



CONSCIENCE

The Hofstra University School of Law Newspaper

Volume 4, Number 6

"Asking you to ask yourselves . . ."

March 22, 1977

Professor Herman Hillman

by Neil Weinrib

This is undoubtedly the most difficult piece I've ever had to write and I hardly know where to begin. Rarely have I been at such a loss for words as I am now. Yet it is certainly no effort for me to recall the memories and experiences that many of us shared with this truly remarkable man.

Professor Hillman was a rare phenomenon in law school. More than a teacher and faculty member, he was a friend, and a humanist too. In fact, Professor Hillman was so overwhelmingly sincere and thoughtful that one almost wondered if law school was ever meant to be so congenial. He succeeded in transforming legal education into a personal experience, substituting the traditional approach of arrogance and condescension for a sense of kindness and compassion that is so often lacking in our hectic environment.

Herman Hillman was very much an enigma—the grandfatherly type who made it a point to know all his students on a first name basis. He wouldn't hesitate to stop a student in the hall and ask if all was going well. And he really was interested. Then he'd put his arm around you and before you knew what was happening, he would have you sitting in his office discussing virtually every topic under the sun.

The door to Professor Hillman's office was always open and his time was never too valuable to share with his students. He had countless stories to tell and his vast experiences would easily make any novelist a wealthy man. He always spoke candidly and had that uncommon ability which enabled a student to completely relax in his presence. His words, always soothing and encouraging, helped many of us get through the first year unscathed.

Fortunately, many students had the opportunity to have a class with Professor Hillman. And for those who didn't, they will never know what they have missed because this teacher was not like the rest. He actively sought to inject a new dimension into legal education—that of understanding. Professor Hillman definitely understood the plight of the law student and he made every attempt to make this experience a meaningful one.

Still, Professor Hillman was a demanding teacher. In first year property, for instance, he forced us to trudge through every problem in the text. His patience was enormous and he would often go to great lengths to explain and reduce to simplest terms, difficult concepts like

future interests and the Rule Against Perpetuities. He would not move on until he was satisfied that we had mastered the material. Significantly, Professor Hillman never hesitated to stop in the middle of a lecture in order to answer a student's question. The welfare of the class was his primary concern and to that end he worked incessantly.

Professor Hillman had a style of teaching that was very low-key. He taught like few others. He would frequently step down from the podium, remove his glasses and then talk with his students instead of at them. He was a veritable storehouse of information and always radiated an air of competence, dignity and professionalism. And when it came to questions involving real estate and housing, Professor Hillman did have the answers. Yet he maintained a self-effacing and humble attitude which allowed him to laugh and smile during the lighter moments of class.

Professor Hillman wielded that unusual capacity to teach his students without them realizing that they were learning—he got you to think, question and participate.

He was deeply moved by the problems facing our cities and towns and expressed particular concern for the plight of the poor and minority groups. He was a conscious individual and successfully instilled such consciousness into his students.

Herman Hillman will not be forgotten because law schools today are sorely in need of teachers of his calibre. His ability to relate to students was exceptional and will likely serve as a model for years to come. Although we, at Hofstra, have suffered a great loss, our memories of this sensitive man will surely endure. Professor Hillman has left his mark. Let us not forget the ideals he stood for.

Law Faculty Reaches Accord

Hofstra University and representatives of the Law School faculty reached agreement on a contract last Thursday night. "The University and the Law School faculty have reached a satisfactory resolution with respect to a Law School Faculty Schedule," said Professor Burton C. Agata, the president of the Hofstra Law Professors Association and principal representative of the faculty in the negotiations. Professors Kadane, Schmertz, and Filler also took part on behalf of the faculty. The negotiation reached a critical stage this past Thursday, necessitating the cancellation of classes held after 11:00 A.M., so that the faculty would be available for consultation and decision-making.

Placed By Placement Office: One Director Monter Subs Until September

by Stuart Goldstein

After months of interviewing, evaluating and consulting among themselves to find a new Placement Director, the Ad Hoc Student-Faculty Committee has made its recommendations to Dean Freedman. In response, the Dean has acknowledged the Committee's strong recommendation, and has offered the position to the Committee's designee, Burton Teague.

Mr. Teague, who is a gentlemanly 65 years of age, is currently serving on The Conference Board as a Senior Research Associate in Compensation Research. He has worked there since 1970.

Mr. Teague, who received his A.B.A. degree from Nichols College of Business Administration in 1933, an LL.B. from Indiana University in 1936 and a doctorate in 1967 from the same university, has also done post-graduate work in Income Tax Law, Journalism and Financial Analysis.

The future Placement Director apparently has a very diverse background. From 1936 to 1967 he was employed by Caltex Petroleum Group of Companies in a variety of administrative and executive posts in the finance,

personnel, manufacturing and marketing areas functions. During that time he spent many years abroad in Europe, the Middle East and Africa.

For a brief time, Mr. Teague's work at Chaltex was interrupted when he served as a Special Agent for the F.B.I. As a result of an investigation that led to the complete reorganization of the Tax Division of the Department of Justice, Mr. Teague received a special commendation from Attorney General Ramsey Clark and F.B.I. Director J. Edgar Hoover.

Mr. Teague has also conducted a private practice as a consultant to management. Along these lines, he has served many foreign-based and American companies and has made frequent trips abroad.

In addition, Mr. Teague has written numerous manuals and corporate annual reports for private industry, as well as articles and pamphlets on compensation, personnel and other business matters.

In his personal life, Burton Teague is an avid reader. He also enjoys tennis and swimming; he described his work as one of his favorite hobbies.

Although Mr. Teague expected

to attend a reception to be held for him at the Law School last Wednesday, a medical emergency in his family caused a postponement of his visit until later this week.

Because of prior commitments, Mr. Teague will not be available on a full-time basis until September or October. As a provisional measure, however, Dean Monter has been devoting close to 90 percent of her time in Placement-oriented activities. Mr. Teague has agreed to work with her during the summer months in order to set up fall interviews at the Law School.

Meanwhile . . .

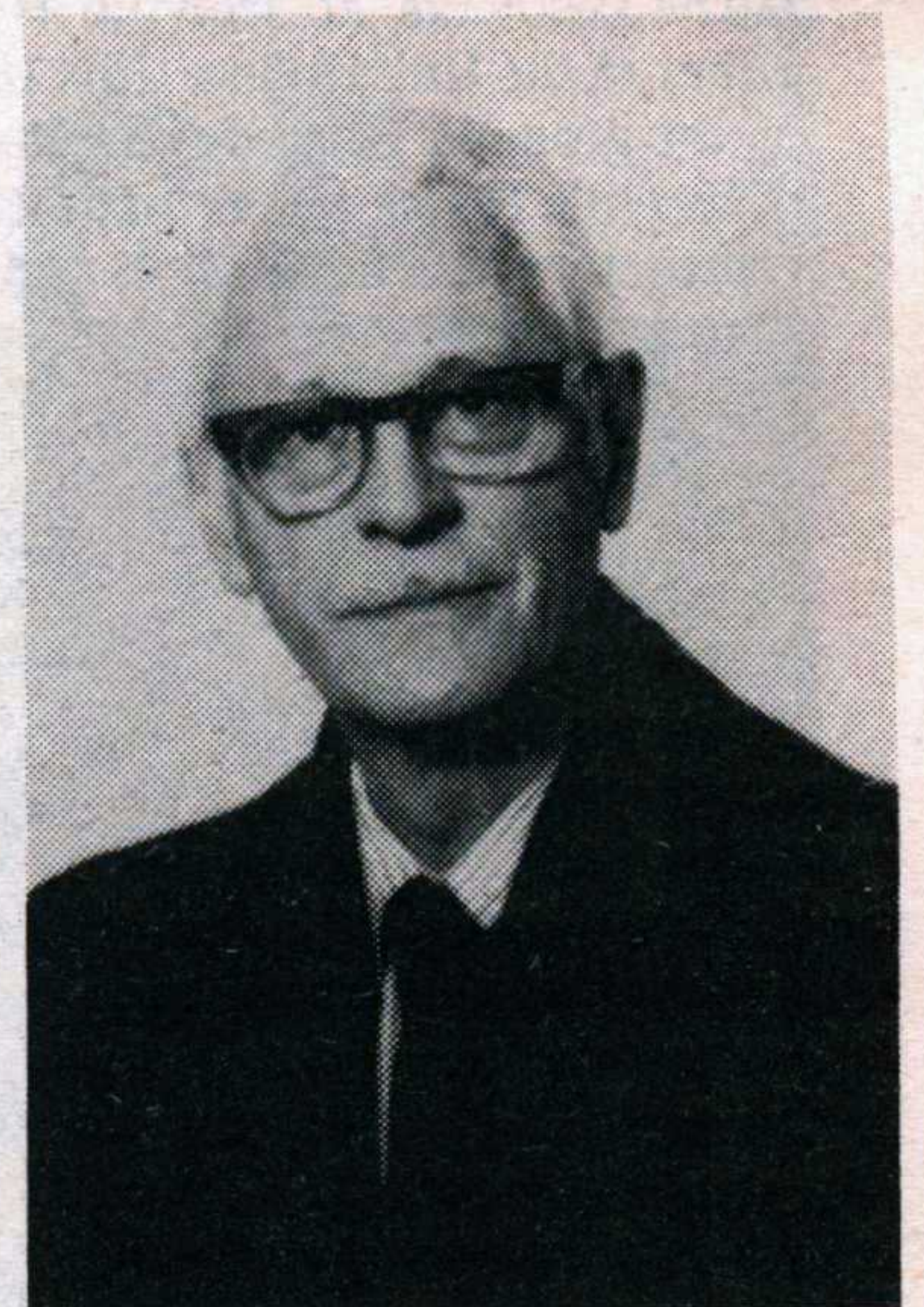
It was learned in a recent interview that Dean Monter has taken the initiative in the exercise of her new duties. She has, at this point, gone through some of the files of our former Placement Director, Sandy Miller, and has begun to set up a recruitment schedule for the fall. She has also arranged to attend meetings held by the National Association of Law Placement (NALP), which has been organized to provide Law Placement Officers with useful information regarding new areas for job opportunities. In addition, Dean Monter has established contacts with NALP

in order to obtain pamphlets and other information. "I am going to contact hiring partners in various law firms in regard to fall interviews," she said, "If they can't come here this spring, I intend to go to their offices to talk with them."

One of Dean Monter's responsibilities will be to set up an information bank for the incoming Placement Director. Towards this end, Dean Monter expressed her desire to meet with the students individually. "I have a questionnaire that will hopefully bring out the preference of the students, regarding geographical areas for placement, and areas of law that many of the students want to work in," she said.

The possibility of tapping the faculty and alumni for job opportunities was of particular concern to both Dean Monter and Mr. Teague. "Many of our faculty members have valuable information for us," said Monter. "We should make use of it. Also, our alumni, some of whom are out in the field three or four years now, should be able to be of some help in this respect."

The Dean also expressed a desire to set up a private interviewing room. This, it is



hoped, will help to make an important impression on interviewers who will be coming to Hofstra this fall.

"Most importantly," said Ms. Monter, "it's important that anyone with ideas and/or criticism of the Placement Office come in to see me. Any feedback from the students will be most helpful."

The Decision

The Ad Hoc Committee set up by Dean Twerski to find a Placement Director consisted of four faculty members (Dean Twerski, Dean Monter, Professor Manon and Professor Silverman) and three students (Abe Gross, Ralph Byrd and Janet Belkin). In the past two months they have interviewed numerous applicants.

(Continued on page 7)

Melville House: It's More Than Just A Home

by Stuart Rosenthal

Juveniles with problems are an ever increasing source of problems to our society. They get into trouble with the law, with their friends and with themselves.

These problems are not inseparable, not any more than the personality of a child or adolescent is separable from the person. This is a problem that must be dealt with. It is an area where the state has been notoriously inept in solving problems.

The juvenile prisons, euphemistically called "state training centers or schools" are by-and-large badly-run institutions that fulfill, only barely, a custodial function (and the stories of abuse of the "inmates" gives the impression that this is cruel and unusual punishment) and do so at the cost of \$24,000 per year per child. The ultimate failure of these institutions is indicated by their high rates of recidivism.

However, there are alternatives, and very successful ones at that. Melville House, in Huntington, N.Y., is almost five years old and is perhaps one of the best examples of these successful alternatives.

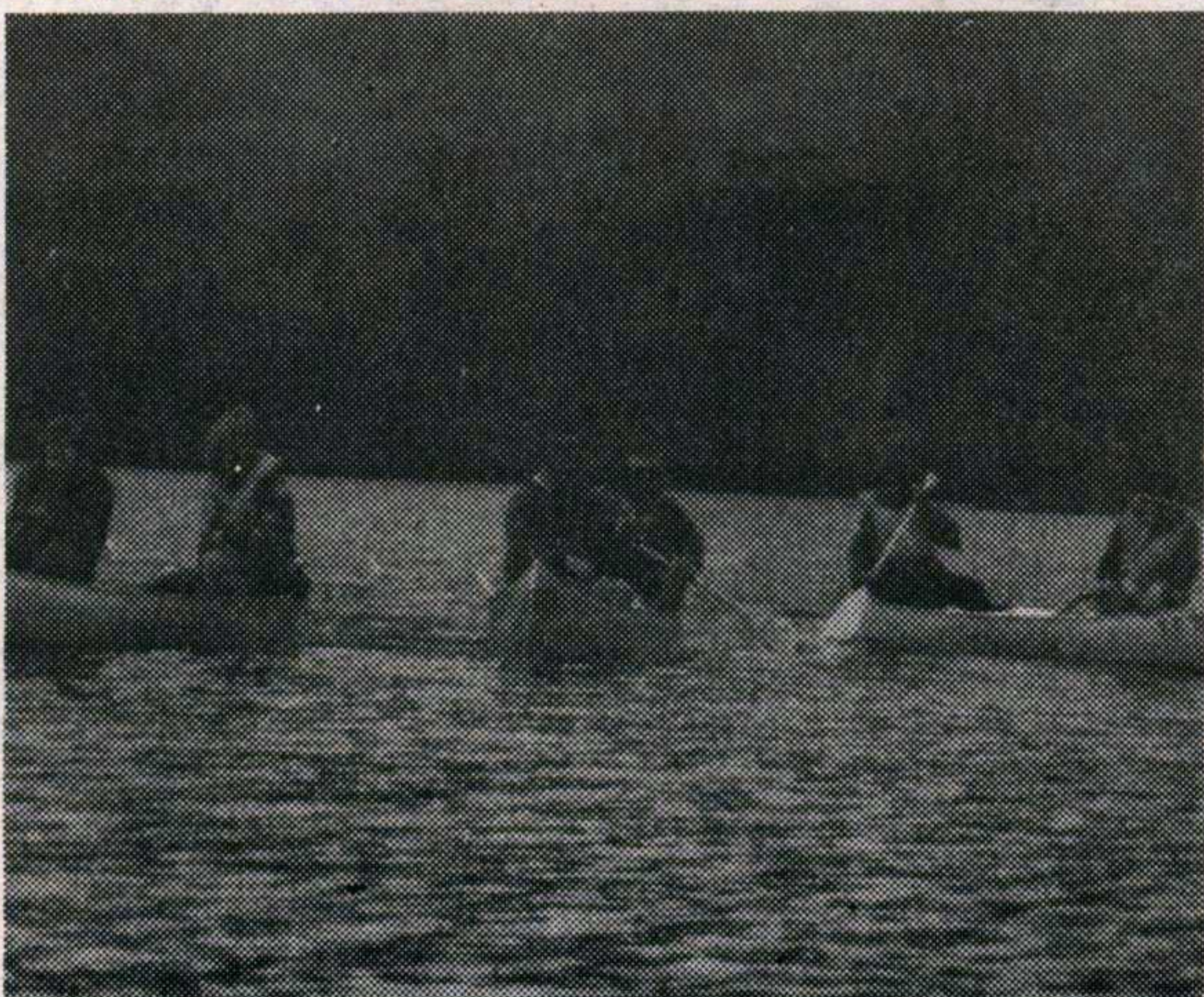
Melville House is a home for adolescent boys who have problems with society, their families or themselves. The boys are all classified as "Persons In Need of Supervision" (PINS), and are placed there by the Family Court, the Department of Social Services, and less frequently from their schools. They range in age from 14 to 18 years old, and come from low-income or middle-income homes.

The boys come from Nassau and Suffolk counties predominantly, although they could come from anywhere in the state. What they find here in Melville House is a unique family environment, which is aimed at helping them find themselves.

The forty residents of Melville House essentially are on their own. They are supervised, counseled, advised, taught, confronted and treated as they would be in a healthy family situation.

The philosophy of the Melville House experience is to teach the boys how to get along in and with their community. The goal is to gear the adolescent to independent living, because it is felt that most of them will never go home to their parents again. The immediate means to this end is to teach the boys to believe in themselves and that they can make it in the world.

The residents at Melville House attend school either at the Half Hollow Hills High School, or right on the grounds. A rundown cottage on the grounds of Melville House was rebuilt, with the help of local contractors, and now serves as a schoolhouse where



four teachers employed by Melville House teach accredited courses for high school credit in various subjects. Those students with problems can also get tutoring.

In addition to the teachers, the Melville House staff, which numbers over twenty full and part time staff, includes a psychiatrist, a psychologist, social workers, counselors, secretarial staff and a cook.

Charles Russo, a second-year law student at Hofstra is very involved with this program and has been from the beginning. He and three other staff members live on the grounds of the house as twenty-four-hour-a-day staff members. "There are no real sharp job definitions," he indicated. Whenever there's a problem, all of the staff pitch in to help, whether it's carpentry in the main house, or plumbing, or cooking, or counseling a resident.

He added that the biggest problem the residents have is that many of them just don't like themselves. The first lesson is self-respect. Once this is established, the self-respect is directed with perspective.

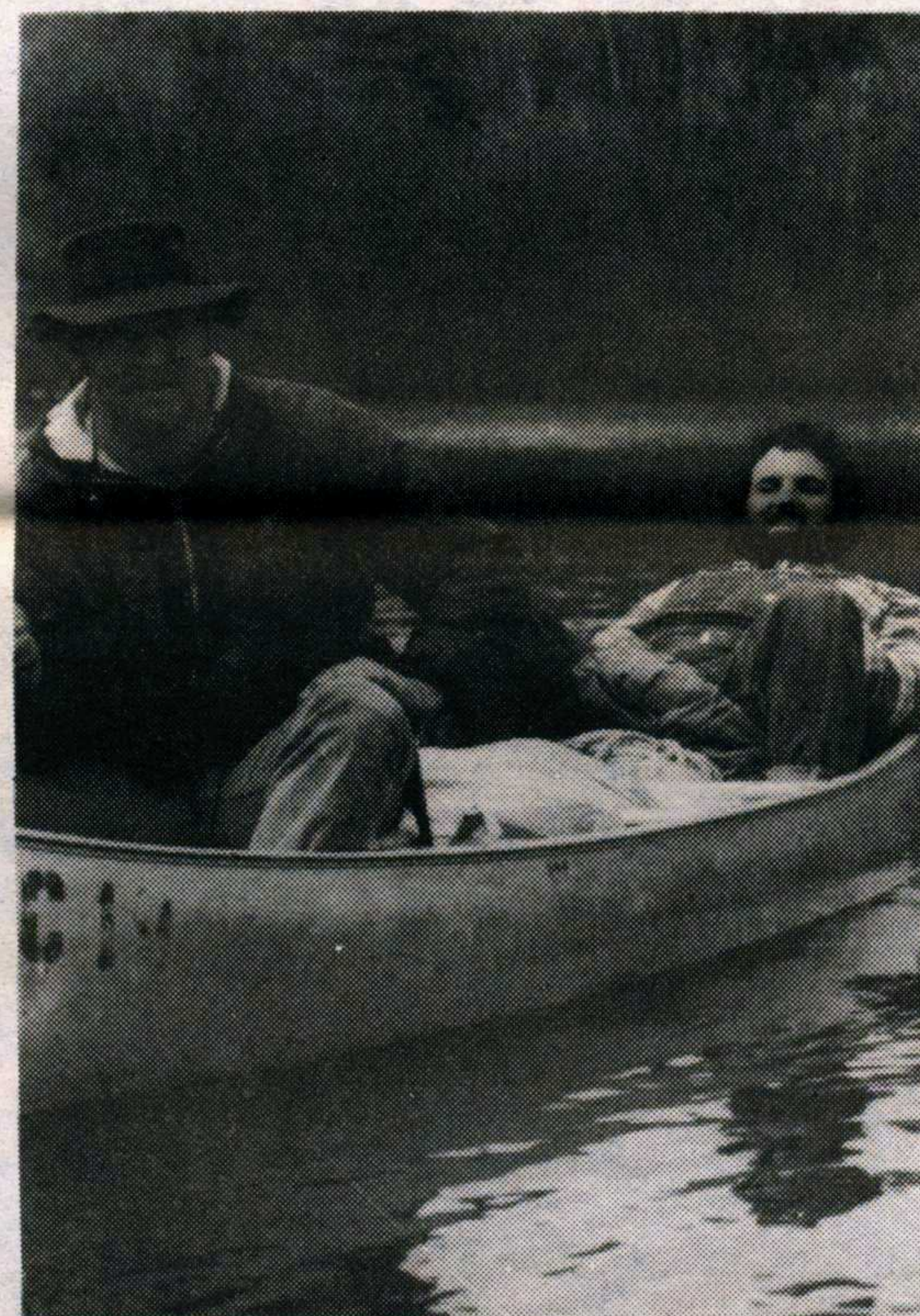
The staff and residents of Melville House point with pride to the tangible positive results of their

program. Several of the residents have graduated and gone on to college. Several others are in the Armed Forces. One current resident fought his way into the finals of the Golden Gloves this month. And while the House is still too young for meaningful evaluation in terms of recidivism, the rate has been extremely low.

In one respect, Melville House is just like any other. It takes money, and a lot of it, to run the programs. The House is a contract agency; that is, they receive a per diem allotment from the counties that refer to them. That money alone is never enough. Consider the sums of money it takes to feed forty hungry, growing adolescents, and to clothe them, and to maintain the house and to pay for electricity and heating, and staff salaries. Of course this doesn't account for extras such as recreation and spending money.

Federal and state funds are not available to Melville House generally. Most federally-funded programs are new programs and very few ongoing programs receive a share of the federal pie. The same is essentially true for the state.

So how does the House raise the funds to pay an \$18,000 utility bill in 1976? Or to repair and refurbish the rooms in the house to comply with county health codes? Or to acquire sporting goods equipment for the potential Golden Gloves champ? One way is to send Charlie Russo to talk to anyone who will listen about the viability of the Melville program, and its importance, and its need.



Steve Zimmer and Charlie Russo show the residents of Melville House how to relax on an outing.

Another way is to put on a Fashion Show at the Huntington Town House on April 21 at 7:30 P.M. Last year a large contingent of Hofstra Law students saw the Melville House residents model the latest dress and casual fashions to the musical accompaniment of Tony Coletti ('78).

The show last year raised enough money to send several residents to Outward Bound (a school for survival in the outdoors). The proceeds of this year's show will be used for the same purpose. If you would like to attend, see Tony or Charlie or Sari Klinghoffer or Steve Zimmer.

Charlie Russo sees the future of Melville House in the business of education. The education of the public is the number one priority for the immediate future. It must be explained that to send the problems away to state training schools is not to rehabilitate or to solve them.

The community must also be shown the viability of these programs and their importance so as to facilitate community acceptance of them. The problems of the PINS are really the problems of society and they must be dealt with directly.

The germ of an idea has been planted. There would seem to be no more appropriate place than at a law school to develop programs to work on the problems of juvenile justice. It would seem to be the ideal subject matter for a clinic or other program requiring and allowing for deep involvement.

Some law students are already involved on an individual basis giving music lessons, tutoring, and supervising recreation. If anyone else would like to help, they only have to call Charlie at 293-0044.

Israeli Jurist Lectures Here

by A. S. Ben-Merre

On February 23, 1977, Prof. Amos Shapira of the Tel Aviv University Law Faculty, delivered a well-received lecture at Hofstra's School of Law on the "Legal Status of the Occupied Territories in the Middle East." These territories include the West Bank, Sinai Peninsula, Gaza Strip, and Golan Heights.

Prof. Shapira, a member of the Israeli Bar, received his legal education in Israel and in the United States, and he has been a visiting professor at Yale and Georgetown. He has written extensively on a variety of legal subjects, including an article published in an early issue of the *Hofstra Law Review*. Indeed, he referred to his appearance here as "sort of a homecoming."

After a brief introduction by Dean Freedman, Prof. Shapira provided a brief overview of the conflict between Israel and its Arab neighbors. Describing the situation as a "happy hunting ground for international lawyers" where there are no quick solutions, he pointed out that most international conflicts revolve around concrete issues—Where is the border? How are important natural resources (such as water and oil) to be allocated? In the Middle East, however, the conflict has never truly focused on concrete matters; rather, it has been "anchored to the theme of total rejection of a non-Arab sovereignty—of whatever size" in the middle of the area.

As to the status of the occupied territories, Prof. Shapira, speaking as a lawyer, indicated that "one can argue the case both ways, or more than both ways." After the 1967 war, which was described as an unplanned effect of brinkmanship politics, Israel was faced with three choices—(1) unilateral withdrawal from the territories, (2) annexation of all or some or most of the territories, or (3) a middle course of no withdrawal and no annexation (except for Jerusalem).

Prof. Shapira described the central core of the dilemma as a question of options. The first two choices had only limited support and were rejected. The decision of Israel's government, supported by most Israelis, was to leave as much untouched as possible within the territories so that the people there would retain their Arab citizenship, culture, social, religious and educational institutions. This was in effect a political signal that everything was open for negotiations and was consistent with underlying principles of international law (which required maintenance of the status quo until a political solution could be achieved).

For the most part, the Israeli legal system was not extended beyond the borders of Israel proper; however, there have been minor exceptions. For example, because of the constant heavy flow of traffic back and forth between Israel and some occupied areas, some West Bank statutes had to be changed to provide third-party insurance for the protection of the motorists.

Prof. Shapira also related (at a later reception in the Faculty Lounge) that a couple of years after the 1967 War, a group from an occupied territory petitioned the Supreme Court of Israel with a list of grievances. Since petitioners were not citizens of Israel, nor were they—in a legal sense—subject to Israeli law, the Supreme Court had to determine the important question of whether or not it had jurisdiction to hear the matter. In what was then considered an unprecedented move, the Court agreed to decide the case.

Prof. Shapira also touched upon some of the legal difficulties concerning punitive or security measures in the administered territories. He suggested that the legal validity of demolishing or sealing off apartments used for terrorist activity was questionable and could be argued either way. Ironically, under the Fourth Geneva Convention (1949), which codified international law concerning occupations, the power to execute people (after a trial) for a certain grave offense was permitted to an occupying government, but the demolition or forced deprivation of property used by terrorists was legally doubtful. Israel's policy, however, has been to avoid executions. In the few instances where death sentences were imposed by military tribunals, such sentences were immediately mitigated by the Israeli authorities.

Prof. Shapira observed that "the territories were not part of the sovereignty of Israel in a legal sense or political sense" and that it would be misleading to judge the system or government in those territories by the same terms one would judge a democracy approved by its electorate. In concluding, he did admit to a "lawyerly optimism" over the possibility of peace in the Middle East—but only if Arab nations *de jure* as well as *de facto* recognize the existence of Israel as a sovereign state.

Summer In London

The University of Notre Dame Law School is accepting applications from lawyers and law students planning to attend its eighth annual summer session in London, which, each year, attracts more than 100 students from approximately 60 American and foreign law schools and members of the practicing bar. Courses will be offered in Federal Courts, Labor Law, Common Market Law, Legal History, Public International Law, Land Use Planning and Jurisprudence.

The session, held in the London School of Economics in central London, will be conducted from July 2 to August 10. For further information, write Prof. Bernard Dobranski, University of Notre Dame Law School, Notre Dame, Indiana 46556 (tel. 219-283-8964).

Wiesenthal Recounts Nazi Atrocities New Hofstra Clinic Opens In Albany

Speaking before a crowd that filled the aisles of the John Cranford Adams Playhouse on February 16, famed Nazi hunter Simon Wiesenthal recounted his tireless efforts at hunting Nazi war criminals.

Upon his liberation from an Austrian concentration camp in May 1945, Wiesenthal was confronted with the destruction and rubble of war-torn Europe. "You liberated me," he told a group of American soldiers, but went on to say, "I have nothing to do with my life." His architectural training was insufficient to repair a people who "lost every belief in friendship, humanity and justice." Nor could the loss of families, homes and goods be replaced.

Still, Wiesenthal maintained a determination in his words, "to rebuild the justice." He was rebuffed in his efforts to join an American war crimes group but proceeded on his own. Among his sources of information were the Displaced Persons camps in every corner of Europe, where Wiesenthal interviewed the

witnesses to and survivors of the atrocities of the Second World War. It was from these interviews and depositions that the Jewish Documentation Center was born in postwar Vienna.

In recalling the early years of the Documentation Center, Wiesenthal expressed a deep bitterness towards the Cold War, which allowed many Nazis to avoid prosecution by assuming new identities and others to escape through neo-Nazi underground movements, while East and West abandoned the pursuit of Nazis.

The Jewish Documentation Center continued to function for six years until 1954, when many of its staff members returned to private lives. Most of the files were sent to a depository in Israel, but one remained in the possession of Wiesenthal. That one was the file of Adolf Eichmann. Eichmann was traced to Buenos Aires later that year, but it was another six years before he was captured and brought to trial. For Wiesenthal, the capture of Eichmann was a personal

triumph which he underscored by assuring his audience that "after the Eichmann affair, none of the Nazis living in South America sleep in the same bed for more than three weeks."

He observed that the crimes of the Nazis began six years before the war, with the building of concentration camps and numerous political executions. He challenged the validity of the term "war criminal," as it gave a military dignity to criminals and allows for justification and rationalization by their apologists. Moreover, the mass murderer was redefined under Nazism, but legal sanctions have not changed, leading Wiesenthal to ask, "If you cannot punish adequately, why punish at all?"

For Wiesenthal, "The trial alone, is more important than the verdict." The trials have produced an accounting, endless testimony, a plea to remember the dead and, in Wiesenthal's words, a reminder that the world should not "forget our murderers."

Ten Hofstra University School of Law students are participating in an experimental Clinical Legislative Internship Program with the cooperation of the New York Assembly and with the permission of the New York State Court of Appeals.

The Hofstra interns, all third-year law students, spend two days a week in Albany working with Assemblymen. Their program is the first of its kind in the state.

The students are involved in the drafting and analysis of legislation, committee hearings, and negotiations.

According to Professor Eric Lane, who, with Professor Burton Agata, is co-director of the program, the internships are designed to provide students with on-the-scene experience in learning how laws are made.

Among the questions explored by the students are: How is it determined that a bill is needed? Who brings the need to the attention of legislators? How does a bill get introduced and through a committee? How does it get to the floor? Who can affect a bill from the time it is drafted until it gets to the floor? How does a bill get through the other house of the legislature? When does the Governor's Office enter the process? How effective is the Legislature? How many levels does it work on?

Professor Lane said that the Hofstra program has been arranged with bipartisan approval. The student legislative interns are placed with both Democrats and Republicans through the Assembly Internship Committee, under the Chairmanship of Assemblyman William F. Passannante.

USD Summer Programs Available

The University of San Diego is accepting applications from lawyers and law students for its summer seminars in Guadalajara, Mexico, July 4-30, Oxford, England, July 7-August 13, and Paris, France, June 28-August 6. Courses vary in length from 11 to 38 days.

Guadalajara courses, all focused on law of the Americas, are Comparative Law, Law and

Development in Mexico, and International Trade & Investment Regulation.

Paris courses will be directed toward International and Comparative Law generally. They are Comparative Law, Comparative Criminal Justice, International Business Transactions, Basic Income Tax, International Energy Law, and International Human Rights.

Oxford courses will focus on English and United States solutions to similar problems. They are Administrative Law, Criminal Procedure, Civil Liberties, Estate Planning, Environmental Law, and Child Placement.

For further information, write: Dean Herbert Lazerow, Law School, U. of San Diego, Alcalá Park, San Diego, CA 92110, U.S.A.

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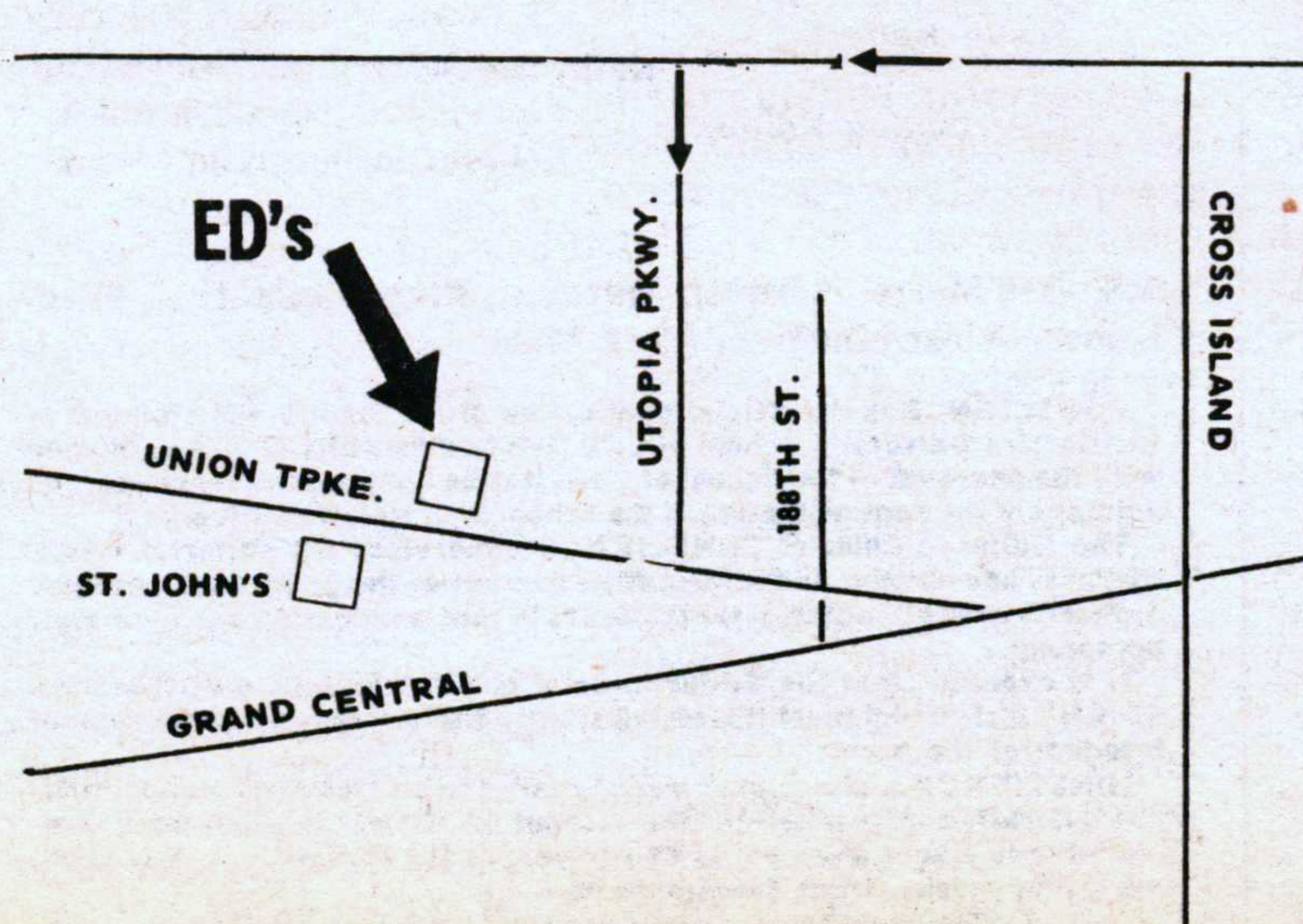
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EDITORIALS

Somewhere, It's Spring

Somewhere, people are playing softball. The sun is shining, the birds have returned from their condominiums in Florida, and it just hit 73 degrees. At least we think all this is happening. You see, we've only heard about it second-hand.

At a time when most people's thoughts have turned to fancy, ours are directed to the E.P.T.L. How can we fully enjoy the magnificent weather that has descended upon the Metropolitan area while stray thoughts on Article 9 or 10b-5 interject themselves without our invitation? For third-year students, include that rare thrill of preparation for, and apprehension of, the Bar Exam.

We at CONSCIENCE most humbly suggest the following solution—go to dental school. At least there's job security. And, for the saner members of the student body . . .

The People's Court

Why should law students be treated as second class citizens by the University? The latest problem in a series of disagreements has arisen over the use of the tennis courts near the law school.

Recently, on a warm afternoon, several law students were playing tennis, and several more were waiting to get on the courts, when they were all "bumped" by the varsity tennis team. The coach informed the players that he had to have the courts for practice for the rest of the afternoon (there were about four hours of daylight left). After much argument, the law students acceded to his request.

The incident raises several questions. Last fall, when CONSCIENCE sponsored a tennis tournament, we were informed by the recreation department that no one, including the tennis team, could reserve time on those courts. Who was lying? Or is this a floating policy, that responds to the exigencies of the moment? The coach asked why the law school didn't save the tennis courts that were made into a parking lot. The answer, coach, is that we needed more room for the undergraduates and administrators to park near the law school.

An extremely important issue that is raised by this incident is the total inequity of the situation. Law students are not allowed to compete in NCAA competition according to the by-laws of that organization. They are therefore precluded from even joining those athletic teams that their tuition (the highest in the University) supports.

Last week representatives of CONSCIENCE spoke with President Shuart regarding the situation. Results of this conference, printed on page 8, were inconclusive. CONSCIENCE urges you to stand your ground at the tennis courts until a satisfactory solution is reached.

Take Me To A Leader

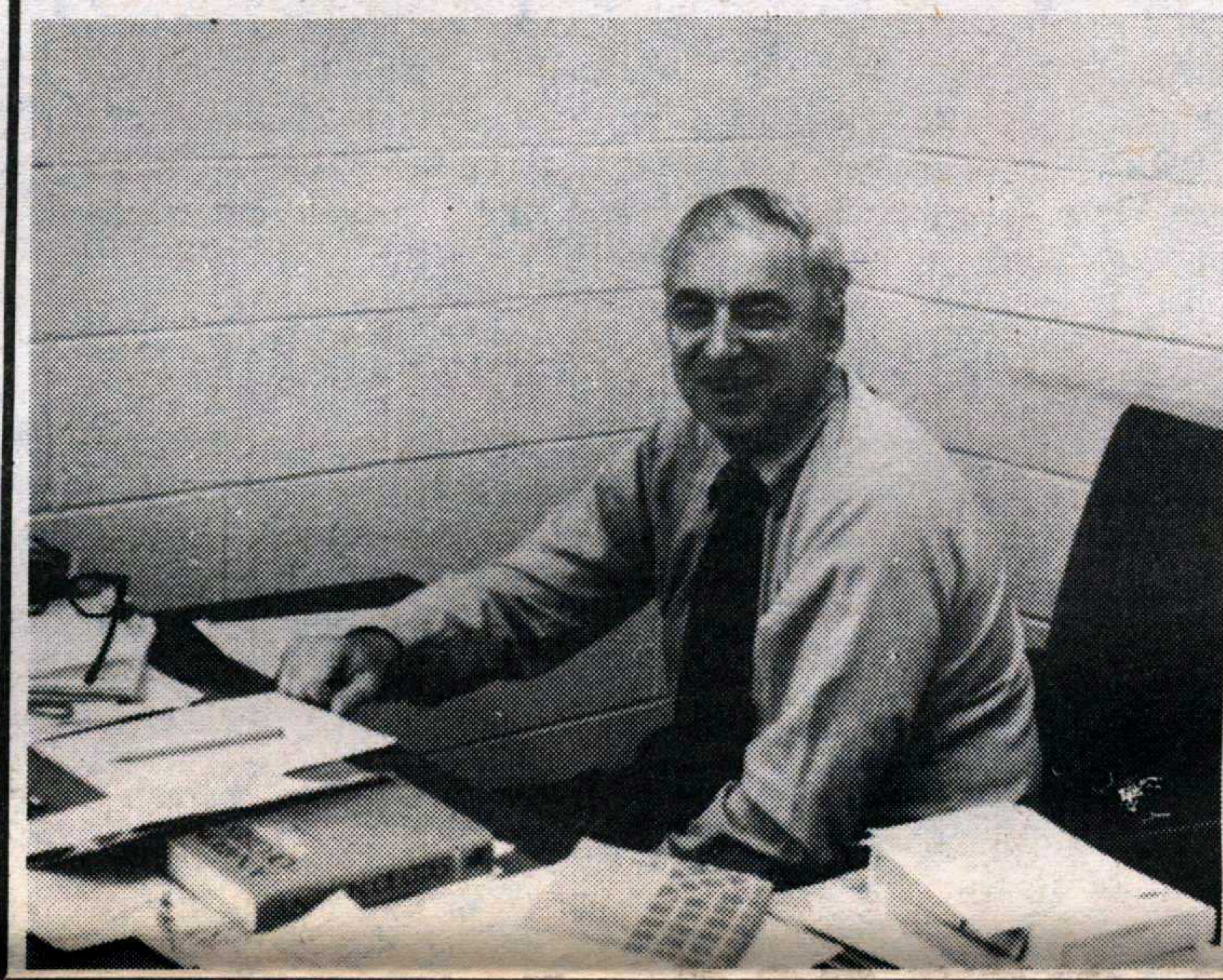
At the risk of being accused of persecution CONSCIENCE again asks you to look carefully at your student reps. You remember them, don't you?

If you do not work for an organization in the school, you may never have observed the reps in performance of an official function (if signing a requisition is functioning). We don't say that the reps shouldn't be as friendly as possible to all their constituents, but the low profile that they have adopted has made them practically invisible. CONSCIENCE feels that the reps have more responsibilities than merely assigning amounts of money to the different organizations. That should not be taken as a criticism. CONSCIENCE feels that they did that job admirably, once they got around to it. (By the way, where is the journal that was allotted some two thousand dollars?)

We hope that none of the reps takes this editorial personally, but we hope they do take it to heart. The student body is as much in need of leadership as any other community is. What other justification is there for student representatives?

It seems to us that there are well-defined expectations—leadership and representation of the rest of the community—that are not being met. We hope there's a change in the future.

**The Hofstra Law School
Community expresses its
sincere sympathy to the
Family of Professor
Herman Hillman
upon the passing of our
beloved friend, educator
and colleague**



LETTER TO THE EDITOR

An Open Letter To My Family
Dear Family:

I realize that this is an unusual thing for me to be doing. I haven't written to most of you since I was a Freshman in college. But I felt that now was the time to come to you with a small request.

For the last three years many of you have given me moral support to sustain me through this ordeal. Some of you, bless your little hearts, have even offered needed transfusions of funds at critical times. I hate to sound an ingrate but it's

collection time again.

You see, dear family, I have tapped out every governmental loan and grant possible. I have done everything but declare Iranian citizenship and borrow money from them. It's just the end of my rope. Now all of you want me to get my diploma, don't you??? So that's what it all boils down to. You see, after three years, and \$10,000 worth of tuition and fees, Hofstra has found one last way to extract a pound of flesh. Yes, Aunts and Uncles, incredibly enough these squeezers of blood from stones deem it necessary to charge me \$15.00 for a diploma . . .

As incredible as it seems it's the truth. My checking account reads three dollars and from what I understand they won't accept a down payment so please send help soon. I have thought of just graduating without it but Grandma would never understand. I have also thought of just scrounging it up and handing it to the Dean when my time comes to receive it. My luck I'd have a twenty dollar bill and they would find some other charge and keep the change . . .

As soon as you can please send the money. No stamps, just cash. You can send it to the University Treasurer, or the Dean himself if you don't trust me not to spend it. I'm not sure but I think you'll get a receipt. If you do, it will probably come postage due with a big "GOT YOU LAST" stamped on it.

In the meanwhile, pray that they don't decide to charge you all for your seats at graduation.

Jack Rapoport, '77



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"Asking You to Ask Yourself"

American Bar Association
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Law Student Division,
Best Law School Newspaper

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FORUM

If It's Friday, This Must Be Crim Pro

Dear Professor Rabinowitz,

I hope all is well with you. It's not with me. I am still in the process of recovering from the nervous breakdown I suffered during last semester's final exam period. Those were certainly my "final days" and I can't help but recall the agony, frustration and irreparable harm that I, as well as many others, experienced.

In my case, I had to be forcibly removed from my last exam because I was creating a severe disturbance. Apparently, I was jumping up and down in my seat, madly tearing my exam and bluebook to shreds while screaming, "Is it safe, is it safe? I want my mother." This was an earth shattering experience that has succeeded in fragmenting my total personality—at any one moment I can effortlessly transform myself into each and every member of the faculty. While it is true that I can conduct my own personal faculty meetings and am usually the life of most parties, I am not exactly having fun. Allow me to relate the memorable days leading up to my tragedy.

As you are aware, the reading period between the last day of classes and the start of exams was so brief that I had barely enough time to read a Batman comic, let alone catch up on my school work. And before I even knew what was flying, my first exam was rapidly approaching to be immediately followed by a slew of others. Yet that was only the beginning of my adventure in shock therapy, as I soon experienced 3 exams in 4 days, or was it 4 exams in 3 days? Five exams and no days?

In any event, I was swallowed whole by the exam extravaganza. By the time of my last exam, I was staggering like Rocky Balboa in the tenth round. I couldn't decide whether to stick it out and fight or just fall to the ground and take the count.

Yet, even now, I do not claim as an affirmative defense either ignorance of the law or mistake of fact. I honestly did try in advance to prepare for my exams and thereby eliminate last minute cramming. However, by the time the exam period descended upon me I had forgotten most of what I had learned. The result is that cramming, as despicable and evil a phenomenon as it might be to the faculty, is nevertheless inevitable.

Essentially, the final exam period turned out to be a uniquely religious experience that enabled me to understand the hidden meaning of life. It was as if I were trapped in a revolving door that sent me into an exam on a Tuesday afternoon, out by the evening and then back in again on the following day. My exams were not only back to back—they were belly to belly.

Is it the avowed purpose of legal education to compel the student to submit to an Olympic marathon or coronary stress test? Should a whole semester's studying and preparation be obliterated because of faulty scheduling? If, in fact, we are really striving for performance records, why not try to reduce the 10 day period to only 3 days—or even less?

While it certainly would be nice to get it all over with in a flash, there are other fundamental considerations. A simple balancing test will demonstrate that administrative economy is less of a substantial interest than a law student's sanity. Perhaps it is time to re-evaluate the present system of scheduling and devise an alternative scheme that is more suitable and responsive to the needs of the students. There must be a better way!

Oh well, I'm feeling a little faint and it's just about time for my afternoon nap. Thanks for listening and please drop by to visit if you have some free time.

Sincerely, Neil Weinrib

A Doggerel Day's Tax Notes

by Bingo Knightly

One is prone to sleep in Tax,
So much more than thrills it lacks.
Our eyes give up, oh, loss of vision!
forced to gaze through Rev Revisions
Weary thumbs plod through gray pages
and never came on duller sages.
From vague dry Delphic elusive constructions,
labyrinths, obscure deductions
Books impressive in their size
will stretch your arms, not make you wise.
The professor's voice drones light, melodious,
sugar-coating the profane and odious
While doting on the drabber odes
no pictures in the Revenue Codes,
And while the chapters somnambulist
deep and dark, elusive, mystic,
Push us into drowsy dreams
recess period blissful seems.
Bored and tired since September
with regs and rules but half-remembered
All tax students can be trusted
to leave your income maladjusted,
They, like poodles put through paces
jump through loopholes to find their basis
While trying to cite myriad deductions,
charitable, maritable, any reductions
Suffice as long as they're subtracted
and the tax is so contracted.
Yes, it'll make a fool morose
to learn his heard-earned income's gross.
Turn to one reg, see ten others,
boy, I wish I'd had my 'druthers,
Then I'd be sitting in sunny climes,
thinking of (we)* men and not of rhymes.

*deductible

UGANDA
Int'l. Action Needed

by Gary Small

With every day that passes and every report that emerges from the Uganda of Idi Amin, we are reminded that the international community is without moral focus or direction. It is all part of a world gone mad, I suppose, and we ought to be accustomed to it by now, but some things are difficult to accept.

Genocide is one of them. Every report of Christians being lined up and slaughtered in Uganda is like a hammer blow to the skull of humanity; but as an international community, we haven't yet developed a strategy to deal with a leader who directs the systematic slaughter of a people.

One of the problems, of course, is that there really is no such thing as an international community, at least not in the sense of a community with one set of values and a consensus on what is acceptable behavior. We are still, the United Nations notwithstanding, a system of individual nation-states, and we share precious little common ground.

As much as nation-states differ about what is in their best interests, some crimes are of such a magnitude that they compel the nations of the world to react. We must have learned something from the mass murder machine that was Nazi Germany. We must have learned that the horrors of genocide are such as to forge international links against its commission.

But the skeletons and ghosts of Ugandans scream at us that we have learned no such thing.

Assume, though, that there was an international consensus and an international outcry against the genocide in Uganda. The difficulties of implementation of

any remedy in this, or any similar case, are enormous. Consider the alternatives.

An international boycott would most affect the Ugandan people themselves, depriving them of food, industry and other life essentials. Amin would almost certainly be able to provide himself and his military terror force with the essentials of life.

The judgment of an international tribunal or the condemnation of the United Nations would probably be disregarded. Dictators have no regard for reason and no reason to regard judgment.

Subtle diplomatic pressure or military threats can be dangerous, because the nature of a leader who directs a campaign of genocide is almost always an unpredictable one, and his reaction may well be to step up his campaign.

What then, are we left with? In the event that all of the above fail, or are too dangerous to try, are we left only with the option of sending in an invasion force of a crack team of international assassins. Is a quick and violent solution the only practical one? If it is, God help us, because such a solution is fraught with peril and uncertainty at every turn. What happens, for example, when the Russians, Chinese and American invasion forces come face-to-face in the capital city, after the initial killing, and the question arises about the transfer and succession to power. What becomes of the political structure of the invaded state? From which countries will the invading forces come? Whose men will be asked to die to root out the cancer that is an Amin? And what happens when the dictator is not a two-bit hoodlum like Amin, but a leader whose

While New York City's financial status continues to verge on bankruptcy, local authorities are looking to President Carter to fulfill his appropriate campaign promises. It will be most surprising if he strays from the long-established policy embraced by both the Democrats and the Republicans, that of taking from the city without giving anything in return.

New York has indeed been thoroughly victimized in this unfortunate era of excessive Federal power. The city's return on tax dollars has been dismally low, despite its incurring extraordinary debts incurring extraordinary debts on behalf of the national government. Additional assaults have come from the legislative and judicial branches of the Federal Government. The United States Supreme Court, in deciding against residency requirements for recent city immigrants, has forced the jobless person and the public assistance recipient to compete with a continuous influx of needy people for resources already depleted. But

retaliation arsenal contains the nuclear bomb?

The expedient and violent approach cannot be the best that the world has to offer. A stable diplomatic mechanism for crisis intervention is necessary, one that can be relied upon every time such a crisis arises. One possibility would be the establishment of a panel of distinguished international statesmen, drawing upon the resources of every bloc of power and influence in the world. Their dedication to international cooperation would have to be established. The representative worldwide composition of this crisis-intervention unit would assure that no dictator, no matter how isolated and angered, would think himself without a sympathetic ear. Should violence of the magnitude of that in Lebanon erupt, or most especially whenever genocide is attempted, this unit could arrive, meet with leaders of all affected, and attempt to negotiate an end to the catastrophe. The team would

necessarily be composed of men and women with a wide background and experience in dealing with every form of personality and behavior disorder.

The effectiveness of such a team presupposes that violence-prone leaders will listen to reason and be open to sharing thoughts and alternatives. I am aware that this is quite a presupposition. I believe, however, that we lose nothing and stand to gain a great deal if we at least try to make this, or something like it, work. We owe those who will die every day in Uganda and other parts of the world the chance to have it employed in their behalf.

Author's note: Shortly after writing this article I discussed the Ugandan situation with Eric Lane, Professor of International Law. He informed me that in 1948 a United Nations Convention on the Prevention and Punishment of the Crime of Genocide was convened to which 75 member states are parties. The United States has never signed the

when it comes to handing out jobs, New York suffers from benign neglect. While aerospace and military construction contracts are going to other parts of the nation, long-established army bases and naval yards in this region are "deactivated."

Perhaps the worst blow to the city has been the psychological impact on local government. Ever eager to pass the buck, local politicians are willing and able to cover up their own inefficiency by continually employing the abuses from Washington as a smokescreen for their own errors. New York's leaders have, for too long, engaged in the harmful practice of buying votes by making hollow pledges, both to unions and to those on public assistance, for increased funding. Naturally, when payment becomes due, the appeal goes to Washington, where the same liberal politicians who won their seats with pie-in-the-sky assurances are unable to deliver.

Only when the people of New York realize that the Federal Government will not help, but, in fact, will probably continue to hurt this city, will the present financial crisis be fully understood.

Convention. The Convention denounces genocide as "a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world." Provision is made for any party to the Convention to call upon the United Nations Security Council to prevent and suppress any acts of genocide; and the Security Council has within its power the choice of several military and economic alternatives, as would befit the specific situation.

Prof. Lane also informed me that such a team of international diplomats as I recommend could be organized under the auspices of the United Nations Secretariat, for temporary action in extreme situations. The Secretariat is an international officer with allegiance only to the international community, and the same is true of all members of his staff. I have also discovered that the United Nations Commission on Human Rights has postponed consideration of the Ugandan situation until next year.

Will Feds Bail Out NYC?

by Frank Vernuccio

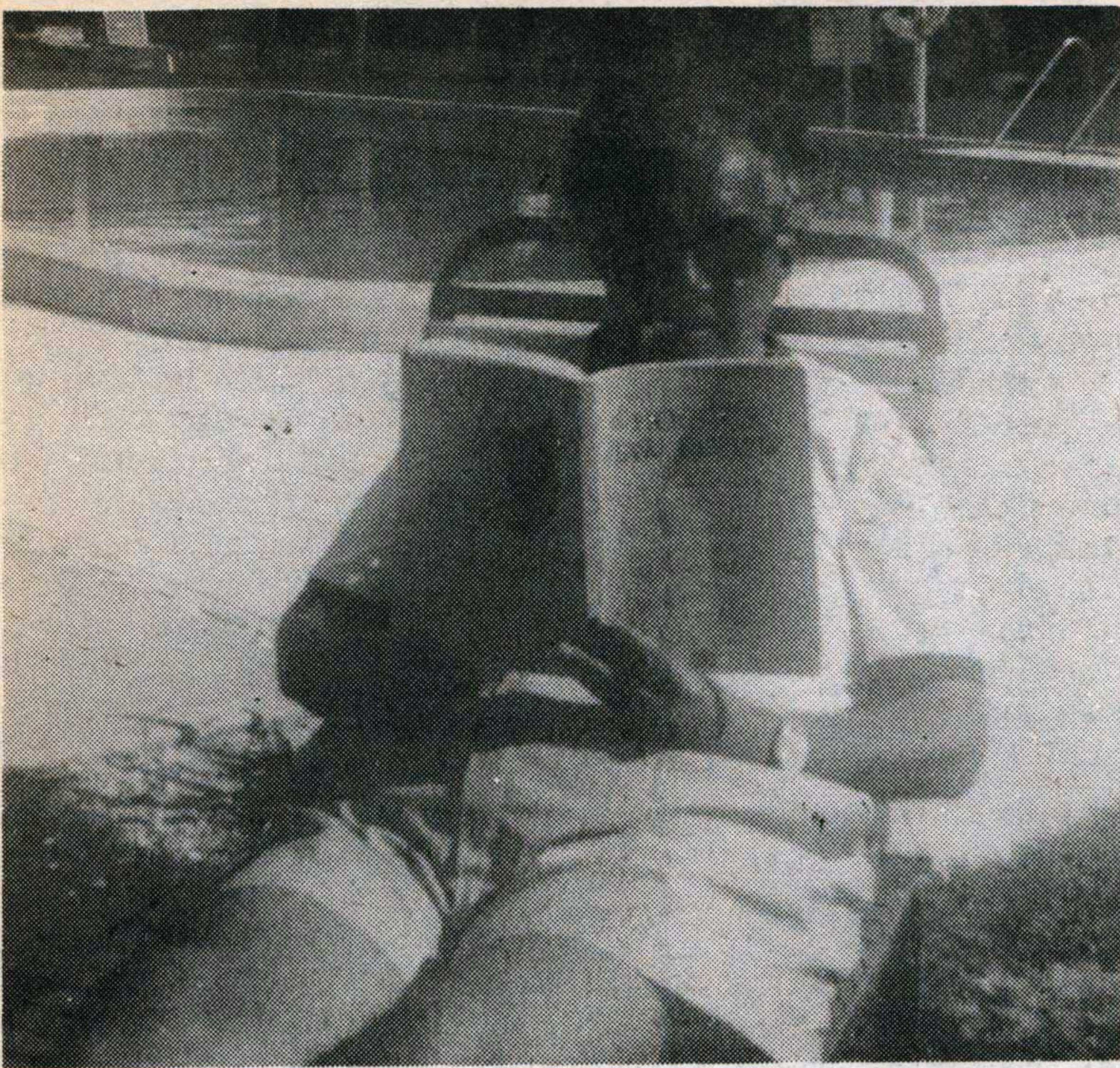


PHOTO-OF-THE-MONTH. Depicted here is Abe Gross, hard at work on vacation in Florida. Abe couldn't wait to get in the sun, so he could light up his cigar and sit back and relax with a good law review article. Way to go Abe!

Metro Librarians Seek Solutions

The First Conference of Law School Library Directors of Metropolitan New York was held at the Law School Library on Thursday, March 3, 1977.

The following were there in attendance: Cameron Allen, Rutgers University, Newark; Frederic Baum, Yeshiva University; Dusan Djonovich, Brooklyn Law School; Francis Gates, Columbia University; Charlotte Levy, Pace University; Julius Marke, New York University; Jatin Mukerji, Seton Hall University; John Saiz, St. John's University; Andrew Simak, New York Law School; Ludwik Teclaff, Fordham University; and Eugene M.

Wypyski, Hofstra University.

The meeting centered on the common problems of book losses and mutilation. Cooperative efforts were discussed, including the establishment of a union list of microfilm holdings in preparation for future cooperative purchasing. It was also agreed that a policy statement would be formulated concerning the use of library facilities by students and faculty of cooperating institutions. It was suggested that Professor Wypyski serve as Chairman of the Conference.

The next conference is scheduled to take place on May 3, 1977.

ARE YOUTHFUL OFFENDERS GETTING AWAY WITH MURDER?

PANEL:

IRA GLASSER
Executive Director
N.Y. Civil Liberties Union

MARINA ANGEL
Associate Professor
Hofstra Law School

PATRICK LOONEY
Capt., Juvenile Aid Bureau
Nassau Cty. Police Dept.

Thursday, March 31
at 8:30
Hofstra Law School
Rm. 230

Placement . . .

(Continued from page 1)

"As far as I know, it was a unanimous decision," said Ms. Belkin. "Mr. Teague impressed me as someone I would want to represent the school," said the former Hofstra University Placement Director. "When you interview for a position, such as this, you want to have someone who puts forth the impression that he can guide a student who is going into an interview. Mr. Teague fit that bill."

Virtually all members of the committee believed that Burton Teague was "worth waiting for." It was the consensus that he showed a genuine understanding of Hofstra's status in the legal community. All of the members agreed that Teague was far better qualified than any other applicant. "He seems genuinely interested in law schools," said Professor Silverman. "He's mature and well-poised. He displayed a clear counseling ability and wanted to make a systematic commitment," he added.

The Alternatives—Commentary

Many students, while acknowledging Dean Monter's ability to handle the job, have expressed some regrets that a full-time Placement Director could not be found to take over immediately. Even Mr. Teague at first withdrew his name from consideration in view of that problem.

When one weighs all of the factors, however, it is hard to see how any other decision could have been made. From interviews with the members of the committee, it was apparent that most interviewees, were either uninformed about our school, or concerned only with advancement. Many of them could not find a job elsewhere and apparently decided to try placement at a law school as a last resort to find law-related employment.

In view of the outstanding credentials of Mr. Teague, one should not feel that this school is being short-changed. Dean Monter is articulate, presentable, and very much aware of Hofstra's strengths and weaknesses. She seems to have gone into her new position with an enthusiasm that has recently been missing in our Placement Office. Although lacking in experience, one can believe that, given the support she deserves, she will serve this school well as Interim Director of Placement. (Editor's Note: These opinions are the author's.)

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Sports Shorts

Jon Bramnick

Law School Teams Chase Trophies

Little recognition has been given to the outstanding performance of the Law School's intramural teams. Representing the school in the basketball league are the Ambulance Chasers, led by player-coach Arthur Goldfond. In the upcoming softball intramurals, we are proudly represented by the Pro Bonos and their coach, Wayne Leibert.

Coach Artie Goldfond, in a recent CONSCIENCE interview, stated, "The team is as good as any small college basketball team in the country." Artie says the team has a great deal of experience because each of the ballplayers has played either high school or college basketball.

The front line of the Ambulance Chasers include such Law School personalities as Dave "The Living Legend" Bunevich, "Jumping" Jeff Bloom, and Neil "Ali" Kiefer. In the backcourt, high scorer and Stony Brook star Rick Singer couples with league-leading assist artist Goldfond to round out an impressive starting five.

The Ambulance Chasers have secured a post-season tourney bid to determine the league championship. All the players have expressed confidence that they will return the intramural trophy to the Law School.

In the University Softball League, the entire starting team is returning from last season and Coach Leibert is pleased with the team during spring training.

During the 1976 season, the Pro Bonos were led by the power hitting of Carl Lustig (the all-time Grand Slam Leader), Gary Small, Steve "ZIP" Zimmer and Abe "The Babe" Gross. In addition, the Pro Bonos were well known throughout Uniondale for their "diamond defense" led by Larry Green, Stu Rosenthal, Buddy Casel, Tony Colletti and Wayne Leibert. Those individuals who contributed absolutely nothing to the success of the team were Arthur Diamond, Nancy Babu and William Prosser.

Coach Leibert stated, "The only reason we did not win the championship last year was we let Bramnick play!"

Equal Access To Courts Sought

by Stuart Rosenthal

In view of some recent problems regarding use of the tennis courts, CONSCIENCE met with University President James Shuart and Mr. Sandy Hammer, Executive Dean of Student Services, on Wednesday, March 16 in the President's office. The problem has been that the varsity tennis team has pre-empted the courts near the law school for their practice sessions.

At the time of these events, students, graduate and undergraduate, were playing on the courts while others were waiting to play. The coach politely announced that the "non-varsity students" would have to leave. The law students did so, but only after an argument which covered such far ranging topics as university athletic policy and the tennis courts that were converted into parking lots.

President Shuart said that he recognizes that there aren't enough courts and that an "orderly approach" is being taken to develop facilities and policies. The current university policy is that all academic programs have top preference, followed by varsity use and recreation, in that order.

Both President Shuart and Dean Hammer recognize that a problem exists with the present scheduling of facility use. Dean Hammer did point out that the interests of those students involved in recreational use of the facilities were being protected by

a recreation director.

In an effort to allow for input by students at the law school, Dean Hammer suggested that a small committee could be formed that would work with him and the recreation director. The committee, to be made up of two or three students, would have input into solutions to the existing problems.

The tennis courts are not the only area where some conflicts exist. Other problems were experienced this past winter by some law students who wanted to play football on the field next to the law school. Further problems were experienced by students playing in the intramural basketball league where games were scheduled during hours when law students were in classes.

The importance of this committee should not be underestimated. Recreation near the law school and organized intramurals play a large part in the lives of most men students. The lack of opportunity for women to participate in organized intramurals, especially tennis, is an affront (and perhaps a violation of Federal law). Students interested in participating on this committee should please submit their names to the CONSCIENCE or speak to their student representatives. Please do this as soon as possible, or the tennis issue may be moot!

Movie Reviews

by Irwin Miller
THE LATE SHOW

The private-eye melodrama is a genre that has attracted several of the most illustrious and imaginative film directors of the past several decades. Such master directors as John Huston (*The Maltese Falcon*), Howard Hawks (*The Big Sleep*) and Robert Altman (*The Long Goodbye*) have attempted to give physical shape and dimension to the tarnished knights of the novels of Dashiell Hammett, Raymond Chandler, Ross McDonald and other luminaries of the form.

Robert Benton's original creation of Ira Wells is, in a sense, "the last hurrah" of such protagonists, albeit with startling variations. Sam Spade, Philip Marlowe, Lew Harper and other cinematic detectives were cynical, devil-may-care and unrelenting both in their pursuit of the greedy underworld inhabitants of a morally decaying society and the sultry women who became enmeshed in that society.

Welles as portrayed by Art Carney is a study of the 1940's detective in physical and spiritual decline—he is paunchy, hard of hearing, walks with a game leg and suffers agonizing attacks from a bleeding ulcer. Moreover he feels no identification with present day society and its unfamiliar colloquialisms and changing life styles. He lives a solitary, barren existence by choice, categorizing himself as a perpetual loner and seeking refuge in memories of a more secure, clearly defined world.

Into his life walks the uninhibited, eccentric Margo (Lily Tomlin) who leads the aging private-eye into a web of bloody corpses, traffickers in stolen goods and wild car chases through the streets of the City of Angels. The frequently bewildering plot resolves itself in a somewhat unsatisfying denouement. However, the core of *The Late Show* and the ultimate reason for its success lies not in the mechanics of the story itself which are routine, but rather in the marvelously defined interplay of the personalities of the characters played by Carney and Tomlin who form a solid bond of trust and affection during their violent escapades together. For Carney, who is one of America's acting treasures, it provides an opportunity for a multi-layered performance of depth and understated humor much in the style of his award winning *Harry and Tonto* of several years ago. Particularly moving is a scene in which Carney, following a frightening ulcer attack in a restaurant accompanied by Tomlin, expresses his fear and hatred of the hospitals which have unsuccessfully treated his condition.

As for Ms. Tomlin, this marvelously written role is tailor-made for her comedic skills and indicates the flowering of a breathtakingly original new actress who fulfills the promising potential she exhibited in Altman's *Nashville*.

The pairing is irresistible and transforms what

might ordinarily be a run-of-the-mill detective film into a showcase for two consummate acting talents.

VOYAGE OF THE DAMNED

Basing their screenplay on an actual historical incident, scriptwriters Steve Shagan (*Save the Tiger*) and David Butler have collaborated with director Stuart Rosenberg (*Cool Hand Luke*) on the poignant dramatization of the journey of a shipload of 937 Jewish passengers, aboard the S.S. St. Louis, seeking asylum from their pre-World War II German homeland as it falls under the throes of Hitler's Nazism. The ship, unbeknownst to its passengers, was being utilized as a political pawn by a free world which sought to isolate itself from the Nazi menace and those whose lives had been contaminated by it rather than face the inevitability of a confrontation. Consequently we view with astonishment the refusal of country after country, including the United States, to provide sanctuary to the inhabitants of the ship who realize that they will face certain extermination in Nazi concentration camps if they are returned to Germany.

Director Rosenberg and his writers have adopted the well-worn but effective *Grand Hotel* technique of focusing upon the private demons of several of the ship's tortured passengers: A detached and impassive physician and his stylish wife (Oscar Werner and Faye Dunaway), a pair of ill-fated lovers (Malcolm McDowell and Lynne Frederick), a proud and compassionate ship's captain (Max Von Sydow) and the frustrated Jewish leader who negotiates for the passengers' safe port (Ben Gazzara). At times, the director allows his scenes to become overly maudlin, and one wonders if he might not have allowed for more sustained performances from his supporting cast, many of whose roles seem to have been created merely for audience recognition rather than to take full advantage of their superlative acting skills (Orson Welles, James Mason, Jose Ferrer, Julie Harris and others). However, this is a minor quarrel with a unique and memorable screen achievement.

The film's most strikingly acted sequences are provided by veteran actresses Wendy Hiller as the widow of an aged passenger who succumbs during the voyage and Lee Grant (an Oscar nominee for her performance) as a woman whose husband and strikingly beautiful daughter meet tragic fates serving to drive her to the edge of madness. It is Ms. Hiller's quiet dignity which leaves its most vivid impression on one's mind and serves to underscore a career which has been marked by brilliantly diverse performances as the original Eliza Doolittle in Shaw's *Pygmalion* and as Sir Thomas More's long-suffering wife in *A Man For All Seasons*. It is obvious that this was a heartfelt project for all concerned and the film is a welcome departure from the mindless violence and sadism that has invaded cinematic efforts of recent years.

LI ACCENTS THE BARD

by Bingo

Emerging essentially unscathed after a bout with a Long Island accent or two, Mr. Shakespeare's "Romeo and Juliet" shone at the John Cranford Adams Playhouse, inaugurating Hofstra University's 28th Annual Shakespeare Festival. This perfect theme for a springtime was played upon a fantastic scale model of Drury Lane's Globe Theater, the result of 10 years of research by Mr. John Cranford Adams, President Emeritus of Hofstra University.

True to its original form, the work was not divided arbitrarily into component acts and scenes; the demarcation of episodes being signaled only by Shakespeare's use of the rhymed couplet. Also in attendance was the ribald wit of the playwright, dulled only by the acoustics of the hall and not by the passage of time.

For those of us who felt the surges of seasonal sap but were fettered and frustrated by dank library walls, Michael Bertolini and Lydia Leeds, playing the title roles, are certainly able to show us what we are missing. They do so, however, to the strains of

some strange music, not so clever as it is distracting. Accordingly, the deaths in the tomb are orchestrated much as a soap opera. The scene is not so weighty that it needs such ruthless contrapuntal relief.

Excellent lighting bathed several overstated, several understated and many competent actors, all resplendent in motley and satins. All in all, the play was well crafted and serves as welcome respite. The production will be given again on March 20, in Sunday matinee at 3 p.m. Orchestra seats are on sale for either \$3.50 or \$3 and balcony seats may be purchased for \$3 or \$2.50.

The Hofstra Shakespeare celebration, featuring seven performances of special readings from other plays of the Bard of Avon, tours of the 5-6 scale Globe stage and a concert by Hofstra's Collegium Musicum of selections from the Middle Ages (as well as other diversions) will run from March 10th to the 20th. Further information may be obtained from the Box Office in the John Cranford Adams Playhouse here at Hofstra, (516) 560-3283.