



CONSCIENCE

The Hofstra University School of Law Newspaper

Volume 5, Number 9

"Asking you to ask yourselves ..."

May 4, 1978

Placement Director About to Leave

Placement Director Richard P. Cronin will leave his position on May 11, according to Dean Aaron D. Twerski. An interim replacement is being sought.

Dean Twerski recently submitted to the University a budget request for \$35,000 for a placement office which will incorporate the functions of development, publicity and active placement. He hopes to find a permanent Placement Director by July.

Cronin's salary is approximately \$20,000; his predecessor, Sandy Miller, received about \$13,000.

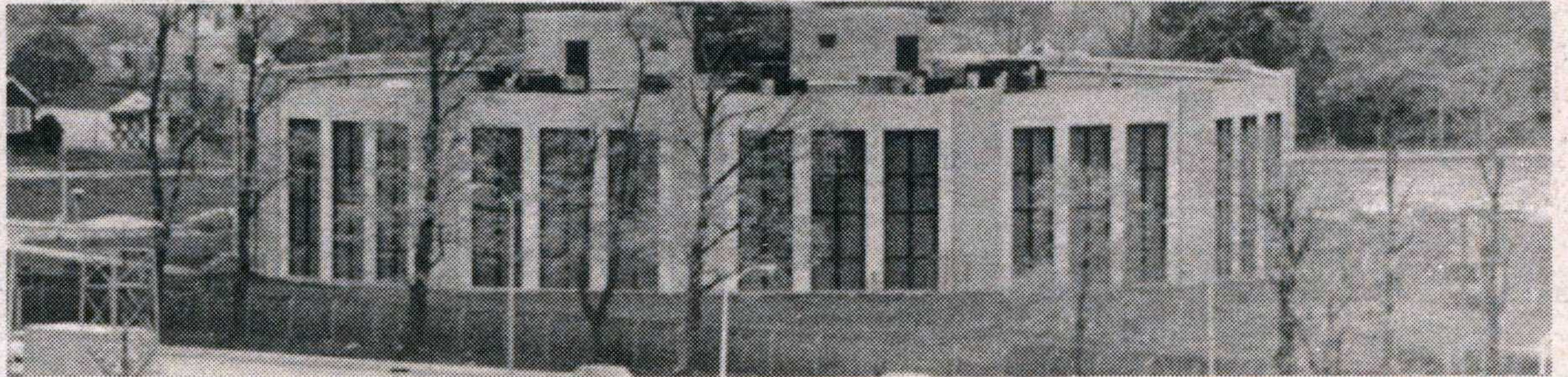
Alumna Hillary Fuhrman has expressed serious interest in serving as interim Placement Director, according to the Dean. She is "being given serious consideration" for that position,

he said. She has also expressed interest in serving as Assistant Dean after Marilyn Monter leaves at the end of this semester. The Dean stated that no offer has been made to Fuhrman and that he is legally required to interview other candidates.

Monter will leave to join the legal department of Allied Chemical Corporation.

Fuhrman is a January graduate of the Law School. Her husband, Richard, is also an alumnus. Her father, Gerald Light, is a member of the University Board of Trustees and of the Law School Development Council. Fuhrman assisted in organizing Parents' Day in March. As a law student, she participated in the Tax Clinic and was a Moot Court Advisor.

Congress Allows Court To Move To Hofstra



—Mermer Photo

Future Courthouse: I.R.S. Center on Hofstra campus.

by Vickie Lombardi

As a Hofstra Law student, 28 U.S.C. § 112(c) should mean more to you than just federal law governing the organization of courts. Until April 25, 1978, this statute, or more specifically, one sentence in it, presented the major barrier to the proposed move of the Long Island Branch of the United States District Court from Westbury to the Hofstra University campus. The sentence which explicitly states that "Court for the Eastern District shall be held in Brooklyn, Mineola and Westbury" had to be amended to include Uniondale or the larger geographical area of Nassau County before the Courthouse could be moved from its present location in Westbury to a building presently leased by the I.R.S. as a training center and two blocks from the Law School. Fortunately for Hofstra Law School and for Judge George C. Pratt, this barrier no longer exists since the House Judiciary Committee, on April 25, approved federal legislation which allows the proposed move.

At this point, a brief scenario is in order. Judge Pratt, who presides over the Westbury branch of the United States District Court for the Eastern District, has been working with Dean Twerski in urging passage of a bill that called for an amendment to 28 U.S.C. § 112(c). However, procedural requirements had to be met before such Congressional action could be taken.

Once the bill passed the Senate, it had to be approved by the House Judiciary Committee, headed by Peter W. Rodino Jr. (D-N.J.). At a recent interview (April 19) Judge Pratt explained that Rodino had remained firm in his position that changes of this sort have to be included in an omnibus bill. Rodino had indicated, however, that he would be willing to reconsider his position if the Senate passed the specific legislation. Rodino, however, had been called away from Washington due to his wife's illness, and at the time of the interview with Judge Pratt, he had not returned to the Capitol. Judge Pratt explained that passage of the

bill had taken on urgency since the final deadline for leasing the building had been set for May 1. Thus, unless Rodino approved the Court to sit at the Uniondale location by May 1, imminent loss of the facility to the federal court would have resulted.

After discussing some of the major benefits in moving the Courthouse—court facilities in Uniondale could be completed at a relatively low cost; the Court needs the space now and a new Federal Courthouse would require 7 to 10 years to build; the Court would obviously benefit from its close proximity to the Law School and library, and the move would provide a closer location for the Island's residents instead of requiring them to travel to Brooklyn—Judge Pratt noted "that the merits have nothing to do with this thing." Whether the Courthouse was allowed to move to the Hofstra campus or lost this opportunity was not based on merits but on procedure. It took an Act of Congress to effectuate the move, and at the time of the interview, such an Act seemed improbable. Unlikely as it may have seemed at the time, approval for the move was granted on Wednesday night, just 6 days before the final deadline. President Carter is expected to sign the bill, and after the necessary procedure is completed, the move should require approximately 18 months.

Judge Pratt added that if the move were not allowed, he would continue to search for a site for the Courthouse but until that search was completed, he would have to stay where he is—in a building adjacent to Roosevelt Raceway which is inadequate to serve the needs of the residents of Nassau and Suffolk Counties. Judge Pratt admitted that the Hofstra building is not the best location, since he would prefer a site more centrally located, but that it is "no worse than where the Court is sitting right now."

Judge Pratt emphatically stated that "he had done everything possible" to effectuate the move. Fortunately, time was on our side.

Hofstra Trial Team Wins Competition

The Hofstra Law School entry in the Sporacio Trial Competition defeated its opponent, St. John's Law School, in the final rounds of the Metropolitan Trial Advocacy Competition on Wednesday, April 21 at St. John's Law School.

The team, composed of Susan Etra, Edward Hadden, Peter Bariso and Peter Gorchynski previously eliminated Fordham in order to reach the final rounds. The case tried involved an armed robbery.

Oral Advocacy Competition

The Hofstra team in the ABA Oral Advocacy Competition did not fare as well, however. In the arguments held at the Law School last Sat., April 15, the team, consisting of Michael Freedman and Harvey Feintuch were defeated in the semifinal rounds by a team from Brooklyn Law School which went on to win the competition. The Hofstra team achieved success in two preliminary rounds before

reaching the semifinals.

National Moot Court Team Chosen

Grace Bernstein, Jeffrey T. Sultanik, and Bayle Weiner will represent the Hofstra Law School in next year's National Moot Court Competition, sponsored by the Association of the Bar of the City of New York. Johanna Resnick, Scott Salimando, and Leslie Ellison were chosen as the back-up team and will assist the primary team in the preparation for the national competition. The teams were chosen as a result of tryouts held two weeks ago, before Presiding Judges Aaron Twerski, Brenda Soloff, and Abraham P. Ordovery. The Judges evaluated the advocacy skills of each of the twelve contestants. Each contestant had to argue the Tarasoff case, a California decision concerning the extent of a psychiatrist-patient privilege, when the psychiatrist believes the patient may commit a crime.



—Mermer Photos

WINNERS: Susan Etra and Edward Hadden, two of Hofstra's first-place team in the Sporacio Trial Competition.

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Twerski Revisited

Dean Assesses Year's Decisions

by Paul Senzer

Aaron Twerski woke up one morning to find a law school deanship in his lap. A year later, he contemplates slipping into administrative anonymity. With a new dean in place, Twerski looks forward to a new title. Simply, "Professor."

Twerski loves teaching and admits that scholarship consumes him. "I have this thing about the classroom. I've got to have my fix." He recently signed a contract to write a treatise on products liability—a major project which will take two years.

Looking back on his year as dean, Twerski's mood ranged from proud to expansive to nonplussed. He candidly discussed his victories and his failures. Of the deanship: "It's an interesting process learning to live with yourself and criticism. The single most important thing I learned this year was not to let it turn you into a cynic. You've got to learn to listen."

Twerski is an unpretentious man whose classroom performance is a sputtering, electric frenzy. In the Dean's Office he

(Continued on page 5)

News Briefs

Law Fellows Chosen

The Law Fellows Program has announced that the following second-year students have been selected to serve as Law Fellows for 1978-1979:

Robert Hayden Abrams, Grace Bernstein, Andrew John Ceraulo, Debra L. Dinowitz, Kim Holly Fass, Marc Fleisher, Terri (Carolyn) Geller, Timothy Gilbert, Walter Joseph Gumersell, Neil G. Kiefer, Barbara Brooke Manning, Paula Mistretta, Stuart L. Monshine, Abigail I. Petersen, Margot L. Rau, Johanna Kiel Resnick and Richard Charles Socarides.

Johanna Kiel Resnick was elected Director for the 1978-79 year.

Student Reps Elected

On April 26, the following students were elected to represent the student body of the Law School during the 1978-79 year:

Second Year: Charles Walker, Michelle Parfitt
Third Year: Michael Rosoff, Annjeannette McKissick
At Large: Les Ellison

Class Gift Suggested

At a meeting of interested third-year students, it was suggested that this year's graduating class gift should be a contribution to the Herman Hillman Memorial Fund. The gift would be used for purchase of books and other materials.

University Committee Issues Statement

AFFIRMATIVE ACTION COMMITTEE POLICY STATEMENT UNIVERSITY EMPLOYMENT PRACTICE

All positions on this campus, whether academic or non-academic, administrative staff or line, can be filled only after the availability of these positions has been announced. Temporary positions, no longer than one year appointments, designated as interim or acting are exempt from this regulation. To provide equal opportunity to all members of the Hofstra Community when a search is designated as internal, all members of the Hofstra community shall be informed. When a search is designated as external, all members of the Hofstra community shall be informed as to a position's availability. The Affirmative Action Officer shall be informed immediately when a position becomes available. The posting of these positions is required. The failure of our present employment practices to achieve the goal of equal opportunity is evidence of the need to follow strict procedures. Inasmuch as absence of a system which insures equal opportunity jeopardizes the University's right to receive federal and state funds, all persons involved in the hiring process should proceed only after access to employment opportunity has been maximized. The distribution of jobs in violation of Affirmative Action Guidelines imperils our right to receive needed federal and state financial assistance and denies opportunities to all individuals.

Forum On S.1 Bill Set

A public forum on the extreme dangers of the revised "S.1" and its threats to our civil liberties under the Constitution will be held at Columbia University on May 5. Speakers will include Betty Friedan, Daniel Ellsberg, Bella Abzug and others.

Further information can be obtained by calling Roy Doremus at the New York Civil Liberties Union, 84 Fifth Avenue, New York, N.Y. Tel.: (212) 924-7800.

The Yearbooks Are Coming...

The Yearbooks Are Coming!

WATCH FOR DISTRIBUTION NOTICES

Conscience Interview

Filler Leaving After Summer

by Thomas J. Mattingly

Prof. Stuart J. Filler is leaving. He will teach his last tax class at Hofstra Law School during Summer Session I. In the fall, Hofstra University School of Law's loss will officially become the University of Bridgeport School of Law's gain.

Prof. Filler will join the faculty of the Connecticut law school next year as a Professor of Law and the Director of Clinical Programs, positions which he presently holds at Hofstra. He will be teaching at least one tax course per semester. "I love teaching in the classroom, and I would not want to give up that experience," said Filler.

The School of Law at the University of Bridgeport is a new law school. Next year will be its second year of operation. Seventeen faculty will be teaching 450 day students and 150 evening students next year—slightly more than double the number who are teaching and learning law during this year. Nine more faculty and a proportionate number of new students will be added in the 1980-81 academic year. Filler, at the age of 33, will be close to the median age of the young teaching faculty. The members of the faculty have between two and ten years of law teaching experience. Filler, who would have received full tenure on September 1, 1978, has taught at Hofstra for 6½ years of our 8 years of existence.

Dean Anthony Santoro hired Prof. Filler with the understanding of the faculty that Prof. Filler would develop a sufficient number of clinical programs so that each law student would be provided with the opportunity for a significant clinical experience by his or her third year. Almost all of these programs would involve contact with real clients.

Among the types of clinics that Filler is considering for Bridgeport are clinics in tax, poverty law, the legal problems of the elderly, constitutional law, and environmental law. Although these are the traditional types of law school clinics, there is also another type of clinic that Filler is considering: a prepaid legal services clinic.

Such a clinic would be the first law school prepaid legal services clinic in the country. It would draw its prepaid clients from the faculty, staff, and students of the University. This would provide students with exposure to a middle-class individual and commercial practice—an experience not normally found in law schools. If the prepaid clinic had a large enough pool of clients, then this clinic might provide the legal problems for most of the other clinical areas, Filler indicated. The poverty law and prepaid clinics might be mixed in order to provide a variety of experiences for the students.

The law school prepaid legal services clinic would not mark the first time that Filler would be a pioneer in legal education. The Filler-instituted Hofstra Law School Tax Clinic was also the first program of its kind in the country. Since the inception of our Tax Clinic, law schools at the University of Michigan and Southern Methodist University have followed suit. Three other law schools have tax clinics in the planning stages, and CLEPR is issuing a report encouraging the establishment of law school clinics with commercially-oriented subject matter. Filler's position as the Executive Director of the Tax Clinic will also be vacant after his departure.

Reasons for Leaving

Filler said that one of the reasons for his departure was to enjoy "a different life style. I wanted a large piece of property for horses and other animals. That would have been too expensive near Hofstra." His new home will be located on 5¼ acres of land in Newtown, Conn., which is 19 miles north of Bridgeport and 60 miles from New York City. His property has 250 trees, a small chicken coop and a 3-stall barn for horses. He classified Newtown as a "rural-suburban area."

Filler was also looking for "a change of environment professionally to restimulate the vigor that I had when I first came to Hofstra. I think I was

burning out a little. A new environment might help. But I have enjoyed my experiences here at the Law School."

Dissatisfaction with University

"In my first few years, I enjoyed working with an enlightened central administration. I would be less than candid," Filler said as he chose his words carefully, "if I didn't state that there are members of the current Board of Trustees and central administration who, I believe, lack educational insight and integrity."

"The students and faculty here have been extremely responsible and responsive to the development of this institution. Before the beginning of this year, everyone was working together to develop an institution of the highest quality. Last year we ran into some obstacles from the Board of Trustees and the central administration. Those obstacles came, for the most part, from a misinformed and misguided group of people. The effect of being without a permanent dean has placed an inordinate burden on the faculty, the Associate Dean, and the Interim Dean."

"Our faculty is temporarily burned out. The most important function of the new dean will be to rejuvenate the commitment of the faculty to a first-rate law school."

Prof. Filler said that he had decided to leave Hofstra before the strike of the University's secretaries and clerical workers. He was the only professor to honor the picket line for the duration of the strike. In deciding not to teach classes during that period, Filler said, "I balanced the interests of the secretaries and the students. I didn't take what I did lightly."

The University Administration was angered by Filler's actions, and they wanted Dean Twerski to get someone to teach Filler's classes. At first Twerski resisted; then he held a faculty meeting at which students were excluded. The consensus at the meeting was that another professor should teach Filler's classes.

"They never should have held that meeting without me. I was certainly upset that they made certain decisions about my teaching responsibilities without consulting me. If Dan Posin had gone in and taught my classes, I would have quit on the spot," Filler said.

According to Filler, his prediction as to the date that the strike would end was accurate, and Prof. Posin never needed to teach any of Filler's classes. "I felt a great deal of personal hurt because of that incident, but I've forgotten about it. I don't have any adverse feelings toward Aaron or any of my colleagues. I feel nothing but the greatest admiration for them," stated Filler.

Research and Writing

Filler did have a suggestion for the students and the faculty. He strongly advocated "a major research and writing project for each second- and third-year student. I believe that forcing students to develop those two skills is the most important training experience that we can give them as prospective lawyers."

"A program such as that would require a lot more faculty contact and supervision than teaching classroom courses. When the faculty gets its wind back, they will impose such a requirement and accept the increased burdens that will follow," said Filler.

Before teaching law at Hofstra, Prof. Filler served as an attorney in the Legislation and Regulations Division of the Office of the Chief Counsel of the Internal Revenue Service, where he advised and assisted the staffs of the House and Senate Committees in drafting and developing tax legislation, regulations and committee reports. In 1974, Prof. Filler ran unsuccessfully as a Democratic-Liberal candidate for the New York State Senate from a northern Nassau County district. He is also chairperson of the New York Citizens for Tax Reform.

Conscience Congratulates May Graduates

Conscience Subscriptions
\$1 A Year For New Alumni

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Women's Law Journal Needs Your Help.
Please Leave Your Name And Phone
Number In The Office Downstairs (030).
We Could Use Your Assistance Now,
But If You Can't, For The Fall, Definitely.

Dorms

Incoming Law Students Will Be Placed On Waiting List

by John Fausti

Incoming law and graduate students who live in Queens, Nassau or Western Suffolk counties and who are seeking on-campus housing next year, will be placed on a waiting list until August 1, 1978. After that date, these students will be assigned rooms that are available.

Dr. Sanford Hammer, Executive Dean of Student Services, said that this decision, which resulted from a meeting of all University deans, was brought about by the overcrowded dormitory problem. Hammer pointed out that more students can afford to live on campus now because of the increased availability of tuition assistance programs. University Pres. James Shuart stated that the law and graduate students are being excluded because their age and maturity will allow them to seek alternative means of housing.

Dean Robert C. Vogt of the Hofstra College of Liberal Arts and Sciences has criticized the University's attempts in handling the overcrowded dorm problem. Vogt described the recent decision as both short-sighted and detracting from Hofstra's image as a national law school.

Vogt also dealt with the issue of whether foreign students should be placed in dorm rooms before law students. "Foreign students provide a balanced student body which tends to break up the isolated Long Island environment here," said Vogt. "Banning either foreign students or law students would be a disaster, though, because both groups add to the needed diversity of university life."

Two percent of the Hofstra undergraduate community is comprised of students from foreign countries. Over half of these 150 students are from Iran, and the remainder are from Egypt, Greece, Israel, Italy, Japan, Lebanon, Spain, and Venezuela. Vogt will be traveling to Venezuela at the end of the semester to meet with that country's Ministry of Education in an attempt to recruit students.

New Dorm Needed

Vogt said that both his School and the Law School are making efforts to recruit students from across the entire nation. In order to do this, Vogt feels that "dorms are needed and another dormitory should be built." Acknowledging the University's fears of empty dormitories draining the budget, as has occurred in the past, Vogt proposes dormitories which would be adaptable to other uses when unoccupied. An empty dormitory that can be used for handicapped housing would have no trouble being rented and could be built with federal funding, according to the Dean.

Present Students Can Return

Law students who are currently living in the dorms can return next year. But restrictions are being placed on new students in order to keep open rooms for incoming undergraduates. One hundred rooms will be kept open to handle late applicants. After August 1, the rooms that are still vacant will be assigned to law and graduate students who are on the waiting list. The rooms held open will be in Tower F, the graduate dorm.

Rieger Case Delayed

by John Fausti

The case of Kieth Ian Rieger vs. Hofstra University has been adjourned and is rescheduled for Monday, June 5, 1978. Rieger was trapped for one hour on Jan. 31 in the West elevator of Tower F. He had filed a \$1,000 lawsuit against Hofstra, charging it with gross negligence in both the maintenance of the elevator and the school's rescue procedures.

Fire Dept. Faults Elevators

Fire Marshal William Friedberg of the Uniondale Fire Department has filed a complaint with the New York State Dor-

mitory Authority regarding Hofstra's failure to comply with elevator safety codes. The Fire Department has questioned the safety, maintenance and inspection of the elevators.

After three postponements and Rieger's rejection of a Hofstra settlement offer of \$100, the case was set to be heard on April 19 at a Small Claims Court in Hempstead. Rieger had to walk down the 11 flights of stairs from his room on the morning of the trial because both elevators in Tower F were out of service at the time. Service has since been restored. An overcrowded court schedule

forced the judge to reschedule the Rieger case for June 5.

Khadijeh-Aryan, a graduate student from Iran, is also suing the University because of elevator problems. Aryan was trapped in a Tower F elevator on March 21. After bringing suit, Aryan was again trapped in a Tower F elevator. After being released, she was treated in the Infirmary and given medication. A file on elevator malfunctions is being maintained behind the Tower F desk. Twenty incidents of entrapment of students have been recorded.

Conscience Interview

Judge Pratt Reflects On Attorney Competence

by Nechama Masliansky

Judge George C. Pratt, Federal District Court Judge for the Eastern District, is a friendly, courteous man who appears loath to criticize or complain sharply about anyone. When asked recently how he felt about the competence of attorneys in the light of Chief Judge Warren Burger's criticisms, Pratt remarked carefully that competence "cannot be quantified" and that the extent of a lawyer's preparation or care in choice of objections at trial "depends on judgement." The chief problem in evaluating competence, he noted, is "How do you tell?"

Lawyers differ in styles and ability, Pratt pointed out. "Especially in criminal cases, it's hard to tell," he said, "because an attorney may appear to be dumb and slow for the benefit of the jury."

Pratt added, "I have found that virtually all of the attorneys that come before me do a better-



—Mermer Photo

Judge George C. Pratt

than-average job. Only rarely do I have the feeling that the attorney is not prepared, that he doesn't know what he's doing."

Certain stratagems do appear to annoy Judge Pratt, however. When an attorney lays equal stress on all his arguments and the judge finds that some are

clearly more worthy than the others, he finds it "confusing" and wonders if any of those arguments are valid.

Pratt also finds that "with rare exceptions, I do not get the help from attorneys I need," in relating the law to the facts of a case, as in developing a charge to the jury. "Attorneys seem to think that the charge does not make a difference. It seems to get the least attention." To the contrary, he warned, "It is the single most important element of the case."

Pratt feels that the current scrutiny of attorneys is necessary. "There should be a continuing kind of pressure. There isn't a trial lawyer in existence that couldn't be better," he said. For example, trial attorneys can raise the same objections, or offer a series of items into evidence, in less time.

The worst treatment of clients, Pratt said, arises before trial, because lawyers accumulate cases and are slow to bring them to trial.

University Students Hold Sit-In About Student Funds



—Chronicle Photo

HOFSTRA STUDENTS CONFRONT SHUART. Hofstra University students staged a sit-in at Weller Hall in protest of University Pres. James Shuart's refusal to release \$1,000 of Student Senate funds. The moneys were sought to be used to finance a \$750,000 lawsuit filed by Tower F residents against the University. A number of the residents are seeking to recover for damages stemming from what they claim to be continuous water leakage into the dormitory's rooms.



—Chronicle Photo

STUDENTS RELAX IN WELLER HALL DURING SIT-IN. The occupation of Weller Hall continued for 96 hours, April 7-9. Demonstrators left the building early Mon., April 10, after the University served them with an injunction.

High School Law Program Ending First Semester

An educational program co-sponsored by the Nassau Coalition for Safety and Justice and the Hofstra Community Legal Education Program is nearing completion in more than ten high schools in Nassau County. High schools in the communities of Seaford, Great Neck, Hempstead, Levittown, Rockaway, East Meadow, Rockville Centre, Syosset, Merrick and Roslyn benefited from the program. The program was structured to familiarize high school students with the values, peculiarities, strengths and weaknesses of the American legal system.

Directed by third-year law student Gary Small, and put together through the efforts of 24 Hofstra law students working with high school teachers and students, the program was structured in two parts. First, a series of discussion topics and lecture materials was developed by the law students themselves. The materials included discussion topics covering the widest range of interest to American jurisprudence, how judicial decisions are made, the values included in the legal process, and various inequities of the legal system.

The law students who worked in the various high schools structured the specifics of their presentations and discussion leadership to the needs of the particular high school class with which they were working. Some presented information on students' rights, consumer rights and basic constitutional rights. Some high school students argued injunctions or structured statutes dealing with First Amendment rights.

In the second part of the program, the high school students actually conducted suppression hearings and trials in cases dealing with search and seizure questions. Although both evidence and procedure were taught, the primary purpose of this phase was to impress the students with the delicate balance struck between individual rights and government power in our society.

Small commented: "The real credit for the success of the program must be extended to the law students who made it possible. Walter Kraslow, Steve Spahr, Michelle Parfitt, Marc Powers, Dave Rothfeld, Fred Sampliner, Jeff Advokat, Bill Chernow, and Paul Millman were involved in this from the beginning, and their ideas and energy are the real reason that this program was a success. I could kiss them all, with the possible exception of Kraslow. Also, people like Joan Genchi, Eli Schwartz, Pete Gorczynski, Bill Jaffe, Ivan the Terrible, Suzy Epstein, Jack "the Arab" Najarian, Craig Indyke, Stu Monshine, Lisa Siano, Vic Rojas, John Ross, Harvey Cavajero, Russ Berman and Kiko, all of whom taught and judged at the trials and hearing, made this work.

"They are all to be thanked for helping to make the legal system understood in the community, and for extending the good name of Hofstra throughout the country."

Conscience Interview

Monroe Freedman To Remain At Hofstra

Prof. Monroe Freedman informed this newspaper on Monday evening that he has cancelled his plans to take a leave of absence to go to Washington. The following are transcripts of two interviews he held with CONSCIENCE. The first was held Monday night; the second was conducted last week, when Prof. Freedman expected to take leave.

by Thomas J. Mattingly

Q: I understand that you have decided to stay at the Law School next year.

A: Yes, One of the things we assumed in planning to go to Washington was that my wife would be able to keep her job in New York as an economist with the Conference Board. We found out only 2 or 3 weeks ago that she probably would not, and we only recently found that was definite.

My career situation is far more flexible than hers. I love teaching, and I always find interesting things to do at the same time. It made sense to decide to stay here at Hofstra. I'm really very pleased with that decision because I'm very much attached to Hofstra and enjoy working here. I will be teaching Contracts, Constitutional Litigation, and Legal Ethics.

Q: Do you plan to stay past this coming year?

A: Well, I have no plans to leave Hofstra. I just don't know what the next year might bring. But I don't think, for example, that my wife's job situation is going to change, and I don't expect to become unhappy with my situation at Hofstra. I don't expect any significant changes in the foreseeable future.

Q: Would you be devoting full time to teaching next year?

A: Yes. However, when I was teaching full time in Washington (and that meant at least a 40-hour week and more), I still managed to find time for an awful lot of other very exciting things. I expect to continue doing that, whether it's ACLU work or whatever.

Q: Then, it would be different from this year?

A: Yes. This year, I was beginning to go into private practice, which is what I had intended to do in Washington. I was trying to teach and practice at a law firm at the same time. I think that's impossible for anybody; certainly it was impossible for me. I can keep my *pro bono* work or a limited amount of practice in control so that it doesn't interfere with teaching; but this year it unquestionably did interfere with my teaching. It's the first time in the 20 years I've been a law professor that the outside work has gotten in the way. I don't intend to let that happen again.

Q: Did your wife's job situation have anything to do with your coming to Hofstra in the first place?

A: Yes. I would never have pursued the deanship at Hofstra if my wife had not asked me whether I would mind moving to New York so that she could go to the Conference Board. Otherwise, the deanship at Hofstra would have gone into the same wastebasket as a lot of other offers and suggestions of deanships. I was very happy in Washington. I think I got the inquiry about the Hofstra deanship just before Audrey found out about the Conference Board, and I never mentioned it to her. But then she asked me whether I would mind going to New York, and I said, "No, I wouldn't mind. In fact I might have a job up there. Let's see what happens." That just the way it went.

The problem now really is that for a woman at my wife's level in economics, there are not a lot of opportunities that have the kind of excitement and interest that her present job does. She lectures at conferences; she researches; she's written a thousand papers and a book or two. This is what she enjoys, and there just isn't another opportunity like that in Washington. And so I'm delighted. I couldn't be more pleased.

Accomplishments

Q: What do you feel were your biggest accomplishments here at Hofstra, as dean and as professor?

A: That is a very difficult question, partly because the power the dean has really is limited. You cannot do anything that you can consider your own accomplishment. You cannot achieve anything without a substantial amount of cooperation and support from the faculty and from the students. But there are qualities that the school has had that I prize and that I had some significant things to do with.

One thing that was uppermost in the minds of a large number of people — especially students when I first came here — was what was called "putting Hofstra on the map." Particularly third year students who interviewed me when I was a candidate for dean told me about experiences going to New York City looking for jobs and being told that the hiring partners were not aware that there was a law school at Hofstra. I think at this point the legal community is aware that there is a law school at Hofstra, and indeed, Hofstra is very well regarded. Not only do we have substantial pervasive name recognition in Manhattan, but I would say that we have that substantially throughout the country.



Prof. and former Dean Monroe H. Freedman

We had one recent graduate go out to California, interview with seven firms, and not be told at one of those firms that they had not heard of Hofstra. In fact, he received an offer from each of the seven firms. That, I think, is important progress in an area that was of a lot of practical importance to individuals and to the school itself. In terms of attracting the best possible students and the best possible faculty as well as in regard to placing our graduates in the kind of jobs that they want, it is important that the name be known and that the name be respected. I don't think anybody would disagree with the proposition that we are widely known and widely respected. Again, I would not begin to claim credit for all of that, but I certainly was one of those who worked very hard at bringing that about. I used the position of dean as effectively as I could.

When I came here, there was a certain amount of dead wood on the faculty. These were people who were extremely nice and bright and capable in a lot of ways but who were not as effective law teachers as I and the faculty thought each faculty member ought to be. I played a significant part in establishing standards for retention and promotion and tenure on the faculty and in applying those in a serious way. In a way, that made for several painful decisions that in the long run, I think, have strengthened the quality of the school enormously.

We also have at Hofstra, have had, admissions procedures and standards that I think are different from those at perhaps any other law school in the country in significant ways and better than those at any other school in the country in significant ways. I have just written a brief comment for N.Y.U. Law Review as part of a symposium that they are publishing on legal education. I discussed a major aspect of those admissions policies and I think that CONSCIENCE may be trying to do something with that short piece in terms of publicizing it, getting comments and trying to make some judgment as to whether those standards should significantly change in the future. (EDITOR'S NOTE: See page 7 of this issue.) I did have a great deal to do with that, because from the beginning the one thing that the faculty, literally the one thing, that the faculty let me do as dean was to be responsible for admissions. And so if there is anything that I did pretty much on my own, it was to establish admissions standards and procedures.

Even in admissions, I did not do the whole job myself. I had considerable help from associate and assistant deans and much more importantly from the Student Admissions Committee which helped to find a very substantial number of people who otherwise, just because of the volume of people in process, would have been lost to us. They were identified by the Student Admission Committee and have been accepted to the school.

Atmosphere

Q: Can you think of anything else?

A: Yeah, an overriding thing. We had earned the reputation in the last four or five years for being a school that is unusually pleasant to be at. Where there is a certain spirit of cooperation and a mutual respect within the student body, within the faculty and between students and faculty. Being a school where the faculty views itself as being there for the benefit of the students in a teaching and learning process. Where classrooms are not a chore or a burden but are the principal reasons for the teacher's being, being a teacher, and where faculty members consider it an essential part of their teaching obligations to be available to students out of class. That is also unusual, if not unique, and we have had that sense of cooperativeness. It really calls for a stronger word

than that. Well, I cannot find exactly the word that I want. I don't mean that there is no sense of competitiveness; we have that, too. I think it is inevitable among people who self-select themselves for the legal profession which is essentially adversary. But the fact remains that we have succeeded at Hofstra in mitigating that competitiveness and in enhancing the sense of unity of purpose and of interest in both within the student body and among faculty and students. And, I think that that is not only important for what I view as the primary reason that we are spending a significant part of our lives here and therefore ought to try to make it as pleasant an experience as we possibly can, but also for the important secondary reason that I think it enhances the learning process. I think that the degree of competitiveness and hostility that is generated in other law schools is counterproductive, that it creates much too much static on the lines between teachers and students and among students, and that it is a much more successful experience in terms of legal education when we have the kind of atmosphere that we have created here.

Disappointments

Q: What do you feel are some of your worst disappointments as dean and as professor?

A: I lost my job. I would like to have stayed on as dean. I had made that decision after a lot of soul searching. I really did want to stay here for another five years. I thought that there was more to be done, and I really had come to like the people and the place. It was an important part of my life. My mistake, I realize on reflection, was simply in being candid with the Administration about that. When they realized that I did not have the mobility that I appeared to have, that is in the sense that it was not a matter of indifference to me whether I stayed here or left, that was the point quite clearly at which they decided to impose their views of law school administration on the law school, despite the contrary views of myself as dean and of the faculty and the student body generally.

I realize now I should have been much more cagey about it, gone to the Provost and said, "Harold, I don't really want to stay around this place much longer, but if you make it attractive for me in the following ways maybe I can be induced to do it." And, then I guess all of the unpleasantness would not have come about. My mistake, I am afraid, was being too open and candid about my affection for the place and the people and my desire to stay. Ironically, that is what made it impossible for me to stay.

There are things that I would have wanted to advance. Other things that are going to happen whether I am here or not that I would like to have been part of. But honestly, apart from the one thing I mentioned, I have no regrets at all about having been at Hofstra and about the things that happened while I was here. I am very pleased and I am very proud of this school and of my association with it. There is really nothing major that I could think of that I have any regrets or doubts about.

One of the things that I think can be added to the accomplishments is that when I came here I found that the faculty salaries were disgracefully low as compared to the salaries of other law schools generally and other schools in New York. There were also serious inequities within faculty salaries and I was able to play a major part in redressing those inequities and in putting the faculty on salary levels that permitted us to be competitive with other schools. As Hofstra became better known and known as a place of quality (including one with an unusually well-qualified faculty), we did not lose people for financial reasons. That, I think, was an extraordinarily and extremely important thing to have done in terms of maintaining stability and quality.

Goals

Q: What do you think should be the two or three most important goals for the next dean?

A: It is hard to answer that because for at least a year now, more than a year now, that kind of issue has not been my responsibility. I have not, therefore, given it the kind of thought that it deserves, and I am reluctant to impose on an incoming dean anything that might appear to be backseat driving. I do think that, I hope that, the school in the future will build on the strengths that we have. And that means maintaining the kinds of standards that we have developed for the faculty, the quality that we have on the faculty pursuant to those standards, and the admissions standards and procedures that we have developed.

I also hope that the new dean and the faculty will make sure that the understanding that was reached with regard to the autonomy of the Law School will be honored by the Administration. Without sanctions, that agreement is not worth anything more than any other agreement that might be reached but is not enforced by sanctions.

Dean Assesses Decisions...

(Continued from page 1)

sits behind a cluttered desk with a crumpled bag lunch on top. Occasionally he rises and paces. One gets the feeling he'd rather be bounding up classroom aisles.

"We have long-range planning to do, and we haven't done it this year," he said. The new dean will have to decide the kind of law school Hofstra will be. "This will take 'phased planning'" Twerski said, instead of this year's "catch-as-catch-can planning."

"I had a set of goals, and within a certain framework, I think those goals have essentially been accomplished," Twerski said. "Whether they will be longlasting, I don't know. I have a healthy sense of humility."

A year ago, Twerski assumed the deanship of a law school in turmoil—in search of its validity after the painful excision of a popular dean (Monroe Freedman). Twerski proclaimed, "This law school is not going to pot... if this ship is going down, I ain't going to be at the rudder."

While Twerski's stewardship has been devoid of last year's urgency, he can point to important short-term strides.

Revamped Academic Regulations

By eliminating first year "repeating," Twerski said the integrity of Hofstra's academic program will be maintained. Repeating was unsuccessful, he said, and honesty compelled a new approach.

The result was a \$9,000 tutorial program. Twerski said that this "pretty significant cost" was justified. Twenty-five first-year students participated, and Twerski called the program "an exceedingly worthwhile experience." By intervening in the first year, Twerski said, the Law

School was making sure it wouldn't push students who weren't ready into the second year.

"We cared. We didn't want to wash our hands. If it doesn't work, it will not be because we didn't try. We will have done what was right." Twerski's fierce pride in the tutorial program has been reflected in next year's budget where "it's a non-negotiable item."

New First-Year Clinical Program

"I can't tell you whether this Frankenstein we have created is going to work," Twerski admitted, but it should be an improvement over older research and writing programs which presented problems "heretofore intractable." Twerski said that the "heavy resources" the school is contributing just might make the difference. Last month, CLEPR (Council on Legal Education for Professional Responsibility) provisionally approved a \$75,000 grant which the new program needs to stay afloat. Both Twerski and program director Charles McEvily declined to explain the final details which need to be worked out with CLEPR. Both were confident, however, that differences would be resolved. "CLEPR views this as one of its most innovative programs," Twerski said.

Twerski said he has "an unpopular decision to make" with regard to the new first-year program. This will entail bumping some student offices across California Ave. in order to create a suite of NLO offices in the Law School building. At deadline, a final determination has not been reached.

Law School Development Council

The Development Council, Twerski said, is now "a functioning committee," and should bring in between \$300,000 and \$500,000 this year. Twerski said a public-relations brochure has just been produced "at substantial cost," but "it's a beautiful piece of work—a very fine piece of public relations."

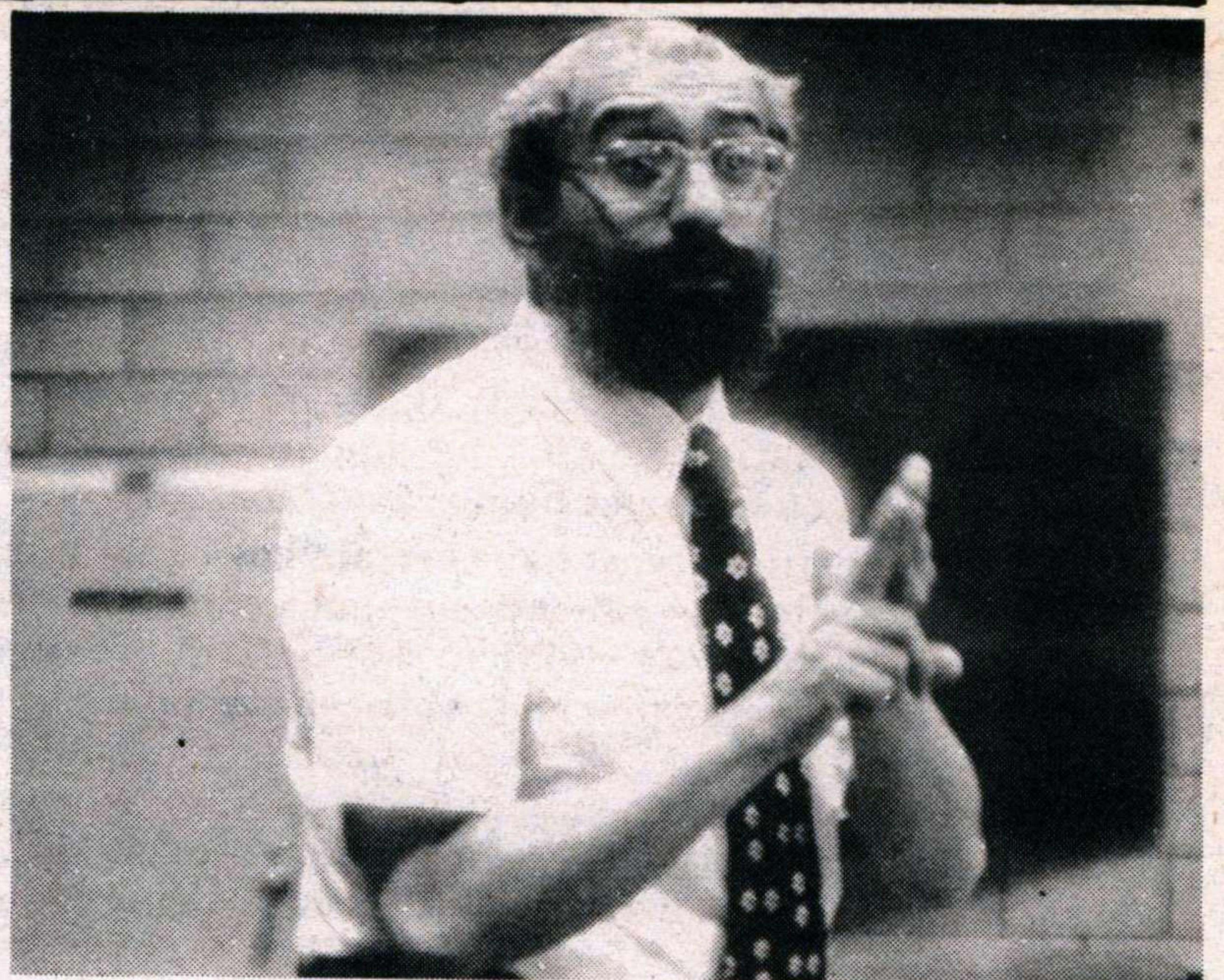
The brochure and other efforts like the Parents' Day in March, are designed to promote the spirit of the Law School, Twerski said, and, of course, generate sorely needed dollars. "The important thing is that there's now a structure." The Development Council consists of "prestigious people," alumni, parents of alumni and students and members of the University community.

Faculty Recruitment

Twerski admitted that understaffing is a problem which remains to be reconciled. It has taken its toll, he noted, because present faculty have had to carry increased loads. "They're just about ready to drop dead. They're dog tired."

An intensive faculty search which entailed "scouring the country" ended in general disappointment, Twerski noted. Between 30 and 40 candidates were interviewed at the national recruiting convention in St. Louis in December and 15 candidates were personally interviewed at the Law School.

In addition, hundreds of resumes and a run-down of "all our leads" meant that "we touched every base at least once." The results: "dismal." Twerski said this has been a bad year for hiring law faculty, and other schools have experienced the same kind of dilemma. "It



—Mermer Photo

Dean Aaron D. Twerski teaching Products Liability.

has nothing to do with Hofstra.

"We are competitive. Our salary has not been a problem. The pool has been so small." Twerski said it is better to go the route of filling faculty spots with interim or adjunct professors than jump the gun and hire someone who won't be effective. Firing professors is difficult, he added, so "the best place to make your decision is at the hiring stage."

It is at this hiring stage that Twerski claims to be very conservative. He said he must be assured of a good "classroom performer. I have some terrific offers out. I'll be very thankful if I can hire two more, but I'm not going to make a decision with a gun over my head."

So far, Twerski has hired Richard Gans, an adjunct professor from last semester. "He was an absolute smash in the classroom."

This year, two spots opened up with the death of Prof. Herman Hillman and the departure of

Prof. Joseph Bianco. While rumors are circulating about more spots opening up, Twerski said he was only aware of the planned departure of Prof. Filler and Prof. Freedman.

Trial Advocacy

This year, Twerski said, the intercession trial techniques program offered a valuable intensive practice experience. He added that the school has the "faculty resources and deep expertise" to expand such a concept and develop a full-scale trial advocacy program.

But that will be in the hands of a new dean. At this point, Twerski doesn't envy his successor. "There's a lot of inside and outside deaning to do. It has to be an exhausting job."

What next for Aaron Twerski? Would he consider returning as an associate dean? Probably not, he says. "I've just given up predicting which way God will handle my life. I'll just take it as it comes by."

Law Women Attend National Conference

by Pat Arthur

Four women from the first, second and third year classes represented Hofstra Law School at the Ninth Annual Women in the Law Conference held in Atlanta on April 6-9. Nath Rockhill, Janet Connolly, Roberta Nuttall and Pat Arthur attended three full days of workshops on a variety of issues including: recent District Court decisions under Title VII, abortion, sterilization, the relationship between Third World issues and the women's movement, constitutional dimensions of lesbianism, discrimination in education, and grand jury abuses of women.

A good deal of materials were collected by the students attending the conference and will be made available to anyone interested. A sourcebook outlining many of the presentations made by prominent attorneys from all over the country is now on reserve at the library desk. You are urged to look at this in order to become more familiar with the many various issues relating to women that are being litigated across the country. In addition, all four women attending the conference welcome all interested students to feel free to discuss with them any information, material, questions or political philosophy relating to the women's movement and the law.

The theme of the Ninth Annual Women in the Law Conference centered around the Equal Rights Amendment. Passage of this important amendment is critical to the women's movement.

Speakers at the Conference included Shirley Chisholm, Carol Bellamy, and Charlotte Bunch, editor of *Quest*, a literary feminist quarterly.

The Nassau-Suffolk Women's Bar Association is a group of practicing women attorneys which has been in existence since 1938. At this time, we are welcoming new members amongst law students and those about to graduate and go into practice.

If you are interested in joining us, send your name, address and telephone number to:

Nassau-Suffolk Women's Bar Association
P.O. Box 174

Mineola, New York 11501.

You will receive a mailing of information from Dorothy Eisenberg shortly thereafter.

Essay

Larry, What Ever Happened To You?

by Jeffrey S. Sunshine, '80

The answer was short and simple: "I got lost somewhere, Max." How and why Larry got lost is far from simple. Larry was the genius of the neighborhood. Everyone knew him or knew of him. Although he was a number of years older than me I remember him, walking down the street of our neighborhood, tall and handsome with two gorgeous white Alaskan huskies. He was the first in our apartment building to get a Ph.D., the first to make it into the great big academic world. Sociology majors throughout the country read his books; his words have been printed in some of the most prestigious newspapers in this country. This morning he told my father, "I got lost somewhere, Max."

Brooklyn may not have been the best place to grow up in, but it certainly was not the worst. My parents have lived in the same apartment building for more than thirty years; until last year it was the only place I had ever lived in. Every time I go back to the old neighborhood I try to remember the good times and forget the bad. I remember playing running bases in the back yards, skelly on the sidewalks and hide and seek in the basements. This morning Larry was looking for a face that would remember those good

times. My father was the face; it was apparent that the times for Larry were not so good. Sitting on the indoor steps of our apartment building, with no shoes, torn socks and pants, a worn leather jacket and a small ax tucked into the back of his pants was Larry.

"Max—don't you remember me?" My father looked into his familiar eyes, eyes he had known since Larry was a little boy. "Max, it's Larry, I'm hungry." A few seconds later Larry was sitting at our dining room table, slowly eating some oatmeal. Larry had been a professor. Although he moved out of the neighborhood some 15 years ago, his parents remained, moving to Florida a few years ago with the thousands of others who have fled to the sixth borough.

We had heard about Larry. The last was that he had published his second book, divorced his second wife and was living and teaching in California. Larry was shaking and hungry; he was not drunk and did not appear to be high. In fact he was very alert. He remembered our whole family, asked for each of us by name. Asked too about his next door neighbors, his old friends, even our former landlord. He had hitched to New York from California and had been riding the subway for days. His shoes were stolen, his luggage too. He

traveled 3000 miles, back to Brooklyn, back to his old front steps.

All my father could say was, "Larry, what ever happened to you?" All Larry would answer was "I got lost somewhere Max, I got some bad breaks and got lost somewhere." Larry spoke with the poise and diction that every kid who wants to get rid of a Brooklyn accent dreams of. As he ate, he kept looking at the family pictures on the wall of my parents' dining room, staring, then glancing, then staring again. The more questions my father asked the more upset Larry got. He said that he had been in the hospital for a few days because he cut his foot on some glass; apparently he was released or he signed himself out.

One of my majors in college was Sociology. One of the first theories I learned about was Durkheim's theory of anomie—"a feeling of not belonging." My sociology books taught me about the thousands of derelicts riding the subways of this country, but they never taught me how to deal with them. I have read countless articles, watched numerous television programs and walked through the Bowery in disgust, but I have never thought for a second that someday, someone I

(Continued on page 8)

Editorials

Why Not The Best?

The reorganization of the placement office and the search for a new director are welcome and needed changes. Given the increasingly tight job market and our school's relative youth, the importance of the placement director cannot be overemphasized.

A placement officer must have certain basic qualities such as competence, educational background, personality, and so forth. In addition, there are three vital qualities which the new placement officer must possess: extensive contacts in all legal fields; a genuine willingness to help get us employment; and the energy to achieve this objective. The new director must have these attributes, and the Search Committee must not settle for less. It is not only our futures that are at stake — but the future of our Law School.

Transitions

This is our final issue of CONSCIENCE for the semester. Permit me to express my thanks to the lively group of first-year students who have joined the staff, and to the die-hards who for several semesters have contributed to these pages and edited this paper into the morning hours: Stu and Kathy Rosenthal, Jay Baris, Bob Ginsburg, Gary Small, Bill Cherno, Tom Mattingly and Rick Shaffer. I thank the entire staff whose names appear on our masthead for their hard work and for the pleasure and challenge of working with them.

The current Editorial Board is about to graduate, and the staff of CONSCIENCE has elected the following to positions for next year:

Editor-in-Chief	Paul Senzer
Managing Editors	Stu Goldfarb, Thomas J. Mattingly
Business Manager	William Cherno
Photography Editor	Michael Mermer
News Editor	John Fausti
Copy Editor	Joyce Lipton

We wish them well. They and the rest of the staff are talented, energetic and committed. We leave this paper confident that its future will be lively and interesting.



—Mermer Photo

Outgoing Editor-in-Chief Nechama Masliansky.



New Editor-in-Chief Paul Senzer.

We Demand Due Notice

On April 26, elections were held for next year's student representatives. The majority of Hofstra Law students had no idea that elections would be taking place until the day before. Here and there, a few candidates could be seen scurrying to different classrooms in order to introduce themselves on the day before elections. However, statements of policy or viewpoints were nowhere to be found. Instead of voting for a candidate on the basis of his or her platform, students who wished to vote had to base their decision on whether they knew any of the candidates or liked the sound of a name.

The election of student representatives should not be a popularity contest. Nor should it ever be thrust upon us in haste.

Warning: S.1 Is Hazardous To Your Health

The new S.1 crime control bill, now pending in the congress, stands as a most frightening and repressive blow to our collective civil rights. If passed, a number of provisions, sweeping in their unbridled overbreadth, can make criminals of us all. Terrifyingly regressive postures are taken in the bill which virtually obliterate the notions of freedom of speech which this nation has painfully struggled to achieve over the past half-century.

The press has remained silent on this issue. Whether or not this is consistent with the present American climate of political inactivity and our concomitant concern with the economy is immaterial. That silence, given the stakes involved, is unforgivable.

Perhaps the media have been lulled into sleep by the very "credentials" of the bill's sponsor, Sen. Edward Kennedy. But then again, its co-sponsor is Sen. Strom Thurmond!

CONSCIENCE urges you to write to your representatives on this issue of paramount importance.



CONSCIENCE

Hofstra University School of Law, Hempstead, N.Y. 11550

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"Asking You to Ask Yourself"

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

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Editor-in-Chief

Managing Editors
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Jay Baris, Robert Ginsburg
William Cherno
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CONSCIENCE is the official publication of the students of the Hofstra University School of Law. CONSCIENCE 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.

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

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Letters To The Editor

Intraschool Communication

To the Editor:

I would like to suggest that all of us at the Law School make an effort to open communications among ourselves and work together to address our common problems. We have too long lived in a communications and sharing vacuum. The problem does not flow from lack of love and concern for each other. The problem is that we haven't invested enough time toward finding a solution. A little time and communication invested in an effort to address the problem will more than be worthwhile. Let's look at a problem that's occurred and think about how it might have been avoided.

Last year B.A.L.S.A. unwittingly scheduled an awards dinner on the very eve of Passover. We didn't do it intentionally; the problem was that B.A.L.S.A. simply didn't know enough about Passover. This year, the Law Review scheduled an awards dinner on the same evening that B.A.L.S.A. had chosen weeks before for its dinner. This too was unintentional. Because we had not communicated, we missed each other's lovely affairs. Similar communications problems have resulted in confusion, bad feelings, and poor attendance at organizational meetings and Law School functions.

Let's have representatives from each organization get together to discuss common goals and objectives. This is the kind of unity that will not only pay dividends for us but will also reflect well on our image as a law school with idealism.

As next year's President of B.A.L.S.A., I would like to send representatives of B.A.L.S.A. to meetings of the various groups at the Law School. These representatives can establish an atmosphere in which creative dialogue can occur, and perhaps we can make a joint effort to air our grievances, concerns, aims and interests, particularly in the area of human rights.

Annjeannette McKissick

Enforcing Rules

To the Editor:

So, the Chief of Security wants to start towing cars when they are illegally parked. Does that mean that the selfish children who park in the restricted areas or who block the tennis court or who make maneuvering impossible will have to show some consideration? Well, it's about time! Besides, no one pays attention to the parking tickets anyway.

Now that we're on the subject of rules, how about the smoking in the library, and the loud discussions that are carried on about the merits of movies, cars, etc., etc., etc. Is Prof. Wypyski's rattling of his pen to be the extent of any action, or will something substantive come about? The library is meant to be quiet and free of fire hazards.

Oscar W. Ruiz

Your Turn**Pathfinding**

by Gary Small, '78

It's really quite sad, that as we graduate this May, that slightly nightmarish question, "Where is this school headed?" still haunts us. It seems so evident, if only because of the fact that the question has been with us for 2 years now, that there's a lot of pain associated with its asking.

The fact that it lacks an answer is a little of all our faults, I think. Most of us have spoken throughout our law school career's about the school's direction, about a sense of purpose and coherence. But I'm not sure what we've done about it. The "we," of course, includes the faculty and administration of the Law School, not just the students. The expectation that something more than a legal education in a vacuum is offered at Hofstra is really fostered in the recruitment process and the catalogue of the Law School. In that sense, the administration and faculty have a responsibility to honor that expectation; otherwise the raising of the expectation should be abandoned as a recruiting technique.

Where are we going? It's the most difficult of questions, of course, and any possible answer invoke so many intangibles. And it's so hard to come to any one answer, or to even want to, because so many different people have so many different expectations and hopes for the Law School. But the fact that it's nagged so many of my friends—well-intentioned people all—for a couple of years now makes me think that it's past time for representatives of the administration, faculty and the student body to conference (for a weekend if necessary) and work out some articulation of the Law School's direction, purpose, educational aims; recruitment objectives, goals for itself and its students, and a plan for meeting its stated objectives. We really do appear to now be a ship without a set course, and while one recognizes a need for flexibility and movement, one can also recognize floundering.

Some suggestions for topics of discussion and action:

(1) Full discussion of the ongoing relationship and mutual demands between the regular University and the Law School. Much mistrust and suspicion continue to exist at the Law School (I think it is entirely justified.) and matters should be fully aired.

(2) The possibility of initiating a series of first-year lectures, or a course, in jurisprudence and legal history; this would offset to some degree the feelings among first-year students that law is taught in a vacuum, with no foundation or construction (a fully justified feeling).

(3) The possibility of making legal ethics a mandatory second-year course.

(4) The securing of a firm commitment by the University and the Law School to the building of an effective Placement office. The shame, anger and bitterness of this year's experience must never be visited upon this school again.

(5) Development of the N.Y.C. resources that we have never tapped—internship, clinical and clerkship positions in the court system and in federal, state and municipal administrative agencies.

(6) The development of a Student Counseling Service through which law students could help each other combat what is sometimes an anxiety-ridden, lonely and depressing 3 years.

There is much more, of course, but the point is made. "Where is the Law School headed?" There is really no reason for that nagging question to persist if the Law School community decides to do something about it.

**Rejection Letters
Of The Year**

Dear (third-year student):

Thank you very much for your letter of November 22, 1977, expressing an interest in a position in this office.

Unfortunately, we do not have any openings at this time. However, I am having your resume put in the appropriate file so that we can get in touch with you whenever an opening does arise.

With best wishes.

Sincerely,
Monroe H. Freedman

Dear (third-year student):

I certainly appreciate your writing to me about your interest in developing your knowledge about computer security and privacy by work in the law.

Unfortunately, we have our full complement of new lawyers already selected and hence are not in a position to add to our staff.

In any event, I feel that your perspectives on legal aspects of computer technology are unduly limited. I suggest that you try to broaden your horizons to note the involvement of the technology with substantially all fields of law. You undoubtedly can get considerable guidance in this respect by glancing at a copy of my book, which will might be in your law library. Enclosed is a review to help you identify it.

When you next are in contact with (our mutual friend), would you please give him my very best regards.

Sincerely,
(Boston law firm)

Dear (third-year student):

At this time, there are no openings available in our office. It would not be in our mutual interest to schedule an interview at this time.

Very truly yours,
(Manhattan law firm)

**The Loss Of Idealism -
By Whom? And When?**

The following article, which was prepared for the New York University Law Review, was received for publication in CONSCIENCE too close to deadline for solicitation of comments on its content from professors and students on the Admissions Committee. CONSCIENCE suggests that a symposium on admissions policies might be an appropriate response.

by Monroe H. Freedman

A recurring theme at the SALT Conference was the view that students come to law school full of fervor to further social justice and law reform, and leave with no other interest than to practice in prestigious law firms and become rich. The law school experience is thus viewed as one that is destructive of idealism and that produces a profession of legal technicians devoid of a sense of social responsibility.

Although I agree that the legal profession as a whole has failed in its responsibilities to society, I do not agree that the cause of that failure is to be found in legal education. Certainly law school did not have that effect on those of us who attended the conference to voice our dismay over the state of our profession. Somehow we survived the law school experience with social consciences intact; indeed, with the benefit of our rigorous training in lawyering skills, we are now able to deal more effectively with what we believe to be injustices in society. Those of us at the conference, however, were only a small proportion of those in legal education, and a much smaller

fraction of the legal profession as a whole. What happened, then, to all those others who entered law school with the sole goal in mind of righting social wrongs?

The answer, it seems to me, is clear. Those people never existed. Law school did not destroy their sense of social justice, because they never had it in the first place. That, at any rate, is the conclusion that I draw after a quarter of a century of involvement with law students as a student, teacher, and administrator.

That conclusion should surprise no one. We admit people into law school principally on the basis of their technical skill in attaining high test scores, either by repeating back what they have been told, or by marking the appropriate box in a short-answer machine-graded examination. We give virtually no weight in law school admissions to a candidate's manifest concern with social problems. The end product of a legal education, therefore, is not conditioned in the classroom, but is predetermined before students enter class, in the admissions process.

A rather forceful illustration of the attitude that affects law school admissions—and that significantly determines, thereby, the character of the legal profession—was provided about four years ago at a meeting of the Northeast Association of Pre-Law Advisers. Those attending the conference represented some of the most important undergraduate sources of candidates for law school. Moreover, the pre-law advisers play a significant part in advising and guiding candidates to—and away from—careers in the law. The principal speaker at the NAPLA conference was Soia Mentschikoff, a law school dean and the then President of the Association of American Law Schools. Dean Mentschikoff's message to the pre-law advisers was presented loudly and clearly. "Whatever you do," she counseled the counselors, "don't send me those mushy-headed kids who think they're going to go to law school and change the world."

Although numerous law schools were represented at the conference, I was probably the only one who did not share Dean

(Continued on page 10)

The Querying Photographer

by Joyce Lipton

QUERY: Do you believe the Nazis should have the right to march in Skokie?

David Snyder, '80:

Yes. The proposition, "Never Again!" rests upon our never forgetting. Allowing the country

there's the problem of who will be judging what the boundaries of freedom of speech will be. Total objectivity in making such a determination would be impossible, so it becomes a vicious cycle.

Sara Lee Evans, '78:

I think they should be allowed to march. The First Amendment doesn't say freedom of speech will be protected except for people we don't like, and to those people we'll deny it. Denying the

spoke out against the Gays. It did Gays more good than harm.

Walter Kraslow, '79:

No, not in Skokie. My first reaction is that they should not be allowed to march at all. As a Jew, I'm immediately revolted by it. If anything is obscene, it's the views they express. But then again, if there's to be any vitality to First Amendment rights, you



to watch the Nazis march will reinforce that memory. To that end, the march may be rationalized if not justified.

Elynda Hickson, '80:

My gut feeling is that the Nazis shouldn't be allowed to march. I think there should be some limitations on freedom of speech because people seem to be so easily swayed by what they see or hear. But, on the other hand,



Nazis the right to march may lead to denying the right to someone else, like the Catholic War Veterans or B'nai B'rith. Who would decide?

Marc S. Horowitz, '78:

Yes, even though I personally despise what they represent. I think the issue is essentially one of protecting First Amendment rights. But also, by allowing the Nazis to march and speak, you are giving others an opportunity to see the heinousness of what they represent and this will provide an open forum for those who wish to oppose them. The effect might be similar to what happened when Anita Bryant



must allow the voicing of any doctrine no matter how repugnant or vile it is. The question that arises is not the context of the message but the manner in which it is communicated. Marching in Skokie will be as volatile a situation as a lighted match in an ammunition locker. The Nazis have a right to speak, but not in a community with survivors of the Holocaust.



After Class

Uncle Sam's, New Disco, Opens In Levittown

by Michael Mermer

With the arrival of more temperate weather, a new discotheque displaying a unique concept, both in sound and design, has made a timely appearance on Long Island. The club, "Uncle Sam's" on Hempstead Turnpike in Levittown, was welcomed with an impressive opening attracting more than 2,500 people to its doors last weekend.

Part of the country's largest independent chain of discotheques, with discos in over 14 major cities, the club is without a doubt an intriguing portrayal of New York disco styles ranging from the elite design of Studio 54, to the par-

tying untamed atmosphere at Infinity. The huge interior of the split level club is plushly lined with thick pile carpeting, tropical plants and intimate dark mirrors.

Conceptually, the club has successfully captured an aura of elegance, which invariably is difficult to achieve in a large disco. The club's lighting system, parts of which replicate that of Studio 54, includes colorful "chaser light" columns which lower from the ceiling and rise from glass casings at floor level. Huge mirrored balls, spotlights, powerful strobes mounted in glass beneath the floor, and best of all, "fog," are all systematically triggered to form

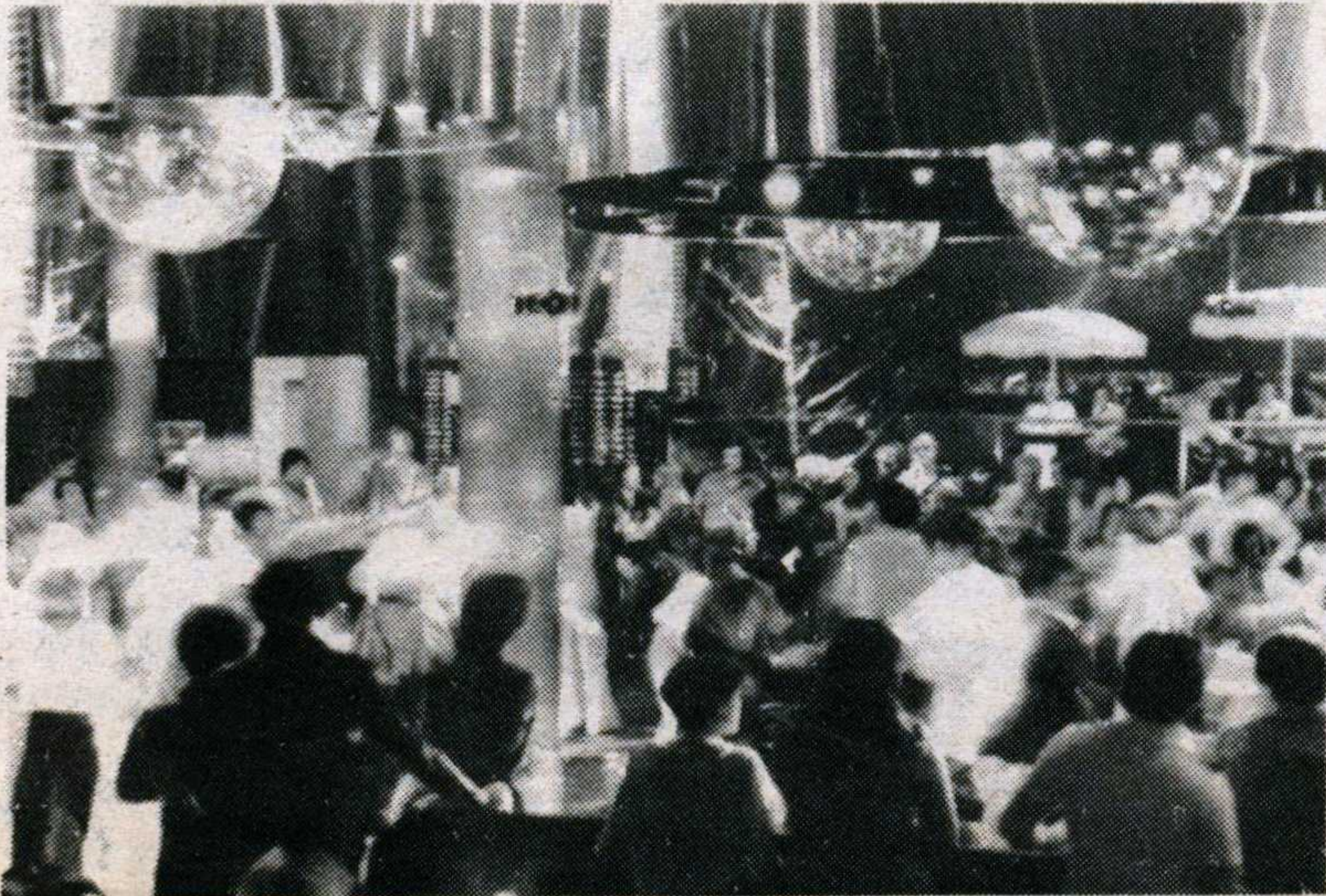
a fascinating array of special effects that engulf the club in an optical wonderland.

Rock music has long been considered taboo in discotheques, but relying on the popular belief that rock may be coming back in disco circles, DJ Jack McLoy fills the air with disco favorites while mixing in about 10 percent rock, through the club's thundering sound system.

Perhaps what I consider to be the most unique feature of the club and what gives it its unprecedented character is the variety of "extras" Uncle Sam's offers: Order a "Tank" and get 16 ounces of KAMAKAZI, a "Firecracker" gets you 24 ounces of "TNT" and you get to keep the huge glasses. Hungry? Look for the hot dog cart attended to by an attractive waitress. And, on your way out, don't forget to visit the colorful "Star Shop" stocked with "Uncle Sam" shirts, tanks and sweat shirts.

Open 7 nights a week, Uncle Sam's is certainly a product of those whose creativity and ingenuity will see it on the road to success as a major New York disco. Uncle Sam's is a satisfying adventure into a disco world paradise of comfort, elegance and beautiful people.

Rated + + + +



Uncle Sam's on a recent evening.

—Mermer Photo

DEAN SEARCH UPDATE

The Dean Search Committee has invited four candidates for the deanship to return for second interviews. The four candidates are:

Jane Frank Ted Finman Monroe Price John Regan

Dates and times of interviews will be posted.

Larry, What Ever..

(Continued from page 5)
knew would be one of "those people."

My father gave Larry some money and tucked a banana in his pocket. When he asked Larry what he could do, Larry responded that he would "be all right" and that he was "expecting some money from California soon." Will Larry be all right? Where is he now? Where can Larry really go in this great big city? Who can really help Larry while salvaging the small amount of pride he has left? Do we isolate him with the rest of society's outcasts and make believe he just does not exist? Right now, to tell you the truth, I do not know. All I know is

that, for the first time in my life, I understand the meaning of the word anomie. For the first time in my life I feel that I too do not belong because I do not know what we can do for Larry, nor do I know how he got lost. All I do know is that if someone sees a bright, handsome 35-year-old derelict, who speaks beautiful English and got lost in Brooklyn, please give him a dime and tell him to call his brother. He has been looking for Larry and he promises to take care of everything. My father just spoke to him on the phone...

Epilogue: Larry's funeral took place four days after he came to my parents' house. I guess he came home to die.

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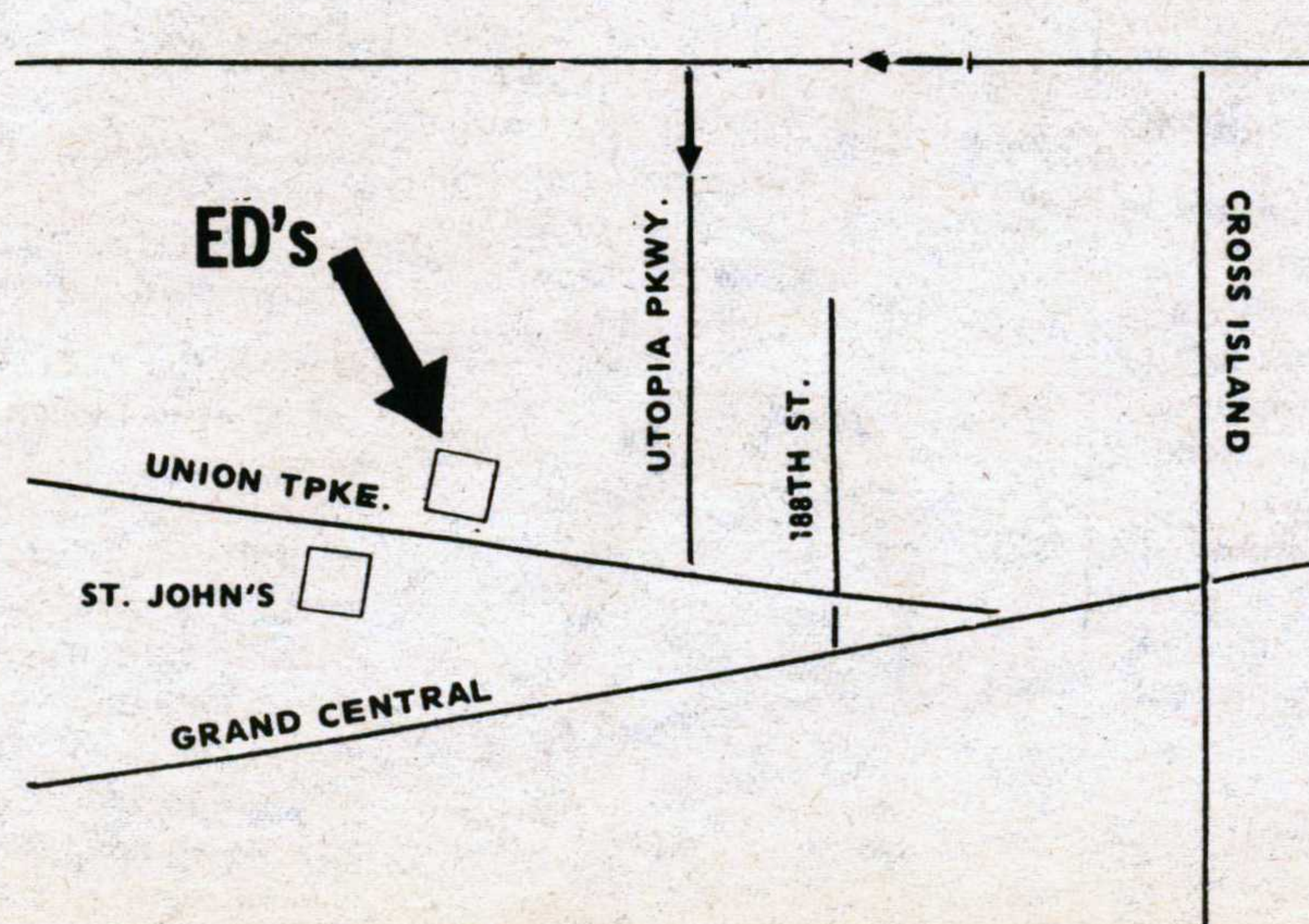
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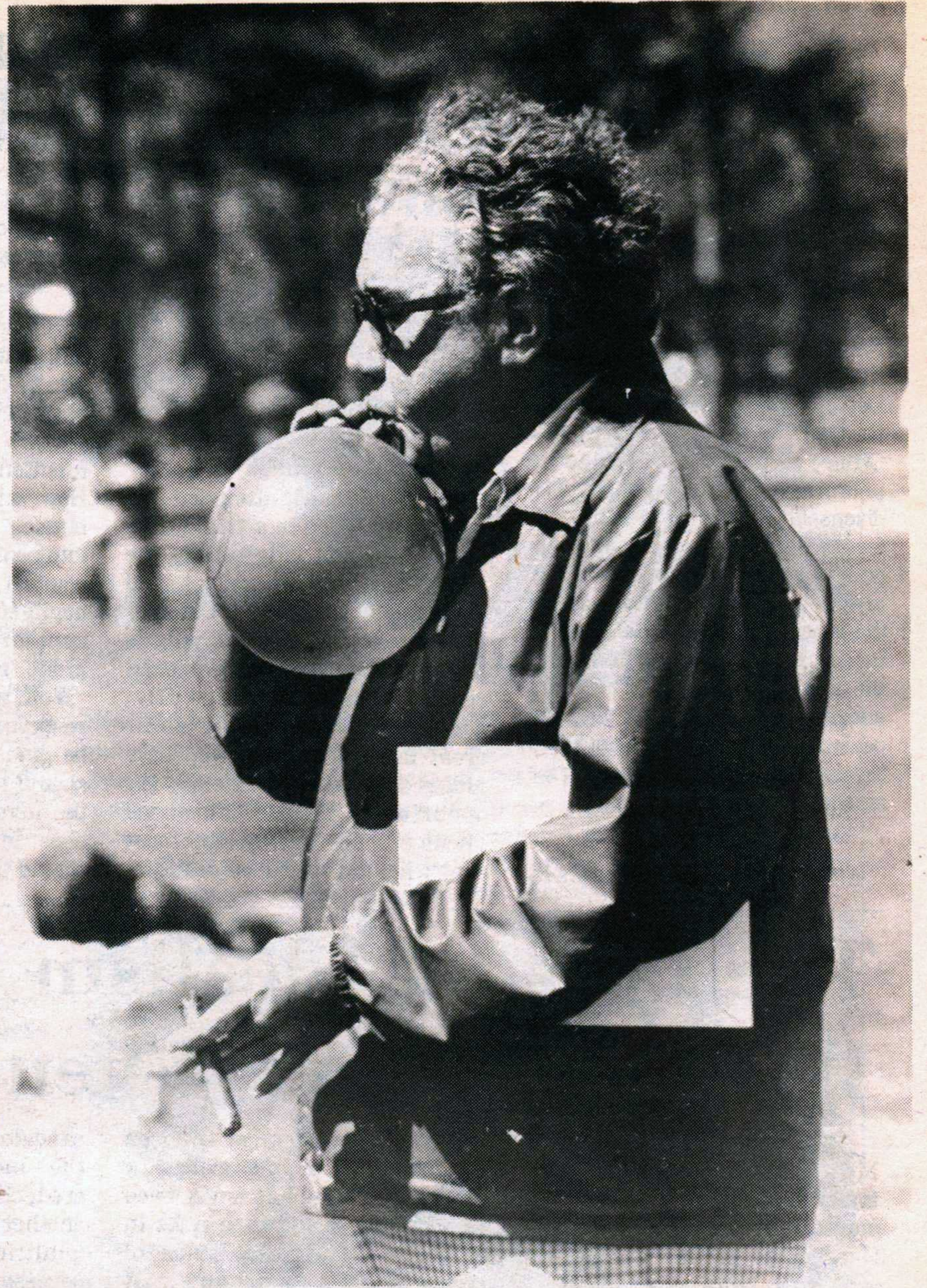
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Thanks to Stu Filler and Debbie Spivak for their help.



PICNIC 1978

A Pictorial Essay by Michael Mermer



CONSCIENCE thanks Sandy Blank and Bill Cherno for their dedicated efforts which made the picnic successful.

DATE:
April 30,
1978

PLACE:
Eisenhower
Park



Wachtler Leads Panel On Courtroom Skills

by Howard Herschberg

On Wed., April 5, a panel of distinguished judges and attorneys addressed the Law School community on some of the practical topics of law. The speakers were New York Court of Appeals Judge Sol Wachtler; New York Supreme Court Justice Frank Altimari; William DeNino, the chief of the Nassau District Attorney's Appeals Office; and Herald Fahringer, a prominent attorney. The discussion focused on the difference between trial and appellate courts as it relates to the practicing attorney and some of the legal and tactical difficulties faced by attorneys and judges in the course of litigation. The many anecdotes drawn from the experience of the speakers enriched the discussion with helpful advice and hearty laughs.

Appellate Skills

After brief opening remarks by

Prof. Agata, the moderator of the forum, Judge Wachtler spoke on the ABC's of bringing a case before an appellate court—what to do and more importantly, what not to do. With a witty presentation, Judge Wachtler detailed some of the sins of the appellate court brief—lengthy briefs, large chunks of verbatim quoting, mis-citation, obfuscation, and use of obscure law review articles.

Trial Judge

Judge Altimari discussed the role of the judge in a trial court. While appellate judges have the luxury of time to reflect and retrospect on the legal appropriateness of a trial judge's actions, the trial judge must render such decisions swiftly, unceasingly and always under great pressure. While appellate judges and law students enjoy the opportunity to theorize about "justice," the trial judge must deal with the world of reality—

with doing justice. It is a world, Altimari urged, where questions of fact or law are not conveniently disparate, but are inextricably bound in the disputes before them.

Judge's Role

Judge Altimari discussed the inherent conflict within the dual role of the trial judge—a passive observer and umpire in an adversary system, or a more active function as one who seeks justice. How ought a judge to conduct himself when these roles come into conflict, as when one party's counsel is bringing his case negligently or inefficiently? Is it appropriate, for example, for a judge to say in such a case, "Well, would counsel now like to re-examine the witness?" Should he guide the case before him or should he leave it entirely up to the adversary system? If a judge does intervene for one party, should the other party object and

if so, how? These and other intricate trial court issues were discussed by Judge Altimari.

Brief Writing

DeNino then spoke about the appellate brief and the mechanics of the appeal process. Through his experience as Chief of the Appeals Office, Mr. DeNino has acquired the skill and feel to spot the good brief and troubleshoot the bad ones. He imparted that editor's feel to the audience as he reviewed the many informal rules of the appellate brief.

Fahringer, most recently in the news as the attorney for Larry

Lawyerly Hints

Flynt spoke about the ingredients that create a successful attorney: knowing how to prepare a case for trial, when and how to raise objections, when and how to criticize a judge, the paramount importance of winning over the

jury and the irreplaceable value of building a reputation of candor and gentlemanliness. Perhaps the aspect of Mr. Fahringer's presentation most impressive to the audience was the importance of a polished style, exemplified by Mr. Fahringer's own style and presentation.

Reception

After a half-hour of questions, the forum adjourned to the faculty lounge for wine and cheese.

Reaction

The forum had been well attended. Comments ranged from "informative and humorous" to "very enlightening" to "it gave me a feel for the judicial process I never get from reading cases." One student described the discussion as "the next best thing to getting the experience firsthand."

The Loss Of Idealism - By Whom? And When?

(Continued from page 7)

Mentschikoff's attitude. Certainly, I was the only one who was moved to express disagreement. I urged the pre-law advisers to send their "mushy-headed kids" to Hofstra Law School, and to have the candidates submit documentation of their asserted interest in social problems, suggesting, for example, references from people who had supervised them in community service work during their college years.

Unquestionably, law school and practice require intellectual facility. For that reason Hofstra has relied heavily upon a candidate's academic achievement in college, although our primary focus has been on the transcript rather than the cumulative grade point average. We have minimized, however, the weight given to Law School Admission Test scores. Most importantly, we have given substantial attention to the candidate's demonstrated concern with social problems, as manifested in work and extracurricular activities. (1)

Since the point somehow seems to be readily misunderstood, let me reiterate it in other words. I do not mean that law schools should be admitting students who are "unqualified" in the sense of being incapable of performing at a satisfactory academic level. For some time, every accredited law school has had substantially more available applicants than the school has been able to accommodate. Selection within the qualified pool has always been characterized by a significant degree of arbitrariness, both by design and necessity. My proposal, therefore, is simply that, in making selections from the pool of qualified candidates, we give substantial weight to the demonstrated likelihood that a candidate, as a member of the profession, will be concerned with law as an instrument of social reform. Admittedly, the prediction is an uncertain one—about as risky, in fact, as predicting whether a candidate will make law review, become a federal judge, become a partner

in a Wall Street firm, or serve on the faculty of a prestigious law school. The issue has never been whether we should take risks in admissions, but what kinds of risks are worth taking and what kinds of risks we are willing to take.

When I made that proposal at the SALT conference, a familiar objection was expressed from the floor:

I am a little bit skeptical. I am afraid that if it worked out that the top law schools give credit for those who demonstrate social concern, you would have people trying to build up a record of social concern. (2)

My response was, "Worse things could happen."

In fact, under generally current admissions policies and practices, worse things do happen. Aware that their grade point averages will be a principal factor in admissions to law school, pre-law students have been known to avoid taking courses that are challenging and to seek out "gut" or "cake" courses that will maximize their GPAs. Thus we read in Turow's *One L* about Harvard Law School students, by a proportion of six-to-one, electing to study Constitutional Law with a young and relatively inexperienced law professor rather than with Archibald Cox, primarily because of Cox's reputation as a "notoriously low grader." (3) That disposition to place grades over the quality of the learning experience is yet another characteristic that law students acquire long before coming to law school, and which we reward in our admissions policies and practices.

Just as an apparently outstanding academic record can be established concentrating on easy courses, and by ingratiating oneself with one's professors, an apparent concern with social justice can be manufactured. In my experience, however, a candidate's asserted commitment to community service is not easy to fake and is subject to verification. For example, one

candidate, Mr. J. appeared on the basis of his academic credentials alone to be just another one of the mass of qualified candidates who necessarily would have to be rejected. Mr. J. impressed me, however, with the fact that he had been an enthusiastic participant in a special course in Community Involvement. I therefore wrote to Professor D, with whom Mr. J. had worked closely in the course. Professor D responded in part:

While taking my Community Involvement (Mr. J.) never impressed me as a person intensely involved with human welfare... He was also somewhat frivolous... I also felt that (Mr. J's) talents were those of an entrepreneur. He is a young man who, given free time, will not read about or visit a social welfare agency, but rather develop an ingenious scheme of boosting his income.

Thus, my prediction is that if he graduates from law school, there is a greater probability that he would join the family firm as a corporate lawyer than pursue... an area of legal reform.

Consider, by contrast, the subsequent recommendation from the same professor for another candidate:

... Because I wanted to preserve your trust, I have refrained from recommending to you any student who was something less than outstanding. But now, I believe, I have such a one. ... (Mr. G's) sense of balance, perspective and fairness (is) admirable. He is the stuff that just and courageous leaders are made of, something widely recognized by his classmates and colleagues.

One of (Mr. G's) most admirable gifts is the intimacy with which he interrelates formal knowledge and social commitment. For him, a college education is not a way of attaining a

"union ticket"—a diploma—but rather an indispensable training for responsible social welfare, which in his case lies in the area of justice.

Few law schools will even consider an applicant with an LSAT score of 454. We accepted one such candidate who had been extensively involved in prison reform activities. Ramsey Clark wrote about her:

(Ms. K) possesses that quality the legal profession needs most: an ardent and unselfish desire to compassionately address human need through democratic institutions, the processing of principle, the rule of law. She is, as well, wise, sensitive, articulate, and driven: an extraordinary person. I have watched (Ms. K) work for nearly five years now in the most discouraging area of human activity—prisons, parole, criminal justice. She has served under the most frustrating and tenuous conditions... Far from despairing, she has never faltered in her cheerful, faithful and very effective effort at reform.

In addition, Professor Herman Schwartz wrote in part:

Because of this combination of skill, energy and initiative, I would strongly recommend that (Ms. K) be admitted to your law school. I think her work... shows motivation, judgment; maturity, social commitment and leadership ability far above the average.

I could multiply such cases many times over—candidates whose statistical credentials suggest that they will fall substantially short of law review, but who possess, in Ramsey Clark's phrase, "that quality the legal profession needs most; an ardent and unselfish desire to compassionately address human need through democratic institutions, the processing of principle, the rule of law." I should add that even at Hofstra,

such candidates are still a relatively small minority of those college graduates who self-select themselves for law school (under the guidance of pre-law advisers who have been conditioned by law school admissions policies like those articulated by Dean Mentschikoff). For better or worse, therefore, Hofstra gets its full share of candidates whose academic records and aspirations are directed toward law review and a lucrative commercial practice.

Will people like Ms. K lose their sense of commitment to social reform during the three years of school? I think not. Moreover, whatever the risk, I think it is worth taking. Two statistics may be of interest in that regard. First, the proportion of Hofstra Law School graduates who have entered public service is 150 percent larger than law school graduates generally. Second, the proportion of Hofstra graduates who have taken jobs with public interest firms and indigent services is more than 200 percent greater than law school graduates generally. I conclude, therefore, that if idealism is being lost, it is not being lost by students in law school, but by administrators in the admissions process.

The author has been Chairman of the Committee on Admissions at Hofstra Law School since 1973.

(1) As a result, the student body at Hofstra has been more experienced, more involved, and more challenging than at law schools generally—a factor that is of independent significance to legal education.

(2) Trans. p. 234.

(3) S. Turow, *One L*, pp. 203-205 (Putnam, 1977). Having taken a course and a seminar from Professor Cox, I can attest that he is a superior classroom teacher, particularly at a school where classroom teaching ability has never been a primary criterion for the faculty.

Viewpoint

Bakke: Moving On A Sunny Afternoon

by Rick Shaffer

We marched on Washington, against Bakke, on April 15. The police estimated our number at 10,000; Associated Press said 15,000; so it was probably close to 30,000. From the Washington monument to the Capital Building we marched, to express our anger at the possibility that years of progress for black people and other minorities may be halted by one extremely questionable court decision.

It seems that I should continue here with a scathing statement concerning the magnitude of prejudice in this country, or a scolding of the New York Times which gave short shrift to the march in its Sunday paper the following day. Maybe I should expound triumphant praise for the loud voice which 10 or 20 or 30 thousand people can bring to bear. Or maybe I should present an all encompassing analysis of what it all means. Maybe I should, but I won't. I won't because chances are I'd end up using the same old tired phrases, the same old rhetoric; and because, quite frankly, I'm not sure what all this means. So instead, if I may be indulged, I'll offer some scattered thoughts, impressions, observations, and feelings about that day.

—An ever-present feeling of awe stemming from both excitement and fear. Excitement over the sheer power that a group of thousands—brought together for a common purpose—possesses. Fear at the knowledge that, at any moment, a peaceful march could be turned into a scene of violence; fear, especially, at the knowledge that this transformation could be brought about by a single individual, be it a cop with a short temper, a redneck with a hatred, or a marcher with a vengeance.

—The amazing conglomeration of people that this demonstration brought together. People from Cleveland, Detroit, Boston, Mobile, Washington, Atlanta, New York. People at their "first march;" people who had made demonstrating a hobby during the sixties. Workers and students; legal scholars and aspiring athletes. A black man preaching to some black elementary school children on how, some day, they'll "be the ones on the top of the pyramid;" a black Washington City Councilwoman explaining how wonderful it was that the council had voted this to be an anti-racism day. And then there was my personal favorite, a young black man, the mirror image of Little Richard—eyes bulging out of his head, his hair done up in waves; he'd be perfect at halftime, twirling a baton at the front of the Ohio State marching band. He may or may not have known what the demonstration was all about, but he had one hell of a time leading the parade.

—The crazy juxtaposition of it all. Here were thousands of people, most of them black, marching through the Capital—the seat of power—of a mostly white nation.

—The reactions of the people on the street as we marched by. Surprised looks on the faces of a group waiting for a bus, seeing 20,000 or so people roll by instead.

—The two adult tourists, driving by in their air-conditioned car, pointing out to their two tourist children: the Justice Department Building, the State Department Building, the FBI Building, the 20,000 or so protestors marching past the FBI Building, the White House, the Washington monument . . . The smirk on the face of one of the white Washington policemen assigned to march security. The stone-cold stare of a black policeman, also assigned to march security; and the one, leather-gloved finger of that same black policeman, tapping to the rhythmic chant of the protestors. The young black workingman, driving by in his (or maybe his boss') pickup truck, his face betraying his thoughts—"I'm not sure what 'Bakke' is all about, but I'm with you, Brothers." And the stares of the apartment dwellers, lining their windows along the march route, all of them appearing to wonder "Since when did they start doing this type of thing again?"

—The vendors that inevitably show up at a parade. One "marcher" selling "Beat Back Bakke" buttons (for the March Committee) expressed his satisfaction—"Good day; gooooooood day," he repeated. (What was good—the sunny weather, the march, or the number of buttons he'd sold that day?) The one Chinese, hot-dog, ice-cream, and soda merchant—along with all his fellow merchants—lining Maryland Avenue with their junk food trucks, feeding the marchers, the tourists, and the policemen alike. Oblivious to what the march was all about, but happy, as well they might be, about the decent profit that the day's activities were bringing.

—The anger of the workers at the highway rest stop restaurant. Angry at the fact that the usually small Saturday night crowd had been turned into a stampede of hungry people when 40 or so busses returning from Washington had decided to stop at the same place at the same time. This anger contrasted by the happiness on the restaurant manager's face; again, happy about the decent profit that the day's activities were bringing.

—Realization. Realization that the 20,000 or so people who marched on that Saturday in April, to demand, in essence, the opportunity to acquire the opportunity to make a buck, had unknowingly, helped a small number of others make a buck, and caused a larger number of others to work a little harder.

—And realization, too, that two days later, Uncle Sam and the IRS were to get paid.

Will it do any good? Is the making of a statement of protest worth anything?

"Making a statement is enough in itself," a fellow marcher-observer replied.

On behalf of those individuals who gave their time and energy to make the first annual Hofstra Mini-Marathon a great success, we wish to personally thank Dave Rothfeld, Andrea Friedman, Candy and Bruce Eiber, Dave Woycik, Ann Goodwin, and the entire CONSCIENCE staff for their support and cooperation.

Until next year!

Michael Patrick
Michelle Parfitt

Perspective

The Political Uses Of Semantic Deception

by Gary Small

In the recent television production of the Holocaust, millions of us watched and listened as high-level German officials searched for a way to obscure the reality of their depraved acts. One of their methods of disguise involved a very careful choice of descriptive language. By calling concentration camps and death pits "work camps" and "resettlement centers," the Nazis achieved a measure of success in obscuring a reality of terror and death. There was no dilution or change of reality itself, of course, but the manipulation of language appeared to help the Germans, even if only in small ways, to live with what they were doing.

Now we don't know if the Germans really agonized over what they were doing, or whether or not they actually needed their little self-deception to continue their work. One can't help but feel that a people who initiated a policy of exterminating the Jews, Blacks, Poles, and practically everyone else hardly relied on transparent self-deception to keep themselves going. And of course it's true that these little deceptions were more than useful to another end—keeping the rest of the world and perhaps certain segments of the German population ignorant of the real policy of the government. But it's interesting that the Germans are portrayed as having needed these little deceptions in order to live with the thought of their real acts.

Things haven't really changed much in thirty years. Policy makers, in order to make unattractive and unacceptable policies somehow palatable to themselves and the public, are still

playing games with words. To call the bombing raids during the Vietnam war "defensive reaction strikes" was an obvious attempt to remove the blood and guts from the whole business. God only knows what code words were devised by the C.I.A. to disguise and distort the performing of drug experiments on unsuspecting persons, the loosing of germs in the New York subway system, the harassment of anti-war leaders, and on and on.

No doubt the talents of some of our finest government lawyers have been utilized in the distortion process; lawyers are so adept at the word game.

As we've recently witnessed, Jimmy Carter, who promised a more open and "up-front" form of government, is not above this form of manipulation. Anyone waiting for the administration's decision on the development and deployment of the neutron bomb must still be waiting and in the dark at this moment; the recent decision announced from the White House referred only to something called a "radiation enhancement device." One supposes that this kind of manipulation reflects an inability to deal with the real implications of one's acts. It also can be attributed to the desire by officials to somehow keep the real nature of their acts and decisions as much in the background as possible.

Somewhere along the line, one hopes, the lawyers, speechwriters, policy apologists and decision makers themselves will cease their torturing of the language, and, along with the public, decide that a policy that can't be described through the use of plain language and honesty is a policy that shouldn't be put into effect.

Information For May Graduates

Commencement will be held on Sunday, May 28 at 2 P.M. in the John Cranford Adams Playhouse, South Campus.

Tickets will be distributed in Room 115 of the Law School beginning May 8. Each candidate will receive 5 tickets to Commencement. If any extra tickets are available, they will be distributed on a lottery basis as students have requested. If additional tickets are needed, place your name on the list provided at the time you pick up your tickets. It is not expected that you will be able to pick up more than one additional ticket (if any) through the lottery.

Caps and gowns may be picked up in the Student Art Gallery in Calkins Hall (South Campus) at the following times:

Monday, May 15

10:00 A.M.-5:00 P.M.

Tuesday, May 16

10:00 A.M.-8:00 P.M.

Wednesday, May 17

10:00 A.M.-8:00 P.M.

You will be required to deposit \$5 in cash or by check made out to Hofstra University. This deposit will be returned to you when you return your robes to the Student Art Gallery in Calkins Hall immediately following Commencement.

Diplomas can be picked up in Room 115 beginning June 15. Any diplomas not picked up in person will be mailed after August 10, unless otherwise indicated.

Questions should be addressed to Charlotte Hoffer, Registrar.

Conscience Extends Its Congratulations

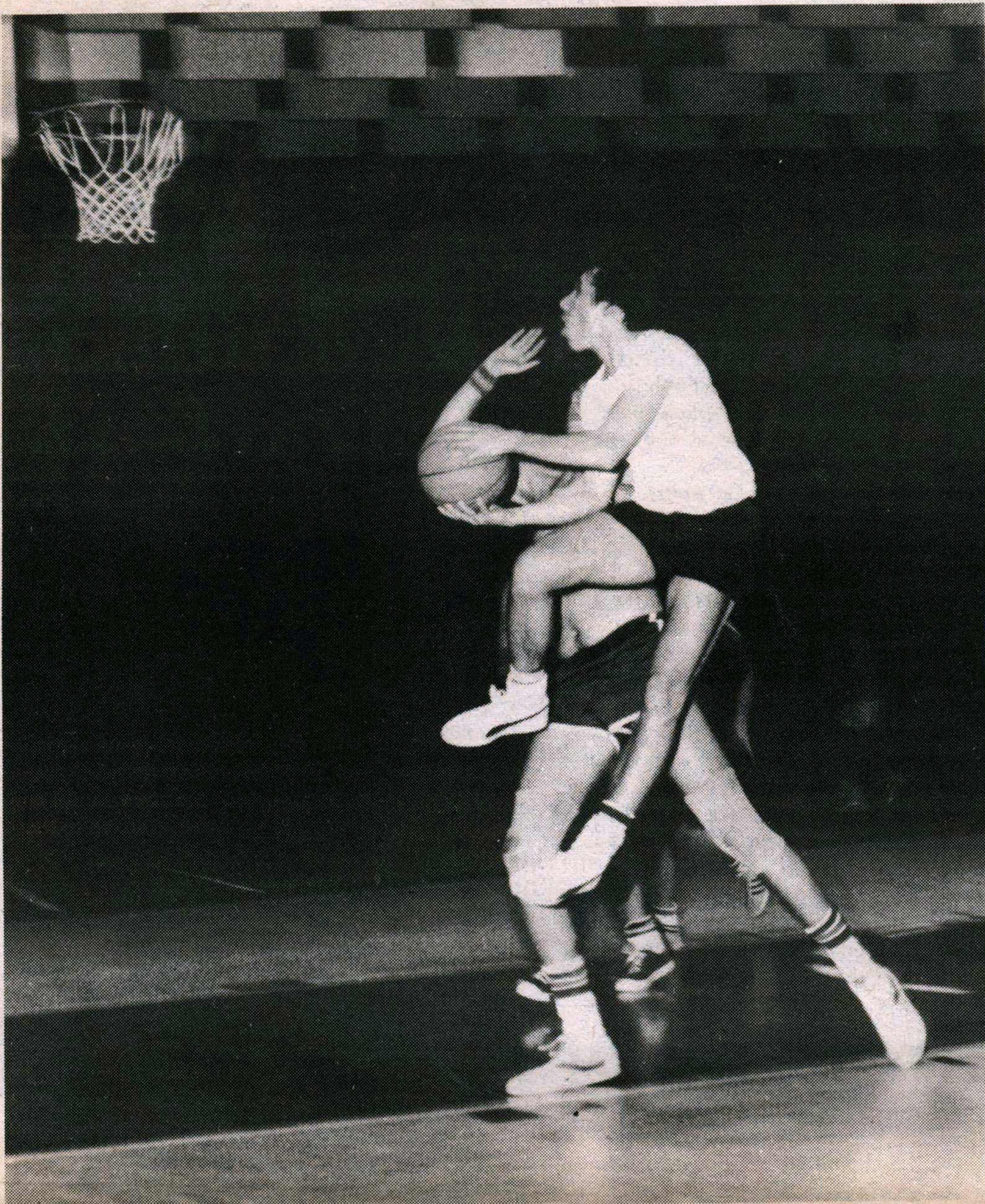
PHOTO OF THE MONTH



Abe Gross insists this photo was taken at least twenty years ago.

CONSCIENCE SPORTS

by Michael Mermer



The Law School Basketball Intramural Team. From L-R: Dave Rothfeld, Michael Kusevitsky, Eric Hellige, Dave Lazer, Dave Woycik (Captain), Randi Levine, Paul Millman, Glenn Roberts.

The Law School Intramural Basketball team ended an otherwise successful season with an upset loss, 60-34, to the "Vickors" undergraduate squad. The team finished the season with an impressive 12-2 record. Randi Levine, with 14 points in the championship final, was the playoff high scorer.

Paul Millman driving hard to hoop past defender.

WINNERS OF FIRST ANNUAL CONSCIENCE MINI-MARATHON. The American Heart Association will receive \$400 from sponsors of 32 runners in the 5-mile race hosted by CONSCIENCE and organized by Michael Patrick and Michelle Parfitt. Trophies were presented to:

First Place, Male: Michael Patrick, 31:14

First Place, Female: Michelle Parfitt, 38:33

Second Place: Vincent Maroney, 31:25

Last Place: William Jaffe, 50:20.

The race was a feature of the annual Law School picnic held on Sun., Apr. 30. (See Pictorial Essay on page 9.)



AARON AT BAT. The Dean slugs away in the picnic's softball game.

