March 14) in the Student Center on Hofstra's North Campus in Hempstead.

Mr. Wiesel's lectures are titled "Biblical Thought: Saul—the Story of a Melancholy King;" "Talmudic Thought: Rabbi Yochanan Ben Zakai—the Story of Survival;" and "Hasidic Thought: Rabbi Jacob Isaac—The Seer of Lubin."

Born in Hungary, Mr. Wiesel was a teenage survivor of Auschwitz and Buchenwald Concentration Camps. His books include *Beggar in Jerusalem, Night, Dawn, The Accident, The Town Beyond the Wall, the Gates of the Forest, The Jews of Silence, Legends of Our Time, One Generation After, Souls on Fire, The Oath, Ani Ma'Amin, and The Madness of God.*

For further information about the Wiesel lectures (\$18 for the series of three) write to Division of Continuing Education, Hofstra University, Hempstead, N.Y. 11550, or call (516) 560-3313. BankAmericard holders may register by telephone.

**SPEAKER**  
**PROF. AMOS SHAPIRA**  
of Tel Aviv Law School  
will speak on topics concerning law  
in the Middle East and  
Esrael's Constitution.  
Wednesday, February 23, 1977  
at 1:00 P.M. in Room 230.  
A wine and cheese reception will follow.

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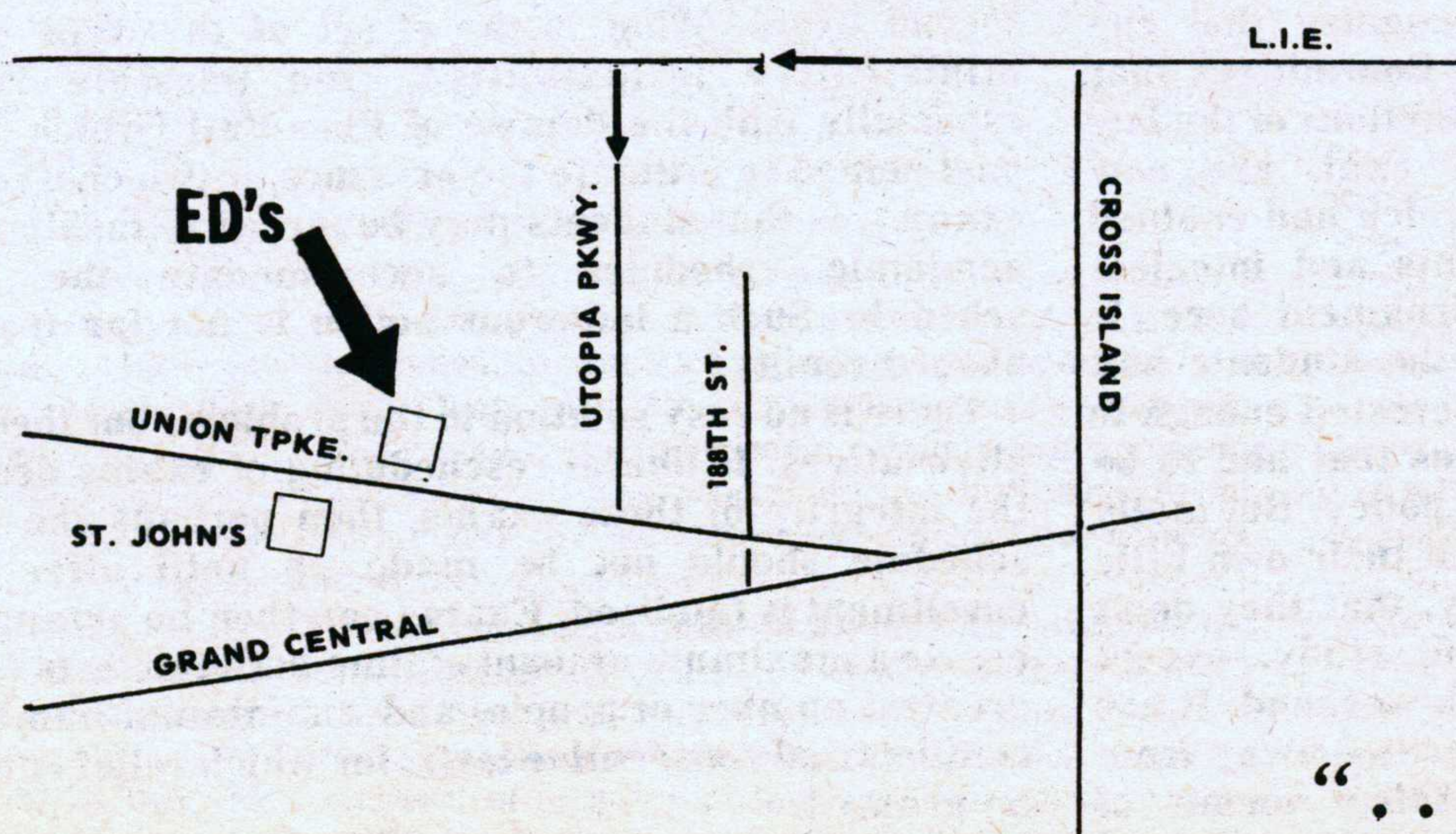
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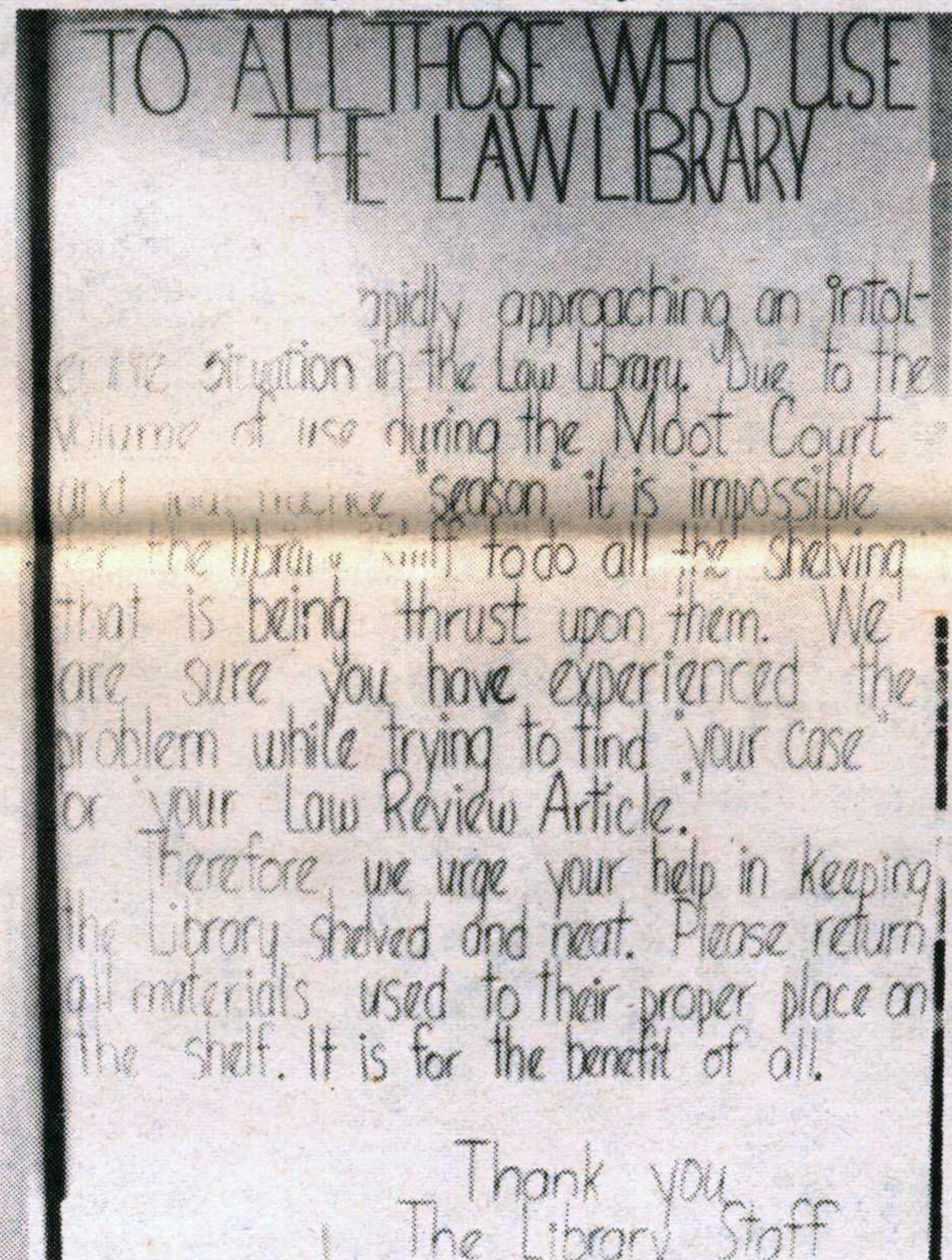
# EDITORIALS

## Library is "Ours"

The editorial column of CONSCIENCE is a vehicle by which the editors of CONSCIENCE express their opinions about what is being done or what should be done. This particular opinion is concerned primarily with the former. Unfortunately, we must express an opinion of some of our students that is so low, because what they are doing is so loathsome, that we are ashamed for them and sorry for ourselves. But the time for this expression is long overdue.

It is time that we told the selfish, irresponsible individuals in our midst who think that they are getting an edge by razoring out pages of Federal Reporters, regional reporters and law reviews that the entire law school community holds you in contempt. You have by your actions proven yourselves to be unworthy of even minimal trust. CONSCIENCE and your fellow students, whom you've mercilessly ripped off, insist that you mend your ways.

The irresponsibility is upon all of us to discourage and put an end to this practice. We must not tolerate this destructive activity which is so injurious to us all. Professor Wypyski's policy of maximum open shelves in the library is a commendable one. But perhaps it is time to re-evaluate the practicality of this policy in light of the destruction being done. With first year Moot Court in full swing, there is no time to lose. Immediate reappraisal of this policy is necessary.



## Mea Culpa

It's really our fault. Whatever is happening around here—that is, those things which we all are bitching and moaning about—are really our own fault. Nobody wants to read in the "official student newspaper" about student apathy and especially student ineptness, but that's really "what is happening."

After Pass-Fail was abolished, there was a great deal of sentiment expressed about ulterior motives, and we were all so annoyed at the possibility of change (who's a reactionary?) that we failed to recognize that the change had already been completed. Committees that had been set up to facilitate various functions of the law school, and which had once been vital, are now moribund. It was those committees which had enabled the students to express their thoughts and interject some meaningful input into the environment here. It was through those committees that the students had proved that they were mature and interested enough to be trusted with the important inquiries that had to be made to reach intelligent decisions on policy. But lately the students here are too caught up in their own little worlds. School is so tough, apparently, that they don't have the energy to do anything but study, except perhaps go to two or three parties each weekend. It has been as a result of this shifting of interest—away from school action and toward less taxing forms of stimulation—that the privileges of students have eroded. We have freely given them up. We have shown an attitude of indifference that yields the kind of results



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American Bar Association  
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Law Student Division,  
Best Law School Newspaper

Stuart Rosenthal  
Editor-in-Chief

Managing Editor  
Associate Editor  
Feature Editor  
News Editor  
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Assistant Editor  
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Sports Editors

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The Editor-in-Chief of CONSCIENCE supervises the editorial, news, literary, advertising and informative content of the publication and has authority over all material that appears in that publication and over staff personnel.

It is expected that the Editor-in-Chief and the members of the CONSCIENCE staff will meet the responsibility that derives from the right of freedom of the press.

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we have been so vigorously protesting. And it is extremely hypocritical of us to stamp our feet and beat our breasts in righteous indignation when the turn of events is unfavorable. It is worse yet to turn on and criticize the faculty for improper motives when we haven't yet properly thanked them for the position they took last spring when a budget cut was necessary to balance tuition levels, and they stood out from their peers and stood behind us, voluntarily accepting an across-the-board salary cut.

If you are still with us, please understand that we abhor the results of the faculty vote on Pass-Fail. That is one reason that CONSCIENCE has attacked it and will continue to do so (as long as there are people interested in it). We think it was an example of insensitive and uncompromising administration. But the results should not surprise anyone.

There is one last question we should all be asking and answering to ourselves, "If I am not for myself, who will be for me, and if I am only for myself, what am I?"

## Final Exams . . . Our View

Last month we asked, "What's happening?" The answer is fairly obvious. New York Practice is gone. Pass-Fail is gone. The reading week before finals is gone, through a compromise. Where is morale?

It may seem a little early to start carping about final exams, but if we do not start now, the urgent reforms we propose may never happen. Last semester a substantial number of students were "blitzed" by a terrible exam schedule. Many had one tough exam in the afternoon followed by another the next morning. The so-called relief available was a two-hour delay in taking the second exam. What is the effect of this type of administrative inflexibility? One possible result, especially with the demise of Pass-Fail (which in the past helped to mitigate the pressure of two consecutive exams), is that students may be forced to fashion their academic schedules to accommodate the finals schedule. Such a ludicrous notion is not far from an absurd reality.

There is no easy solution to the problem, but there are alternatives. If liberal rescheduling of exams destroys the integrity of those exams, then perhaps the finals schedule should not be made up until after class enrollment is finalized. Exams can then be arranged to create a maximum amount of time between tests for the greatest number of people, and a minimum number of conflicts and consecutive tests, for which relief can then be granted.

The schedule of classes and finals for next fall is under consideration. The time to express our opinions and exert pressure is now.

## New Judaic Studies

Four courses for adults in Judaic studies will be offered during the spring semester by Hofstra University's Division of Continuing Education in cooperation with the Jewish Theological Seminary.

"The Psalms: Our Search for a Meaningful Life," will be taught on Thursdays, beginning March 10, from 8 to 9:45 P.M. by Dr. Shlomo Balter. The course will cover the nature and function of the Book of Psalms, its history, contents, form, origin, age and authorship.

Stephen Lerner, Rabbi of the Town and Village Synagogue in New York, and editor of the Seminary's quarterly journal, "Conservative Judaism," will teach a course on "Women in Jewish Law and Tradition." He will examine the role assigned to women in Jewish life and will discuss how women functioned in various Jewish epochs and societies. The course will meet on Tuesdays from 10 to 11:45 A.M. beginning March 8.

"A Persistent Paradox: Who Is a Jew?" is the title of a course that will be given by Rabbi Ario Samuel Hyams. The course will be given on Tuesdays from 8 to 9:45 P.M., beginning March 8.

Daniel Boyarin, Assistant Professor at the Jewish Theological Seminary, will teach a course on "Early Jewish Mysticism," on Wednesdays from 8 to 9:45 P.M., beginning April 13. The course will cover four aspects of mysticism in the Talmud. The first two will be on mysticism in the Talmud and the last two on later mystics for whom the Talmud was an inspiration. The legal norms regarding the study of mysticism, personal histories of some of the great Talmudic mystics, and some of the doctrines of the movement will be discussed.

A fifth course in Judaica will also be offered by Hofstra this spring. It is a guided seminar that will focus on the rich collection of Judaica on display at the Jewish Museum in New York City. The course is titled "Judaic Art in New York," and will include three trips to the Jewish Museum. Subjects will be Jewish Ceremonial Art, the World of the Bible, and major exhibitions. The course will be given on Sundays from 11 A.M. to 1 P.M., March 13, 20 and 27.

Further information about Judaica courses can be obtained by writing to Division of Continuing Education, Hofstra University, Hempstead, New York, 11550, or by calling 516-560-3313.

**CONSCIENCE  
DEADLINE  
FOR NEXT  
ISSUE**

**MARCH 11, 1977**



## FORUM

# The Dean Responds

I appreciate the consideration shown by the editors of CONSCIENCE by letting me see in advance their editorial about final scheduling so that I might respond.

Obviously, we do not intentionally schedule examinations in order to create "back-to-back" finals for students. Nor are we insensitive to the burdens felt by students who are faced with a number of exams during a short time span. In formulating the examination schedule for this semester, I have spent many hours in attempting to provide as much time between tests for as many students as is feasible. In addition, automatic relief is provided for any student who has two examinations on the same day or three examinations on three consecutive days. Unfortunately, no matter what we do in terms of advance planning, there will be a number of students who will have exams on two consecutive days. This is a necessary result of the combination of a short examination period (ten days), a large number of elective course offerings and a lack of consistent patterns of course selection among all students.

To grant "relief" by rescheduling exams for students faced with tests on two consecutive days is undesirable. Any such "relief" would further compromise, or appear to compromise, the integrity of the examination process. Nor would delaying the scheduling of examinations until after registration is final solve the problem. Since we

have a short examination period and a large number of elective courses, there would still be a number of students who would have "back-to-back" exams. In addition, we simply do not have sufficient administrative facilities to correlate the individual course selections of all second- and third-year students. Finally, such a procedure would be detrimental to those students who do take final schedules into account when making course selections in a particular semester, especially in light of the fact that several basic courses are offered in both the Fall and Spring semesters (e.g., Land Use, Income Tax, Real Estate and Evidence).

We have attempted to formulate a rational and fair system by reconciling all competing considerations. The result need not be that students will choose courses solely on the basis of the examination schedule. Rather, students faced with "back-to-back" examinations can prepare and review sufficiently in advance of the tests so that cramming is unnecessary and the burdens will be minimized.

I do not mean to foreclose further discussion on this matter. If anyone has any new ideas, I would appreciate hearing about them. In fact, if anyone wants to draft a proposed final schedule for the Fall semester, I will give it careful consideration.

Stuart Rabinowitz  
Associate Dean

# Regionalism: Our Secret Weapon

by Wayne Bastedo

As the Carter Administration takes shape and a consensus evolves as to what it means for foreign policy, it appears that the trend is toward maintaining a hard line rhetorically against the Soviet Union. This is combined, however, with a search for greater understanding of and interchange with the Russians (and the Chinese) and a greater emphasis on a positive policy toward the underdeveloped nations of the world generally.

In essence, this means a continued movement away from military confrontation and "counterinsurgency" in our foreign policy à la Vietnam, Angola and Chile; a greater emphasis on positive economic, cultural and philosophical competition with the Soviets; and positive approaches toward world stability as in our support for popular government in Rhodesia and the SALT proposal.

One possible strategy for promoting such a positive foreign policy that has not been widely discussed is American support for regional development in the Third World.

Regional development may be defined as the political and economic association of neighboring, like-minded and similarly-cultured nations within geographically self-contained sub-continent of the world. The prime example is the European Common Market, which has made only faltering steps in recent years but still shows a great deal of promise. The Europeans, in fact, have derived great benefit merely from decreasing or eliminating intra-European tariffs and trade regulations and formulating uniform economic and political policies toward the rest of the world. Similar regional-development efforts have been made with varying success by the countries of Black Africa and Latin South America.

## "Anti-Communism" and American Policy

The traditional conservative argument against American interaction with Russia and China ("detente") and against American support for popular movements in the underdeveloped world is that the Communist giants' sole objective is world domination and that such activity by America only plays into their hands. To what extent the fear of a Moscow- (or Peking-) controlled world 50 or 100 years hence is still realistic is highly debatable. Yet the fear still pervades American (and Western) society, and policy cannot be made without at least appearing to take it into account. This is true despite the lessons of Vietnam and Angola that America cannot afford to (and probably should not) be the policeman of the world, opposing popular movements just because they receive Russian or Chinese support. And it persists despite the lesson of the Chinese-Russian falling-out: domination of multiple continents of the world under one unified ideology is not likely. (In fact, the Russian-Chinese dispute indicates that ideology as a unifying force may only be possible today within limited historically-related areas.)

Certainly there is a need for the U.S. to be wary of Russian and Chinese military, political and economic influence in the competitive sense of protecting our own best interests. But any actions taken to protect those interests must be weighed to make sure we do not lose

more in moral integrity and human and economic resources than we gain.

## Advantages of Regionalism

All of the American objectives of allaying fears of world Communist domination, allowing peaceful competition with the Russians and Chinese, and encouraging development in the Third World can be met by promoting regionalism. For while one small underdeveloped nation may be subject to undue influence by a superpower like Russia (or, indeed, the U.S.), a regional combination of such nations (with comparable size and political and economic strength to a Russia or U.S.) is much less likely to be so dominated. In fact, by encouraging such regional associations, the United States could foster stability in those areas without expending huge resources. Successfully integrated regions could adequately provide their own non-nuclear defense. Through American-supported economic regional arrangements, underdeveloped nations could achieve sufficient economic strength to make Russian- (or Chinese-) backed Communism unattractive.

An American policy politically and economically encouraging regionalism while de-emphasizing American interference behind the scenes would probably even appeal to neutral and pro-Communist countries like those in Africa and Indochina, which despite their ideological opposition to the West, also fear Russian and Chinese domination.

By promoting regionalism, the United States would show its concern for the needs of the underdeveloped world, helping to remove the stigma in our relations with those countries that Vietnam created, while fostering their trust in and favor toward us in such areas as trade.

## How Realistic?

Can regionalism really work? The superpowers themselves were all once as politically disintegrated and backward as the underdeveloped nations. Centralization and industrial revolution, in differing forms, brought the superpowers to their present levels of strength. There is no reason why, given sufficient support, other contiguous areas of the world could not develop similarly.

Certainly, though, regionalism must be voluntary; it must not just be another excuse for American interventionism. Any such approach would be as bad as, or worse than, past American policy. A pro-regionalism policy would have to include a corollary policy ensuring that nations whose people wish to maintain absolute sovereignty are not forced into alliances or economic units they do not desire.

The "Communist threat" remains a dominant theme in American foreign policy even today. To the extent that that threat is illusory, regionalism (unlike Cold War "anti-Communism") permits a progressive American approach of support for popular movements and positive assistance to the Third World. To the extent that the Russians and Chinese do pose political, economic and military threats, regionalism may provide the best way of peacefully competing with them for American interests.

## Right Of Left

# JUSTICE . . . WHO PROTECTS WHOM

by Chris Schmidt

Gary Mark Gilmore is dead. His ashes have been scattered over Springfield, Utah, scene of the brutal murders of Bennie Bushnell and David Jensen. His girlfriend, Nicole Barret, was in an insane asylum oblivious to his destruction. Her mind has been permanently damaged as a result of their suicide attempt. The widows of Bushnell and Jensen are at home with their children wondering what to do with the remainder of their lives. The reporters, executioners and witnesses to Gilmore's death are attempting to erase from their minds the distasteful scene of his demise. The public is left with a scar that will soon be covered over with more such scars.

Gary Mark Gilmore has left something behind for all of us. His acts have taught a lesson that no one should forget. Some are decrying the use of capital "punishment," horrified to think that the government has the right to end a life. Others are glad that Gilmore will never get the chance again to ruin another life.

Gary Mark Gilmore has taught us that we are a peculiar society. We will vigorously defend the imagined rights of convicted killers who kill more than once but piously urge the control of handguns. We go to see movies that contain nothing but gore and violence, but we detest involvement in foreign wars because that might include us. We tolerate violence as long as it is a safe distance away, such as on television, or out in Utah, or in the Bronx. We deplore the plight of the helpless and the downtrodden, but we are too timid to face up to the responsibility of creating legislation to control public enemies.

Gary Mark Gilmore exploited our weaknesses. After we put him behind bars he was still able to do us more harm. It took us a long time to see the danger. Even Gilmore understood that he was incorrigible. It took the A.C.L.U. longer to find it out. They were more concerned with the killer than with his victims.

Gary Mark Gilmore did not receive punishment. Life in prison would have been punishment. He received a penalty. The penalty was the termination of any additional opportunity to salvage his miserable life. The risks to society were simply too great. Even Gilmore understood this. He was more willing than some of us to face up to the awful consequences. In death he had a way to atone for his wrongs. He directed that the proceeds, in part, should go into a fund to help the families of his victims. He donated his organs to medicine. It is a sad commentary that even a convicted killer was more concerned with the plight of his victims than the society charged with the responsibility to protect them.

## Jobs Available?

Prepaid and group legal service plans have been steadily increasing in number all over the country. The Tax Reform Act of 1976 removed the last major obstacle to the potential for explosive growth in this area. Many knowledgeable observers expect the number of group and prepaid legal services plans to double in the next year. Currently about one million Americans are covered by some form of group legal plan.

Employment opportunities for lawyers and law students will also expand with the growth of this new form of legal services delivery. For example, the Managing Attorney of the Municipal Employees Union (N.Y.C.) Legal Plan is currently hiring 70-80 lawyers and over 100 staffers, including law students for summer work. Other examples are less dramatic, but the point remains—jobs are being created in this field right now.

The Liaison to the ABA Special Committee on Prepaid Legal Services has obtained a national list of operating prepaid and group plans, both open and closed-panel, union-sponsored and bar-sponsored. This comprehensive list contains the sponsors, managing attorneys and addresses of practically every major plan in the country.

The Liaison will make this information available to any law student who requests it, subject to the following restrictions:

1. A request must be for a specific city or a specific area of a state;
2. No request for the entire list or for a regional list of addresses will be honored;
3. Requests must include a stamped, self-addressed envelope.

Please note that there is no representation made that there are any jobs available at all at a given location. It will be up to each law student to solicit and find out whether there are jobs at a particular location of interest. This is fundamentally self-help by each law student; the Liaison will merely help find some prospects.

Send all requests to: Mr. David G. King, ABA Liaison—Prepaid, 1120 Briarcliff Rd., NW, Atlanta, Georgia 30306.



## CAVEAT EMPTOR

## GETTING THAT RESUME COPIED

by Vicki Lindgren

Well, resume-writing time is here. Now that the spring thaw is approaching, it's time for many students to come out of hibernation and start selling themselves to prospective employers again for either summer or full-time (gasp! real life) positions. And most students have learned the "tricks of the trade," or how to present themselves in a most employable light on paper.

After a resume is written, however, a more basic problem evolves—having it run off, or printed. There are several alternatives available to those interested in such running-off: the Xerox machine in the library is one and carbon paper is another. However, for those who are more faint of heart, or more particular, resume printing services are available in assorted shapes and sizes.

After investigating some of the many services listed in the Yellow Pages, the following representative sample of the kinds of services available was obtained.

**All Office Services at 154 North Franklin in Hempstead:**

According to the manager of this establishment, they offer "next-day" service, i.e., if you bring your resume in the morning, it will be ready the next day. For one page, untyped resumes, the prices are as follows: 50 copies at \$9.45; 100 copies at \$9.95. Different grades of paper and different type-settings are available.

If your resume is already typed and you want to have it printed, the prices are: 50 copies at \$5.25; 100 copies at \$5.95. Telephone: 483-3500.

**Printing Mart of Long Island, 95 Mineola Blvd., Mineola:**

Ragbond paper available; usually same-day service; 50

copies at \$5.00; 100 copies at \$5.95. Resumes must be typed. Telephone: 746-3640.

**Active Printers at 234 Front Street in Hempstead:**

100 resumes printed, camera ready for \$3.50, fast service is available. Telephone 481-9710.

**Artisan Printers and Stationers, Inc., 167 Mineola Blvd., Mineola.**

No typing is done by this service. The prices for printing (on what they termed "regular bond paper") were: 50 copies at \$3.50; 100 copies at \$3.95. Telephone 747-6399.

**Brummel Executive Resumes, 15 Laurel Lane, Roslyn Heights:**

Herb Brummel, in charge of this resume service yelled at me for asking him what his prices were. "Price is unimportant," he said, "it's quality that counts."

This service according to Brummel, is designed to teach students how to write resumes; how to sell themselves in a most favorable light, and how to use stationery that "matches the resume."

"I did a resume for Jimmy Carter's campaign manager's son," Brummel explained. "I used to earn a living recruiting executives for Milton Bradley, and after a while all resumes looked alike. Now I teach people how to make themselves look more interesting. Don't go through the Yellow Pages looking for "resume mills." Go somewhere where your resume will be written for you, not just copied for you. And, don't believe me until you see what I have to offer."

What more can one say, except that the telephone number of this service is 621-8188, and "Caveat Emptor."



Orbach Photo

Steve Q. Orbach would have graduated this year, had he remembered to check the citations in his Moot Court brief. Instead, he incorporated his failure into this fine establishment. First year students: DON'T LET THIS HAPPEN TO YOU! Best of luck, The Moot Court Board

## How to Get in the Running

Horse race handicapping is going to college. In the spring semester at Hofstra University's Division of Continuing Education a course titled "Off and Running: Handicapping the Horses for Fun and Profit" will be among the 300 courses offered for adults.

The course will be taught by Joe Cardello, a history lecturer at Hofstra. He holds a Hofstra B.A. and an M.A. from the State University at Stony Brook and is currently a Ph.D. candidate at Stony Brook. The adult course bulletin notes that Mr. Cardello "has followed horses closely since 1970; has spent extended periods at the track."

The Hofstra adult course bulletin carries the following description of Mr. Cardello's class:

"Expansion of the horse racing industry in recent years offers the public both an exciting form of entertainment and a chance for profit. Racing as a diversion certainly provides sufficient reason for public interest; but the profit can only go to those willing to take the time and effort necessary to understand the complex game of thoroughbred racing. This course is designed to provide the essentials of such an understanding.

"Each session will provide a sophisticated

analysis of the critical factors in handicapping thoroughbred races. From an examination of basic handicapping and bettor principles, and an understanding of both the uses and abuses of the Racing Form, the course will consider in depth such topics as determining track condition, reliable track variants, race-watching, and board watching, the meaning of workouts, and the crucial importance of the trainer. Examples from recent races will be used in each case to illustrate favorable betting situations. Special attention will be given to two-year-old racing (the most predictable of all), and to turf racing, where a knowledge of breeding lines can bring profitable results.

"For those interested in off-track betting, a discussion of the problems of betting off-track will be included, as well as a brief analysis of harness racing as a possible alternative. An optional day at the track will be discussed with the class."

"Off and Running: Handicapping the Horses for Fun and Profit" will meet from 8 to 9:45 P.M. on Wednesdays beginning March 9. The fee for the five-session course is \$30. BankAmericard holders may register by telephone, (516) 560-3313. Further information may be obtained by writing to the Division of Continuing Education, Hofstra University, Hempstead, New York 11550.

## Rocky vs. Network

by Jack M. Platt

It is not mere chance that "Rocky," starring Sylvester Stallone, and "Network," starring Faye Dunaway, have come together to compete for this year's best movie award. Each symbolizes a different and contrary philosophy.

The themes of the two movies are simply stated. "Network," on the one hand, characterizes the philosophy, "man as puppet."

There are no characters in "Network;" each actor portrays a chess piece, a weapon, an instrument. "Network" convincingly suggests: regardless of your actions, regardless of your reasons, you serve at the pleasure of the corporate manipulator. Individually, you are naught.

Even the hackneyed catchphrase adopted by "Network," "I won't take it anymore," serves not the individual, but the scheming and sinister media. The media become not the message, but the end itself.

In sum, "Network" shouts an empty, mocking, and cacophonous theme.

"Rocky," on the other hand, ennobles the least of us, lets us believe that each of us individually is worthy of some small merit. Literally, the "fight" is a prizefight; symbolically, it represents the battle we each wage for success.

"Rocky" suggests that ability and ambition, mixed with a sprinkling of that great all-American commodity "opportunity," enable man to aspire to greatness. Rocky is doomed at the outset to lose his great battle. As a great warrior, however, he earns the respect and love of his people and even his adversary. Rocky does not win, but he succeeds; he goes the distance.

That the individual will can conquer mass indifference is the message "Rocky" bears. Its philosophy: "man the indomitable."

1977 may be the year in which the pendulum, having gone full swing, returns. Careful, thoughtfully-written movies have nearly convinced us that the days of Camelot are dead, that simple, black-and-white issues of justice, fairness, loyalty, and mercy can live no more. The world, they lament, is too complex, our lives manipulated by giant corporate entities too great to comprehend.

"Rocky" returns us to simple Camelot, and illustrates that life, for man at least, has never been and will never be simple. The choice of roads, however, is clear for the hearty.

When chains cannot defeat man's liberty, when castes cannot oppress his talents, when censorship cannot distort his mind, one enemy yet remains: despair can still destroy man's will. "Network" seeks this end; "Rocky" overcomes it.

The winner to me is clear: I cast one vote for "Rocky."

## Hofstra Happenings

## FILMS

(Student Center Theatre, Saturday evenings at 7:00 and 9:30 P.M., and Sunday at 8:30 P.M. Admission free with HU ID)

M\*A\*S\*H (R) February 26, 27

THE GODFATHER, PART II (R) March 5, 6

MAHOGANY (PG) March 19, 20

ANDY WARHOL'S DRACULA (X) March 26, 27

ADVENTURES OF SHERLOCK HOLMES' SMARTER BROTHER (PG) April 2, 3

EMANUELLE II, THE JOYS OF A WOMAN (X) April 23, 24

PHANTOM OF THE PARADISE, (PG) and PICTURE OF DORIAN GRAY (PG) (double feature) April 30, May 1

THREE DAYS OF THE CONDOR (R) May 7, 8

## LECTURES

Geraldo Rivera, noted broadcaster and attorney, will be speaking on "Broadcasting: An Education in Itself." Dining rooms A & B of the Student Center on Thursday, February 24 at 8:30 P.M. Admission is free.

## THEATRE

EFFECT OF GAMMA RAYS ON MAN-IN-THE-MOON MARIGOLDS. West End Theatre, February 22-24 at 1:30 P.M., Sunday, February 27 at 3:00 P.M. Tickets are \$1.75.

ROMEO AND JULIET—John Cranford Adams Playhouse, March 10-13, 18-20. Reserved seating - orchestra \$3.50 and \$3.00; balcony \$3.00 and \$2.50. All shows are at 8:30 P.M. except Sunday matinees are at 3:30 P.M.

## MUSIC

Hofstra String Quartet - John Cranford Adams Playhouse, Friday, March 25 at 8:30 P.M. Members of Hofstra's music faculty in an all Beethoven program.

Johnny Winter, James Cotton, Muddy Waters, February 27 at 8:00 P.M. For information call 560-3369.



## “Mighty Joe” Bianco

by Jay Baris

When the second year student awkwardly approached the new Business Organizations professor to ask a question, she was not sure of the proper form of address. “Professor” seemed too formal, but was there any other way?

“You can call me anything no more derogatory than Joe,” was the professor’s reply, much to the student’s relief.

Professor Joseph Bianco, Hofstra Law’s most recent addition to its full time faculty, has brought with him a refreshing and candid approach which, depending on whom one asks, may or may not be a popular trait of the law faculty. His students like his informality and ability to relate to them and are amazed at his mastery of his field. From complete obscurity last August, he has become a household word at Hofstra when one speaks of commodities, movie making, and (sometimes) corporations.

At 26, he is the youngest member of the faculty, running just ahead, or behind, Alan Resnick (29). Yet he has had a broad array of experiences both in and out of the legal field.

The day he graduated from Yale Law School in 1975 he purchased the movie rights to the irreverent Dr. Hunter S. Thompson’s “Fear and Loathing in Las Vegas.” Filming is expected to begin shortly.

As an undergraduate at New York University, his talents for writing were tapped by Dean Whitter and Company, the brokerage firm, where he edited a commodities newsletter. Later, while working with the Yale Legislative Service, he was approached by a congressional committee to draft a law to revise the then-current commodities law. Senator George McGovern eventually introduced his proposals to the Congress. Soon after he testified before both Houses of Congress, the essential provisions of his proposals were enacted into law as the “Commodities Futures Trading Commission Act of 1974.”

How did he get into the field of law? “Law school seemed to maximize the alternatives I had with my interests,” the husky affable professor said. “And besides, it was because I saw too much Perry



Mason as a child.” Teaching, of course, is one of his loves, as are movies, commodities, fast cars, and cheesecake from “Junior’s” in Brooklyn.

Before he graduated from Yale, he had an idea for a novel way to teach the exciting field of corporations. The approach was to organize it by categories of professional activities, rather than by categories of law, as most traditional texts are organized. A former professor at Yale agreed with him, and so did Foundation Press, the publisher of the University Casebook Series. His co-authored book, “The Law of Corporations” is now used at Hofstra and at about a dozen other law schools.

Professor Bianco’s attraction to “high risk businesses” was not the reason he came to Hofstra. “Basically, I like everything about Hofstra except its location. Particularly, I like the friendliness of the faculty and students, as well as Dean Freedman’s approach to running the school.”

His seminar on commodities is believed to be the only one offered at any law school.

Like most of the professors at Hofstra, Professor Bianco is known for his idiosyncracies. He never wears an overcoat, drinks only Coke, and drives a Porsche 911, his third in three years (“I go through them pretty quickly!”).

Professor Bianco has no favorite color.

If you can't buy  
peace of mind,  
borrow it.



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# Movie Reviews

by Irwin Miller  
THE LAST TYCOON

For decades, directors and screenwriters have attempted to find a cinematic style to do justice to the novels of F. Scott Fitzgerald and thus far the results have been either over-produced (*The Great Gatsby*) or mawkishly adapted (*Tender is the Night*). The newest attempt to bring Fitzgerald's unfinished portrait of an Irving Thalberg-like studio mogul to the screen is a modest success and boasts a superbly understated performance by this year's finest American actor, Robert DeNiro. However even such an illustrious playwright as Harold Pinter (*The Homecoming*, *No Man's Land*) and the talented Elia Kazan (*On the Waterfront*) cannot manage to penetrate the inner turmoil of the enigmatic Monroe Stahr of the Fitzgerald novel or exactly what drives him into a destructive relationship with the cameo-like beauty who reminds him of his dead actress-wife. The film is visually stirring, but the portrayal of the cat-and-mouse games between DeNiro and his amour are so overwrought as to be unintentionally comical. In addition, there are a group of faces out of Hollywood's past (Robert Mitchum, Ray Milland, Dana Andrews, Tony Curtis) and several stellar talents from the present (Jack Nicholson, Jeanne Moreau) who are either wasted entirely or used to pointlessly little effect.

## MARATHON MAN

Do several of the world's greatest cinematic talents (Dustin Hoffman, Laurence Olivier, Director John Schlesinger, Screenwriter William Goldman and Cinematographer Conrad Hall) have an obligation to do more than pound the senses and shock the sensibilities of their audience with a well-played but ultimately empty suspense film? The box office receipts seem to indicate that the mass audience has responded to this pseudo-Hitchcock exercise in sadism and torture, but while there are moments of gripping suspense, the story line itself lacks coherence or believability, and one cannot help but wonder why the incomparable Olivier would choose to portray a role in which he has little to do but provide an aura of menace and cold-blooded horror. The minimal plot concerns a Nazi war criminal who journeys to New York to recover a cache of diamonds, the location of which, he believes, is known by a graduate student (Dustin Hoffman) who becomes an innocent pawn in the cat-and-mouse game which leads to a bloody confrontation between these two illustrious representatives of different acting generations. The pace of the film is quick, the masterfully executed chase series will leave you breathless, and the performances are beyond reproach but you may leave the theatre wondering what all the audience-titillating and ultimately senseless violence was all about.

## THE SEVEN-PER-CENT SOLUTION

A fictionalized meeting between the renowned detective, Sherlock Holmes, and the innovative psychiatrist, Dr. Sigmund Freud, might prove to be too whimsical for most audiences to accept. However, Nicholas Meyer's adaptation of his popular novel is a total delight for fans of mystery and good acting of all ages. Director Herb Ross (*Funny Lady*) has succeeded in evoking a wonderfully picturesque portrait of England at the turn of the century which provides a superb backdrop for a cocaine-addicted Holmes (wonderfully acted by Nicol Williamson) to rid himself of his private demons with the aid of the illustrious Dr. Freud. The pair then joins forces with Holmes' chronicler and trusted assistant Dr. Watson (a superb job by Robert Duvall) to locate the whereabouts of one of the doctor's patients, a lovely actress (Vanessa Redgrave) in a breakneck chase along the Orient Express. Small but perfect cameos by Laurence Olivier as Prof. Moriarity and Charles Gray as Holmes' brother, Mycroft, help round out a memorable journey of total escapism.



Leo Schoffer

# Sports Dicta

the legal ballfields



Jon Falk

# The NBC Olympics Coup

Since 1964, Richard Auerbach has been a producer for NBC Sports. Originally involved with the "Sports In Action" anthology series, his subsequent production credits include the Tokyo Olympics, The Rose Bowl, and the Senior Bowl as well as the Baseball Game of the Week. Mr. Auerbach took time out of his busy schedule to speak with CONSCIENCE.

Recently NBC announced that it would broadcast the 1980 Moscow Olympics, thereby ending ABC's 13-year dominance in the coverage of the games. In explaining how NBC was able to secure the rights to air the Olympics, Auerbach stated, "For several weeks, the legal staffs of the 3 major networks—CBS, ABC and NBC—met in Moscow and actively negotiated with representatives of the Soviet government. At one point the demands of the Russians became so extraordinary that all 3 negotiating teams walked out. However, one member of the CBS team, a West German lawyer-sports agent-television producer named Lothar Bock who had been hired because of his close ties with the Russians (in the past Mr. Bock had produced 5 sports telecasts from the Soviet Union) stayed on in Moscow on behalf of CBS and was able to significantly reduce the demands of the Russians. Nevertheless, these demands were still too steep for CBS and they were forced to back out of the negotiations. At this point, Bock came to our network as well as to ABC and offered his services. ABC, confident in their own legal staff, turned down his offer. NBC on the other hand was convinced that the West German could be a real asset and hired him. The terms of NBC's contract with Bock were such that he would receive a fee of \$1 million only if successful in getting NBC the rights to air the Olympics. In addition, NBC would be obligated to air 15 Lothar Bock productions over American television within a 4-year period, as well as hire him as a staff advisor. The total agreement would mean about \$2 million for Bock if successful and absolutely no compensation if he failed to acquire for NBC the Olympic broadcasting rights. Several weeks after the talks were resumed, ABC also found that it was unable to meet the Russian demands and like CBS withdrew from the talks. Ultimately, NBC signed a contract with the Soviet Union. The terms of the agreement gave NBC the right to air the Olympics in exchange for a payment of approximately \$85 million to the Russians."

Auerbach further explained that although the \$2 million figure that Bock will receive appears to be astronomical, when compared to the amount paid to the Russians, it is a rather conservative figure. "Usually, an American television agent will receive a 10 per cent commission," Auerbach pointed out. "Therefore, Bock was paid at a rate far below that which one would normally be paid for performing the kind of service that he performed."

When asked whether the Moscow Olympics will present any special problems in terms of freedom of coverage, the flamboyant sports buff commented, "We have been given full assurance from the Russians that there will be no censorship whatsoever of the telecasts being sent back to the United States. We will have complete freedom of movement in and around the cities, as well as complete discretion as to what will be aired inside and outside the arenas and stadiums." Auerbach remarked further that since NBC will telecast at least 150 hours per week from Moscow as compared to ABC's 60-70 hours of weekly coverage from Montreal, the additional time will be spent examining such topics as life in the Soviet Union.

Although it is still too early for Auerbach to project

whether covering the Olympics will be a financial success for NBC, he is convinced that being the "Network of the Olympics" will prove quite lucrative for the network in the interim period to 1980. "During the next 3 years," Auerbach pointed out, "the push will be on to promote and advertise the Olympics. The sponsors are going to buy time for the Olympics but they will also want to increase their promotional activity via their product's identity prior to the time the Olympics commence. The prestige involved will bring NBC a significant amount of additional business." Consequently, the network feels that their investment is a sound one regardless of whether the Olympics themselves are profitable.

Turning to national sports coverage, Auerbach refuted one criticism of the role of sports in today's society—that many Americans devote too much time to viewing sports while not enough time is spent participating. In his writings and lectures, Jack Scott, the former athletic director at Oberlin College, referred to such people as "peeping jocks." In Auerbach's opinion, the sports covered by television, with the exception of tennis and bowling, are non-participant sports. "The average person cannot go out and indulge in football or auto racing as television shows it," Auerbach continued. "Sure, a group of people can play touch football or have a pick-up game of basketball but that is nothing like the type of game being shown on the screen, with the kind of satisfaction derived being much different."

When asked whether television events are being over-glamorized Auerbach responded, "In certain situations, events are produced and promoted to the extent that the event itself suffers." However, the producer was quick to point out, "If a television sponsor comes to a network with half a million dollars and wants to produce a special revolving around a sporting event, no network will refuse, despite the fact that they morally should, either because the event is on a different network or because it has already been sufficiently promoted."

Today a sports league cannot exist economically without a television contract. Two National Hockey League teams have nearly gone bankrupt since the league lost its airing over national television. According to Auerbach, looking for the cause of this situation is like the proverbial chicken-and-egg problem. "The league cannot survive without a television contract because of the high overhead manifested in salaries, arena rentals and traveling costs," Auerbach explained. "But on the reverse side a major reason why players are able to demand such high salaries is due to the exposure they get through television."

One of Auerbach's responsibilities is putting together the broadcasting teams for the sports which he produces. He noted that NBC, along with the other networks, have replaced the charismatic Mel Allen-Don Dunphy-type announcers with the "expert" who has participated in the sport, such as Tony Kubek and Jerry Quarry. Auerbach attributes this change to the fact that audiences have become much more sophisticated over the past decade. "The viewer has a genuine understanding of the game he is watching," commented Auerbach. "He demands reciprocation from someone who knows the game."

It has been this viewer expertise and increased interest which has led the networks to offer such exorbitant figures for the broadcasting rights to the Olympics. But whether the public really desires the amount of televised sports that they will be exposed to remains to be seen.

# A Disappointment, In Spades

by Gary Small

"The King of Hearts" is perhaps my favorite movie. I confess that each time I see it, I sigh so much that whoever I'm with asks if I'm all right. I am all right. It's just that each time I fall in love with it all over again. It's playing now at the Fine Arts Cinema in Manhattan. I urge you not to see it there.

The film was shot on location in a small village in France. It is the closing days of World War I, a war most notable for the major role it played in the destruction of a generation's faith in God and in other men. The film touches this theme. More particularly, the film concerns itself with the events surrounding the evacuation of the

village by its citizens and its takeover for a day by the inmates of the village insane asylum. It asks us to consider the sanity of the world we have created and the standards by which we judge normalcy.

There are two film versions of "The King of Hearts."

In one, French is spoken by the inmates and subtitles are provided, and in the other, English is dubbed in. They are so vastly different in sensitivity and tone, I believe that the dubbed version is a mockery and a betrayal of the film's purpose and ideal.

The French subtitled version is poignant, subtle, bittersweet. Its beauty is in its treatment of people—it is gentle, and it never condescends. It is a film that has the

courage to present its actors with dignity and grace.

The same cannot be said for its dubbed counterpart. Odd that the choice of words, the intonations and inflections can make such a difference, but they do. Given the choice between exploitation and understanding, this film exhibits its shallowness each time. Those charged with the translating and dubbing are more to be pitied than anything else, I suppose, because they apparently didn't understand what the original film was all about. My condolences to them.

If certain works of art are precious to you, then like me, you get aroused and indignant at their debasement. Please wait until the subtitled version comes to town.