conscience

Stop panicking

Lagging placement search nears the finish line

by Paul Senzer

Irregularities and delay have for months deprived Hofstra Law of a much needed placement director, but the long wait may soon be over.

This week, according to Dean John J. Regan, a new director will be appointed if salary and contract difficulties can be hashed-out. Regan selected one of four candidates submitted to him by the placement search committee, but declined to identify the prospective director until the appointment is formalized.

Jeff Bloom, a third-year student and member of the committee said that none of the four submissions was a lawyer or had legal placement experience.

Bloom chronicled a long, sometimes plodding search which began before Regan was appointed Dean. A better job could have been done, Bloom added, because "this student body can no longer accept on-the-job training for a placement director."

The placement dilemma is "the most critical problem facing the law school," Bloom said, as it causes "the most unhealthy undercurrent imaginable. Because of the situation, the morale in my class is as low as can be."

Assistant Dean Hillary Fuhrman, who has served as interim placement director has done an "excellent job," according to Regan. Bloom, on the other hand, sees the fruits of the interim effort as "badly lacking—I don't think we could be doing much worse." Having studied placement programs at other law schools, Bloom has concluded that the current third-year class has been presented with a dearth of information and far too few job interviews.

Regan takes an optimistic tack, emphasizing that the job market is active all year long, especially in government and administrative sectors. With a new

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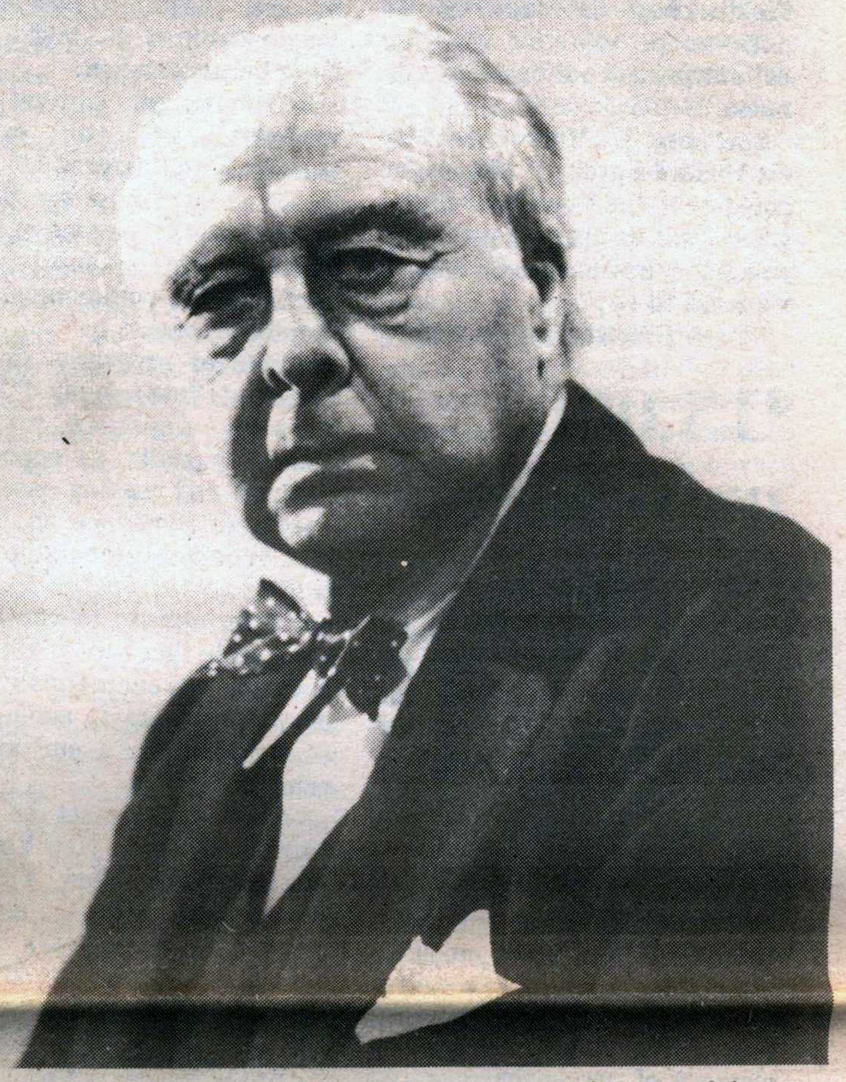

No, don't get scared — this isn't a new professor of law at Hofstra. It's actor John Houseman, known to many as "Professor Kingsfield," late of the popular 1973 movie, "The Paper Chase." Kingsfield, Mr. Hart, Liberty Bell and all your favorites emerge on the boob tube this fall as CBS attempts to re-create the box-office smash. Airing Tuesdays from 8 to 9 PM, CBS describes its new series as depicting "a fearsome professor of law who petrifies yet captivates his students." Now where do you suppose they got that idea?

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Monroe quits ACLU contest

Just days before selection was slated, Prof. Monroe H. Freedman dropped out of the race for National ACLU Executive Director.

The following piece, by Tom Mattingly, was written just before Freedman's decision, when the ex-dean was still an "active candidate." It details events that probably lead to the withdrawal.

Freedman indicated that the Executive Director Search Committee recommended Ira Glasser, the Executive Director of the New York Civil Liberties Union, and Marvin Schacter, the Associate Executive Director of the Southern California Civil Liberties Union, for the position. **Glasser, with three votes from the Search Committee, was the** majority choice of the Committee, and Schacter was the minority choice with two votes from the Committee. "I have been told," said Freedman, "that I was a strong second choice with a majority of the Committee even though I didn't receive any votes on the Committee. The Search Committee did not believe that it was their function to put before the Board all of the qualified candidates."

"Unquestionably, the outcome of the Search Committee hurts my chances, but 93 percent of the 80-member Board have yet to be heard from," said Freedman. The election will be held September 23 and 24 with a slim possibility that the decision will be postponed until early

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CONSCIENCE photo by Joan Genchi

Fighting for the first amendment

by Vicki Lindgren

"It's kind of scary when a group of seven people can make national headlines espousing a principle of book-banning, and receive support from their community—come across as 'the Great Americans.' They're using the cloak of the flag to put forth their doctrine, which I think is anti-American."

The "they" are members of the Island Trees School Board, and the speaker, Steve Pico, currently a Hofstra undergrad, is one of five people who initiated a lawsuit against them, for having banned several books from the Island Trees School District on the grounds that they were "educationally unsound."

According to Pico, it all started in the Fall of 1975. Three members of the Board were sent to a conference of Parents Of New York United (also referred to as PONY-U), where they were given a list of so-called controversial books. Upon returning from the conference, they found that eleven of the thirty-three books listed were in the **Island Trees** School District libraries, and removed them.

Surprisingly, obscenity was not the main issue. The books removed were considered unsuitable for students because they were either anti-Semetic, anti-American, or otherwise "unsound."

"One of the books on the list, **The Fixer**, was required reading in an English course. Another book removed was Kurt Vonnegut's **Slaughterhouse Five**. The Board Members felt that

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Regan desires regional image

At his convocation on August 31, Dean John J. Regan enunciated his vision for the Law School—that of making Hofstra the legal counterpart of "the strong, but small college."

In aspiring to the heights of Vassar, Wellesley and Amherst, for example, Hofstra will have to develop a strong regional identity, the new dean added. Only by competing with law schools in New York and the Northeast can Hofstra hope to "achieve the national prominence that excellent performance will command."

Speaking in Monroe Lecture Hall before a group of 200, Regan noted that the Law School has gotten over its growing pains and now is the time to ask, "Where do we want to be?"

"I see Hofstra Law School as the feisty young person on the block who is growing up fast, feeling tough and wants to go out and prove to the world that he's really got something," Regan said. Having taken a national view of its place in the "family of law schools" he added, Hofstra has demonstrated that it possesses faculty and students "the likes of which don't exist at too many law schools."

In announcing a soon-to-be-formed planning committee, Regan outlined the tasks which must be undertaken:

—Curriculum must be reviewed with an eye to "strength and diversity."

—The school must wrestle with problems as to the kind of values which are "subtly but significantly communicated in the classrooms."

—Clinical programs must be reviewed ("not relegated") and a growing emphasis must be placed on skills, as opposed to analysis and reading cases.

—There should be an inquiry into broader interdisciplinary fields.

—"My promise to you is that we will get cracking on placement as energetically as we can," Regan said, adding with emphasis, "that's our top, top priority."

—The school must be linked with the local bar, New York City law firms and New York bar associations. Such an endeavor will fulfill the school's responsibility to continuing education and will help students, in the long run.

Preceding Regan's speech were short presentations by University Provost Harold Yuker and University President James Shuart. Shuart thanked the Dean's Search Committee for doing a "fantastic job" and then

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Leon Friedman

John DeWitt Gregory

William Ginsburg

$13,000 maritime bequest

Remember the slave ship in the TV epic **Roots**? Well, in real life the brig's name is **Unicorn** and earlier this month during onboard ceremonies, Hofstra Law took possession of a $13,000 collection of maritime law books—bequeathed by the boat's late owner, Wilbur Hecht who died in 1974.

The late Hecht was a president of the Maritime Law Association and a chairman of the ABA. His wife Helen made the gift in memory of her husband, a former Garden City resident. The **Unicorn**, which is moored during the year in Florida, will be visiting ports on Long Island and in Connecticut for the next two months, as part of the Long Island nautical festival.

conscience

CURRENTS

Ambitious moves

Dean John J. Regan, told the faculty earlier this month that the establishment of a long-range planning effort will "probably be the most ambitious move of the coming year."

Regan chose the Sept. 6 faculty meeting — the first this year — to announce the creation of a new law school committee which will attempt to assess with precision what the law school's goal should be and how far we have to travel reach those goals.

Key considerations will be the possibility of law school expansion, the place of clinical programs in the scheme of legal education and reaching-out to the local bar.

Regan's suggestion of a ten-member planning committee was met with some opposition, Profs. Abe Ordover and Larry Kessler believing such a large body unweildy.

Regan suggested that the importance of a planning committee may warrant the larger size in addition to a number of subcommittees to be assigned specific tasks. In any event, he noted, the new group must be "representative of the faculty's diverse views and interests."

In a related development, Regan announced the establishment of a Lecture Committee to identify and recruit persons of reputation in legal circles to produce an annual, prestigious lecture at Hofstra Law. The result of such a lecture series might be a pertinent law review article and the immediate benefit should be a closer linkage with members of local bar associations and members of the bench.

Appointments to the other law school committees should be set by the month's end, Regan said, adding that he would like to see *the size of many committees* paired from five faculty members to three.

In a long expected move, the faculty voted overwhelmingly to abolish the old "catch-all" governance committee which, it was generally recognized, had become the dumping ground for that which didn't fit elsewhere. According to Prof. John DeWitt Gregory, a past chairperson of the committee, "it really became a garbage can."

Before the death knell sounds, however, the committee's last piece of work—four years in the making—is slated to be published; a disciplinary code for the law school. The new Code was prepared at the behest of Associate Dean Stuart Rabinowitz by the present Governance Committee under the direction of Prof. Linda Champlin.

Tabled until the next faculty meeting was a presentation on the efficacy of and alternatives to last year's Spring semester first-year tutorial program.

Tenure granted to two profs.

Tenure has been granted to two members of the law faculty: Prof. John DeWitt Gregory and Associate Prof. Leon Friedman. Gregory and Friedman were the only faculty members slated for consideration by the Tenure Committee, which is composed of all tenured faculty, and chaired by Prof. Malachy Mahon.

Gregory commented that receiving tenure, "is not the beginning of my life and it's not the end of my life, but I am of course, pleased about it. I like Hofstra and I like the people there, by and large."

Friedman, who has been at Hofstra Law for four years (which means he received what would be considered "early consideration"), was likewise pleased with receiving tenure, adding, "once in a while, you like to know what your colleagues think about you and this is an indication."

Involved in making the decision to grant tenure to Friedman and Gregory were the Tenure Committee, non-tenured faculty, the Dean and law students. Student evaluations were taken into consideration and student opinions were also solicited via letters and discussions with the Committee. Its recommendations were sent to the dean and then submitted to the Provost, the President and the Board of Trustees of the University for final determination.

The criteria for granting tenure include teaching ability, scholarly and community work, contributions to University life and fulfillment of some essential function in the long range needs of the department or the University.

Associate Prof. William Ginsberg had originally been a candidate for tenure but withdrew his candidacy early in June, prior to the Committee's scheduled vote. Ginsberg will automatically come up for tenure in 1980, at which time he will have taught the requisite six years.

One of the advantages of being tenured is that the University increases its contribution to the faculty member's pension fund. But the real benefit to becoming tenured is, as Assoc. Dean Stuart Rabinowitz said, "you can't get fired, except for good cause."

Urban blight... an ugly sight

Turned off by the urban blight of downtown Hempstead? We thought so. So is Hofstra University President James Shuart. Realizing that the University's future is integrally linked with the life or death of the mini-metropolis, Shuart met with County Executive Francis Purcell and Hempstead Village civic leaders this month to outline steps to curb urban blight.

So far the plan is in its initial stages but in the near future a new master plan for the village will be drawn up with an eye toward downplaying Hempstead's traditional business-orientation and upgrading the level of federal loans.

Purcell sees salvation as a necessity in light of the nearby Nassau Coliseum and next year's plan for a Federal District Court on the Hofstra Campus. Both facilities will attract out-of-towners whose Long Island expectations don't include scenes of urban devastation.

Abzug featured in Law Journal

The **Women's Law Journal**, a first for Hofstra, is headed for the presses as the new Women's Law Group begins the school year.

The publication will offer articles examining unequal opportunities in obtaining credit, discriminatory criteria in admitting women to law school, and sexual harassment. Also featured will be an article by Bella Abzug, spotlighting the International Women's Conference.

Beyond the **Journal**, the Law Group hopes to hold a seminar series designed to make women law students more aware of what awaits them after law school.

Journal member Janet Connolly, a second-year student, noted that contributions and editorial help will be welcomed from any student—male or female—wishing to pitch in. The main criterion for articles, she said, is some relevance to the legal aspects of women's issues.

Prof. Kristen Glenn is serving this year as the **Law Journal's** advisor-coordinator.

Scott Salimando

A Fulton folly?

Mooting past errors

First-year moot court participants will face some revisions as they prepare to square off this Spring in lawyerly argument. Most notably, the former practice of teams of two partners has been abolished.

Instead, individuals will be pitted against each other in more realistic problems rooted in real—not hypothetical—jurisdictions.

Scott Salimando, chairperson of the Moot Court Board, is enthusiastic about changes in the program designed to eliminate errors of the past. The move away from partners, he said, is designed to avoid forcing incompatible work relationships and splitting issues rather mechanically.

The new moot court program, this year under the umbrella of the new first-year clinical program, will feature the customary second year "advisors," but more importantly, will feature direct contact with this year's four NLO instructors, Charles McEvily, Alice Morey, Susan Bryant and Richard Neumann. The program will also be graded.

At a moot court advisors' meeting, McEvily noted that second year students, in the fall semester, will serve as "law clerks," researching and writing a bench memo to be used by judges during the second semester oral argument.

Unlike last year, McEvily said, advisors will be able to change and balance out fact-patterns during research, so as to give first year students as fair a chance as possible. Joking around, McEvily told this year's advisors, "How many of you looked at your fact-patterns last year, realized you were going to lose, and said to yourself, 'Shit! I'm gonna lose!' " This year, he added, the scales will be balanced and early pessimism avoided.

Cat & mouse in Barton House

Representatives from Law School student organizations apportioned the office space in Barton House at a meeting called for that purpose on Sept. 6. Eleven organizations claimed various nooks and crannies in a space that is approximately half the size of the old student offices in the basement of the Law School. Barton House, located across the street from the Law School on California Avenue, will be the home of these student organizations for at least a semester. The First Year Research and Writing Program now occupies the old Law Review offices, and Law Review is now housed in the old student organization offices.

Problems with the move and with Barton House itself continue to plague the organizations. Assistant Dean Hillary Fuhrman, who was in charge of the move, has claimed for the past three weeks that she cannot get the University to move the remaining desks, file cabinets, boxes, and tables over to the miniature Barton House. Despite increased communication problems because of the remote location, student organizations are being threatened with a cut back to 2 phone lines from the 4 lines that existed in the Law School offices. None of the lines have yet been installed.

There are additional problems. The air conditioning is still not working. There are no electrical outlets in one of the offices. Toilet paper and paper towels are being supplied by the students, and the smell of a leaky oil tank continues to permeate the building when the windows are closed.

For the most part, the Law School and the University administrations have not provided any assistance in making Barton House habitable. A handful of students have had to do most of the work. On Sept. 9, a handful of students moved the desks and file cabinets into their respective offices, fixed the front door lock, put up a "Barton House" sign, and moved a few more belongings from the Law School to Barton House.

On the positive side, seven Barton House driveway parking permits are going to be issued to student organization heads, and a small copying machine has been procured for the organizations by Assistant Dean Fuhrman. An open house party is planned when renovations are completed.

The Move

When the move from the Law School was announced early July, student organizations were promised a few days notice before the actual move took place. However, no actual notice was ever given. Assistant Dean Fuhrman unsuccessfully attempted to contact only three student leaders at 2:30 p.m. on the afternoon before the move. According to Fuhrman, the move

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Hofstra hails as "dormlord"

In a move to ease its on-campus housing shortage, Hofstra University has leased 30 privately owned apartments at 600 Fulton Avenue in Hempstead.

Kenneth R. Murphy, manager and part owner of the two-building complex known as University Apartments, expects that approximately 100 Hofstra students will be residing there this year.

According to Maggie Ryan of the Office of Residential Life, about 20 law and graduate students are included in that figure. In theory, anyway, the law students will be in an environment more conducive to studying than the regular dormitories. "We placed all graduate and law students on the same floor and then filled the remaining vacancies on that floor with juniors and seniors who requested a quiet living area," she explained.

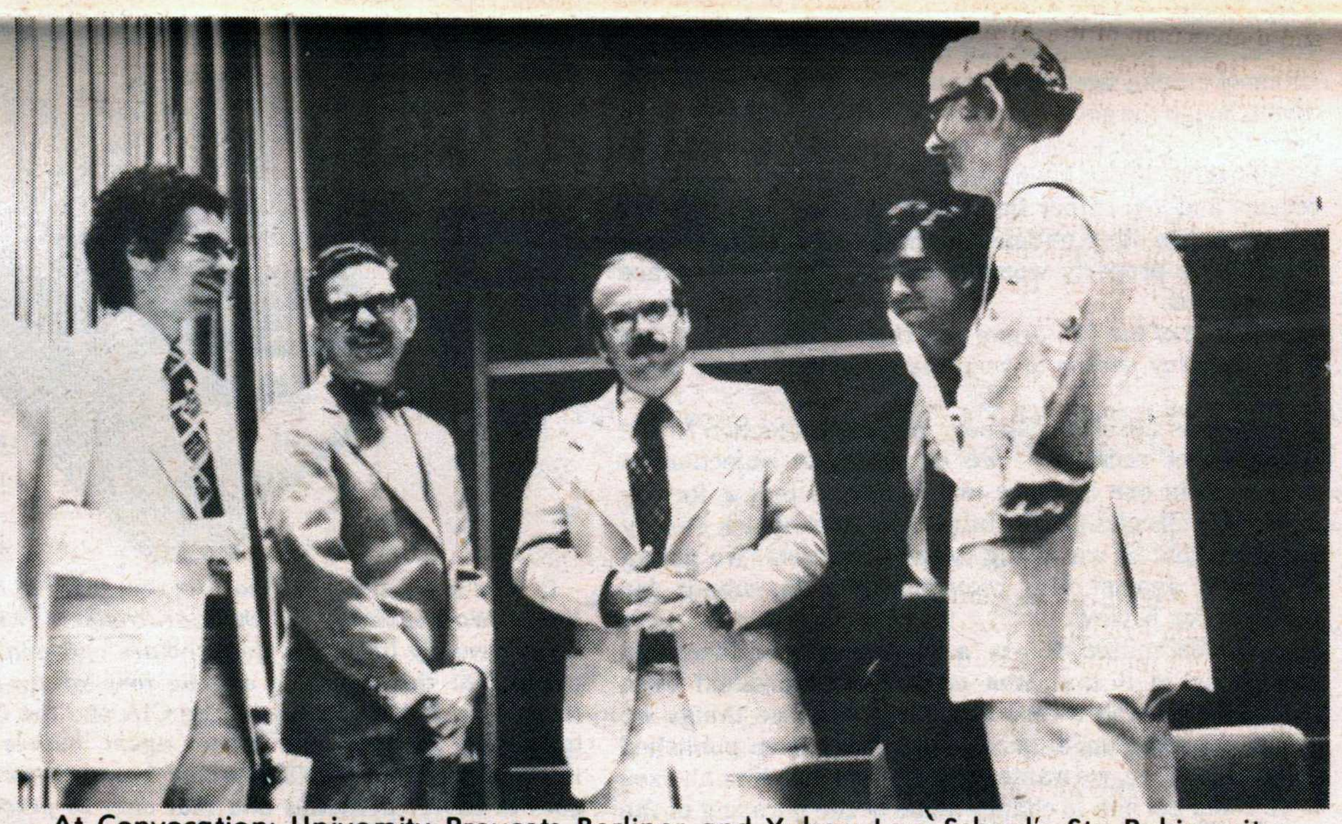
But the housing crunch at Hofstra is neither Murphy's boon nor the University's bane. While the situation has afforded Murphy the opportunity to fill most of his vacancies, he emphatically denied that he was making a profit on the venture which has caused some of his regular tenants to refer to him as "the dormlord." "If anyone's making money on this, it's Hofstra. I invested $8,000 of my own money in renovations, and I'm just about breaking even," Murphy said.

Hofstra, on the other hand, doesn't seem to be suffering financially from its housing difficulties. Beside extra tuition dollars from the additional students it has enrolled, the University is apparently reaping a substantial profit from its Fulton Avenue "dorms."

A unit at University Apartments consisting of one bedroom, a living area of about 300 square feet, a kitchen, dining area, and bath normally rents for $310 per month. Hofstra is paying about $150 per month for the same apartment and houses three or four students in it at $600 per semester each. Thus the University realizes a monthly profit of between $300 and $450 on each of the one-bedroom apartments it has rented. Some of this profit, at least, is being diverted to cover the costs of furniture, which the University is providing, along with an on-the-premises residential staff and shuttle bus service between the apartments and the campus.

Hofstra isn't the only local school that has been forced to look to outside sources to alleviate housing problems. Adelphi University, which reportedly oversubscribed its freshman class, has also made arrangements to house about 100 students at University Apartments.

In addition, New York Tech will be lodging 300 students at the Fulton Avenue site for the first time this year, as it has been unable to construct dormitory facilities at the Old Westbury campus due to zoning difficulties.



At Convocation: University Provosts Berliner and Yuker; Law School's Stu Rabinowitz, Charles McEvily and John Regan.

Section what?

Adding to the confusion surrounding the opening of the school year is the new first year schedule. For the first time there are two sections of Property and four sections of Criminal Law.

The effect of this new policy is that there are approximately 140 students in the two property sections taught by Prof. William Ginsberg and Prof. Ronald Silverman and approximately 67 students in each of the four Criminal Law classes.

Ginsberg prefers to take a "wait and see attitude" before evaluating the new schedule, adding however, that "he would prefer to have smaller classes." Ginsberg has had to use a microphone the past two weeks because of a cold.

The reaction to the schedule among the first year class has been varied. Leonard Goldberg, a student in Ginsberg's class said that "the atmosphere in Property is much different than the atmosphere in Contracts, Torts and Civil Procedure, because of the size of the class."

Goldberg hopes that Ginsberg does not continue to use the microphone because of the impersonality it fosters. Saul Morgenstein, a student in Silverman's class said that "the class is too big . . . having 140 people will make it more difficult to get as much out of the class as we or he would like." Morgenstein's classmate Layne Carlough said the large property class did not affect her, although she commented that Silverman's use of a microphone was a bother.

There were no adverse comments from the first year students interviewed about the four sections of Criminal Law.

When he was interim Dean, Professor Aaron Twerski justified the departure from three traditional first-year sections. He noted that future classes may see greater size differentiation with, perhaps, as many as six sections in some areas. The goal, Twerski said, is innovation.

conscience INTERVIEW

Ex CIA Chief

Colby: Few surprises; no regrets

William Colby was the Director of the Central Intelligence Agency during the Nixon and Ford administrations. He also served as the US Ambassador to South Vietnam during the Vietnam War. During World War II he parachuted behind enemy lines as a member of the OSS. He is a graduate of Columbia Law School. Prior to his CIA involvement, Colby worked for the American Civil Liberties Union and the National Labor Relations Board. He resigned the Directorship of the CIA at the request of President Ford amid Congressional inquiries into the activities of the CIA. Colby was interviewed by John Fausti, a staff member of CONSCIENCE*, last month in his law office in Washington, D.C. Colby is a partner in the firm Colby, Miller & Hanes handling international law. He has just published a book entitled,* Honorable Men: My Life in the CIA.

Q. When an agent begins his work with the CIA, he signs a secrecy pact promising never to reveal classified information. The CIA has brought action against former agents who have published books describing their days in the Agency. The ACLU, on behalf of these individuals, raises the defense that the only time that this pact should be enforced is when the disclosure presents a direct, immediate and irreparable harm to the nation. Do you feel that the pact must always be enforced even though the consequences may be minimal?

A. When you join the agency, you are making a contract. You are waiving certain rights of free speech just as you can waive a right to trial by jury, you can waive other rights in order to go to work in a highly classified sensitive area — learn a lot of secrets in the process. The government quite reasonably asks you to agree not to reveal those secrets and you make a contract as a condition of employment that you won't reveal those secrets. Even though the government may admit that there are no secrets revealed, I think the government has perfect right to enforce it. If you have a discipline in your intelligence service and you rather flamboyantly show that it is not working, then other nations and individuals, in my mind, would quite properly wonder whether their secrets are safe with us.

Q. Critics of the CIA argue that the only practical effect of the secrecy pact is to keep the American public uninformed.

A. That is absolute baloney. We take objection to the revealing of secrets — we do not take objection to criticism. In one instance, we had a tip that a former agent was circulating an outline of a book which clearly indicated that he was going to reveal secrets. We got an injunction against him requiring him to submit his material for review.

He so submitted it. As a first step, we identified everything in it that was technically classified even though I was well aware that some of those things we would not insist upon, because they had been published elsewhere. Then, we wanted to negotiate with him and see if we could get him to change some of the phrasing of the things because for instance, if he says that President X of country Y received some help from us, now that is a classified matter. But, if he said that a President of a South American country received help, it does not identify the particular President and I would have no objection to that. He refused. We had to go to court on the parts that we insisted were still secret, since he would not vary the wording. Then we went to court and the court supported us.

Q. You testified before the House Foreign Affairs Committee that the CIA was involved in political penetration in Chile. What did you mean when you stated that you were aware of certain moves leading to the assassination of President Allende?

A. We certainly had intelligence coverage of what was happening in Chile. We had it analyzed that there were four military elements that had to get together in order for the uprising to be successful. If only three of them got together, it would not work. Eventually, they got it all together.

Q. You testified that the CIA was penetrating Chile's political parties. Isn't it then fair to say that maybe the CIA wasn't instrumental in the exact planning of the assassination, but in the underlying build-up in support of it?

A. No. I was referring to an intelligence action of finding out what was happening. That is not influencing what happens. We certainly had no connection with the killing of Allende. In fact, I gather the best assessment of that, is that he may well have killed himself. The distinction to make is penetration for intelligence purposes and the exertion of secret influence. The one is fully bringing information to us, the other is trying to possibly influence the direction of some other country's situation. Those are the two different missions of CIA.

Q. At one point in your book, you make the point that many of your activities were probably illegal, yet not immoral.

A. I think many countries have rules against a foreign country giving secret help to all their political groups. Just as most countries have rules against foreign governments learning things in that country that the country doesn't want to know. Now, intelligence organizations in part try to learn those things despite the rules — that is what espionnage is all about — to conduct an illegal act. Nonetheless, there is moral justification for breaking the law in order to learn those things otherwise cannot be learned for your own self-defense. Now, similarly, I think there is a moral basis for giving help to people in another country to enable them to conduct political activities needed to offset an even larger help coming from the Soviet side.

Q. You made the point that the real stars of the OSS in World War II were not the paratroopers who landed behind enemy lines, but the scholars and analysts. You claim that this tradition set the tone of American intelligence. Yet, in the book, The CIA and the Cult of Intelligence, *the author, a former agent, makes the point that two-thirds of the CIA budget in manpower actually goes to covert activities and that only 20 percent of the manpower and 10 percent of the budget is actually on intelligence expenditures.*

A. That is a blatant falsehood. The authors include as part of the two-thirds, the part used for intelligence collection. As I remember the figures, about one-half of the budget during the Cold War of the 50's and 60's was devoted to political operations to influence situations abroad, separate from the intelligence function of gathering information and analyzing it. Now, that percentage of 50 percent has sunk in the last few years to something less than 20 percent — though I am not aware of the CIA's budget today.

Q. In the Cult *book, the author makes the point that the President does not really make decisions because so much of the work is of a secret nature and therefore it's colored by the impressions of the informing agent — much to the disadvantage of scholars and analysts. One of the problems with the Bay of Pigs was that the agents involved did not correctly assess the fact that Castro had such broad popular support.*

A. He has a point there about the Bay of Pigs. Some of the operations were considered so secret that they did not want to tell the analysts about them and take the risk of additional people knowing about it. Now, that has been changed.

Q. You were stationed in Italy from 1953 to 1958. You were trying to politically penetrate and influence political parties to deter the Communist effect. Your point was that you wanted to open up aid to Socialist groups also. If it was opened up more to leftists, would a coalition government have been formed sooner — thus making Italy more stable today?

A. Well, my own feeling was that the opening to the left, by which I mean bringing the Socialist Party into the democratic framework, which did happen in 1963 finally, that by that time all the momentum had been lost. If it had heppened in the late 50's, I think you might have had a more dynamic center of government. It would have indeed forestalled the growth of the Communist Party today. By delaying the opening to the socialists, they lost strength to the Communists.

A. What do you mean giving help?

A. Giving financial help. Talking out problems, giving ideas.

Q. Before you mentioned the morality of political penetration. But isn't that down-played when you consider that much of our help goes to political dictatorships?

A. I think you apply to these kinds of situations the same moral standards that you have long applied to the use of force in international affairs. There are two justifications for the use of force. In other words, can you relate this action to the self-defense of your people or are you trying to run another country the way it makes you feel happy. The latter is immoral, the former is moral. Second test, you are only allowed to use the means, the degree of force, in international affairs necessary to achieve your goal. We used an excess of force in South Vietnam over what was reasonably necessary for the purpose. Certainly, the attempts to assassinate Castro were a use of improper means.

Q. You said that John F. Kennedy and Robert Kennedy were the people who pushed for Castro's assassination.

A. In the period after the Bay of Pigs, Robert Kennedy was assigned the job of stimulating more aggressive secret activity against Cuba and there aren't any documents today that could say he knew of, approved of, or that the President knew or approved anything. There are documents that say the word "assassination" which was used in some of the inter-agency meetings that took place. Beyond that, the record does not show and was probably designed not to show anything.

Q. Do you accept the findings of the Warren Commission in light of this country's attempts to kill Castro?

A. Yes, I do accept their findings in light of the fact that Castro's ability to penetrate our intelligence was ineffective.

Q. You were against the military build-up in Vietnam.

A. I really thought it was the wrong way to handle the problem. It was a political war fought in the villages; it was not a military war.

Q. Were you against the bringing in of American troops besides military advisors?

A. The advisors were all right. I just found most of the military thing kind of irrelevant for a long time. The major problem was the struggle in the villages and that was a low-key guerrilla level struggle. That is where the war should have been fought. I kept saying it all the time.

Q. Did you try to push it?

A. Not hard enough, no. The Bay of Pigs settled the notion that some operations were too big for CIA and that they should be transferred to the military.

Q. The Cult *book speculates that CIA vessels operating in the Gulf of Tonkin instigated the attack on the two American destroyers.*

A. No, the CIA had some operations against the North. But the program was turned over to the military in 1963. There were a couple of boats that went up the coast a couple of days before the incident. The hypothesis is that the North Vietnamese, when they identified the two boats a couple of days later, may have thought that this was a repeat of that operation. CIA did not have anything to do with it at the time.

Q. Could you explain the Phoenix operation and how effective it was in tracking down Viet Cong?

A. The Phoenix operation was the attempt to conduct the kind of a village level struggle — political struggle that I thought should have been conducted all along . . . arming of the local villagers for self-defense. We handed out 500,000 guns to the local villagers. We lost almost none of those guns and they were not used against the police or military. These were for the villagers to defend their communities. Now part of the program is political, election of local officials, giving authority to local communities to make decisions about economic programs for

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Placement

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director in place by the month's end, "we're well within the hiring season. Of course, it's not too late."

Bloom said that a committee chaired by Prof. Abe Ordover suggested that former placement director, Richard Cronin, be fired as early as last February.

Cronin, who stepped into his job only last September, met with widespread dissatisfaction. Former Dean Aaron Twerski said that he waited until April to dismiss Cronin because he didn't want to conduct a hurried search only to dump his choice for successor in the lap of a new dean.

"Lacking a sense of urgency," the placement committee, chaired by Associate Dean Stuart Rabinowitz, didn't really get down to business until June, Bloom said.

At that time, the members decided to send 300 to 400 letters to law and graduate schools up and down the east coast, advertising an immediate opening with a high salary. (Twerski, as dean, procured a University commitment to pay a new placement director upwards of $35,000 — or $10,000 more than Cronin made).

Due to some unexplained snag the letters were never sent, Bloom said, even though he was assured the mailing took place. Because of this, he added, those who did apply for the job "cer*tainly weren't as great as I would* have expected."

Some who applied misconstrued the nature of the opening, Bloom added, because of unclear want-ads placed in the **New York Times** and the **Chronicle of Higher Education.** The ads, he noted, solicited an assistant dean to handle development, alumni relations and only "some placement."

"The ad was so vague that you couldn't really understand it," Bloom said, adding that some applicants who appeared for interviews didn't even expect a full-time placement commitment.

Regan indicated that the new director "will be confined primarily to placement, at least in the beginning." The Dean added, however, that the law school's $35,000 allotment is supposed to cover all three areas — placement, alumni and development.

CONSCIENCE photos by Mike Mermer

Student members of the placement committee weren't told of a final meeting at which time the final submissions were decided upon. Also fueling the frustration is the unexplained absence of Hofstra representatives at the National Law Placement Convention held earlier this year in Philadelphia. "The first and most obvious place to find a placement director went for naught," Bloom said, adding that Fuhrman was to have attended, but cancelled due to illness.

At one point, Bloom noted, prospective law students being interviewed by the student admissions committee would come to Hempstead fully aware of Hofstra's placement snafus. They would often ask, "How bad is the placement situation?"

Some applicants, he added, turned to other schools on finding out.

Regan views the job market as "breeding a certain degree of confidence." The "job scene is not dark now. We're in a rather stable period of modest growth."

Most law students get jobs, Regan said, if not upon graduation, then in following months. The next few years, he added, will see growth in interdisciplinary areas, notably health care. Lawyers will also seek to enhance their credentials through joint-degree programs. In short, dire predictions of gloom don't truly reflect the realities.

After meeting with Regan, Bloom seemed buoyed, concluding that the new dean is "very refreshing."

Monroe

From page 1

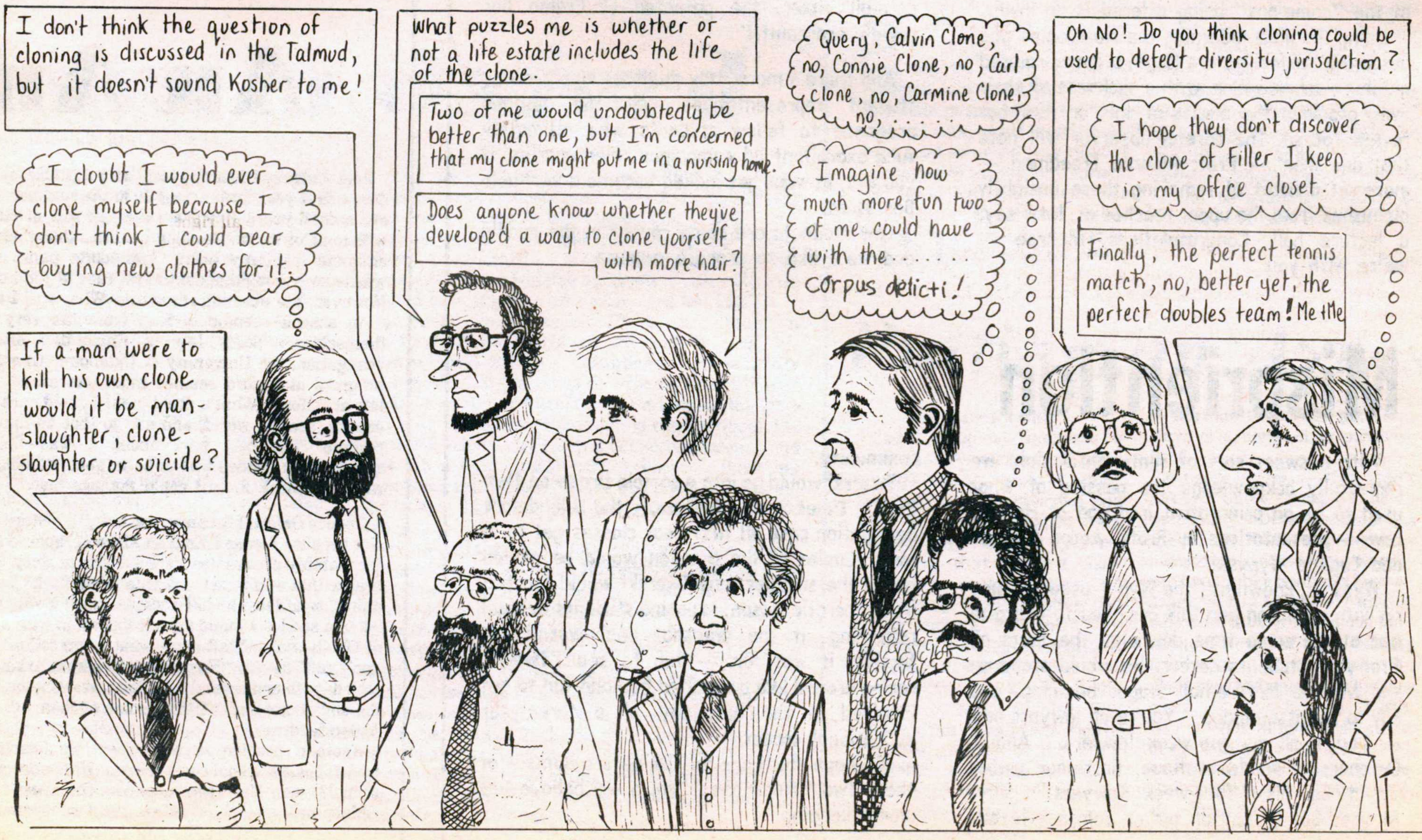
December. The resignation of the present Executive Director, Aryeh Neier, is effective at the end of September.

Even if Freedman were selected for the prestigious position, he would like to continue to teach seminar courses at Hofstra on a regular basis. "I love teaching. I love Hofstra. I would hope to maintain a relationship with the Law School even if I become Executive Director," he stated.

Freedman's candidacy for the ACLU position was criticized in a recent column in the **Village Voice.** The criticism centered around his defense of nursing home owner Bernard Bergman. When asked whether the column hurt his candidacy, Freedman responded, "No, not at all. I think the piece was rather transparent and completely irrelevant to the election. The only response that I received was outrage at the column. Aryeh Neier's letter criticizing the column was published in **The Voice,** and Mel Wulf, former ACLU Legal Director, and Betti Sachs, a Hofstra graduate, wrote responses that the paper didn't publish."

If Freedman were to become ACLU Executaive Director, it would not be the first time that he was selected without being the first choice of a Search Committee. Hofstra's President and Board of Trustees selected Freedman to be dean of the Law School in 1972 despite the fact that he was not the top choice of the Dean Search Committee. Yet Freedman's deanship is generally acknowledged as being one of the prime reasons for Hofstra's excellent nat'l. reputation today.

Hofstra University School of Law, in its continuing effort to stay on top of the jurisprudential world and keep abreast of the legal ramifications of a rapidly changing technology, summoned the foremost legal minds together and convened a special conference. The topic: CLONING.



A CONFERENCE ON CLONE LAW BY CHARLES PUTTERMAN

OPINION

Stormtroopers

Without trying to seem "sour grapes," our dismay at the way in which the student office routing was conducted should be registered.

Generally resigned to the prospect of being moved, this newspaper and other organizations waited, in moribund suspense, for the final hour to arrive.

Without notice, on a Saturday morning, Teamsters, with all the delicacy of Nazi stormtroopers, pulled out desks, cabinets and chairs, carted them across the street to Barton House, and placed them in one small room on their side. In their wake, they left papers and bills and the work product of law students strewn about emptied offices and in the hallways.

Only the afternoon before, did Assistant Dean Hillary Fuhrman make a perfunctory effort to alert a couple students to the impending move. These efforts were in vain. Her indiscretion bothers us.

This law school cannot afford to alienate those students who choose to be organizational leaders. The prime-movers, politicos, and editors of various law school publications are the very type of "involved" students Hofstra seeks to attract.

Upon graduation, no doubt, the lust for power, involvement — what have you — will continue, with these students assuming active roles in the legal and political communities.

If today's miscalculations lead to tomorrow's alumni having little affinity for Hofstra Law School, then what kind of development effort can we hope for in future years?

Bar Wars

Something should be said, in passing, of recent capitalistic exploits concerning bar review courses: they're garrish and vulgar.

Apparently, chasing student dollars has turned into some sort of big Madison Ave. business. Apart from the obvious fact that students are being ripped-off as they ultimately pay for the campaigns, the very nature of some of the "come-ons" being offered is an insult.

Lining the halls, adorning the classrooms and obscuring the lobbies are large, brightly-colored graphic displays which, with a slickness all their own, proclaim the merits of this or that bar review course. The careful observer will note that one man — Prof. Monroe Freedman — makes it a habit of removing these unsightly blemishes from the upper-reaches of, let's say, a lecture hall. Congratulations, Monroe — we're with you.

But the visual onslaught is far from the end. Free lunches, free wine and cheese, free study materials and "special appearances" by self-proclaimed gurus of bar crammery are employed to "bait and switch" the essential message, which is really — "Step right up, you paranoid sheep! Afraid you won't pass the bar? Have some wine and let us tell you about our cure-all elixer, the patented El Cramo bar review program!!!"

And there's more. Law students employed as student representatives sell the various programs to fellow students who ultimately fund exorbitant ad campaigns. Mercenaries, if you will, in what has indeed become a veritable Bar Wars.

Law students are being caught in the middle and we'd like to propose a truce.

Misorientation

With a sweet sort of sentimental sigh, we regretfully acknowledge the passing of what used to be an orientation tradition at Hofstra Law — presentations by Profs. Aaron Twerski and Eugene Wypyski.

Wypyski, known as "the Wyp," used to come on with a rousing pep talk designed to energize and at the same time downplay the fears all first-year students harbor. He would stand on the Monroe lecture-hall stage, beaming, and say to the assemblage, "You're all lawyers now — you're all my one-week lawyers." And in October, he would continue, first-year plebes would be his "four-week lawyers." Silly? Maybe. But it lent an air or comraderie and community.

Twerski would go into a sample tirade on **New York Times v. Sullivan,** the landmark defamation case all first year classes get to in torts. Copies of the decision would be mailed out in the summer, and Twerski would teach a mock Socratic lesson, exposing students to legal reasoning. If the one-shot deal wasn't effective, it was fun — fun to see "Twerk" racing around like an excited hen and fun to get involved in the first day of a three-year educational career.

We hope the Class of '82 gets a sample of these two "traditions," which we believe are worth keeping.

conscien

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QUERYING

Query: H

Jeff Advokat '80

One basic improvement I can think of is to improve the parking facilities. Sometimes you feel as though you have to park at *Adelphi, even though you go to* Hofstra. Right now, if you don't arrive here before 8:30, you're hard pressed to find a vacancy.

Perhaps the parking lot adjacent to the law school should be reserved for the sole use of people connected with the law school.

Robin Stevens '81

I think the law school su
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An Ame

Last January I found myself with a problem—what does a first year law student do in the summer before her second year? Being an average sort of student, with none of the outstanding qualities that seemed to emanate from my peers, immediate panic set in whenever I thought about the rat race of job hunting. However, the question remained. What was I to do?

An answer seemed to leap from the very walls themselves: "Study law in England!" After investigation, the University of Oklahoma Law School program at Oxford seemed most interesting. Study law at Oxford? What a great idea! I could earn a few credits, see the world, and add to that all-important resume. The best part about it was—the only qualification needed was to be in good standing with my law school. Even I could manage that.

Once in Oxford I became a casualty of culture shock. Not because I wasn't English—I had prepared myself for that. My classmates were a different story. Do you realize that everyone is **not** from New York? I guess I didn't, or at least hadn't accepted such a silly notion. All of a sudden I found myself thrown in with a bunch of Oklahomans. Y'all know what Ah'm talkin' about, don't ya? The only "Easterner" was from Arkansas. It took days to understand what they were saying, and at the end of six weeks I think some of them still didn't understand me.

Another problem arose when we started the inevitable law school comparisons. Where do you go to school? was the first question the Dean of the Oklahoma Law School asked me. I whispered "Hof-

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CONSCIENCE is published on a monthly basis from August to May by the students of Hofstra University's School of Law, Hempstead, New York 11550.

The editorial board is committed to bringing Hofstra Law a competent, informative, lively newspaper which adheres to professional standards. Accordingly, we'll strive to meet the responsibility that derives from first amendment guarantees.

All of you—students, faculty and staff—are encouraged to make editorial suggestions, submit articles for consideration and, of course, write letters to the editor. Regarding submissions: please type (triple space) and include name and phone number. Submissions may be dropped off in our admissions office mailbox.

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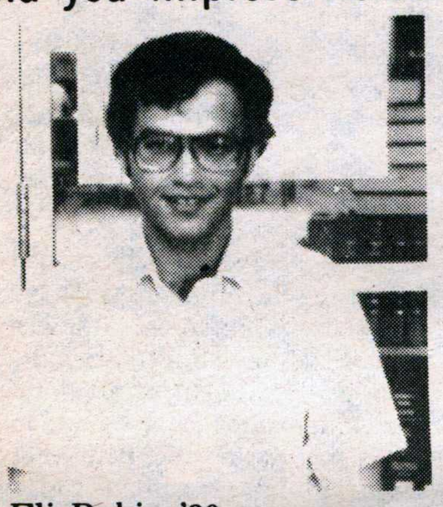
PHOTOGRAPHER

would you improve Hofstra Law School?

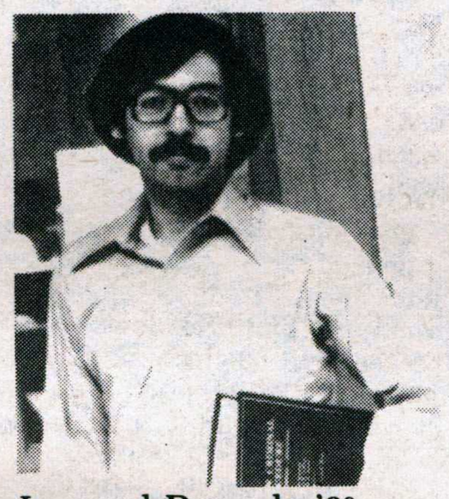


Eli Rubin '80

There are certain improvements that could be made in the library. For example, the Shepard's volumes and updates *are usually scattered about the* library. Why not bind the individual sets with metal pins, as I have seen done in other libraries. It would keep the volumes in order, and students would be less likely to walk off with them, since they would be bulkier.

Nancy Scott

I think the school should have more student input. I didn't like the fact that the new dean was chosen over the summer, when *there was as little possibility for* student involvement as there could be. No one was aware of what was happening with the dean search until after the dean was chosen, and that's when the students were first notified.



Leonard Pruenda '80

I would like to see Hofstra Law provide more course offerings and along with the added courses, hire more professors. One of the problems at Hofstra is that if you know that you want to specialize, there probably aren't enough courses offered to allow you to become proficient in that area. Also, although I don't plan to practice in New York, I hear students who do intend to practice here complain that there is no New York Practice Course offered.

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is brought to you by our own Joyce Lipton)

rican in Oxford

by Heather Mason, '80

a," and waited for the inevitable lack of recognition et in. To my astonishment however, the Dean said, h, yes, that's a very good school—is Monroe edman the Dean there?" "No," I replied, "Aaron erski is Acting Dean now." "That's right," he tinued, (to my amazement) he's written about nflicts, hasn't he?" Believe it or not, fellow ssmates, every single person in the program had rd of Hofstra, good things about us, professors and dents alike.

ur classes were scheduled in Oxford's mination school, the building where all the lents take their oral examinations. Oxford and nbridge are the only universities that retain this cational system. As I understand it, it hasn't the giest resemblance to our own system. People "take ourse" at Oxford. This involves intensive study in particular field, to the exclusion of other subjects. classes are held; once a week or so two students a professor get together for an hour—an intensive stion session that the students must be prepared That is how the rest of the week is spent.

t the end of a year or so, the student must take a tten exam. The professor does not grade it, he hires neone else to do the job. The student may be called ake an oral examination as well. This means he is g considered for graduation, promotion to a higher el, dropped back a level, or dropped from the versity altogether. Of course, the student is not rmed as to his status prior to the exam.

eedless to say, there are some very tense people walking about during oral examination time. Both professors and students must dress in the traditional garments—student in black gown and mortarboard, professor in black suit and black bow tie. This only adds to the general aura of impending doom. And here I was, sitting, in a building hundreds of years old, that carried on a tradition unbroken since the 1200's.

Courses geared especially toward ignorant Americans were taught by the Oxford dons. We learned about British Constitutional Law—a tricky subject, since England has no written Constitution. It makes it easier for Members of Parliament though—one M.P. can declare that a bill is constitutional, the other can vehemently claim it is unconstitutional, and both will be right. And all parties concerned think that everything is jolly good just the way that it is. After all, the system has been good enough for the past 300 years.

We learned that only a barrister can appear before the bench, not a solicitor. However, a barrister may not join a law firm, and is only allowed to represent clients that a solicitor brings before him. He may not sue to obtain his fee. That would be undignified.

On the bright side though, by law he can not be sued for malpractice. Another interesting thing is that most English cases are decided by magistrates, without the presence of a jury, except in some criminal cases. These members of the bench need not have any legal or judicial experience, they are only required to take a course, and may begin sitting even before enrollment. Luckily, the clerk helps out with some suggestions: for example, what the law is . . .

MAILBOX

Idealism: teach what you preach

In the May 4th CONSCIENCE, you had an article by Monroe Freedman regarding the relationship of the loss of idealism to law school attendance.

There is no doubt that most people who are strongly committed to social idealism before entering law school will not have that idealism destroyed by law school—or much else. That a strong prior commitment is no guarantee of a continuing one can be seen in the change in one of Harvard's top students who came into the law as a result of her experience with unionization in California and is leaving Harvard to probably make money in the corporate world as a successful Harvard graduate (see ABA Student Law Journal, March, 1978, p. 39).

More important than what happens to those who enter law school committed, is what **kind** of commitment does law school encourage and engender in those who enter law school with an open frame of mind. Surely law school, if it does more than produce technicians, affects **how** and **what** the people exposed to it think and so as a result of their law school experience.

The school (and its teachers) can't "cop out" by saying that — "we're innocent—you come and go the same as you were." If that were so, it would indeed be an indictment of the school as an educational experience.

My first year (which I loved) exposed me to a great deal to do with business, winning, deep pockets, obligations to win for your clients, money, marginal students seen as having the less fortunate people of the world as their clients, great respect for how **good** someone was relative to how **much** money they earned, and the notion that if we earned a lot and developed good reputations, prominent Judges would ask us to do them a favor and take interesting pro bono cases. What student would not be proud to be in such a position? But—not so subtle was the message that the Judge would turn to the more "successful" of us—those who made their mark in the real world.

This letter is not meant to detract from the need to discuss how law schools, and other schools, limit their admissions and are denying us a broader spectrum of student membership. The purpose of this letter is to call attention to the obligation of those who teach to impart social values in classrooms as well as on admissions committees.

A real question is **how** do people who are **not** previously committed to social justice but come to law school because they like the law and legitimately wish to earn a living and are certainly not against social justice (though it is not their end all for being) change? When law school educators accept that what they do in the class does affect what happens to their student's attitudes, they may begin to examine their own attitudes.

Possibly a change in the way we think of success, will lead to examples and cases that give a version of success that is not similar to one projected fifty years ago. The argument that it's all predetermined and change will come primarily from the selection process is too facile a way out for those who teach in law schools and have an obligation to change the image rather than perpetuate it. They are obligated to provide students with better role models, to project success in new and idealistic ways, and to impart these ideals in a believable and inspiring way. At least some such notions of another kind of success should be available. People **do** change and **are** changing constantly.

Thelma G. Patel

Putting on Ayres

by Marc Fleisher

Legal language contains a considerable amount of latin mumbo jumbo, some of which lawyers do not understand and most of which befuddles right minded hard working citizens. Realizing that Black's Law Dictionary is too bulky and surprisingly uninformative for all its bigness, Random House announces the publication of **Lex, Lexicon, Lexington Avenue** (362 pages, $9.95) which will hit the book stores in late October. The following is a random selection to whet the appetite of the **CONSCIENCE readership, id est,** all who aspire to the practice of using private language to perpetuate their species.

quantum valabut—"How much is that halibut?" Negotiation stage of a contract to purchase fish.

deus ex machina—"For God's sake don't use heavy machinery." **Deus ex machina** is the original Latin warning drug companies printed on soporific products until a Southern District Court made a finding of fact that only people who spend an inordinate amount of time reading law books could understand, let alone heed the warning. Thus, the court, in the famous "Latin Hustle" case of 1962, ordered the drug company to print the warning in English and Spanish. (See **Peligrosa v. Dramamine,** 456 FSupp 63 (SDNY 1962).

sua sponte—The act of ordering

See page 9

THE REAL WORLD

Human rights: a new excuse

by Stu Goldfarb

"President Carter's promotion of human rights as an international issue must be judged thus far, I think, a considerable and very serious success." So historian Arthur Schlesinger concludes in the **Wall Street Journal**. He is no doubt correct in this judgment, but one question remains; what is the nature and significance of this achievement?

One answer is supplied by Schlesinger himself; "In effect, human rights is replacing self-determination as the guiding value in American foreign policy." Exactly to the extent that self-determination was the guiding value in the era of Vietnam and Chile, so human rights will be the guiding value in the future. In short, the human rights campaign is a device to be manipulated by propagandists to gain popular support for counterrevolutionary intervention.

Must we accept the cynical implications of this analysis? There are, surely, initial grounds for skepticism when an American administration launches a campaign for "morality in foreign policy" in the mid-1970's. That states commit acts of violence in the interest of ruling groups is hardly news. But if we consider modern history since World War II, who wins the prize when we add up people murdered, villages and cities destroyed, lands laid waste, attempts to escape from grinding poverty and oppression crushed, regimes of torturers placed in power and supported? The competition is not even close. Yet few eyebrows are raised when the United States government suddenly commits itself to "human rights" as a guiding value.

To determine the sincerity of any moralist, we ask first how he responds to violations of human rights that he has backed and for which he shares responsibility. If Germany had proclaimed a human rights campaign in 1946, we would have asked its leaders about death camps and the slaughter at Lidice. In the case of President Carter and his acolytes, we ask, correspondingly, what they have to say about Vietnam and Chile, for example.

They leave us in no uncertainty on this score. In the course of one of his discourses on human rights, President Carter was asked whether the United States "has a moral obligation to help rebuild" Vietnam. Not at all, he explained, "the destruction was mutual." We bombed their villages and they shot down our pilots. Since "we went to Vietnam without any desire to impose American will on other people" but only "to defend the freedom of the South Vietnamese," and since in any event, "the destruction was mutual," there is no reason for us "to apologize or to castigate ourselves or to assume the status of culpability." Nor do we "owe a debt."

Writers of editorials and political commentators find nothing strange in this interpretation of history and expression of Christian morality. And when an official dared to offer an apology for American behavior in Chile, he was quickly reprimanded and called home to "make sure he understands the ground rules," in the words of the State Department.

It seems fair to conclude, then, that current pontification about human rights is little more than an effort on the part of the administration and its propagandists to restore the system of beliefs, that was eroded by the Vietnam War.

The current human rights campaign raises other questions. It may tend to mitigate the worst excesses of the terrorists regimes backed by the U.S. in Latin America. Conceivably, it may provoke nationalist currents there inimical to the interests of American imperialism. But the major effect will be to contribute to domestic support for a more "activist" foreign policy and a new surge in high-technology armaments all reminiscent of the early days of the Kennedy administration.

The press and the intelligentsia generally are now busy reconstructing history so as to place American actions in Vietnam, and their role, in a better light. According to this version, there was a war between South Vietnam and North Vietnam, originating with the same "aggression from the North" that the Kennedy intellectuals sought to foist upon the public. The U.S. government, in accordance with its commitment to self-determination, moved to defend the South Vietnamese. The peace movement, in contrast, supported the Communists. Quite symmetrical, except that the state was at least acting in its traditional role as international benefactor.

The liberal intellectuals and press took a more honorable position. Unlike the peace activists, they did not defend Communist terror and aggression. Unlike the government, they recognized that the original American exercise in benevolence was unwise — the South Vietnamese leadership did not deserve our selfless assistance — and that as we were drawn into the quagmire, our defense of freedom became too costly and too cruel. Therefore, they influenced the government to withdraw from this ill-advised exercise of our traditional policies of international goodwill, although they were hampered in this noble effort by the peace movement, with its irrationality, hysteria, and commitment to Communist subversion.

This is a tissue of lies from beginning to end, but there is little doubt that it will become the standard history, solemnly presented in textbooks, academic studies, and the press, as we now in fact already see.

"The destruction was mutual." Khrushchev might have said the same about Hungary. In fact, the current campaign of historical falsification merits comparison with the more audacious achievements of 20th century totalitarianism. That such a campaign would be undertaken was never in question and was predicted years ago. It is necessary to restore faith in American benevolence and the accompanying passivity and obedience on the part of the population if new interventions are to succeed—and one must bear in mind that the institutional factors that shape American foreign policy have not been modified.

The media has even succeeded in shifting the moral onus for the war to the Vietnamese, who are accused of rejecting the single-minded U.S. commitment to determining the fate of American pilots shot down while defending freedom and of human rights violations that offend our traditional decency.

There is less concern for the fact that, according to Vietnamese sources, 750 people were *killed by unexploded ordnance* last year in a single province of South Vietnam, in Laos teams of "human buffalos" pull plows because the herds were decimated in a land ravaged by American bombers, and throughout Indochina people die of disease, wounds, and malnutrition. But for all of this, we need not "assume the status of culpability."

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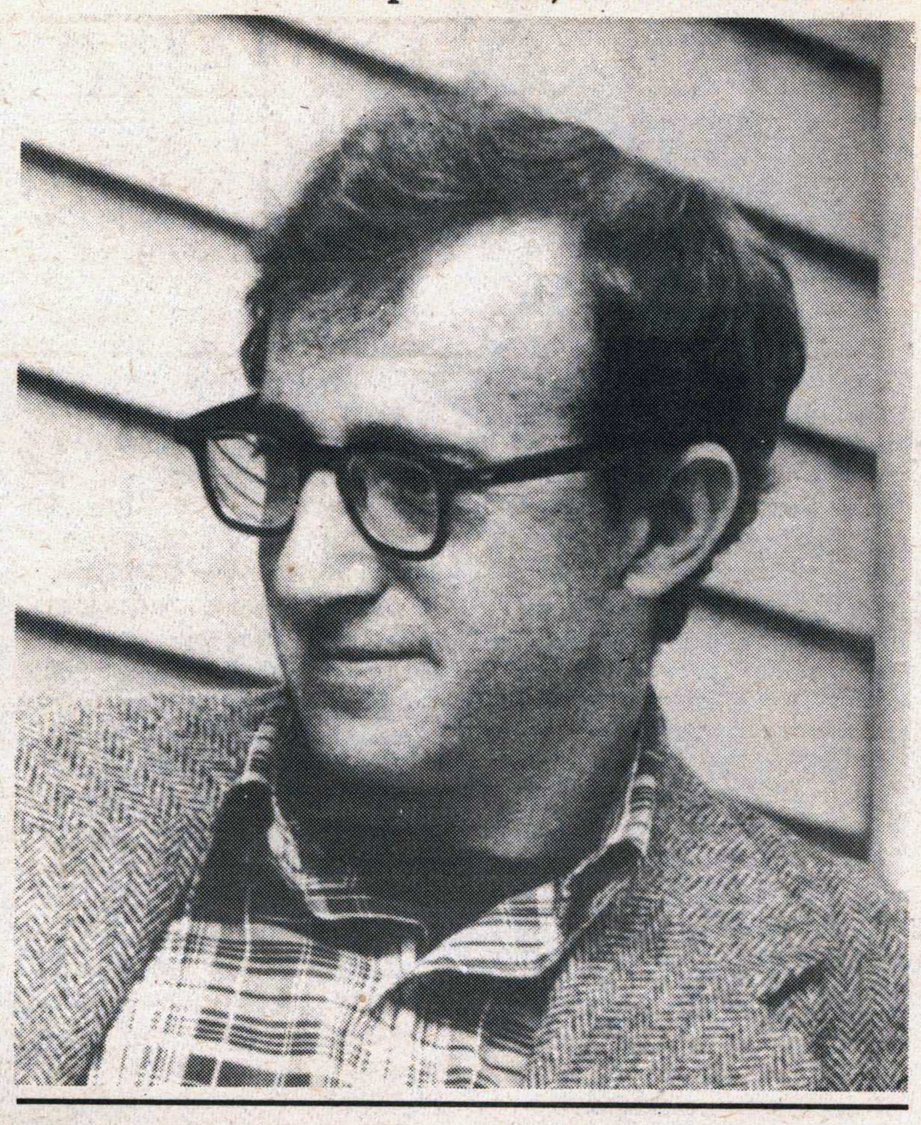
Allen's **Interiors**: a brilliant departure



by Marc Fleisher

Interiors, is a deeply moving, intelligent tragedy of an upper middle class family. It is more like a filmed play than a movie, redolent of O'Neil's **Long Day's Journey Into Night** and Chekhov's plays in which characters are ever expressing deep dissatisfaction and frustration.

The film's success is attributable in no small part to Allen's use of the camera with the help of his talented Director of Photography, Gordon Willis. The camera shows us how the outside world appears to the characters. There are beautiful shots of the ocean, turbulent, grey and engulfing, of winter trees dense with grey, intertwining branches, like prison bars against an overcast sky, of the city skyline, again grey, imposing. Grey is the dominant color of the film. When we first meet Eve (Geraldine Page), she is wearing a grey suit. "Ice grey Renata calls it," she says to her daughter Joey (Marybeth Hurt). The world out there is grim, cold and threatening, while the film's characters seem perpetually indoors, looking out windows, with a sense of isolation and loss.

The film is unrelenting in its revelation of the substrate of human emotion — that interior level of desperation and longing seen only if at all, by a lover, or perhaps an intimate friend, but never by the family which unwittingly nurtured it.

When we meet Eve at the beginning of the film, she is desperately trying to regain the control that she can only now experience, by arranging interiors. Before her nervous breakdown, and before her husband left her, she had, as her daughter Renata (Diane Keaton) puts it, "created the environment in which we (the family) existed." Her husband, (E. G. Marshall) referring to the fact that Eve had put him through law school, says, "In a sense I was her creation." The film takes place after the world Eve created has collapsed. Eve is the central tragic figure of the film, and her character resonates in her daughters, Renata and Joey. We see this in Joey and Renata's relationships with their mother, their men, each other, and most of all, with their own selves.

Joey's fear is that she will lose herself in the world. She takes stabs at various careers only to retreat disgruntled and longing for some illusionary fulfillment. ("I feel this tremendous need to express myself, but I don't know what it is I want to express or how to express it.") Commitment, whether it be to career, marriage, or motherhood, represents being "locked into an anonymous lifestyle." As long as she has no identity in reality, she can be anything in her fantasy.

Marybeth Hurt's delivery of the character Joey is so complete, the character so familiar, that the audience is likely to feel that they have already met Joey and that Woody Allen is merely reintroducing this person to us. Joey is at times comical and is always endearing, even in her sourness and negativism. When she asks Michael, superbly played by Sam Waterson, "why do you stay with me? I give you nothing," we know why.

Renata's fears are not so abstract as Joey's fears of losing herself in her future. Renata is afraid of her self getting away from her, as it were, as her mother's has. She experiences at times, a palpable feeling of estrangement from her physical self, and a loss of connection with the outside world which seems "predatory."

There is a scene in which she relates this experience of dissociation to her husband and it is perhaps the one scene in the film which doesn't work dramatically. It comes across more as a recitation of symptoms than as a compelling account of the experience whe says she has had just had. For all Renata's vulnerability however, one feels she has been far less victimized by her mother than has Joey. A successful poet, Renata was able from childhood, to appreciate and benefit from her mother's creative impulses. She has also acquired some of her mother's tendencies to be controlling in her relationships, which she accomplishes in part by telling people what they want to hear and in part by simply making herself unavailable, hiding behind her work in her Connecticut house.

Diane Keaton's acting displays a depth and subtlety not heretofore required of her in film. If her performance appears at times to lack a certain clarity or conviction that may be due in part to the nature of the character she plays — there is an insincerity, an essential ambivalence to Renata. Joey, in contrast, is more straightforward and accessible. Thus Diane Keaton's tone gives one a vague sense of discordance at times and one is not always aware whether it is Keaton who lacks conviction or the character she plays.

Then there is the father, played brilliantly by E. G. Marshall. We can see where he did not provide much emotional sustenance for his daughters. Woody Allen has made him a lawyer, and we can readily see where he'd be more comfortable with the orderly procession of syllogistic reasoning than with the ambiguity and subtlety of human emotion.

The father is from a time when things like family loyalty and career choice were much simpler, less equivocal and less introspective. Fatherhood for him is a quid pro quo — having made sacrifices and having provided for his daughters, he expects immediate approval and support when he precipitately informs them of his decision to remarry. His new wife, Pearl, played with enormous warmth and intelligence by Maureen Stapleton who provides a welcome burst of comic relief when she comes to meet the daughters and their respective mates, has the simplicity of feeling and warmth which Eve lacked. She has the ability not to question things but simply enjoy. When Renata's husband and Joey's fiancee respond immediately to her it is in part because they miss those qualities in their respective mates. Pearl is the film's counterpart to Eve, and as such, she represents hope, at the end of the film, for Joey's future.

See this film. It is head and shoulders above any American film made in recent memory. It may be the best acted in American film ever.

Ayres

From page 7

Italian ice cream without any prompting from the waiter.

lew ayres est haerec viventis—"Lew Ayres' mother had Lew Ayres." Little known exception to the maxim that you have to be dead before you can have Ayres.

Arguendo—(Ital. myth). Giuseppe Arguendo was a mythological Italian merchant who would compulsively propound the exact opposite of whatever his interlocutor had just asserted. His contentions were known, at times, to cross that outer limit of tenability into the frivolous.

Assuming arguendo means literally, "assuming the Italian shows up." It is always followed in a sentence by the explanation of why he has no case. Law students are instructed always to be prepared for the ubiquitous European.

post hoc ergo propter hoc. The classic logical fallacy, "Afternoon, therefore after breakfast." It was the British philosopher Hume who pointed out that some people sleep late while others don't eat breakfast anyway.

En Toto—Memoirs of a Kansas veteranarian.

res judicata. "The dessert eaten." A complex dessert consisting of a cranberry crunch topped with vanilla and pistachio ice cream, itself topped with a walnut. Occasionally the walnut gets stuck in one's throat (see collateral estoppel). The res judicata is enormously filling which is why no one ever gets a second helping.

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Law Review to feature Kennedy

Senator Edward Kennedy and Professor Alan Dershowitz are among the many distinguished authors who will be contributing to Hofstra Law Review this year. According to Editor-in-Chief Tom Wales, in its seventh year of publication, the **Review** has begun to emerge as a nationally prominent law review. In a recent conversation, he remarked, "We've had a good number of impressive authors in the past, and we're just now reaching the point where we're emerging as a journal of national prowess."

The issue currently being planned and written is a symposium on sentencing, and is aimed at accomplishing what all symposiums accomplish. Wales said, "It's an important topic both because of pending federal legislation and because a lot of states are re-examining their own positions on sentencing."

According to Articles Editors Patti Alleva and Catherine Samuels, when soliciting contributors, they were seeking to focus the discussion on alternative sentencing proposals and potential ramifications of sentencing reform on the criminal justice system and criminal behavior. Issue one this year will be devoted to sentencing reform, and Issue two will be more philosophical in scope. The contributors to the sentencing symposium will be: Senator Edward Kennedy, Introduction; Dr. Robert Martinson, "From Rehabilitation to Just Deserts;" Judge Harold R. Tyler, Jr., "Alternative Guidelines Approach;" Judge David L. Bazelon, "A Note of Caution Regarding Sentencing Guidelines;" Judge Charles R. Richey, "Appellate Review of Sentencing;" Professor Michael H. Tonry, "The Anatomy of a Sentencing Commission;" Peter Hoffman, "The Role of the Parole System in Sentencing Reform;" Karen Skriviseth, "The Abolition of Parole in the Context of a Sentencing Guidelines System;" Ernest van den Haag, "Mandatory Minimums;" Professor Leonard Orland, "Reflections on Sentencing Corporate Criminals;" Judge Morris Lasker, "Presumption Against Incarceration;" Kay Harris, "Alternatives to Incarceration;" Professor Andrew von Hirsch, Review of **Toward a Just and Effective Sentencing System: Agenda for Legislative Reform;** Jack Kress, "Sentencing Terminology and the Components of a Guideline's Approach." In addition, Assoc. Justice Lewis Powell of the Supreme Court will be writing the foreword for Issue three.

Tom Wales

According to Wales, the **Review** has never undertaken anything quite this big before. "It's an incredibly large number of pieces," he said. Research Editor Cliff Gerber added, "This issue is probably the tightest issue we've every published. **Hofstra Law Review** is in libraries all over the country, and our list of contributors reflects its emergence as a prominent journal."

Colby

From page 4

instance instead of having Saigon or Washington decide that every village should have a school house. A variety of other programs of that nature. The program for amnesty — if you had been working with the Communists, shooting at the government and its people, but wanted to come back to the government, you will be free of any punishment for your past activity. 200,000 of them did it. This is quite an amnesty program in the middle of a war. Civil wars are very bitter and for an amnesty program of that nature, I think the government deserves a great deal of credit. Now, one of the problems in Vietnam was that there was a secret Communist apparatus there which was the command and control structure of the guerrilla effort. These people had to be fought — how do you fight them? Do you go through a field and sweep it, or do you try to find out who exactly they are? You do the latter — and that means good intelligence. Accumulate your information, get your files, build your knowledge of the political structure and how these people relate to each other. Interrogations — decent interrogations — because if you want good information you have to use decent methods. You are not going to get good information with brutality. That is what Phoenix was all about.

Q. Did it work?

A. The Communists said it did. I can testify to it. I have traveled all over that country until midnight to places that I am sure I would have gotten my head shot off two years before. Most dramatic evidence is in a comparison of the attack of 1968, which was a guerrilla attack supported by military forces with the attacks which took place in spring of '72 and of course the final attack which were pure military efforts. They were tanks, artillery, troops — only taking place in specific areas where North Vietnamese military units were. The final fall of Vietnam was a military defeat, not a guerrilla defeat.

Q. Do you feel a vindication of your beliefs?

A. No. I mean Vietnam has fallen. The real problem is that we Americans thought that the war was a military war for many years. We fought it as a military war, we finally got disgusted with it because it was not a military war, and we withdrew our support at the very time that it became a military war. South Vietnam was going to lose, particularly when the other side is moved into a large scale military effort to counter our military efforts.

Q. In the book you talked of your daring days in the OSS and the golden age of the CIA when you first joined it. Do you ever get disheartened by the way your career has turned? Many Americans have a very negative image of CIA and people like yourself.

A. I don't worry about that. I don't look back and complain about things. I think the CIA is really well established. Americans have a better understanding of the importance of intelligence. I think we really have to do a better job of explaining what CIA really is and how it's changed. I think the crisis in government is not just CIA, but I think that we realize that we need a CIA. We need secret intelligence, we even need to be able to do the secret political and paramilitary operations. But, we need to control them under our constitutional system.

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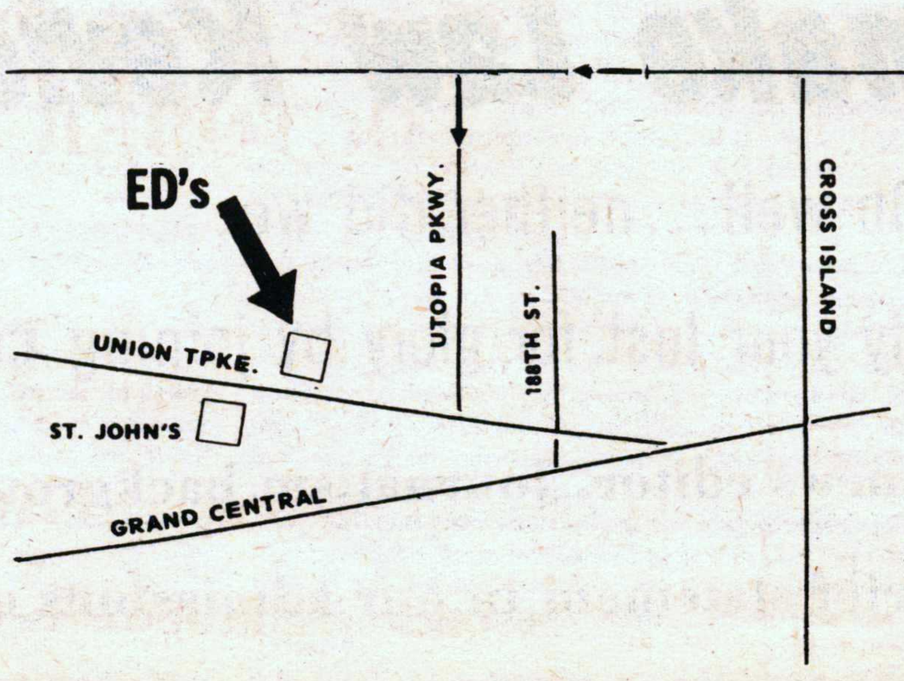

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". . . Worth The Ride"

Fighting

From page 1

young minds would be corrupted by these books. I think they acted in violation of our Constitutional rights," Pico said.

After the book-banning, Pico, who was Student Council president, and four other concerned students brought suit through the American Civil Liberties Union. Alan Azzara, Legal Director of the ACLU Nassau Chapter, is the attorney handling the case.

According to Azzara, "I once told a group of educators that a major part of my job is spent assuring high school students of their right to print the word 'fuck' in their student newspapers—cases that have limited value, other than to put the first amendment to a test. However, the issue here goes beyond obscenity. The case was brought by a group of genuinely outraged individuals who had books removed from their library because the School Board disagreed philosophically and politically with their content. In essence, they're fighting against people who are trying to suppress the truth."

The case was argued before Federal District Court Judge George C. Pratt in February, and thus far, a decision has not been rendered. Azzara feels that Judge Pratt was receptive to the issues being presented, but that "it's really hard to know what the decision will be with Pratt." However, Azzara explained that there is a strong Second Circuit precedent which is not in their favor. In that case, a book-banning was allowed to remain in effect.

"That case was a little different, though," Azzara said. "Teachers were still allowed to use the banned book, and it remained in the library. Here, 'Gestapo' techniques were used. The library was purged in the secrecy of night. Also, the reason for banning the book was different. Obscenity is still arguably problematic as far as language goes. But political and philosophical ideology is another issue entirely. **The Naked Ape** was banned at Island Trees because it was not in keeping with principles of the Church!"

Pico, who is a pre-law, political science major feels that the book-banning incident is just one indication of a conservative movement in Island Trees. He feels that the "powers that be" don't want their children to know that people who are not white middle-class and patriotic exist.

"If I had kids right now, I wouldn't want them to be brought up in Island Trees," Pico said. "I have nothing against the educational system, but I don't like the current trend at all."

conscience

Cheap? Never!

Who says law students are cheap?

During Labor Day weekend, the law library Saturday-Sunday staff decided, at the spur of the moment, to collect money for Muscular Dystrophy and send it to Jerry Lewis. "The telethon is always a big thrill on Labor Day weekend," one student remarked.

Within two days, with a combination of coercion and charity, $111.25 was collected from library patrons. The students who conducted the collection remarked that it was a true joint effort, and would like to express thanks on behalf of the Muscular Dystrophy Foundation for the generosity of all who donated.

Regan

From page 2

thanked Prof. Aaron Twerski for serving as interim dean for a year and a half.

Twerski, whose acknowledgement was met by sustained applause, introduced the new dean to the Law School faculty noting, "I have found that John Regan fits Hofstra Law School like a glove. He is a scholar, a leader, but above all—a **mench**!"

Twerski, seeming jovial, thanked Associate Dean Stuart Rabinowitz for doing the work of two people, Rabinowitz clearly blushing at the mention.

The assemblage "de-convoked" to the student center Rathskellar for an hour of Rabelaisian revelry, where the new dean was met by gleeful students who decided to forego the speeches and get an early start at wine-tasting.

Barton

From page

could not wait, and she had only received notice of the move that afternoon. At 6:00 a.m. on Saturday, August 19, Teamsters moved desks, file cabinets, chairs, and tables into the tiny new quarters in Barton House. Some Law Review materials were moved from their office to the old student offices. No one from the Law School was there to supervise the move, and the move was not postponed to give students notice and an opportunity to supervise the move themselves. In the process of moving, the Law Review copy machine was dropped and broken, and student papers, files, and books were left strewn throughout the empty offices and halls in the basement of the Law School.

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