HOFSTRA UNIVERSITY SCHOOL OF LAW

CONSCIENCE

The Hofstra University School of Law Newspaper

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Dean Resigns; Students Mobilize

by Robert Ginsburg, Stuart Rosenthal and Stuart Goldstein

Following by a scant 2½ weeks the Hofstra Law faculty's contract dispute with the University Administration, Dean Monroe Freedman, in a letter dated April 7, 1977, tendered his resignation to James Shuart, President of Hofstra University.

(The letter is reprinted on page 2)

The Letter in Summary

Denying that his action was fostered by personal financial concerns over his salary, Freedman emphasized that the paramount issue was the continued interference by the University in the Law School's administration. The Dean did, however, cite as "the immediate precipitating cause" of his resignation the breach of his contract by the University, with respect to his compensation.

Dean Freedman recounted a history of interference and bad-faith dealings by the University, particularly in areas of faculty promotion and tenure, and with the Law School's fund-raising efforts. Having voluntarily taken the burden to secure contributions to the Law School, Freedman cited a revenue increase, by his efforts, of over one million dollars for a three and one-half year period. Despite this success and the similar fruitful efforts of former Assistant Dean David Benjamin, Freedman declared that the University Administration had "th*warted" rather than assisted in these undertakings.*

Predicated upon the University's posture in such matters, the Dean declared that the Board of Trustees of the University was responding to partisan political considerations, rather than to its fiduciary obligations. According to Freedman, no response to his assertion came from Dr. Shuart.

Concluding, Dean Freedman stated that interference by the University Administration in Law School affairs had not yet damaged the reputation of this institution, but had "undermined (his) potential usefulness as Dean." The alternative to the Law School resisting the inroads made upon our integrity "is to watch helplessly as Hofstra Law School is dragged down by people too small to be able to see its present and future greatness," said Dean Freedman.

Ad Hoc Committee Forms

As a result of the series of events experienced here in the last few months, including problems with faculty salaries and deteriorating relations with the University, and culminating with Dean Monroe Freedman's resignation letter, a student ad hoc committee called a general meeting for Monday, April 11 at noon.

The meeting was attended by several hundred students from all classes in the school. The purpose of this meeting was to present an immediate forum for students to express their opinions of the situation and to make proposals for correction of the problems.

Two main topics emerged from the discussion. The students expressed questions about the Dean himself and why we have reached this point in the affairs of the Law School. The overriding concern, however, was the state of the Law School and the ramifications on the future of the school.

There were many allegations made and proposals set forward by the students. Some suggested requesting resignations from the members of the board of trustees. Others suggested that the Law School should become an independent institution.

Possible underhanded dealings by the administration were suggested by some, who charged that the revenue-sharing plan with the University had been violated and that President Shuart had held secret meetings with the student reps from the Law School, seeking ammunition to use against the Dean.

A third-year student said that moderation should be the guideline for any action taken. He expressed the opinion that moderation would lend legitimacy to any cause. The observation was made that, at that time, the student body was lacking any hard information on the key issues. (Dean Freedman was not present at the Law School on Monday but had scheduled an open forum for Wednesday, April 13.)

A well-received suggestion was that the students should seek representation on the committee that would appoint the new dean. Another third-year student suggested that the focus of our energies should be on the issue of the new dean's appointment, and there seemed to be a desire expressed by most persons present that immediate action on this issue was important.

Open Forum With Dean

Dean Freedman began his statement with a referral to a letter from the faculty dated March 30, which was sent to Provost Harold Yuker and President James Shuart. In that letter (**which is reprinted on page 2**) the faculty

—Rosenthal Photo

Dean Freedman addresses students on the subject of his resignation.

praiséd Dean Freedman's performance in all areas while serving as Dean. A few days later the Dean was contacted by President Shuart who informed him that the Dean had been granted a $3500 increase for the year. This increase represented only half what the Dean's contract called for and was proportionally less than the increase the faculty received.

Dean Freedman indicated that he had accepted a reduced salary on previous occasions, such as last year when in *view of the University's financial crisis he took a voluntary* ten per cent cut, and he would do so again, but that a valid reason must exist.

The Dean viewed this action as an attempt by the Board of Trustees of the University to punish him. He said that they viewed him as insubordinate. He had "offended administrators who felt it was important to get (him) into line," and to forge his allegiance to the University rather than to the Law School. He had been asked by a member of the Board if he or the Law School could "do something for the Republicans."

The Dean cited instances where his acts of "insubordination" were really constructive proposals that were eventually adopted by the Board. He also pointed to several compromises that were worked out with the administration, and not always favorably for the Law

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HOFSTRA WINS TRIAL COMPETITION

by Jay Baris

Hofstra Law's trial advocacy team defeated St. John's in the first intercollegiate competition on April 5.

The competition originated when Professor Agata received a call challenging Hofstra to participate in St. John's First Annual Charles M. Sparacio Memorial Competition, named in honor of a revered law professor from the Queens law school.

Professor Agata promptly summoned Ellen Efros, Stephen Mendel, and alternate Leonard Austin to represent Hofstra. They were given a skimpy folder containing the record of facts, and they devised a strategy which eventually won the competition.

The case was heard in front of the Hon. J. Irwin Shapiro, Justice of the Supreme Court, Appellate Division, Second Department, before a packed moot court room at St. John's Law School. The jury, which consisted of St. John's law students, came to no verdict, but Judge Shapiro ruled that Hofstra was the winner of the competition.

"Under the circumstances, which were extreme, both sides did a terrific job," said Professor Ordover, the team's coach. "The extreme circumstances," Professor Ordover continued, "included the unusually short time in which the trial had to be completed. Ideally, it should have been a five-hour trial. However, the Judge's charge to the jury came less than two-and-a-half hours after the opening statements were made."

Professor Ordover attributed the victory to excellent direct examinations on the part of Hofstra's prosecution, and the effective summation delivered by Stephen Mendel.

Judge Shapiro's abrupt yet authoritative manner kept the trial moving at a quick pace. It appeared that both sides had a difficult time in arguing their pretrial motions, as most of the case law they cited was written by Judge Shapiro, himself.

The Prosecution's indictment charged that James Darrow, a student at Queens College, raped Mrs. Carol Robinson, a 42-year-old classmate, while she was driving him home one night after class. The defense was that she had consented to intercourse.

Judy Hozore effectively played the part of the violated woman, capturing the sympathy and fascination of the hushed courtroom. Steve Porter, who supervises Hofstra's Moot Court program, played the part of the gynecologist who examined her. The victim's daughter was played by Susan Kreisman, a veteran witness who played a rape victim at a trial at Hofstra this semester. The investigating officer was played by Emily Schulman, and an innocent bystander witness was played by Kathy Rosenthal.

Steve Mendel and Ellen Efros expressed their gratitude to Professors Ordover and Kessler for the time and enthusiasm they lent to this project.

Dean Alleges Promises Broken

by Kathy Rosenthal

Many times during Friday's session with the students, President Shuart tried to shift the burden for our current impasse onto Dean Freedman by saying that the budget and other proposals had been supplied by or agreed to by Freedman. He frequently suggested that an agreement had been reached that was satisfactory to all parties. Assuming these implications to be correct, this reporter felt betrayed and questioned Dean Freedman after the meeting as to the suggestion that he bargained our money away. Freedman verified that he had in fact made many agreements with Shuart, but that they were all beneficial to the Law School, and that they had all been broken by Shuart and the Board of Trustees; what is in fact happening is not what was bargained for. The original commitments and resolutions are as follows:

In November or December 1975, Freedman agreed with then-President Payton to continue to help ease the University's deficit by fund-raising. The income from that and from special projects (such as the pre-law and summer sessions) would be split between the Law School and the University on a 50-50 basis. In addition, there were to be faculty raises to be paid dollar-for-dollar by law students' tuition. Freedman was guaranteed by Mr. Dempster, Chairperson of the Board of Trustees, that this was a firm commitment. They shook hands on it in front of Professor Filler and members of the Finance Committee of the Board of Trustees. When Shuart tried to renege on this in March of 1977, after Freedman had already done much fund-raising and the Law School hadn't seen its 50 percent, Mr. Gittleson, another

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PERSPECTIVE:

The Dean's Resignation

by Steve Orbach and Nechama Masliansky

The resignation of the Dean is emblematic of the problems facing the Law School at this stage of its development, in terms of its relationship with its parent University and its strivings to grow into a first-rate center of learning.

The Dean's action can only be understood by looking to the motivations of the Board of Trustees, the faculty and the Dean himself. Of particular importance is the crucial period between the faculty salary negotiations on March 17-18 and the Dean's resignation letter of April 7.

What the faculty and University worked out during their negotiations is not precisely known. Two weeks later, on March 30, the entire full-time faculty sent a letter to the Provost and Dean of Faculties, Harold E. Yuker. That letter expressed the faculty's enthusiastic support for Freedman's continuance as Dean.

A few days later, President Shuart telephoned the Dean and informed him of a $3,500 raise. The questions that must be asked are: What motivated the faculty to send the letter of support at that particular moment? And, bearing in mind that the Dean's contract called for a raise of approximately $6,000, what motivated the Trustees to offer him what was in effect a salary cut?

It is clear that the Trustees have been faced for some time with a difficult financial situation. They have come up with several austerity measures, a number of which affect the Law School, in hopes of reducing the overall budget. The Dean opposed the imposition of many of these measures, threatening to quit on several occasions. Specifically, he threatened to resign last year when two faculty

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Text Of Faculty Letter To Provost Yuker

HOFSTRA UNIVERSITY
Hempstead, New York 11550

School of Law Office of the Dean

March 30, 1977

To: Harold E. Yuker
Provost and Dean of Faculties

Dear Harold:

The purpose of this letter is to express to you the sentiment of the faculty with regard to Monroe. We believe it appropriate at this time to give you our evaluation of his stewardship as Dean of this law school over the past four years.

First and foremost, he has insisted successfully on a high level of excellence from both faculty and students. He has encouraged scholarship and devotion to the highest ideals of the law and he has served as an example as to how an involved and committed law professor can effect positive changes in both the substance and spirit of the law. Second, he has served as a superb spokesman for the law school, in particular, and for the university in general. This has aided immeasurably in putting the law school on the map. Indeed, our students who seek placement from as far away as California attest to the new found name recognition of Hofstra and the almost inevitable connection with the name of Monroe Freedman. Third, he has been an effective leader of the faculty and of the entire law school community. Without imposing in a heavy handed fashion his own ideas, he has brought this community to a sense of self-awareness and positive achievement.

These qualities have become so evident to the community outside the law school that the school has been able to attract to it high quality students and important donors who seek affiliation with the institution.

Beyond all of the above and on a strictly personal level we are exceedingly fond of the man. It is a true pleasure to come to work every day and Monroe Freedman has much to do with that statement.

We, as a faculty, would be honored if Monroe would agree to continue his present commitment as our Dean.

Sincerely,

(Signed by the 28 full-time faculty members.)

cc: President Shuart

Dean Freedman's Letter Of Resignation

HOFSTRA UNIVERSITY
Hempstead, New York 11550

School of Law Office of the Dean

April 7, 1977

To: Dr. James Shuart, President
From: Monroe H. Freedman

Dear President Shuart:

I hereby resign as Dean of Hofstra Law School. In order to minimize the adverse impact of my resignation on the Law School, I am making it effective the end of the current school year, August 31, 1977.

I doubt that this letter will come as a surprise to you. Since you have become President of Hofstra University, virtually every contact you have had with me and with the Law School appears to have been calculated to bring about this result.

The immediate precipitating cause, of course, is the University's breach of my contract with respect to compensation. As you know, this is not the first time that a solemn commitment to me has been broken by officers of the University.

I do not mean to suggest by this action that money is my principal concern in my relationship to the University. On the contrary, shortly after assuming the deanship, I voluntarily reduced my salary in order to make it possible to raise the salary levels of my colleagues on the faculty and to create an internally equitable salary schedule. In addition, last year I was the first to voluntarily take a pay cut (in my case 10 percent) in response to the University's discovery that it had unknowingly been running a dangerously severe deficit.

The more fundamental cause for my decision is the interference with the administration of the Law School, day to day, in matters both major and petty. Most important has been the difficulty and uncertainty created with respect to tenure and promotion of faculty members. Also of great significance has been interference with the Law School's fund-raising efforts.

As you know, I accepted the deanship with the express understanding that I would not be responsible for fund raising. At most universities, members of the Board of Trustees recognize that their principal duty is to bring in contributions. In order to build a strong law school, however, I have had to take on that burden myself. As a direct result of my efforts during the past 3½ years, including fund raising, the Law School has increased its revenues by well over $1,000,000.

Rather than assisting in those efforts, the University administration has consistently thwarted them. The best fund raiser the University has ever had is former Assistant Dean David Benjamin, who was single-handedly responsible for raising unprecedented sums of money for the University, and could have continued to be our greatest financial asset. Because the University rejected my request for a modest but essential salary increase for Dean Benjamin, he was compelled to reluctantly leave Hofstra and seek employment in private practice.

Just recently, I developed a project for raising about one-third of a million dollars. As you curtly informed me in one sentence in your recent letter, however, the Board of Trustees has decided to sabotage that effort. When I pressed you for reasons for their decision, you were unable to state a single one. Nor, of course, have you or the Board of Trustees undertaken an alternative project. When I finally pointed out to you that the Board's decision appears to have been made on grounds of partisan politics, rather than pursuant to their fiduciary obligations as trustees, you had no response at all.

Hofstra Law School is extremely strong, and it is growing in stature at an extraordinary rate. Knowledgeable people in the legal profession consider Dean Malachy Mahon's achievement in starting the Law School, and mine in building upon his success, to be unparalleled in American legal education. Fortunately, the maladministration of the University has not yet damaged the Law School. It has, however, undermined my potential usefulness as Dean. In addition, I think it is important to draw the line now against further threats to the Law School's continuing strength and growth. The alternative is to watch helplessly as Hofstra Law School is dragged down by people too small to be able to see its present and future greatness.

I take this action, therefore, in contrast to what was done at Syracuse Law School. There, Dean Judith Younger did precisely the right thing, but it should have been done several deans and several years earlier, before the law school had been irreparably injured. Hofstra Law School is now at a peak of strength, both in fact and in its reputation. If we are to prevent reversal of our progressive, upward trend, the time to act is now.

Very truly yours,
Monroe H. Freedman

—Rosenthal Photos

Gary Small reads statement to President Shuart (above) . . . while students look on in front of Weller Hall (below).

Broken Promises . . .

(Continued from page 1)

member of the Board of Trustees, informed Shuart that there had been an agreement to this effect. Shuart refused to abide by this, saying that an "understanding" was not a "commitment." Gittleseon reassured Freedman that he, Freedman, had Gittleson's personal commitment, but when faculty negotiations took place, Gittleson disappeared and has not been available for comment since.

Last year, when Freedman prepared the request for the faculty's 1976-1977 salary increases, before he even showed it to Shuart, he persuaded the faculty to reduce it from $225,000 to $175,000. Freedman and Shuart negotiated for several months, finally bringing it down to $134,000 which was pursuant to the commitment that had been made. Beginning with September 1976, Shuart stalled the salary confirmation, saying that public knowledge of law faculty salaries would impede his negotiations with the other University faculty. During this time, Freedman was again told by members of the Board that there was a firm commitment to the $134,000 increase. Some of our faculty members received offers of substantially higher paying jobs, but Freedman relayed the commitment and that their new salaries would be competitive with the offers; they stayed. In March 1977, Shuart finally got back to Freedman, saying it was time to begin negotiations on the increase and offered Freedman $75,000—half of the rock-bottom amount already agreed upon and committed.

Representing the faculty in its salary negotiations, Professors Agata, Kadane and Schmertz were shown Freedman's 1976-1977 budget request for monies to *be used by the entire Law School* —for example, a Placement Director. Assuming that this money was committed to the Law School, they accepted a lower salary—70 percent of the $134,000—with bonuses of the first $22,000 received over $228,000 in fund raising. At this time Freedman still assumed that Shuart would live up to his original commitment and give the Law School its 50 percent share of the first $228,000 and that Shuart was simply allocating $22,000 to a certain expenditure. It later turned out that Shuart was only giving the Law School the $22,000 out of the entire $250,000 which the Law School itself intended to raise. Shuart then told Freedman that the University couldn't afford the initial budget he requested for use by the Law School generally.

In his original contract upon coming to Hofstra, Dean Freedman was promised that his salary would be increased each year commensurate with what the faculty received. This year the increase worked out to be approximately 15 percent. When Freedman received notice of the actual increase, it was for $3,500, only a 7.7 percent increase from last year and less than any other faculty member received.

Dean Freedman invoked greed as the reason for the irrational actions of Shuart and the Trustees. Shuart and the Trustees think they are acting in the best interests of the University as a whole so that it can be financially viable in the 1980's. It is clear though after Friday's meeting that the Hofstra administrators see the Law School only as a source of income. They will soon discover that for the goose to continue to lay golden eggs, it must be fed and given room to breathe.

Dean Resigns, Cont.

Students Confront President and Trustees

(Continued from page 1)

School.

The University insisted on linking tenure for law professors with the tenure at the rest of the University. On one occasion this caused withdrawal of a tenure application by one member of the law faculty. On other occasions the administration blocked promotion of qualified faculty members.

The Dean emphasized that the issue involved was not his salary, but who would govern Hofstra Law School. He posed the question whether it would be run by experienced professionals dedicated to legal education, or the amateurs who were responsible for the problems the University is now experiencing.

At this point he explained what he had perceived his options to be. In his words, he could have become a "front," a tool to be used by the Board as they systematically ripped off the Law School. Or he could have become a "lame duck" dean and left the Law School in 1978 in a dangerously weakened state.

Or he could do exactly what he did. He resigned, as he said, in order to dramatize the serious problem of interference with the operation of the Law School.

Dean Freedman was most emphatic that his contract and salary must be eliminated as an issue. He explained that he made his resignation a matter of public discussion in order to demonstrate his commitment to the real issues involved. He said he will not return, and that he has removed himself as an issue to prevent the administration from forcing a compromise on the Law School.

He closed, saying, "There are some people on the Board of Trustees, including the President, who have no conception of quality. For that we must count on ourselves . . . it must come out of this building."

Meeting Shuart In The Open

Following the address by Dean Freedman, Professor Agata, speaking for the faculty, said that the prime concern of the faculty would remain the educational integrity of the Law School. He explained that the faculty would remain neutral *vis-a-vis* the students, so that any student action would be perceived by the administration as student opinion. He said this would also create two separate constituencies with whom the administration would have to deal.

Directly following these remarks, second-year student Gary Small read to the large group on hand, two different drafts of a statement addressed to President Shuart. After a hand vote was taken on which one to present to the President, the students organized themselves outside the Law School. A line was formed, and a march began.

Within a few minutes, 250 students were assembled in front of Weller Hall. Shouts from a few individual students demanded that the group enter the building to confront Shuart with the statement. Cooler heads prevailed, however, and President Shuart was summoned from his office to meet with the angry group of law students.

The President Makes An Agreement

Shuart's meeting with the law students was brief. After the prepared statement had been read to the President, he offered his own statement to the group. Amid calls for him to speak louder, Shuart said repeatedly that he would not engage in a shouting match. He asserted that although he wanted to meet with "members of the Law School," he did not think that a parking lot was the proper place for a public forum.

At that point a student publicly offered an invitation to the President to meet at the Law School on Friday, April 15 at 9 A.M. Shuart, apparently surprised that such an offer was made, balked at first as to whether he would attend. He asserted that he wanted to "work out the logistics" of the forum first with various members of the law faculty and other people who should be consulted.

In the end, however, it was agreed upon by many, that Shuart had made a firm commitment to meet with "members of the Law School community" on Friday morning, if the logistics could be worked out.

Students Send Memo to Shuart

President Shuart received a memo from the Hofstra Law students on Thursday, April 14. Declaring itself to be by no means exhaustive, the letter listed six general topics of discussion. These were: the greater Law School budget; professional and academic freedom and integrity of the Law School; the resignation of Dean Freedman; tenure; scholarship funding; and the funding of clinical programs. The letter was brought to his office in response to Shuart's request, made on Wednesday, April 13, that he be furnished with a list of written questions in advance of his Friday, April 15 meeting with the law student body. A member of the ad hoc committee which drafted the document reported that the secondary purpose of the memo was to make certain that the President would not fall back on the excuse of ignorance as to specific facts, and so decline to discuss matters of vital concern to the Law School community.

Assuring Shuart that the students of this institution are aware and informed as to the pertinent facts and figures, the document offered three specific questions, complete with detailed budget breakdowns. These dealt with the planned tuition increases of $150 in each of the next two years; the Law School's present financial contributions to the University; and the repudiation by the University administration of the Law School's right to raise funds of approximately $250,000.

Shuart Speaks at Law School

On Friday, April 15, University President Shuart spoke to an overflow audience of Law School students and alumni in the unnamed Moot Court Room, and a large group of students who packed lecture room 230, where video-tape screens had relayed the meeting. The gathering was seen by President Shuart as a forum within which he could "get together" with the law students and exchange ideas about our relationship with the University.

Before the President spoke, a short statement was read by Gary Small as a representative of the student body. "Students of this law school are angered and distressed by the policies of the Administration which led Dean Monroe Freedman to resign." The message also expressed doubts as to the University's sincerity in its relations with the Law School and called upon Shuart to give the Administration's notions on the position of the Law School in respect to Hofstra University in general.

President Shuart began his reply by alleging that he had intentions to meet with the students of the Law School before this crisis occurred. He emphasized his deep commitment to the University and to Hofstra Law School, but argued that a scarcity of recourses had forced him to the necessity of making "decisions."

The "pressing issue," as Shuart saw it, was the resignation of Dean Freedman, which, he said, "frankly took me by surprise." He felt that this topic could have been discussed through what he termed regular channels, but that media coverage now made that difficult.

Addressing himself specifically to Dean Freedman's letter of resignation, dated April 7, and especially to the salary dispute, Shuart declared that the events which fostered that document were open to differing interpretations, as was the question of whether or not a breach had occurred. The President stated that mechanisms for review of such contract disputes existed within the University and pointed out that there is always recourse to the courts.

Regarding Freedman's position articulated in his letter of resignation, that the University has interfered in the day-to-day administration of the Law School in matters both major and petty, Shuart referred to "culture" and "statutes." "Every Dean subscribes to these statues. We do business together." The President claimed that the University was in accord with "culture" and "statutes" along lines dictated to the Board of Trustees by state law. There is room for some freedom within the embrace of protocol, he said, but went on to stress the requirement of input, seeming to place the blame for the current discord on Dean Freedman and the Law School. Shuart defined the powers and authority delegated to the Board as including the review of personnel; tenure; appointment to the faculty; major policy decisions; and the granting of honorary degrees.

Dealing with instances of breach in the Dean's contract, President Shuart denied that concrete sums had been promised to the Law School by the Board of Trustees of the University. Citing scarce resources and difficulty with long-term salary administration, he asked the law students to recognize a "legitimate" need for adjusted salaries.

Shuart denied that the University interfered in the Law School's fund-raising efforts, declaring that the Board Members are responsible for that task. "I've used all my resources to get revenue," he said. Shuart later revealed that the permanent fund-raising office of the University had received $100,000 in restricted gifts and $250,000 in unrestricted gifts. In contrast, the Law School itself had generated $250,000 in unrestricted gifts.

By March 31, President Shuart noted, the Law School had credited to its account only $47,000, well behind its fund-raising schedule, whereas the University was exceeding its projections and had already received $450,000. Dean Freedman and Professor Stuart Filler (an expert in tax law) shook their heads vigorously in response, and indicated later, in private, that Mr. Shuart's figures were approximately $100,000 too conservative.

Commenting on the University's interference with our relative autonomy, and its stain upon our integrity, Shuart maintained that as far as the naming of an honorary degree recipient is concerned, there is a definite procedure followed by the Board of Trustees in reaching a selection. Without describing that procedure, Shuart made the fine distinction that the Board does not reject nominees, but merely selects others. This comment was a response to the assertion that partisan politics was the deciding factor in denying such degree to the eminent and distinguished Judge Jacob Fuchsberg, a Democrat. Judge Fuchsberg sits on the bench of the New York Court of Appeals and has placed several Hofstra Law graduates.

Shuart next turned his attention to a list of specific topics for discussion given him on April 14 by a law student committee. The letter was drafted to prepare the President to be able to answer in detail. His response to the letter was, in total, "We can work out these things."

While entertaining questions from the crowd of 300, Shuart was repeatedly characterized by law students as being particularly vague and elusive, and was rebuked by students no fewer than eight times for responding obscurely. Replying to the question, "Why do transfer students to Hofstra University automatically get $1,000 scholarships while the Law School suffers?" he smiled, "I get paid to ask those questions." Queried about the University's programs for fund raising, Shuart commented, "It's just an idea."

Dealing with our financial status, the President noted that of the monies secured by the Law School from fund raising, 50 per cent of the $250,000 budgeted goes directly to the University. However, according to figures supplied by the Dean, 100 per cent of that income ends up in the University coffers, never to be seen again by the Law School.

In addition, the University is saddled with a $4 million cumulative operating deficit. President Shuart noted that the debt service, that is, interest on that $4 million loan, comes to approximately $1.7 million. He declined to admit, however, that the Law School bears the entire burden of that University debt, $320,000 per year.

The Law School will also be required to contribute $74,000 next year and for each of the following four years, towards repayment of the $4 million principal.

It was brought out that besides the 100 per cent take by the University of our fund-raising revenue, and income frm the pre-law institute, summer sessions and other special projects, a full 43.3 per cent of all other income, e.g., tuition, is plowed back into the University. With the upcoming Law School tuition increase of $150 per year, the total additional tuition revenue is $102,750 to the Law School. However, with the new budget line, and the rate of 56.7 per cent return to the Law School, our share of the *tuition increase will amount to only $16,300 of the $102,750* taken in. Confronted with this fact, Shuart commented, "We'll try our best to be fair."

American Bar Association guidelines stipulate that a maximum of 23 per cent of a law school's total income be given to the parent university. The 43.3 per cent of our generated income which Hofstra University takes from the Law School, including its 100 per cent fund-raising and special programs share, jeopardizes our ABA accreditation. This point was made by several students likening the situation at hand to parallel circumstances at San Francisco Law School and California Western Law School. Shuart responded with the following commitment: "I'll look into it; I'll put myself on the line."

When asked whether a future placement director will draw a salary commensurate with his critical position, he replied, "I'm working on it." Hofstra Law School has been without a placement director for almost five months and will continue to be so until at least September 1977.

Mark Birnbaum, recently elected President of the Hofstra University Law School Alumni Association, cautioned President Shuart not to alienate those graduates who are possessed of the means to contribute to the Law School.

Student passions were running quite high when the President was informed that an escrow account, intended to protect the summer and fall tuition of Law School students, was being planned.

George Dempster, Chairperson of the Board of Trustees; was present at the meeting and was challenged by several students to call a meeting between the student body and the Board. He declined to pick up on this invitation, but it was reiterated several times by many students. Eventually, a tentative meeting was planned between the Executive Committee and nine student representatives (three from each class), for Tuesday, April 19, at 5 P.M. The meeting was to be open to all members of the Board of Trustees.

The question-and-answer period was completed two hours and fifteen minutes after the morning meeting had begun. President Shuart received a polite round of applause as he left the podium. The Dean was then invited to comment on the morning's proceedings and was greeted by a standing ovation lasting several minutes. He thanked everyone and added, "I don't know what else to say, but you guys are just beautiful." As he put the microphone down, he was once again treated to a prolonged and resounding ovation.

After the morning's events wound down, Mimi Coleman, Assistant Chairperson of the Executive Committee of the Board of Trustees remarked to a student, "Nobody could possibly have felt the depth of student feeling without attending this meeting."

Help For The Battered Wife

by Nechama Masliansky

In the last few years, as the problem of child abuse has been studied, the problem of domestic violence has been seen to include the physical and psychological abuse of women by their husbands. Because of social and legal attitudes about the role of women in marriage, including the not-yet-extinct beliefs that a wife is a man's property and that intrafamilial disputes are matters of strictly private concern, little public attention and help have been given to victims of spousal abuse.

How widespread is the problem? We are just beginning to learn, but as an example, in 1975, in Nassau County, 4,000 women sought help from the Family Court. The figure nationwide must be staggering. Moreover, this is not a lower class phenomenon. The problem cuts across all ethnic and class lines; middle class women are simply better able to hide the problem either by staying home until their bruises heal or by seeking expensive remedies such as counseling or divorce. (Some women beat their husbands, but the proportion is much lower.)

A question frequently, and naively, asked, is: Why does the woman stay? Rigorous research in the area has not been completed, but the most likely explanation found thus far is the lack of support for a woman to leave. It is a cycle, regrettably, that feeds on itself.

Hospitals and social services agencies, for example, do not treat wife-battering as a separate phenomenon and do not have a systematic approach for assessing or recording the incidence of victims who seek treatment. Doctors do not ask about (or they accept the flimsiest explanation for) serious injuries and bruises. The courts, such as the Family Court in New York State, are designed to provide conciliation procedures more readily than quick and effective protection to the woman who has just been assaulted by her husband. The woman is made to feel that the assault is insignificant to others because it occurred within the context of marriage.

Rarely can a woman receive an immediate order of protection, especially when, as is usually the case, she cannot get her husband into court. More often, she has children, is not self-supporting and has no other financial or family resources to fall back upon. She must return to the same household to live in fear with the man she has just complained of in court.

The order of protection, once obtained, is rarely enforced effectively. Family Court judges transfer only 2 percent of family offense cases to Criminal Court under Article 8 of the Family Court Act. Actual incarceration of a spouse who brutalizes his wife is so rare that when, early this year, one husband was sentenced to a year in jail, it made the **Daily News**.

There is currently no agency in Nassau County providing direct and immediate assistance exclusively to battered women, but a group of concerned citizens and social service agencies, called the Coalition for Abused Women, is working rapidly to develop a network of new services. They have just applied to the Department of Mental Health for a CETA grant for 3 workers to operate a telephone hot-line, coordinate statistics for further research and serve as advocates to victims with the Family Court and the Department of Social Services.

One of the Coalition's member agencies, Aid to Victims of Abuse (AVA), has trained 50 volunteer counselors but must wait several more months for funding. The Coalition will write a grant proposal for housing to provide a refuge to women and their children. They are also planning a series of symposia to acquaint the public and the medical and legal professions with the problem.

On May 3, at 8:00 P.M., the Coalition and the Women's Center at Hofstra will co-sponsor a showing of the film, **Scream Quietly or the Neighbours Will Hear**, the story of the movement in England for shelters for battered women. Members of Chiswick (England) Women's Aid will be available for questions. The film will be shown at the Student Center Theatre; donation is $2. Tickets are available in advance from the Coalition for Abused Women, c-o Action Council, 3130 Hempstead Turnpike, Levittown, N.Y. 11756, or see Nechama Masliansky in Room 031.

The Coalition needs help from law students and faculty in writing the grant proposal and providing basic legal research as to victims' rights, including divorce information. Two second year students, Sue Bauer and Dana Van Buskirk, have already volunteered their time. Victims Information Bureau of Suffolk, Inc. (VIBS), in Hauppauge, needs similar assistance.

Perspective

(Continued from page 2)

members were denied promotion and when a tuition raise was proposed by the University. These and other actions could not have endeared the Dean to the Trustees.

In fact, the Trustees must have viewed these actions as an obstruction of their plan to save the University.

Moreover, the Dean is well-known for speaking out on sensitive public issues. When his name appears in the press, it is frequently in connection with civil rights concerns and legal ethics. In the past year alone, the Dean requested, and obtained, the confidential file which the F.B.I. had maintained on his activities and read its contents to the media; represented Bernard Bergman, and addressed a Congressional hearing to oppose the confirmation of Griffin Bell as Attorney General. Few persons are united on all these issues, and it would not be surprising if the Dean's controversial activities irritated the Trustees.

In addition, the Dean is politically to the left of most of the Trustees. He supported the selection of Aryeh Neier of the A.C.L.U. for receipt of an honorary degree in 1975. This year, when an ad hoc student speakers' committee could not find a commencement speaker, the Dean made his own nomination. His selection of a prominent Democrat, Judge Jacob Fuchsberg of the New York State Court of Appeals, may not have been prudent, especially as Fuchsberg is frequently mentioned as a possible candidate in the race for retiring Chief Judge Breitel's successor. As a result, at least one Trustee asked Freedman whether he could not "do something for the Republicans." The Dean could have come up with someone less controversial and less partisan, not for the sake of pleasing the Trustees, but to preserve the academic neutrality of the Law School.

By the time the faculty's salary negotiations reached their most critical stage, the situation was thus: A Dean and his Board of Trustees were on less-than-friendly terms, and a faculty had taken a 6 percent pay cut 6 months previously and was near the bottom of the pay scale among New York State law school faculties. There was a real danger of losing law professors to other, better-paying, schools. There may well have been a misunderstanding between the Dean and the University as to whether a commitment to a set figure for faculty salaries had been reached earlier, but the possibility of bad faith cannot be eliminated.

Little is known of the substance of these negotiations and little more of their outcome. While the faculty did get much of what it wanted, the inference must have been conveyed, either at these negotiations or through the pattern of conduct of the Board of Trustees in its relations with the Dean during his tenure, that his continued employment was in some way threatened. (President Shuart, in meeting with student representatives in January, conveyed the impression of looking for unflattering information about the Dean.) To counter this threat, two weeks after a contract agreement was reached, the faculty sent its letter of endorsement of the Dean. Other factors contributed to the timing of this letter. It would have been ineffective, and a poor negotiating technique for the faculty to have sent the letter before its own contract had been settled. It was also an appropriate time to write such a letter, because the Dean's contract was to expire in August 1978, and the faculty was aware that a search committee should have at least a year to find and hire a new dean.

What must the Trustees have been thinking at that stage? It must have appeared to them that the Dean's primary loyalty was to his faculty and staff, and that the faculty's loyalty was to its dean. The Trustees must have believed that the Dean's primary loyalty should have lain with the University. With full realization that they were committed to paying Dean Freedman a $6,000 raise, the Trustees offered him little more than half.

In fact, last June the Dean voluntarily took a pay cut of 10 percent, a move which probably did much to inspire the faculty's 6 percent cut. This cannot be interpreted as the act of a disloyal administrator. Further, the Dean needed his contracted raise all the more. The only logical conclusion is that the Trustees' action was designed to inform him that his further services were no longer desired. This maneuver, either through design or effect, focused the issue on the embarrassing subject of a salary dispute, rather than on the more far-reaching controversy about the economic and academic integrity of the Law School within the University.

The Dean's motives in resigning, especially at this point after numerous threats to do so on other occasions, are not entirely clear. To his credit, he has, to quote the Dean, "dramatized as effectively as possible" the Law School's needs and problems, and made it clear that the students and faculty should not seek his continued tenure and thereby obfuscate the primary issues.

While income from the Law School to the University amounts to some $3,000,000 a year, the University retains $1,135,000, or 43.3 percent, as revenue, returning 56.7 percent to the Law School for operating expenses. This exceeds the A.B.A. standards of 16-23 percent to be retained by the parent University. (Harvard University retains some 2 percent.)

In addition, the Dean and the University had arrived at a revenue-sharing agreement which called for a 50-50 split of all moneys brought in through the Law School's fund-raising efforts. The Dean agreed to raise $250,000, leaving $125,000 to help support the financially-ailing University. Once he had accomplished this task, the Dean was informed that the Law School's share would not be 50 percent, but 10 percent. It is noteworthy that at the time the Dean was hired he had obtained an express agreement that he would not be called upon for any fund-raising activities whatsoever.

Most importantly, what can be seen here was the slow whittling away of the School's economic and academic foundation. Without the money to attract and retain a quality professional staff through proper salaries, secretarial support and the possibility of tenure, the Law School and the Trustees will have to settle for mediocrity instead of continued growth. While the University Trustees may feel that they are contributing to the financial stability of the University, it is at best a short-term gain. The Law School at this stage in its development has few alumni, and it is the law alumni who endow a law school with a major portion of its revenue. If we become a mediocre law school, the University can expect mediocre endowments in return.

There is a far more important issue hanging in the balance, however. No university should strive for anything less than the highest academic standards, and for a young law school striving to attain a reputation that would enable its graduates to enter a reputation-sensitive profession, this goal is of paramount importance. If the Trustees operate on the basis of any other theory, there will inevitably be constant and acrimonious conflict between them and any dean of this law school.

Admissions Committee Orients Accepted Students

by Sandy Bayo

Since this past January, students accepted into the class of 1980 at Hofstra Law School have been able to participate in a unique program initiated by the Students Admissions Committee. "Choosing a Law School is a difficult decision," Mark J. Caruso, Chairman of the Student Admissions Committee and organizer of the program has explained, "The purpose of the program is to help prospective students to see and understand Hofstra Law School."

The program known as V.I.P. which stands for the Visitation and Information Program, is composed of the members of the S.A.C. A letter is included with the acceptance letter. Students are invited to write or call Hofstra Law School to arrange to visit the school and attend classes with Hofstra law students.

Those prospective students who express an interest in participating are then given a date to come to the school and are then matched with a member of S.A.C. The host student takes the visiting student around, answers all questions and introduces the visiting student to other students in the Law School.

Additionally, the V.I.P. invites those students who are unable to visit, to write to S.A.C. to ask any questions concerning the Law School they would like answered.

Although the program is optional, the response has been very favorable. The reaction of the students after the visit has been one of great appreciation for the services offered by the program. One student recently wrote to Mark thanking him. In her letter she said:

"Your cordial welcome to Hofstra Law School and the unharried opportunity to visit the library and building and to chat with other students and most especially, to attend some actual classes, made that day a most memorable one for me.

"I think your V.I.P. program is an excellent means of introducing prospective students to the realities of Hofstra Law School and a valuable aid which all prospective students should take advantage of. I thoroughly enjoyed it. Thank you."

Because S.A.C. feels that more prospective students should have the benefit of the program, plans have been formulated to expand the program to allow more students to participate as hosts. The Committee will recruit volunteers from the student body next year. Further developments on this idea will be communicated in **CONSCIENCE** and on the S.A.C. Bulletin Board next Fall.

FINAL EXAMINATIONS REGULATIONS

These administrative regulations are designed to further define and regularize our current examination regulations which provide that any student who does not take a final examination as scheduled shall receive a grade of "F" in the course unless he or she obtains the permission of the Dean or his or her delegates. The standards and the procedures for obtaining such permission are set forth in the ensuing paragraphs.

I. Scheduling Conflicts

(1) If a student has been scheduled for examinations which conflict, or two examinations on the same day, or three or more examinations in consecutive days, the student may postpone an examination if he or she files the appropriate form with the Registrar. The Registrar shall determine which examination(s) will be postponed and the date and time that the rescheduled examination will be given.

II. Justification For Excused Absences

(1) Other than the circumstances indicated in Section I, a request for an excused absence from a scheduled examination will be granted only if the circumstances indicate that a student's ability to function effectively *in taking the* examination as scheduled will be substantially and severely affected due to unforeseeable circumstances beyond the student's control. These include bona fide medical excuses, death in the immediate family, etc. Conflicting social events, familial or business obligations, oversleeping and forgetting an examination date are not sufficient justifications. Tiredness, nervousness or anxiety is not a sufficient justification, except in unusual and extreme circumstances which are supported by a letter from a physician, psychiatrist or psychologist as indicated below.

(2) All medical excuses must be accompanied by a signed letter from a physician, psychiatrist or psychologist on a professional letterhead. THE LETTER MUST CONTAIN A DETAILED EXPLANATION THAT, IN THE PHYSICIAN'S, PSYCHIATRIST'S OR PSYCHOLOGIST'S OPINION, THE MEDICAL CIRCUMSTANCES INDICATE THAT THE STUDENT'S ABILITY TO FUNCTION EFFECTIVELY IN TAKING THE EXAMINATION AS SCHEDULED WILL BE SUBSTANTIALLY AND SEVERELY AFFECTED. Minor conditions, **e.g., headaches, common colds, and low grade fevers, are not sufficient justification.**

(3) A request by a student for an excuse from an examination that he or she has already begun will be granted only in extreme circumstances. **In the unusual** event that an excuse is granted under such circumstances, if possible, the re-scheduled examination in that course will be different from the scheduled examination.

III. Procedures For Requests for Excused Absences

(1) A request by a student for an excused absence from a final examination as scheduled must be presented to the Registrar's Office or to the Associate Dean in charge of examinations. Requests must be in writing and signed by the student and must be made **prior** to the time the examination is to begin, unless emergency or compelling circumstances make prior notice impossible. In the latter event, the request must be submitted as soon as is reasonably possible.

(2) Where possible the Registrar or the Associate Dean in charge of examinations will notify the student in writing as to his or her decision on the student's request.

(3) The Registrar's Office will maintain records of students who have been excused from examinations each semester. The Associate Dean in charge of examinations, in determining whether a compelling justification has been demonstrated, may take into consideration whether a student has been excused from examination in previous semesters.

IV. Make-Up Examinations

(1) In the event that a student's request for postponement of, or an excused absence from, an examination is granted, the make-up exams shall be given as soon as is reasonably possible, as determined by the Registrar, after the scheduled examination but no later than three weeks after the end of the examination period.

(2) The Associate Dean in charge of examinations shall have discretion to permit students whose requests do not demonstrate "serious illness or other compelling circumstances," but which have demonstrated a substantial justification to be excused from a scheduled examination in a course on condition that they take a make-up examination at the next regularly scheduled examination period during which an examination in that course is offered.

Law Students' Conference

by Denise Sher

Amidst the rolling hills of South Egremont, Massachusetts, the American Bar Association Law Student Division held its Annual Spring Conference at the Jug End Resort. The theme of the program was "Professional Responsibility." The conference provided an excellent opportunity for members and non-members of the Law Student Division to assemble and exchange ideas with respect to their own law schools and the legal profession generally.

Among the distinguished panel speakers were Hon. Morris E. Lasker, Federal District Court Justice, Southern District of New York and Robert W. Merserve, Esq., past president of the American Bar Association. The panel discussion focused on the "Quality of Advocacy — Professional Responsibility in the Courtroom." Both Judge Lasker and Mr. Merserve are presently members of a newly formed Committee of the Judicial Conference of the United States to Consider Standards for Admission to Practice in the Federal Courts.

Judge Lasker emphasized why it is important to be concerned now about the quality of trial advocacy. He pointed out that today there is a greater sense of public responsibility among lawyers and that it is necessary to insure that lawyers fulfill that responsibility to their fellow citizens. There is also an increased emphasis in the law on the life of the citizen in the community.

The Judicial Conference of the United States to Consider Standards for Admission to practice in the Federal Courts is presently called the Devitt Committee. This body was an outgrowth of the Claire Committee which was started by Judge Irving Kaufman of the 2nd Circuit to study the quality of advocacy in the second Circuit. Judge Lasker pointed out that where the Claire Committee started with the assumption that we need to improve the quality of advocacy in the federal courts, the Devitt Committee will decide if there is indeed a need for improvement in that advocacy.

Mr. Meserve firmly believed that we must change with the times and called for an extensive reexamination of our present system. He then addressed himself to the issue of who is going to judge the quality of advocacy.

In the afternoon there was a panel discussion entitled "Professional Responsibility in Government." The guest speaker was Ms. Jean Coon, Assistant Solicitor General of New York State. In addition, throughout the weekend, there were various seminars dealing with Placement and Consumer Affairs.

The conference was a thoroughly enjoyable and stimulating experience. I heartily encourage each and every law student to partake of *the various activities and symposiums that the Law Student* Division offers. The next Conference is the Annual National American Bar Association Law Student Division Conference, to be held on August 5 through August 10 in Chicago.

Mark Jaffe Challenges Gulf Oil

by Stuart Rosenthal

Mark Jaffe, a third-year student at Hofstra Law School has challenged Gulf Oil Corporation. He purchased one share of Gulf stock and submitted a shareholder's resolution which was considered at the shareholder's meeting this past Tuesday, April 19.

In essence, his resolution to amend the articles of incorporation would prevent the corporation from making any payments in any foreign country which are illegal under the laws of that country.

"Bribery is cumbersome, costly and generally harmful to business," Mark asserts in his statement in support of the resolution. The aim of this resolution is to remove the question of bribery from the discretion of Gulf employees. "Management would not be subject to threats or bribes since they would be able to point to the charter. . . "

Gulf Says Vote "No"

Gulf Oil Corp. has agreed with the statement of policy, but it opposes the resolution. The corporation asserts that it has taken action to correct the problem and "preclude illegal payments." Gulf states in the proxy statement that "the policy of Gulf Oil Corp. is to comply with the law in all countries in which it conducts business."

The company opposes the resolution on the grounds that "an amendment to the articles of incorporation is not an effective means of precluding" illegal payments. A spokesman for Gulf told the Investor Responsibility Research Center of Washington D.C. that the company saw the issue as how best to disseminate company policy to its employees.

The spokesman also noted that the company has already amended its corporate policy manual to include a revised section regarding compliance with the laws of foreign countries. There has also been prepared a code of business ethics which must be followed by all employees.

Mark indicated that while he had no objection to the implementation of this policy through the corporate policy manual, an amendment to the certificate shareholders to enforce a ban on illegal payments. It is his opinion that shareholders would be able to bring suit against the corporation more easily if violations of explicit provisions occur.

Gulf, a major international oil company, with primary sources of oil in the Middle-East, Africa, and South America, had revenues of $18.4 billion in 1976 and a net income of $816 million (an increase of $116 million in net income over 1975). Between 1960 and 1973 Gulf had maintained a secret slush fund which it used to make political contributions and payments to government officials both in the U.S. and abroad. Over a 14 year period, more than $12 million was sifted through this fund.

As a result of investigations by the Securities and Exchange Commission and the Senate Foreign Relations Subcommittee on Multinational Corporations in 1975 a 298 page report was filed with the SEC, the federal court and Gulf's Board of Directors which detailed political contributions made by Gulf during this 14 year period. Some of the contributions admittedly could be "deemed to constitute an infringement of certain provisions of. . . law."

The effects of these disclosures were an amended corporate policy manual and budget manual to incorporate more stringent auditing and reporting procedures. There were also several changes in senior management personnel.

Mark has accumulated more than 700 proxies in support of his resolution. He has received seven or eight letters from Gulf shareholders, including one hate letter which invited him to "return to Israel."

Why did he do it? "I wanted to get out of the law school syndrome of just going home to study, and apply something I had learned." Mark also had an ulterior motive. "Just for the fun of it. I wanted to find out how things worked."

BALSA Dinner Held

Saturday evening, April 2, 1977, the Hofstra Law School chapter of Black American Law Students Association held their First Annual Awards-Alumni Dinner. The objective of the awards dinner was to recognize and honor those students and faculty members who have made outstanding contributions to the minority community and toward the purposes of B.A.L.S.A.

This year, the student award was presented to Hofstra Law School's 2nd year student Brunilda (Sandy) Bayo. The faculty award was presented to Professor David K. Kadane.

In attendance at the dinner were many Hofstra Law School alumni and faculty members including Professor Okpaku and Professor Gregory. Among the guest speakers were: Hon. Bruce McM. Wright, N.Y. Civil Court Judge; Hon. John Carro, N.Y. City Supreme Court Judge and Ms. Inez Smith Reid, General Counsel, N.Y. State Division for Youth.

Opinion:

American Corporations and South African Apartheid

by Derrick G. Arjune

Twelve United States corporations, including the General Motors Corporation, International Business Machines Corporation and Mobil Oil Corporation, have agreed to adopt six principles designed "to end segregation" and "to promote fair employment practices" at their business facilities in South Africa.

The agreement is the product of prolonged discussions between a black clergyman of Philadelphia (Rev. Leon Sullivan) and high ranking executives of the corporations. The announcement comes in the aftermath of the violent Soweto uprising and mounting pressure on the South African government to change its racist policies. Because of the nature of the whole South African situation, one must question how effective the agreement will be in bringing about fundamental change in the inhuman conditions of the African worker in South Africa.

Principles

The United States corporations that have also expressed support for the implementation of the principles are the American Cyanamid Company, the Burroughs Corporation, the Caltex Petroleum Corporation, the Ford Motor Company, the International Harvester Company, the 3 M Corporation, the Otis Elevator Corporation and the Union Carbide Corporation. These are all large U.S. concerns with substantial investments in South Africa.

The employment principles contained in the accord are:

1. Non-segregation of the races in all eating, comfort and work facilities.
2. Equal and fair employment practices for all employees.
3. Equal pay for all employees doing equal or comparable work for the same period of time.
4. Initiation of and development of training programs that will prepare, in substantial numbers, Blacks and other non-whites for supervisory, administrative, clerical and technical jobs.
5. Increasing the number of Blacks and other non-whites in management and supervisory positions.
6. Improving the quality of employees' lives outside the work environment in such areas as housing, transportation, schooling, recreation and health facilities.

The corporations further agreed that where implementation of the principles requires a modification of present South African working conditions, they will seek to do so "through appropriate channels."

Effectiveness

On the surface, this agreement seemingly represents a step forward for the Black worker. But if one looks closer, one would discover that this agreement means absolutely nothing. Why? In the first place, these principles are broad (perhaps overly broad), with no directions as to what will be done and how it will be done. The agreement amounts to no more than political rhetoric in response to angry voices calling for change, real change, in South Africa. The agreement states that where necessary, modification of existing working conditions will be sought "through appropriate channels." What are these channels? Is it through negotiation with the deeply racist government? What is the role of the Black worker who knows best what he wants? Black workers in South Africa are being underpaid, exploited, deprived of basic rights to strike and to form trade unions, and along come some of the participants in these atrocities saying, "We will change working conditions through appropriate channels." Even the most trusting person has to be suspicious of such a situation.

Secondly, it is the corporations themselves that have been the greatest beneficiaries at the sufferings of Black workers. The cheap wages paid to Black workers enable the corporations to make greater profits; the deficient facilities (if any at all) reduce the operating expenses of the corporation; the more Black workers are driven like animals, the more money goes into the coffers of the corporation. In effect, as the situation of the Black worker gets darker, the ink of the profits on a corporate balance sheet gets darker. So why rock the boat, when the sailing is so smooth?

Thirdly, the agreement is too little and too late. The situation in South Africa has deteriorated to the point where piecemeal reforms will not work. As the recent Soweto, Capetown and other political uprisings show, the Black population is angry, determined and fearless. They want meaningful change, not just patchwork solutions. Hungry people will not be satisfied with morsels thrown on the floor. The agreement should be characterized as more "beer" for the Blacks. In South Africa, Blacks have almost unrestricted use of beer halls where they drink and forget about their plight. Similarly this agreement will supposedly give Blacks a sense of change by which they will become politically passive. The same thing was done before in other African countries (in the Caribbean, also) where the people were given "independence" and remained subjugated through hegemonial control of the economies. This kind of tactic will not work again, for oppressed people the world over are now familiar with it. Moreover, the revolutionary movement is led by sophisticated political activists.

Fourthly, the laws of South Africa expressly prohibit the adoption of the principles. No Black and White are allowed to drink together without a permit. No Black is allowed to supervise Whites. No Black is allowed to use the same transportation und health facilities as Whites. Blacks are in South Africa solely to serve the economy. They are viewed as cogs in the giant industrial machine. How will the corporations get around these laws? Is it by means of the ambiguous "through appropriate channels?" It should be noted that American corporations are required to uphold the employment laws of apartheid, and have been doing so in contravention of Equal Employment Opportunity (EEO) laws of this country.

Standard Oil of California has admitted that the company engages in employment discrimination: "Caltex South Africa's employment practices are governed by South African laws, and in the event of any conflicts between these laws and EEO practices the company must be guided by the former." (Letter to Father R. Powell of the National Council of Churches, from D. Maytum, Standard Oil of California, December 19, 1975.) So far, President Carter, the great human rights advocate, has not said anything about this situation.

The Multinational Connection

Since the Truman years, the American corporate investment in South Africa has grown from about $50 million to over $1.5 billion. The twelve corporate signatories of the agreement hold a significant portion of this investment, and they continue to invest. For instance, Caltex, a wholly owned subsidiary of Texaco and Standard Oil of California, recently announced a $134 million expansion of its Capetown (Milnerton) refinery. When completed, the refinery will double its capacity to 100,000 barrels a day. Mobil has an investment of $333 million and controls over 20 per cent of the market. Mobil also recently expanded its refining capacity to 100,000 barrels a day.

What is significant about this investment is the fact that oil is the one major resource South Africa does not produce. The country does produce some oil synthetically from coal. As is well known, oil is vital to an industrialized economy (until a better and cheaper source of energy is developed). Official sources have stated that "oil supplies are the very life blood of the army, navy and air force" which are the bulwarks of the oppressive South African regime. Because of the strategic importance of oil, all transactions between the government and oil companies are prohibited from disclosure under the Official Secrets Act.

In effect, Caltex and Mobil are now a part of the industrial-military complex of South Africa, and the country's main military objective is to maintain the oppression and enslavement of the Black population.

I.B.M. is playing an increasingly important role in South Africa as the demand for advanced technology increases and as the social situation becomes more volatile. Reports in 1974 estimated 1,000 computers in South Africa; 40-70 per cent were estimated to be I.B.M. machines. There were 254 known installations of which the majority were the highly advanced 360 series. I.B.M. does at least one-third of its business with the government. The Department of Interior (which administers prisons in which political prisoners, including Pass offenders, are kept) has computers. These prisoners number in the thousands, so it is conceivable that I.B.M. computers are used to keep records. The Department of Defense also has I.B.M. computers, of the 360-65 series which was used by the U.S.

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BAR EXAM ANXIETY

by Mark Birnbaum

Returning to Hofstra after taking the New York Bar Exam reminds one of the veterans of our nation's wars coming home at last, or at least until hostilities are resumed. There is constant anxiety over whether one will be thrust back into the battlefield, but at least there is a cease fire for two months.

A hero's welcome we did not get. We were met with curious glances, as if we had just stepped off a flying saucer. Like a boy going out into the world and coming back a man. Is it power or strength? No, just that we had met the unknown, that fear of every law student, we met the challenge head-on, the battle was won, but the victor has not yet been determined.

But let us go back a bit, to the time when we were just third year law students. Then the concern was which bar course to take. Once that was cautiously decided, the war was on. Pretapes, written materials, tapes, lectures; get as much as one can. Intensity is the name of the game, volume, quality, take it all in but make sure every word is understood.

After graduation, which is usually a time to celebrate, one realizes there is nothing to dance about—the worst is yet to come. So out comes the mass of notes and books collected over the past few months; your bar course materials, the competitors' materials, class notes, articles, etc. You must get it all to get a head start.

It will do no good to tell you that most of the above is an exercise in futility—you must find out for yourself. Once the course itself starts, the first thing you grasp for is that perfect schedule. You know, the one everyone who has previously passed followed. The one that if you follow, you will fall into a routine by which you have to pass. Study, review, lecture, or is it better to listen to the lecture, review and then study? Well, John did it this way and failed, so I'd better find a better way. But, how many hours should be put into each subcategory? Is ten hours a day too little? Maybe if I eat while reading, I will get an extra hour a day in. Do I dare go out Saturday night?

These are questions only you and your conscience can decide, after all, each step must be carefully rationalized. The weeks go on, and questions from your friends taking another course bombard you. What did Marino cover that Bar-Bri didn't? Bar-Bri spent two lectures on the law of the albatross and Marino didn't even mention it. Did Pieper cover it?

The lectures end, and the intensity has reached maximum heights. One must remember everything the lecturers had given emphasis to. It is amazing when one realizes that if there are only fifteen things to remember about each topic (that is, courses which we had taken for one or two semesters while in school), there are roughly six hundred such things to remember. That is of course excluding Irving's eighteen hours of do's and don'ts.

With only nine days left before the exam, a non-law-student friend will call you up and suggest you get together for an evening, nothing formal, have a few beers, have some laughs, you know, shoot the breeze. When you quietly explain that you are having trouble finding time to take a shower, and there is no way in this world that you will even stay on the phone two minutes longer, you are met with the following: "Oh stop it, you know you'll get an A," or "you did so much studying already, too much is no good either, it's better to take some time off and relax," or the best yet, "you did well on the SAT's, so I'm sure you'll have no trouble with this exam. . . you mean you already started studying for it?" Exasperated, as you hang up the phone, you debate whether to rip the phone out of the wall, but reconsider, hoping someone will call with a reprieve, or to tell you that you just got a $30,000 a year job in South Dakota, where 99.9 per cent of all those who take the Bar pass.

With three days left before the beginning of those two fateful days, your family and friends take on added concern that you will never regain your lost features. Those that are skinny become emaciated, and those who have problems watching their weight, don't watch it at all. Mom pleads with you to come home for some chicken soup, or even urges you to at least go to McDonald's, just so there is some type of substance within your body.

The last two days are the worst. You wonder where you were when the tapes were being played—your notes prove your physical presence, but somehow or other you just don't seem to recognize the words. Panic begins to set in. According to your last minute schedule of final review, you are now 348 pages behind, and haven't finished the CPLR notes. Sleep does not come easy, and when it does, you awake with such thoughts as, "What are the four counties that have a $6,000 jurisdictional limit?" You find yourself sleeping with the notes at your side. Facts get intermingled in your mind, and all of a sudden it's Monday afternoon, the day before!

The nervous among us check into a hotel, for fear of not showing up on time. There are of course those individuals who will take the LIRR and get into the city on a 5:27 A.M. train, but of those individuals there is a much higher rate of subsequent lunacy.

Monday night you must walk to the site of the exam, carefully checking your path, traffic, feet per minute, etc. You feel like getting on the first train to Albuquerque, but figure you might as well die the slow death fate had planned for you.

Before retiring, you glance at your 823 pages of notes, and again wonder why none of the 175 hours of lectures seeped in. You stare at the TV and wonder if you have the guts to turn it on. Sleep does not come at all, but you are afraid of taking any of the 16 varieties of pills you brought with you. You figure it's better to get no sleep,

(Continued on page 11)

Viewpoint:

Effects of *Brewer* and *Miranda*

by Wayne S. Leibert

On March 23, in *Brewer* v. *Williams*, the United States Supreme Court declined to overrule the landmark 1966 *Miranda* decision—the ruling which has been most severely criticized by law enforcement officials.

The Iowa case of *Brewer* v. *Williams* involved the particularly heinous murder of a 10-year-old girl. The defendant Robert Williams turned himself in on the suggestion of a lawyer. He was then driven by the police from Davenport, where he had surrendered himself, to Des Moines, where the crime had occurred. The police promised the lawyer that they would not question Williams during the trip. But despite that promise, the defendant was questioned and gave incriminating statements. Williams was then convicted, partly on the basis of his statements.

In a 5-to-4 majority, the Court ruled that Williams had been denied his right to meet with a lawyer before talking. Justice Stevens in a concurring opinion stated, "The state cannot be permitted to dishonor its promise."

Twenty-two states, including New York, tried to turn the Iowa case into a test of *Miranda*. However, the Court did not consider the *Miranda* issue. Instead the Court based its decision on other precedents, particularly *Massiah* v. *United States*, and the "exclusionary rule" under which evidence is excluded if obtained in violation of a constitutional right.

The *Miranda* decision provoked an immediate rash of comment from law enforcement officials and commentators about the role of interrogation in law enforcement. Most law enforcement officials believe that interrogations are essential to effective law enforcement and contend that the warnings substantially hamper their activity.

However, the value of confessions to law enforcement personnel has been grossly exaggerated. Many commentators believe that most cases can be solved by other investigative techniques. Several empirical studies, such as the Yale study in New Haven and the Seeburger and Wettick study in Pittsburgh, have tried to trace the impact of the decision on interrogation procedures.

The New Haven study concluded that *Miranda* has had only a slight impact on law enforcement. New Haven police rarely made arrests without substantial evidence, thus limiting the importance of the confession. Even where the *Miranda* rulings were given, the impact was slight because the police continued to question suspects and get statements.

In the Pittsburgh study, although there was a significant decline in the cases in which confessions were obtained, the conviction rate has not declined. As the evidence indicates, the rate is higher because the police now rely on evidence that will stand up more firmly in court.

The *Miranda* decision has not hampered law enforcement as its critics said it would. There is no flood of requests for counsel and no decrease in the amount of "talking." The decision could only have had an impact on perhaps 1 percent of the cases, with "plea bargaining" determining what really happens to the defendant.

Confessions are not important for either solving the crime or obtaining conviction. Most police departments, with improved investigative techniques, are relying less on the confession now than they did 15 years ago. Many detectives realize that *Miranda* has not handcuffed them, as they are still receiving statements after giving the warnings.

Chief Justice Burger, one of the dissenters in the *Williams* case, called the decision "weird" and "bizarre" and openly attacked the "exclusionary rule." He said that the rule was punishing the public by excluding good evidence because a policeman had made a mistake.

However, the exclusionary rule is an essential tool to deter questionable police practices. Because of it, the police now do concern themselves more with the rights of the accused. Our system of justice demands that the constitutional rights of even one citizen are deserving of all possible protection. In the constitution there is not one sentence that

(Continued on Page 10)

CAVEAT EMPTOR

STALKING THE WILD PASTRAMI

by Vicki Lindgren

Everyone gets the "munchies" at some time or another—that gnawing craving for food (usually junk food, but not necessarily) that leads people to refrigerators, midnight delis, and secret stashes of Twinkies and Fritos. Now that the exam-cram neurosis is beginning to set in, students who normally may have time to satisfy their cravings with gourmet concoctions, i.e., Hamburger Helper, Quiche Lorraine, and Campbell's Chunky Soup, may not have the time. Thus, that leaves the proverbial greasy-spoon or fast-food chain alternative, which may in turn leave some undernourished and over-fed.

In the interest of keeping people well-fed, or at least not-hungry, a casual tour of some of the delis and eateries in the area was conducted. Some of the recommendations which follow are based on personal experience, and others on the advice of other equally cellulite bound, orally-fixated people. At any rate, some of the best "eateries" in the area include:

Brodie's Kosher Deli, 1520 Front Street, East Meadow (near Food Fair).

The specialty in this shop is definitely Kosher Hot Dogs which sell for 60 cents each (including tax). People who know what good Kosher hot dogs taste like, really enjoy them. (Being both a schicksa and a sometimes Vegetarian, I had to take other people's word for it). One person said, "The hot dogs at Brodie's are so good you could plotz." Another specialty are the knishes, which are not at all greasy, and cost only 60 cents each (including tax).

The take-out menu includes such favorites as brisket (a sandwich costs $2.16, including tax), and there is also a sit-down menu. The manager said, "We have very good boiled beef flanken." "What's a boiled beef flanken?" I asked. "If you wanna know, you've got a problem," he replied.

The hours: 9 A.M. to 8:30 P.M.; restaurant part starts serving at 11:30 A.M.

International Deli, 483 Bellmore Avenue, East Meadow, 486-9058.

If there is such a thing as a deli being impressive, this is it. It is the Bloomingdale's of the delicatessen circuit to be sure, with such specialties as fresh coffee beans (from various nations), spring water, exotic teas, and aromatic, i.e., "smelly" cheeses. The prices are surprisingly reasonable too; a roast beef hero is only $1.75; yogurt sells for 45 cents and knishes are 45 cents. The coffee, which tastes like real coffee, is 35 cents a cup.

(Continued on page 10)

EDITORIALS

INTEGRITY

While huge Gulliver slept, the tiny Lilliputians threw filament and filament. When they'd finished their well-engineered net, the aspiring giant lay paralyzed. The many inroads made by the University administration upon Hofstra Law School's integrity will, after it has formed its fiscal fabric, prevent us from rising.

The interests of the University are clearly in the generation of revenue; this Law School does precisely that. A narrow view sees that it will continue to do so, for while its seats are filled, and, with lower standards, a dullard's bottom brings as much return as any other sort. Why not simply remove the Maverick Dean and his stamp of quality? Surely the supply of bottoms will not dwindle.

The answer is surprisingly simple but apparently elusive to those who can now help us (and themselves) most.

In this era, which follows the post-war baby boom, the academic institution with little to recommend it must begin to look towards a policy of student recruitment rather than fiscally comfortable candidate selection. Our Law School's prestige and national reputation can only ensure long-term stability and incoming revenue to both parties involved as its stature publicizes Hofstra University as a whole.

If the Shuart-sighted tactician will see only the immediate battle, refusing or unable to contemplate the larger panorama, he works to our mutual detriment. Intelligent appreciation of the situation can only lead to the realization that a dissident Dean and a Law School possessed of its integrity are vital to the University's present and future health. Hofstra University cannot afford to tarnish its brightest jewel.

NO LOVE POEM

And now an ode to President Shuart
Who did what he shouldn't and so is caught
With double-dealing ways and money-myopia,
Republican leanings, a veritable cornucopia
Of bureaucratic bumblings and total ineptness
He, to the Law School, owes severe redress.
He yearns for revenue (his lust and frustration)
But cares not a wit for our good reputation.
Not seeing that funds come from the scholars
He stupidly separates quality from dollars.
Whispering, reneging, and insulting students
A distant concept to him seems prudence.
His backroom fighting and maneuverings obscene
Have led to the end of our excellent DEAN,
Who's stood on ethics and academic morals,
Not lying or perpetrating partisan quarrels.
We need autonomy, that's easily evident.
End your foolishness, short-sighted President.
And if this poem seems less than kind,
I'll moderate my tongue when you change your mind.

by Bingo Knightly

LETTERS TO THE EDITOR

Dear Editor,

Have you looked around the school lately? It's changing, but not for the better. Perhaps we should rename it Hofstra Country Club, for the social scene is in full swing in the library. Or, perhaps we should rename it Hofstra Dump.

The University has cut back on maintenance services and the students have accelerated littering, spilling coffee and stamping cigarette butts on the floor (only inches away from trash receptacles).

The ethical standards of the school's populace are also deteriorating—fast. Books are "ripped off," pages are razored out of Reporters, and cheating is on the increase. No one in this school gives a damn anymore—not the administration, not the faculty, not the students. If they do care, there's little evidence of it.

Whatever happened to open forums with the Dean? Whatever happened to use of the library as a place of study and research rather than as a social hall for faculty and students alike?

Whatever happened to a sense of responsibility in meeting deadlines for submission of papers and briefs, to upholding the no smoking rules in classes, to furnishing an effective placement service for the Class of 1977?

I am thoroughly disgusted. If Hofstra wants to make a name for itself, it certainly is going about it in the wrong way. At the rate it's progressing, in five years it'll be gone.

Aloysius

Dear Editor:

In last month's editorial concerning the student representatives a somewhat snide question was raised concerning the whereabouts of the women's law journal. There was an implication that the money allocated for the creation of a journal was somehow being wasted. Those of us who have spent the last six months working towards producing a journal of women's legal issues for national distribution resent the editorial's careless slur on our efforts. It seems to us that a student newspaper has a responsibility to find out what is happening in the school before it makes that kind of comment.

If a publication is to be useful to attorneys, legal workers and law students, time must be spent doing thorough groundwork. We have received national attention in our efforts to solicit good articles for the journal. We have attended regional and national conferences at Yale, UCONN, and the University of Wisconsin as well as in the New York City area.

There is a great deal of interest outside the law school in this publication. Already requests have been received by such institutions as the Schlesinger Library at Radcliffe College, the University of Detroit Law School and the ACLU Women's Rights Project. Offers to write articles have been received from law students and lawyers all over the country.

Unfortunately, we cannot say the same for interest by those in the Hofstra Law School. We challenge those students interested in women's legal issues to become involved.

The first issue will be published next fall and there will be a meeting soon for all students interested in joining our staff.

Janis McDonald, Pat Arthur
Cele Gardner, Alice Gianni
Deborah Moritz, Gloria Gilman

Editor's Note: The question we asked was neither snide nor careless. What has happened to the Women's Law Journal?

It was represented to this newspaper that those representatives of the journal requesting money at the budget hearings last November had already accumulated material and were nearly ready to go to press. It was also our understanding that this was a prime reason for the allocation's being granted.

If publication is not to be until next fall, why was it necessary to take $2000 from this year's budget? There are over two hundred third-year students who subsidized this publication who will not be here next fall to see it, and an entering class of the same size who will have contributed nothing and will directly benefit.

CONSCIENCE welcomes this letter as a means of informing the students and community at Hofstra Law School of the progress of the Journal.

Dear Editor:

I find myself in a distressing situation: the dean of my law school has just resigned. Because I am a third year student, this circumstance is less unsettling for me than for first and second year students. However, I am also in a unique position which has led me to write this letter: this is the second time in my law school career that the dean of my law school has resigned. When I was a first year student at Syracuse University College of Law, *Dean Judith Younger decided that she could* no longer resolve her differences with the university administration.

I can well recall how betrayed I felt when Dean Younger resigned. The facts surrounding Dean Younger's resignation differ substantially from those surrounding Dean Freedman's; nonetheless, there is an important common ground. The basis for both resignations is the commitment of the deans to excellence in the law schools. As I see it, no student should feel betrayed by the dean's decision.

We are all fully aware of Hofstra Law School's rapid growth and improvement. Unless the law

(Continued on page 9)

CONSCIENCE
The Hofstra University School of Law Newspaper

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"Asking You to Ask Yourselves"

American Bar Association Class A Category 1st Prize, 1974
Law Student Division, Best Law School Newspaper

Stuart Rosenthal
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CONSCIENCE is the official publication of the faculty and students of the Hofstra University School of Law. While CONSCIENCE is published with the approval of the School of Law, it does not necessarily reflect the opinions of the administration of the School or of Hofstra University.

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.

CONSCIENCE is distributed free of charge to all students, faculty, and administrative personnel of the School of Law. Subscriptions are available to others at a cost of $5 per year. CONSCIENCE is published every four weeks, from September to May.

Hillman Memorial Est'd.

The student representatives have announced that a permanent memorial to the late Professor Herman Hillman has been established. They have allocated money to be deposited in an account, the proceeds of which will be awarded annually to a student who has demonstrated outstanding achievement in the area of Housing and Urban Development.

This memorial is separate from the tentaively planned gift from the third year class. Several third year students are working on the proposals discussed at a meeting some weeks ago. These proposals include a portrait and a section of the library to be set up and maintained for study in the areas in which Professor Hillman taught.

Details of both these proposals, and the fund set up by the student reps have yet to be worked out.

Conscience Deadline April 29th, 1977

LETTERS

(Continued from page 8)

school has the financial means and the autonomy to continue to improve, all past effort will be wasted. Without continued and effective fundraising, without a commitment to seeking—and paying for—an excellent faculty, what happened at Syracuse will happen here. That school had a fine reputation at one time. Unfortunately, the university administration determined that there were vast numbers of applicants seeking to attend law school and even a mediocre school would be filled with students. So, the thinking went, why expend the money and effort to have an excellent school when a middling to poor school will do. As a consequence, during my first year, the facilities were inadequate to accommodate the number of students; the building was in a state of disrepair; it was impossible to find a seat in the library and equally impossible to speak to a professor outside of class. Either the professors were poorly paid and apathetic, or they were poorly paid and too busy with private legal work to be able to spend time with their students. Whatever the cause of the inaccessibility, the students were short-changed. By the time Judith Younger resigned, Syracuse's good reputation had declined drastically.

Dean Freedman has taken a strong measure to prevent any such deterioration from occurring at Hofstra. He, too, has been confronted by an administration that has evidenced a lack of commitment to excellence in its law school. What choice was open to Dean Freedman? He could have quietly acquiesced in President Shuart's actions and left in a year when his five-year contract as dean expired.

Dean Freedman's efforts are known to be largely responsible for whatever reputation Hofstra Law School now enjoys. If the school were to decline in the future, Dean Freedman would have appeared blameless. But in truth, if Dean Freedman had allowed the university administration's actions to go unchecked and unnoted, he would have begun the process of compromise and decline. There is no compromise in a commitment to excellence. Partisan politics cannot be allowed to undermine fund-raising efforts. Nor can salary disputes be resolved in a shortsighted fashion. Any actions by the University president or the administration which indicate a feeling on the part of the university that the law school has come far enough, that improvement is no longer necessary, must be brought to light and thwarted.

By resigning, Dean Freedman has made public the conflict between the interests of the university president and the interests of the law school. Dean Younger attempted to do the same thing; but she was the fifth dean in five years and by the time she acted, a great deal of irreparable harm had already occurred.

Despite the fear and insecurity all of us, especially first and second year students, feel as a result of the resignation, we are not betrayed. Dean Freedman has not bailed out of a difficult situation. If he had been silent, and had quietly left amidst accolades a year from now, the university would have successfully undermined the law school's efforts to improve and to become stronger. Dean Freedman's successor would have found himself or herself in a weaker position in the future, both with respect to his or her ability to act autonomously and with respect to bargaining power over salaries.

The dean's action puts us on notice, puts the alumni and faculty on notice, and puts his successor on notice. We might have felt more secure if we had remained ignorant of the threats to the law school's quality, if he had not rocked the boat and forced us to be aware of the problem we face. But four or five years from now, we may find ourselves with degrees which we were not proud of.

To counter the university's disinterest and these problems, I have no solution. But I suggest that we seek a strong and independent individual to succeed Dean Freedman, someone who will be equally dedicated to the quality of Hofstra Law School.

Stacey Moritz

NEW LAW GROUP PREVIEWED

by Arthur Schwartz

On Wednesday, April 13 a leaflet was distributed in the Law School entitled "Support Dean Freedman." This statement was signed by an organization calling itself Lawyers For the People. Many students expressed curiosity over what the Lawyers For the People is and why it was concerned with the current situation at the Law School. Here is a brief answer to those questions.

Lawyers For the People is an organization of lawyers and law students in the New York-New Jersey area. In actuality, those involved were not planning on going public until sometime in May. Since several Hofstra students have been involved in the group it was felt that this was as good a time as would exist to make a statement.

Lawyers For the People hopes to build an organization of legal people who can act as a progressive social force. Lawyers and law students who are concerned about many of the pressing issues in our society find themselves with no vehicle through which they can act as lawyers about these issues be it by contributing their legal skills or by expressing their collective voice., Organizations like the National Lawyers Guild, with all its "left" posturing, do not offer such a vehicle. We are starting here in New York but eventually hope to link up with many others throughout the country.

We feel that the issues here at Hofstra surrounding Dean Freedman's resignation are important and demand attention by all the students here and by all members of the legal community. We feel that our fight for a quality and progressive Law School is linked with many struggles going on in our country against the effects and the solutions being offered to our country's economic crisis—solutions which we think are wrong. Here at Hofstra, while we believe maintaining the existence of the entire University is important, we do not agree that it must be done at the expense of the students in the Law School or by the sacrifice of our Law School's quality.

We hope next year to function at the Law School as a student group. Anyone interested in finding out more about what we are doing should contact Arthur Schwartz at (212) 569-4684 or Floyd Sheeger at (516) 485-6014.

Poetry Corner

Query?

There is a new virus
Called examitis
It "hits," so they say,
In December and May.
While only a few
Come down with this flu,
Others have grandparents who die.
Could it be that they possibly lie?!?

Forced to this question
By multiple deaths,
The shocking conclusion
Is probably yes!

Erica Minda

Law Review Editors Elected

The editors of **CONSCIENCE** join the entire Law School Community in congratulating those students recently elected to the Board of Editors of Volume 6 of the **Hofstra Law Review**. We are certain that they, and the entire staff, will perpetuate the fine reputation of that publication. There follows a list of the chosen few: Editor-in-Chief: Scott M. Himes;

Managing Editors: Susan A. Mills, Neal R. Platt;

Articles Editors: Joan A. King, Carol A. Lieb;

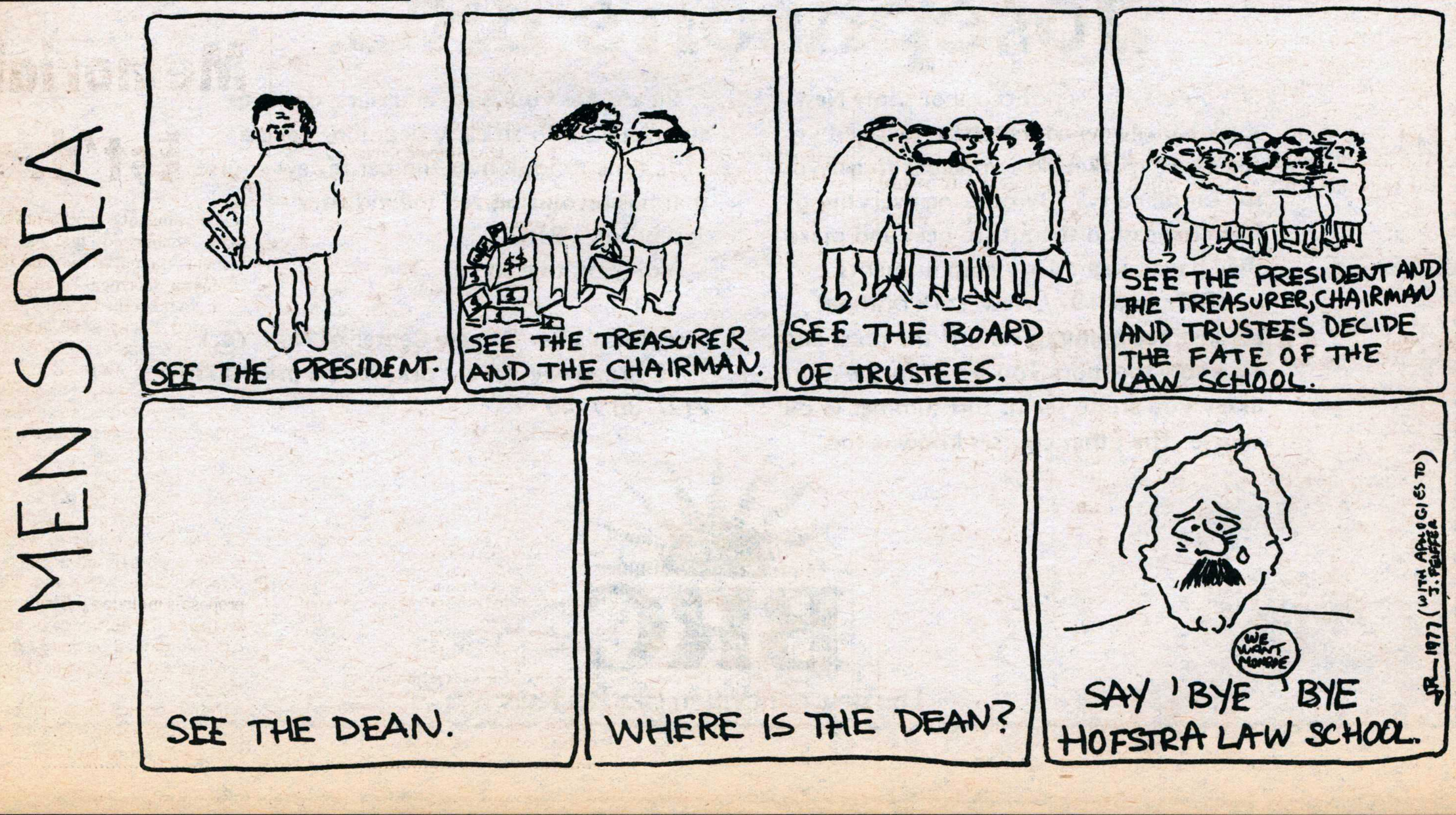
Articles & Book Reviews Editor: Nancy B. McAllister;

Recent Developments Editor: Renee G. Mayer;

Notes & Comments Editors: Steven M. Cohen, Terri S. Feinstein, Julie D. Fay, Sara Sill;

Research Editors: Sanford M. Adler, Roberta Bender.

REMINDER:
Pres. Shuart Will Speak With Law Students In The Moot Court Room 9:00 A.M., Friday, April 22



The film

Scream Quietly or the Neighbours Will Hear,

the story of the Shelter Movement for Battered Women in England, will be shown Tuesday, May 3, 8:00 P.M., at the Student Center Theatre. Donation $2.

Sponsored by Hofstra University Women's Center and the Coalition for Abused Women.

For tickets or information, see Nechama Masliansky, Room 031.

Brewer and *Miranda*

(Continued from page 7)

declares that the rights be guaranteed to all except the suspects of a crime. Any society that does not provide safeguards is not providing a fair system of justice.

Where illegal methods are used, the police are endangering society as much as the criminal. Police must learn to obey the law while they are enforcing it. Justice Brandeis stated many years ago that "to declare that in the administration of criminal law the end justifies the means—to declare that the government may commit crimes in order to secure the conviction of a private criminal, would bring terrible retribution." When we exclude good evidence in a few celebrated criminal cases, we shock the police into following procedural fairness.

The discourse over the proper limits of police action and the Supreme Court rulings drains most of our energy and emotion which could be more constructively used to reform the criminal justice system. Instead of improving the judicial machinery, we debate whether the *Miranda* decision should be reversed. To solve the crime problem we must focus on the real issues confronting the criminal justice system. We must raise police standards, allocate more money in the right places and reduce the caseload. It is a certainty, however, that narrowing the rights of the accused is not the solution.

Wild Pastrami

(Continued from page 7)

The salads, which taste fresh, are also reasonably priced.

The employees in this establishment are also very obliging, and never say such things as "Yeah, whata ya want?"

The hours are: 7:00 A.M. to 10:30 P.M.

Johnny's Deli, 432 Uniondale Avenue, Uniondale, 538-3939.

"Special of the day" is the best feature of this deli. Each day, a different knid of sandwich goes on sale (e.g., tuna salad, egg salad, shrimp salad). The food ranges from average to above average, but this is the sort of place that people seem to go for convenience rather than taste. The location is very convenient, which might be a help for bus students. The hours are: 8 A.M. to 9 P.M.

Dino's Pizzeria, 548 Newbridge Avenue, East Meadow.

When you eat pizza from Dino's pizzaria, you **know** that you are not staying on your diet (presuming you are on a diet), because it is so full of cheese and sauce. This is definitely one of the best pizzerias in the area, and worth traveling for. My Italian grandmother loved the calzone (a small one sells for $1.00), and everyone seems to love the pizza (which sells for $3.25 a pie). The owners of this place are very Italian and don't seem to understand English too well; once I called up and said, "I'd like to order a pizza pie," and one of the owners thought I said, "I'd like to order a piece-a-pie," and it caused subsequent confusion.

When you order a pizza, there is usually only a ten-minute wait (and, if you use an Italian surname, the wait is only about eight minutes). The hours are 11:30 A.M. to 11:30 P.M., 7 days a week. And yes, it's better than Borelli's.

Jim's Deli 926 Front Street, Hempstead.

Everyone goes to Jim's Deli—perhaps Hofstra students even keep it in business. A poll was taken, and the followibng items were voted most popular: pickles, 30 cents and 40 cents, Pastrami Heroes ("We feature those," said an employee), $1.00, Roast Beef sandwiches, $1.35.

They open every day at 6:00 A.M. and stay open until 10:30 every night except Tuesday and Wednesday. This is definitely the most convenient place to eat, excluding perhaps **Joe's Bar and Grill** (almost directly across the street), although I wouldn't know about the latter establishment.

Needless to say, there are many other popular places to eat in the area, including **Blimpy's** on Hempstead Turnpike, and **Jack-In-The-Box** , **Roy Rogers** and **McDonalds** et al. Hoewever, the reputation of these places speak for themselves.

Anyway, **bon appetit** and remember: there's always room for Brioschi.

APRIL SEMINARS OFFERED BY ADVANCED PRACTICE INSTITUTE

Hofstra's Advanced Practice Institute (API) will offer special programs in April for practicing attorneys in changes in the immigration law, and secured transactions.

The programs are part of a series designed for the continuing education of lawyers aimed at bringing them into contact with experienced specialists who can provide insights into the latest developments in specific aspects of the legal field.

Changes in the immigration law will be offered on Saturday, April 23 from 9:30 A.M. to 1 P.M. The faculty will include Howard I. Cohen, Immigration Judge, Department of Justice, Immigration and Naturalization Service; Edward Dubroff, former President, Association of Immigration and Naturalization Lawyers; Ira Fieldsteel, Senior Immigration Judge, Department of Justice; and William Fliegelman, former Chief Immigration Judge.

"The new federal immigration law," Professor Burton C. Agata, Director of the Advanced Practice Institute, said, "and the likelihood of more intensive enforcement will certainly present problems for practicing attorneys and their clients, particularly those who employ aliens. Our special program will feature experts in the field who will explore the new law and discuss the following:

"The adjustment of status to permanent residency in the United States for aliens from the Western hemisphere.

"The effects of illegal employment on becoming permanent residents of the United States.

"The availability of visas for members of the professions."

On Saturday, April 30 from 9:30 A.M. to 3:30 P.M., Hofstra's Advanced Practice Institute will present a special program on secured transactions covering problems related to chattel mortgages, equipment leases, conditional sales contracts and other types of security interests in personal property.

Faculty for the secured transactions program include Malachy T. Mahon, Professor of Law and former Dean of the Hofstra Law School and a former clerk to Mr. Justice Tom. C. Clark of the United States Supreme Court; Sheila Rush Okpaku, Professor of Law at Hofstra, an authority on the consumer credit field, and former Director of New York's Community Law Offices; and Alan N. Resnick, Associate Professor of Law at Hofstra, an authority in commercial transactions and bankruptcy law, and counsel to Keiko & Bush.

Registration forms and other details about the three April programs for practicing attorneys may be obtained by writing to Professor Burton C. Agata, Director, Advanced Practice Institute, School of Law, Hofstra University, Hempstead, New York 11550, or by calling (516) 560-3850. Third year students are eligible to attend the program for a $20 and $25 respectively, in the two above-listed meetings.

South Africa

(Continued from page 6)

airforce in Thailand to coordinate bombing assaults. Other South African agencies, like the Council for Scientific and Industrial Research—responsible for research in strategic fields—and the Atomic Energy Board, have computers. It is true to say that I.B.M. has become part of the military machine of South Africa putting the corporation squarely in opposition to Black interests.

The interlocking interests of these corporations and the South African regime can conceivably draw the United States into a major conflict if one erupts in that already explosive country. The United States government has not acted affirmatively towards stopping this inevitability.

Fundamental Change

South Africa needs fundamental change in its society—change that goes to the very roots of that society. It is only when the Black can obtain a proper education, when the Black can have adequate housing, play and entertain in dignity, and pursue any goal or objective that he seeks, that change will have come to South Africa. Central to this fundamental change is one man-one vote. Not only are the lives of Blacks involved in this intolerable situation but also the lives of Americans who may be forced to defend America's huge interests in South Africa.

Bar Exam

(Continued from page 6)

than sleep through the exam. And then, the phone rings, "Good morning, it's 7 A.M. and the birds are chirping, have a nice day." That's easy for you to say, lady, but it's not going to be so nice for me.

Everyone has been telling you how important it is to get a good breakfast, but somehow your stomach doesn't agree, and you settle for a glass of juice. Lucky for you, however, that you had timed your walk, because you are now experiencing a feeling which tells you that you have exactly three minutes to get to a bathroom or you will feel most uncomfortable. So you make a mad dash back to your room, and watching the time, emerge relieved and start once again for the test.

Upon turning the last corner, you are shocked at the sight before you. There are literally thousands of people, swarming at the doors, banging to be let in. You recognize some from your bar course, some classmates, some former fellow students who are here for a return engagement, and even some friends you hadn't seen since high school. Some are carrying their review books, others have notebooks, and some are discussing the law as it relates to life. You don't want to get too close to the masses, but you are drawn in and as you get closer, the pressure builds and you realize not everyone will be passing. You feel like fleeing.

The examination itself is an experience which I don't want in any way to lessen. You have gone through twenty years of schooling just to have the privilege of sitting for those two days, and for me to discuss that experience in depth would be to deprive you (similar to the feeling you would have if you were just finishing an 850 page novel, you were on page 825, and someone came along and told you the ending).

However, some comments are appropriate. After first being given the exam at 9 A.M. many thoughts run through your head. You wonder if you can get your old job on the loading dock back again, if it really means that much giving up your waiter's job, if people were meant to go through so much suffering. You get upset at the sound of the marching band outside, playing Sousa, while you're trying to think Mahon and UCC. You wonder if Younger will accept a long distance call from the men's room, and repeat a specific part of his CPLR lecture.

You look around and wonder why everyone seems to be writing five pages on a question you finished in six lines. As you leave the room between sessions, you are met outside with the huddled masses, only they are, yes, folks, just like at good old Hofstra, discussing the questions. You hear cries, shouts, curses and some of those people get so upset you don't see them at later sessions. They sacrificed themselves in the name of at-

(Continued on page 12)

Law Review Qualifications

The **Law Review** writing competition for first year students will be held from May 20th to May 27th. The reading packet will be distributed on May 20th, from 4:00 to 5:00 P.M. It will include full instructions. The competition will entail reading the prepared materials, and writing a brief analysis of the issue presented. There may be a small charge to cover the costs of printing.

Law Review membership will be offered to:

1) students who rank in the top 5 percent of the first year class;

2) a selected number of students based on the writing competition alone;

3) students ranked on a combination of grade-point average and the writing competition score whereby grade-point average is weighted 60 percent and writing competition score is weighted 40 percent.

All first year students are encouraged to participate. Please feel free to come into the **Review** office or speak to any board members individually if you have any questions.

A member of the class of 1978 or 1979 may obtain Law Review membership by submitting a pub-publishable article. The article may be in the form of either a Comment, see, e.g., 5 Hofstra L. Rev. 167 (1976), or à Case Note, see, e.g., 5 Hofstra L. Rev. 199 (1976).

Members of the class of 1978 must submit articles for membership by Monday, September 5, 1977. Articles received thereafter will be considered for publication but not for membership. Members of the class of 1979 may submit articles for membership by publication until the fall of their third year.

Last year, of the nine articles submitted for membership by publication, none were accepted. Two articles were submitted for publication only, and of these, one was accepted.

Submission Procedure

All articles, whether submitted for membership or publication, must be submitted anonymously. Authors should refrain from discussing their articles with members of the Board of Editors to preserve this anonymity.

Six copies of the article should be submitted to Inge Klomm in Room 202. A cover letter including the title of the article and the author's name and address must be attached. All correspondence concerning the article, by both the author and the **Review**, will be handled through Ms. Klomm.

Periodically, a list of topics currently being written on by **Review** members will be given to Ms. Klomm. Those interested in writing for the **Review**, therefore, should consult this list to avoid duplication.

"Publishability"

For an article to be publishable, it should meet these minimum standards:

The topic should be one of general legal interest, and must be timely. Cases for Case Notes must be recent in view of the lapse of time between submission and publication. The case should have been decided no earlier than two to three months prior to submission of the article.

Publishability requires more than a mere summary of existing law and commentary in the area. Submitted articles must be original and must contribute to legal scholarship on the topic.

The research must be thorough, and the footnotes must thoroughly substantiate the propositions set out in the text. Precise Bluebook form must be followed and used in both text and footnotes.

The article must be cogently, effectively, and concisely written and organized.

Past experience has shown that excellent course papers are not necessarily publishable. Generally, such papers need substantial reworking to be publishable.

Please consult recent issues of the **Review** to gauge whether your article is potentially publishable.

Disposition

Each article submitted will be read and voted upon by the Board of Editors. If anonymity is breached, the board member(s) aware of the applicant's identity will be obliged to withdraw from voting on that article.

An affirmative vote of two-thirds of the voting board is necessary to accept an article for publication.

Decisions will be made by the board within six weeks of submission. Authors will be notified of the dispositions by Ms. Klomm.

Bar Exam, Cont.

(Continued from page 11)

tachment, which they hadn't noticed on the exam.

After it's all over, you run, do not walk, away from everyone else and head for the nearest bar, for medicinal purposes only, of course. From here you might head home, or stick around to celebrate, only it will not be what is expected. It's anticlimatic, just like taking your last final. You don't know if you'll have to do it again. You are relieved and start becoming a religious person, praying for your just rewards, or maybe a little better.

But then the fun begins. You meet your friends, schoolmates, prospective employers, etc., and the first question asked is "How was It?" Oh, you'll answer honestly to the first sixty or seventy people, but then you get a little annoyed and answer, "it was great, I had so much fun I'm going to do it again real soon." In actuality, it was like going to hell, only to have Lucifer say you must come back three more times, one time equals one test session.

You remember Irving's words, have confidence tempered with caution, and wonder whether it applies to after the bar also. And you wait, and wait. And all the world sees the results at the same time you do; after all it's the whole world's business how you did. But no one who ever passed will complain, and do those who fail have standing? Or is the situation moot as to them? Is it UCC 2-203 or RPL 67-40? Was that CPLR, or the Restatement? At least law school trains your mind, even if you don't become a lawyer—isn't that what everyone says?

Well, I must get to work now. To all those taking the Bar in July good luck. If you are ordering lunch and I am your waiter, look up, smile, and leave a big tip!

BALSA LAW DAY

On Saturday, April 2, 1977, B.A.L.S.A. of Hofstra Law School sponsored a Law Day at Hofstra Law School. The purpose of the program was to introduce minority students to what the law school experience is all about.

Among the activities during the six hour program were: a simulated law school classroom lecture; a skit based upon a hearing at the Family Court dealing with juvenile delinquency; various workshops on financial aid and the requirements and preparation of law school application forms; and a film and discussion on prisoner rights.

At the completion of the program, representatives from several law schools in the metropolitan area including Columbia, N.Y.U., Rutgers and Seton Hall distributed school bulletins and advised those in attendance as to what each of their law schools had to offer a perspective minority student.

The entire program was very successful, with over 25 people in attendance. B.A.L.S.A. intends to have another Law Day in the future, in their attempt to increase the development of sound, well-organized programs to reach the needs of the minority community.

Life, Not Logic, Is The Essence Of Law

by Neil Weinrib

Law students are a precocious lot, always too willing to demonstrate their legal prowess and expertise to whoever will listen. We never hesitate to play lawyer and act as a general advocate to our family, friends and even strangers. It seems that once we've made it through a semester of law school, no problem is too complex to tackle.

Why just the other day I was walking through downtown Hewlett on my way to the bank, when I happened to notice a police car parked alongside a small child who was sitting on his bicycle. The cop then emerged from his car and proceeded to closely scrutinize the bike as if it were an article of contraband.

The inquisitive person that I am, I drew closer to the scene to observe what this was all about. Apparently the cop was checking to see if the bike was stolen. In addition, he was explaining to his "suspect" that the bike was lacking the reflectors that are required as safety devices by state law.

I naturally felt sorry for the bewildered kid who obviously was experiencing his first confrontation with the law. Without much deliberation I decided that it was my obligation and duty as a future member of the bar to defend this possible juvenile offender. Into the burgeoning conflict I charged, ready to balance the scales of justice, willing to aid the oppressed.

"Kid," I said. "Do you know that this police officer is subjecting your bicycle to an unlawful search and that he has no probable cause to stop and frisk you?"

My client-to-be looked at me rather blankly and replied, "Huh, Mister. What are you talking about?"

"Just listen *to* me," I said. "You are now experiencing what is commonly known as a custodial interrogation. This is a critical stage of the criminal process and you have the right to be represented by competent counsel. So here I am."

The cop, meanwhile, was utterly furious and told me to get lost or he'd run me in for obstructing justice. The fire in his eyes clearly indicated that he meant business.

"But officer," I continued. "I am a third year law student at Hofstra Law School, that relatively new academic paradise which is rapidly becoming recognized as the Amherst of Long Island. I am only seeking to assist this poor, helpless lad who is being victimized by apparent police misconduct. He should be made aware of his rights."

"Kid," I said. "I am offering you cut-rate legal services at a fraction of the regular price. It's a great deal. I'll get you out of this mess. Just trust me. After all, I've had almost two semesters of criminal procedure with Marina Angel. She taught me all about mens rea, actus reus and **Miranda.**

"Officer, my client is going to invoke his Fifth Amendment privilege. According to **Miranda,** he has the right to remain silent and to be informed of the charges against him."

The kid didn't even have a chance to answer. I quickly took the offensive and skillfully presented his case while he chewed on a wad of Bazooka gum, casually blowing huge pink bubbles.

The cop was beside himself and didn't know quite how to react. I saw his hand reach for the billy club attached to his utility belt and tried to restrain him from resorting to violence.

"Violence never solves anything," I said. "Let's be reasonable men and discuss this thing in a mature fashion."

Fortunately, the kid came to my defense. "Officer," he warned. "I will not hesitate to charge you with police brutality if you so much as lay one finger on my distinguished lawyer." The cop backed off and I made a fast exit towards the bank, confident that I had represented the kid to the best of my abilities. I only wished that I could have had available the supplement to the Crim Pro casebook. Then I could have recited a few recent decisions in support of my argument, and I'm sure the cop would have been impressed.

My second great performance occurred one night during dinner at a popular Italian restaurant. It was my friend's birthday and we all began to devour the seemingly delicious ice cream cake that

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CLEP Needs Your Help

by Roslyn Goldmacher

CLEP has received over 100 requests this semester from high schools, community groups and other legal education programs for speakers, written material and mock trials. The outside groups who have contacted us are interested in such topics as "Reverend Moon's Movement—the Legality of Deprogramming Moonies," "What Should a Layman Know About the New Estate and Gift Tax Laws?" "Performing in the Traffic Court Circus," and "Why Go to Law School?" They are also concerned about consumers' and students' rights, drug laws, traffic laws, environmental law and the operation of the court system. CLEP has been unable to meet most of the demand, and we urgently need help from faculty and students.

Faculty members can help by providing: (1) time to serve as speakers; (2) written materials to the community; (3) time and expertise to guide CLEP members who research and develop new topics; (4) encouragmenet to students to get involved in Law School activities including CLEP; and (5) ideas for projects CLEP can use in promoting its goals.

CLEP includes the following among its goals: (a) to help law students develop advocacy skills through practice in synthesizing and explaining complex legal issues in an understandable and organized manner; (b) to foster an understanding of how the law works and how it applies to everyday life; (c) to make people in the community aware of their legal rights and responsibilities; and (d) to bring Hofstra Law students and legal concepts into the public eye and to provide Hofstra Law School with a means for integration into the surrounding community.

CLEP represents the Law School faculty as well as its students in the Long Island community, and we need faculty participation.

To my fellow law students: WHERE ARE YOU? CLEP is waiting eagerly for your participation. You'll find us in Room 033. CLEP cannot continue and cannot grow without members to run mock trials, plan speeches, develop new programs, gather resources and establish contacts with similar programs throughout the country and with community groups desiring CLEP's services.

Now that Moot Court is over and trial practice is completed, it's time to get involved. Just leave a note in Room 033 or see me, Roz Goldmacher. CLEP has many opportunities, administrative and otherwise, awaiting your talents.

LAW DAY CELEBRATION PLANNED BY CLEP

by Roslyn Goldmacher

The Law School's Community Legal Education Project (CLEP) will be among 700 local Bar groups and hundreds of local, state and federal courts observing Law Day on May 1, 1977. This year's theme for Law Day is "Partners in Justice" to symbolize the relationship between individual members of American society and the efficacy of the American legal system.

"Law Day " is designed to help foster public understanding of the work of the court system and the role citizens can play in supporting and improving the legal system. County Executive Ralph G. Caso will issue a Proclamation officially sanctioning a special Law Month observance throughout Nassau County during May.

Among the Law Day activities already observed or planned by CLEP are the following:

1. A debate on legal ethics between Dean Freedman and Prof. Kadane, April 19, in Room 230 at 2:00 P.M., co-sponsored by CLEP and PAD. Wine-and-cheese reception to follow.

2. "Ordover demonstration." On May 2, some 50 to 100 high school students will be brought to the Law School for a special Law Day demonstration in the Moot Court Room. The high school students will be participating in a simulation game and discussion on witnesses and observation. The title of the demonstration derives from the donor of a cap pistol used in the game. Any law student who wishes to participate in the demonstration by role-playing a victim or perpetrator and appearing on videotape or live, please contact Bill Cherno in the CLEP office.

3. CLEP is also encouraging interested law students to contact the Nassau County Bar Association (516-747-4100) and volunteer their services for the Nassau County Bar Association's extensive commemoration of Law Day.

WANTED: Students interested in becoming members of the CLEP Board of Directors for the 1977-78 school year. The following positions are still open:

1. Director in charge of Mock Trials and other presentations in high schools.

Responsible for scheduling mock trials, lectures, semester-long courses, and guiding law students running the presentation.

Responsible for updating materials used with help of Research Director.

2. Director in charge of other programs.

Responsible for Law Day 1978, Ordover demonstrations (and other presentations where observers come to Law School), dealing with speaker requests, running programs in local colleges, establishing communications network with other CLEPs throughout the country, maintaining alliance with New York State Bar Association and American Bar Association.

3. Director in charge of research and membership.

Responsible for keeping all materials current and researching for new projects. Also responsible for recruiting new members and keeping membership files, and dealing with requests for CLEP to teach high school teachers the methods of legal education.

4. Director in charge of administration.

Responsible for calling and keeping minutes of Board of Director Meetings, carrying out directives of Board, writing Final Report Spring 1978, drafting by-laws and constitution for CLEP, maintaining office files, being liaison with Law School.

5. Director in charge of finances.

Responsible for accounting and record-keeping, reimbursement. Also responsible for obtaining funding for CLEP (i.e., from ABA, NYSBA, Student Reps, and for special projects). Responsible for obtaining supplies (office and educational).

BEEF UP YOUR RESUME GET INVOLVED
IMPRESS YOUR TEACHERS — MAKE FRIENDS
MAKE JOB CONTACTS IN THE LOCAL LEGAL COMMUNITY
CONTACT ROZ GOLDMACHER — ROOM 033 for interview

LIFE, NOT LOGIC . . .

(Continued from page 13)

was being served. I had hardly taken two bites when my tooth struck a hard object. I poked my finger inside my mouth and retrieved a small particle which appeared to be a piece of glass. I was horrified.

In my state of frenzy I screamed for the maitre d' to come over and explain the presence of this foreign thing. I was almost tempted to yell out so all the patrons would hear, "There's glass in my cake. This place is a health hazzard. Get out while you can."

The maitre d' very calmly walked over and asked me if anything was wrong.

"Is anything wrong?" I said, "You bet there is. Look at this. Isn't it a piece of glass?" I shoved it into his hand. "Do you know anything about strict products liability and Section 402A of the Restatement of Torts? I could sue you for every last piece of garlic bread. You're lucky that I didn't swallow it or even cut myself."

"Hmm," said the maitre d', rolling the object gently in his palm. "It's really nothing at all. It's probably just a piece of plastic decoration that the bakery left on the cake. Besides, I'm sure that it's edible. Say, didn't you look before you ate it?"

"Whadda ya mean," I said thoroughly enraged. "How the hell was I supposed to notice it? Are you trying to kill me or something?"

The maitre d' was not shaken. "Haven't you ever heard of the patent danger rule?" he said. "If, in fact, this is a defect, you should have observed it sitting on your cake as plain as day. Why, you're probably contributorily negligent."

"We'll see who's at fault," I said. "I intend to report this incident to the Health Department. Consider yourself out of business."

Just then the mysterious object fell from his hand and bounced several times before coming to rest somewhere on the gigantic floor. My proof had disappeared.

"Gee, I'm sorry," said the maitre d'. "I guess it slipped. Now we'll never know what it was. By the way, can I get you anything else?"

Alumni Elections

Rosenthal photo

Alumni officers (l. to r.) Stern, Gavin, Birnbaum and Kestembaum.

January graduate Mark Birnbaum has been selected President of the Board of Directors of the Alumni Association by acclamation. Fellow January graduate Larry Stern was elected Vice-President in a close race. Darryl Gavrin was selected Secretary, and Richard Kestembaum remained in his office as Treasurer. Birnbaum, Stern and Gavrin will be serving two-year terms on the Board. Mr. Kestenbaum will be completing the second year of his two-year term next year.

Other new additions to the Board include Assistant Law Librarian David Weiss and Assistant Dean Marilyn Monter who were also elected to two-year terms. Ken Husserl, Bill Irion and Steve Porter were elected to one-year terms.

Membership in the association is gratuitous for one year after graduation, after which there are nominal dues.

Tennis Winners To Get Trophies

The winners of the first **CONSCIENCE** Open Tennis Tournament preview their trophies, with Kathy Rosenthal, coordinator of the tournament.

The trophies will be officially presented to the winners at the picnic on Sunday, April 24.

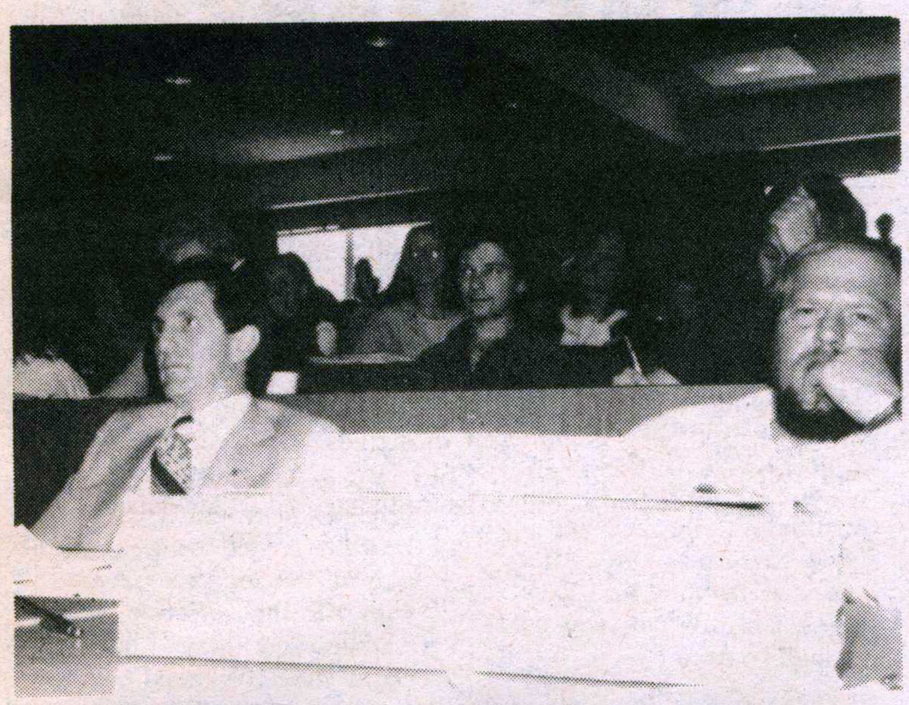
CONSCIENCE congratulates first place finishers Kirk Moritz and Jo Resnick and second place finishers Charlie Hammer and Shelley Wallace.

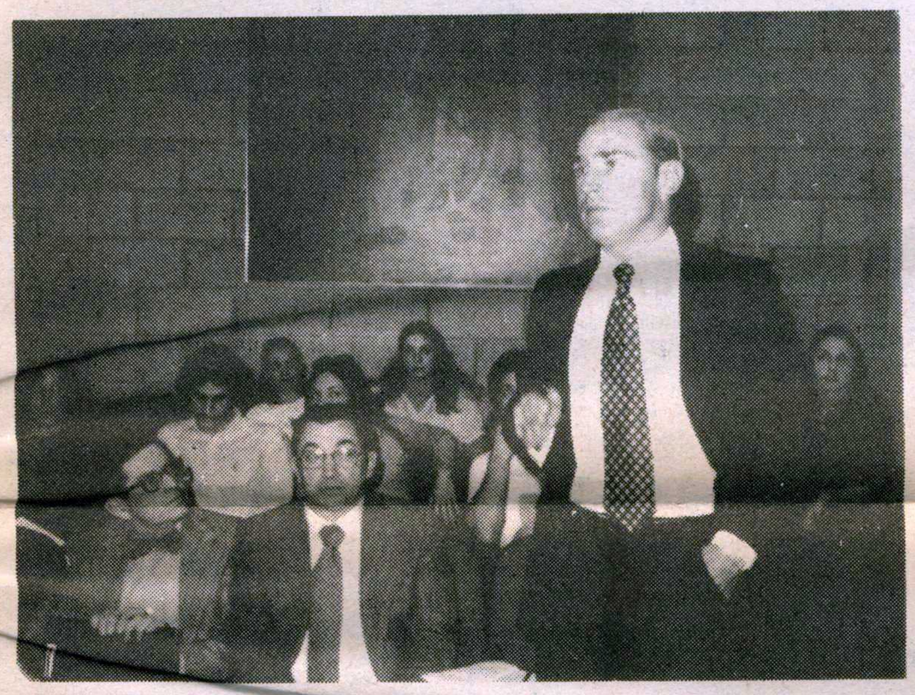
Allard K. Lowenstein
United States Representative To The
United Nations Human Rights Commission
Will Speak At The Law School Today, April 21st

Noted labor attorney Benjamin Werne presents one of many volumes of his work to Law Librarian Eugene Wypyski, as the late Professor Hillman and Ass't. Librarian David Weiss look on.

THE DEAN'S RESIGNATION

A Pictorial Essay





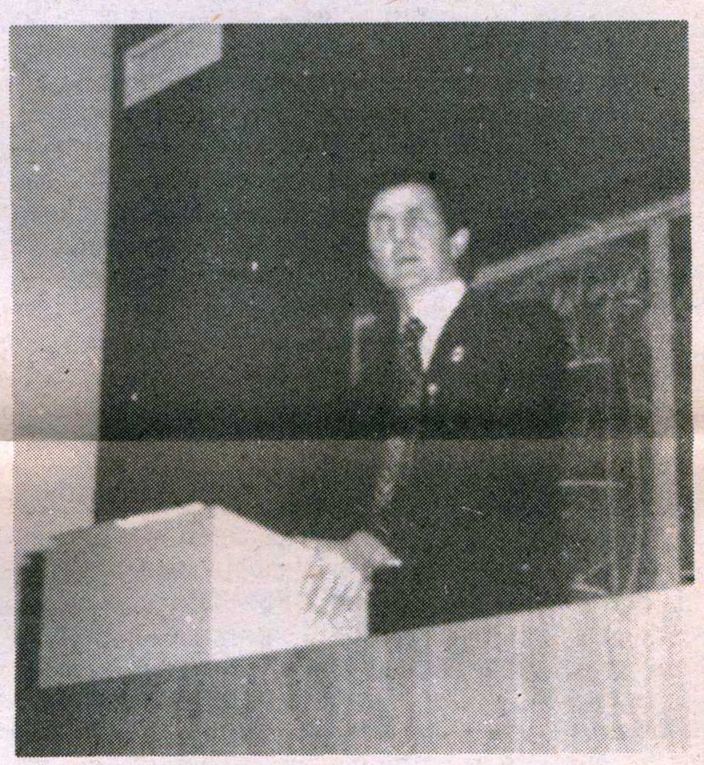
by Stuart Rosenthal

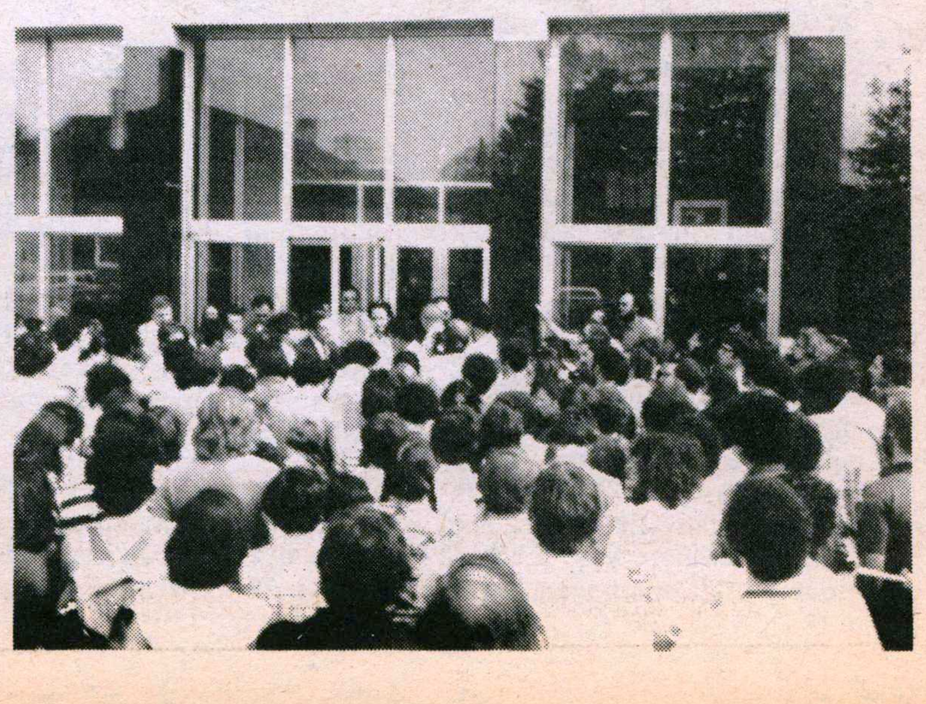
On Wednesday, April 13, Dean Freedman explained his reasons for submitting his resignation. The moot courtroom was standing room only, and many more students and faculty crowded into Room 230 to watch and listen on a television relay.

The students marched on Weller Hall and spoke with Hofstra University President James Shuart later that afternoon.

On Friday morning, April 15, President Shuart and several trustees of the University spoke to students and members of the faculty.

This pictorial essay begins at the top right and continues clockwise around the page.





Movie Reviews

by Irwin Miller

BLACK SUNDAY

For almost two decades, John Frankenheimer has been one of the premier directors of thinking men's action and suspense films, exploring such topical situations as the possibility of a military take over of the U.S. Government (**Seven Days In May**), a war veteran who has been programmed to murder the President (**The Manchurian Candidate**) and a bizarre organization which offers to give individuals a new physical appearance and identity through cosmetic surgery in order to provide a new opportunity for happiness (**Seconds**). He is attracted to stories which are just enough within the realm of possibility to capture the imagination of his audiences and the hallmark of his talent is his ability to elicit sharp performances and to provide crisp, spine-tingling suspense sequences which mesmerize film-going audiences.

In Robert Evans' new production, Frankenheimer, with the aid of veteran screenwriters Ernest Lehman (**North by Northwest**), Kenneth Ross and Ivan Moffat and cameraman John Alonza, have provided one of the finest examples of film craftmanship of this or any other year, in addition to offering his best screen work since the aforementioned films were released.

The premise of the film is diabolically simple: an embittered and half-crazed Vietnam veteran (Bruce Dern) has been ensnared by an unscrupulous female Palestinian terrorist (Marthe Keller) in order to place in motion her scheme to call world attention to the cause which she supports. Dern has constructed a juggernaut of death and destruction in the form of a mechanical device which fires tens of thousands of steel darts in all directions and which he plans to trigger from within a seemingly innocuous Goodyear blimp whose supposed function is to take aerial television-picture angles for the Super Bowl game in Miami. The device, to be detonated during the game itself, will instantly kill 80,000 spectators, including the President, who plans to attend the game.

From this premise we proceed through an international web of intrigue and death, as a relentless Israeli agent named Kabokov (Robert Shaw) pursues the pair before their insane scheme can become a deadly reality.

In the hands of a lesser directorial talent, this film might have become still another pointless exercise in gratuitous violence and terrorism. However, Frankenheimer forces the audience to identify so strongly with the agents attempting to stop Dern and company that by the film's stunning climax we are emotionally exhausted from the effort of witnessing their breakneck race against the clock. Because no individual character in the film is truly likeable or ethical, the director reduces the film to a contest between the forces of life and survival, as against the forces of death and senseless murder in the name of a zealous cause.

Had Frankenheimer cast readily identifiable actors in the leading roles he might have distracted the audience from the true strength of the film which is its powerful narrative and the interplay of characters. Instead, he has shrewdly cast two of the best character actors in films today, Shaw and Dern, as opposing foes, with superb results.

Shaw, as the aging war-weary Israeli commando, is perfectly tight-lipped, menacing and underplays his role to a tee in contrast to his more flamboyant performances as King Henry in **A Man for All Seasons** and the obsessed sea captain in **Jaws.** Dern beautifully captures the bewildered psyche of a man in the throes of a personal nightmare preceipitated by the cruel treatment given him first at the hands of his Vietnamese captors and subsequently by the unfeeling bureaucrats who have failed to help him reconstruct his shattered life as a returning veteran who had served with distinction in the Vietnamese conflict. It is the first opportunity Dern has had to truly display his broad range as an actor and he is totally memorable. The supporting cast, including Miss Keller, Steven Keats as Shaw's fellow agent and the ever-dependable Fritz Weaver as an F.B.I. agent, are all deserving of praise.

Credit Mr. Evans and Mr. Frankenheimer with providing two and one-half hours of unrelieved suspense culminating in a breathlessly executed finale.

SLAPSHOT

This film has all the indications of being an enormous popular success and has its share of perceptive and amusing moments. Yet, why does one feel somewhat queasy about offering an unqualified recommendation? Perhaps the reason lies in the fact that director George Roy Hill (**Butch Cassidy and the Sundance Kid, The Sting**), in trying to make a film that condemns the trend in professional sports that forces teams to feed the hunger in its spectators for violence on the playing field, has ultimately served to glorify and make his film audience laugh hysterically at this same violence.

This film, which was was written by a new, young screenwriter, Nancy Dowd, whose brother was a professional ice hockey player, seeks to tell the story of a small-time hockey team which, in order to survive, must turn itself into an exhibitionistic, violent group of "entertainers" in the same vein as the flamboyant wrestlers who have staged their matches for the benefit of a blood-hungry mob.

However, Miss Dowd can do no more in her screen play than make us laugh at the antics of the players and their aging player-coach, played by Paul Newman, rather than offering any real insight into the inner workings of these athletes as has been done brilliantly by such other sports films as Michael Ritchie's **Downhill Racer** or Robert Rossen's **Body and Soul.** Moreover, the casting of superstar Newman in the role of Reggie Dunlop, the protagonist of the film, is more detrimental to the credibility of the story than anything else. Newman, at age fifty-one, is simply too out-of-place in the midst of a group of actors in their twenties in his portrayal of a player in the twilight of his career to be credible in any real sense. It has appeared to this reviewer that Newman, who had built his sizeable reputation as an actor on brilliant and memorable performances in such films as **Hud, The Hustler** and **Cool Hand Luke** has ceased to grow as an artist and now contents himself with cheerfully ingratiating but ultimately shallow performances in films which have no particular depth or opportunity for meaningful social comment. He has, in a sense, become locked into a stereotyped series of wisecracking do-well roles and it is depressing to see this actor's potential being utilized in such a self-destructive manner.

The supporting cast of the film, including such fresh and talented performers as Lindsay Crouse and Michael Ontekian are superb and almost compensate for Newman's lack-luster performance. The director's use of the small town atmosphere, however, is most skillful and his direction of the film's action sequences is quite effective, thanks in large part to the highly regarded film editor, Dede Allen.

Somewhere in the mind of an enterprising director there is a meaningful film to be made concerning the world of ice hockey and its participants. However, **Slapshot** does not score a goal in this reviewer's game.

Sports Shorts

Jon Bramnick

A DAY AT THE RACES

Second year law student Abe Gross is a familiar figure at Roosevelt Racetrack. Abe is an owner of 16 race horses that compete at Roosevelt, Monticello and the Meadowlands.

Abe's career as a race horse owner started twenty years ago when he purchased his first yearling at the Harrisburg Yearling Sale. He named his first horse Great Dream, but unfortunately the yearling never lived up to its name. After two years of training and great expense, Great Dream was not fast enough to race.

Today Abe is the proud owner of such horses as Dancing Colt, Big Abe, Barabara's Steady, Gritty, Real Surprise, Harlem Georgia and in tribute to his first year criminal law professor, Marina Angel, Mens Rea.

I recently asked Abe the following questions about horse ownership and betting.

Question: What advice would you give to someone thinking about buying race horses?

Answer: The first important factor to consider is that 93 percent of all owners lose money. If you are willing to gamble against these odds, you should buy a horse that is presently racing. This will give you a chance for instant return on your investment.

Question: How much does it cost to train and care for a horse?

Answer: It costs approximately $8,000 a year.

Question: What is the best system to use when someone wants to bet on the horses?

Answer: Don't buy a program, that saves you a dollar. Take 8 pieces of paper and put one number on each piece. Put all the papers in your pocket and pick one.

Question: Are the races ever fixed?

Answer: In my twenty years around racetracks, I have never heard of a race being fixed. It is almost inconceivable to me that with all the different owners, trainers and horses, that a race could ever be fixed. About 5 years ago, D.A. Kahn subpoened all the Roosevelt owners, trainers and drivers to Mineola for a meeting. (It was an election year.) In essence, Kahn said "If you hear anything, let me know."

Question: Does anyone consistently win at the track?

Answer: If you have heard of someone being a consistent winner I am willing to be his bookmaker. My trainer, when he first started in the business many years ago, believed being around the owners and the horses he could surely become a winner at the windows. After two months he was eating cornflakes three times a day.

Recently I placed two bets at Roosevelt Raceway: a two dollar bet on Big Abe and a two dollar bet on Barabara's Steady. I lost $2 on Barabara's Steady but I received a $15 return on Big Abe who won the race. Thanks Abe!

ABA URGES ERA ADOPTION

The president of the American Bar Association has urged state and local bar leaders today to support ratification of the Equal Rights Amendment.

In letters to organized bar leaders in the 15 states which have failed to pass the proposed ERA, ABA President Justin A. Stanley pointed out that the 210,000 member Association has endorsed the ERA "as part of its continuing program to promote equal justice under law."

The ABA's policy-making House of Delegates specifically endorsed the ERA at its 1974 annual meeting, bolstering a stand taken in 1972 when the Association announced support of constitutional equality for women and urged extension of legal rights, privileges, and responsibilities for all persons regardless of sex.

Receiving the letter were leaders of bar groups in Alabama, Arizona, Arkansas, Florida, Georgia, Illinois, Louisiana, Mississippi, Missouri, Nevada, North Carolina, Oklahoma, South Carolina, Utah and Virginia.

Stanley urged the state and local bar leaders to testify in support of ratification of the ERA in their respective state legislatures.

He also asked them to publicize the likely impact of the proposed amendment, utilizing background information compiled by the ABA.

Music For Your Chambers

by Lotto Daley

Is there any life outside of law school? For those who believe there is or would like to believe it, take heart!—the Hofstra String Quartet will return again next season for another series of excellent chamber music concerts.

The Hofstra String Quartet, which is the primary string-teaching arm of the University's Music Faculty, just concluded its regular season here on Friday evening March 25, at the John Cranford Adams Playhouse. The program, which was devoted entirely to Beethoven, was handled expertly and purposefully by the members of the quartet—Harry Glickman and Raymond Kunicki, violins; George Brown, viola; and Seymour Benstock, cello. All members of the group have previously appeared as soloists and first-hand players under such noted conductors as Toscanini, Walter, Reiner and Stokowski and in such major orchestras as the NBC and Pittsburgh.

The quartet began the March 25 concert with a straightforward performance of the Quartet in G Major, op. 18, a bold and youthful work in the classical mold. Then came the fireworks!-the brief, 18-minute Grosse Fugue, op. 133, an exhausting and unrelenting masterpiece, that can easily be described as a futuristic musical vision. The evening came to a close with the Quartet in A Minor, op. 132, a late composition which is as complex and beautiful as it is introspective. The third movement Adagio of this work, described by musicologist John N. Burk as "remote, mystic and ethereal" was especially remarkable in view of the tender and moving interpretation given it by the Hofstra Quartet.