



ASKING YOU TO ASK YOURSELVES

Vol. 11 No. 8
April, 1984

Conscience

Hofstra University
School of Law

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Conscience 1983

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School of Law
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Clinical Director Resigns- Replacement Hired

Professor Susan Bryant, Director of the Law School's Clinical Programs, has resigned from the Hofstra faculty, effective at the close of this semester. Bryant, who has taught at Hofstra Law School since 1976, will become an Associate Professor at the new City University of New York (CUNY) at Queens Law School this fall.

Prof. Bryant said that she has a "desire to help design a new law school." "The pedagogy of Queens to combine clinical and substantive instruction appeals to me," said Bryant.

After four years as a supervising attorney with Hofstra's clinical programs, Bryant became Acting Executive Director of Clinical Programs in 1980 and in 1982 received full status as Executive Director. Last spring, Bryant became a member of the Law School's tenure track faculty.

Bryant's replacement for the clinical programs will be Norman H. Stein, currently Assistant Professor and Associate Director of Clinical Programs at the University of Arkansas at Little Rock School of Law. "I feel very good about his work," said Bryant, "I have taught at clinical teachers conferences with him." Professor Stein has also taught Family Law, Juvenile Law, Health Law, Practice Skills (a simulated pre-trial lawyering skills course), and Trial Advocacy.



Professor Bryant

Prof. Stein received an Accounting Degree from Brooklyn College and then attended Washington College of Law of the American University, where he was an editor of Law Review. "People here (at Hofstra's Clinical Programs) are experienced — he'll be a nice addition to that group of people," said Bryant.

Reflecting on her eight years at Hofstra, Bryant noted that the clinical programs have undergone some changes over the years, that have in fact been "mirrored in clinical education around the country." Clinical instructors are now required to have a minimum experience level of five years of practice, Bryant indicated, to reflect a teacher who is a much more experienced lawyer. "We've significantly reduced the case load," Bryant said, "it used to be that students did far more work with less attention to each case." Furthermore, the seminar component of the clinic has become more developed than ever before. "We're also not [a] general practice [clinic] anymore," said

Bryant, "we have more highly specialized clinics."

"I think Hofstra's clinical programs will continue to be a valuable educational experience to provide students with the complimentary aspects of lawyering," said Bryant, "and I think it will continue to have the support of the Dean and the faculty."

Bryant, in reference to the noticeable absence of a sign at the entrance to the clinic, offered a piece of advice to her successor, "Put the name on the door!"

Prof. Bryant started her legal career as an attorney for the Defender Association of Philadelphia. From 1974 to 1976, she participated in the Prettyman Legal Intern Program of Georgetown University Law Center which is a Masters of Laws program designed to train trial lawyers and clinical teachers. During this time, she also served as Deputy Director of a comprehensive study on the delivery of defense services for the United States Court of Appeals for the District of Columbia and the Unified Bar.

LAW GRAD RUNS FOR ASSEMBLY SEAT

Jeffrey Golkin, a 1981 graduate of Hofstra Law School, has announced his candidacy for the Democratic nomination for the New York State Assembly in the 52nd Assembly District in Brooklyn.

Golkin emphasizes that he is running as an independent Democrat and not as a hand picked hack of the political bosses. Golkin also states that he is running for office for two basic reasons. First he believes young people should actively participate in government. This is exemplified by the fact that Golkin is only twenty-seven years old. Second, he believes all segments of the community should be represented and not just the most affluent. He stresses that he wishes to have

young people, like himself, who have concerns about how their city and state is run to have representation and that those representatives should not be beholden to anyone.

Golkin practices in the areas of tax and corporate law. Prior to coming to Hofstra, Golkin received a B.S. in Economics from the Wharton School of Business. Golkin is opposed by the present incumbent Eileen Dugan, a liberal Democrat from Brooklyn Heights.

Mr. Golkin is interested in enlisting the support of the students and alumni at Hofstra. Anyone interested in working on his campaign is encouraged to telephone his office at (212) 745-1736.

LI Moot Team Competes

The Long Island Moot Court Team from Hofstra Law School will be competing against Brooklyn, St. John's, and Touro Law Schools in April. The competition will be held at the Nassau County Bar Association in Mineola on April 2nd and 4th, 1984. The Hofstra team, consisting of Second year students Neil Herman, Robert Kelly and Andrew Luskin, will be arguing a wrongful conception case.

Each team submitted a brief arguing either for the Plaintiff or the Defendant. First round oral arguments will be heard in competition on April 2. Final round arguments, held on April 4, will be heard by actual judges in the

area, including New York Court of Appeals Judge Sol. M. Wachtler, Appellate Division (Second Department), Judge David T. Gibbons and Nassau County Administrative Judge Arthur Spatt.

The Hofstra team had to address the question whether the birth of an unplanned child as a result of a negligently performed sterilization procedure should allow for recovery of the costs of rearing and educating the child. Professors Mahon and Agata are the faculty advisers to the team in this competition. The competition is sponsored by the Nassau Academy of Law.

Good luck to Neil, Robert and Andy!

Alumni Association Incorporates

After many months of preparation, the Hofstra Law School Alumni Association has incorporated the organization under the leadership of President Thomas R. Stevens ('81). During a meeting of the Alumni Council, the Association's by-laws were unanimously adopted and those present officially became charter members of the newly incorporated group. "The motivations behind incorporations," said Stevens, "was to give the Association a more substantive form, so that we could, in fact, be a legitimate entity, as opposed to a more amorphous unincorporated association. But, I want to make it very clear that in no way should the act be taken as evidence of a desire to become more independent of the University. Because the truth is that I will work very hard to better relationships and to work in cooperative manner with Dean Schmertz, Douglas and the entire Law School Administration."

Stevens announced a new membership dues structure for the Alumni Association. To join the Association, Law Students will have to pay five dollars, however every Law Student graduating will be granted regular

membership in the Association until the next billing date, for free. Thereafter, and until three years after graduation, dues will be \$15. Between the third and sixth years, dues will be \$25; from the seventh year, dues will remain \$35. In addition, Life Membership may be obtained by paying \$250 within a period of five fiscal years.

Law Student members can be appointed to sit on all standing committees of the Association including the Awards, Legal Education, Membership, Programme, Public Relations, Publications and Student Affairs Committees. Student will not be eligible, however, to sit on the Admissions, Finance, Law and Placement Committees.

Stevens' first order of priority is to rebuild the infrastructure of the Association, followed by increasing student and alumni membership. "We have to make people aware of our Association and our plans for the future," said Stevens. The Association promises to develop programs and services to benefit the students and the alumni. According to Stevens, these measures can be effected by creating an alumni directory "within six to eight months," something talked about but never accomplished by the Ad-

ministration since Professor Malachy Mahon founded this school. The Alumni Association is trying to "build a benefit package which includes discounts to services such as the United Buying Service, printing discounts and car rentals.

"I have a very positive relationship with Dean Douglas," said Stevens, "I'm confident that he respects the authority of the Alumni Association to act on behalf of the alumni in conjunction with the Law School."

The Alumni Association will primarily be governed by the Alumni Council. Council members include: Tom Stevens ('81), President; Steve Sheppard ('77), Treasurer; Mark Caruso ('77), Executive Member; S. Tapper Bragg ('73), Vice President; Pat Moore ('74), Vice President; Mark Birnbaum, Paul Bluttman, Tom O'Connell ('82), Stu Spitzer ('77), Sal Pontillo ('82), and Steve Simenowitz ('82), Council Members; Tom Fendick ('84), Student Membership Coordinator; and Andy Luskin ('85), Student Representative. In addition, there are five Student Rep seats vacant.

Thomas Stevens is a member of the New York firm of Martin, Clearwater & Bell. For further info call him at (212) 697-3122.

INSIDE

Cultural Calendar.....	p. 2
Bill Kinstler.....	p. 6
Emergency Preparedness..	p. 10
Community Forum...	p. 12-19
Legal Briefs.....	p. 22-23
Fitness Forum.....	p. 26
Sports.....	p. 27

Special Pullout Section:
Eisenhower Conference

Hofstra Cultural Calendar

March-April '84

March-April 1984

Thurs., Mar. 22

o Plant Clinic & Workshop. See Mar. 1

Sat., Mar. 24

o Film: Blue Thunder. \$1 S.C. Thtr. 7 & 9:30 p.m.

Sun., Mar. 25

o Special performance by talented NOAH students. 2:30 p.m. HOFSTRA U.S.A. Free. X6982.

o Opening of Art Exhibit of paintings by Winston Churchill. E. Lowe Gallery. Through April 4. Free. X5672.

Tues., Mar. 27

o French Film: "The Roads of Exile." SC Thtr. 2:30 & 7 p.m. Free.

o Dinner/Seminar. Bro. Mike Moran speaks on "My Visit to the Dominican Republic." Free. See March 6 for details.

Wed., Mar. 28

o Founders Trustee Day Celebration. Filderman Gallery. 7:30 p.m. Frank G. Zarb, Emil V. Cianciulli, Dean Eric J. Schmertz. Advance showing of Dwight D. Eisenhower Art, Book and Manuscript Exhibit. Free. X5669.

Thurs., Mar. 29

o DWIGHT DAVID EISENHOWER CONFERENCE through March 31. Student Center Dining Rooms. Panel and formal addresses throughout the 3-day period. Call

UCCIS for program. Free with HUID. X5669.

Sat., Mar. 31

o Plant Clinic and Workshop. See Mar. 1

o Film: Student Center Theater. Octopussy & Never Say Never Again. Free. 7 & 9:30 p.m.

Sun., Apr. 1

o Easter Art Auction and Symposium by the Art Antique Appraisal Program. St. Centr. Theater. 1-4 p.m. Panel discussion on art market from 1-2 p.m. X5420.

o Art Exhibition featuring student art from elementary through college level. "Art Education/The Ongoing Dialogue." Calkins Gallery 2-4 p.m. Opening reception. X5474.

Mon., Apr. 2

o French Film: "Madame Rosa." 10 a.m., 12:30 p.m., 7:30 p.m. SC Theater. X5484.

Tues., Apr. 3

o Paintings by Sir Winston Churchill. Lowe Gallery. 10 a.m.-4:45 p.m. X5672.

o Dwight D. Eisenhower Exhibition of Manuscripts, documents, photos, memorabilia. Filderman Gallery. 9-5 M-F. X5974. Through May 15.

o French Film: "Diva." 10 a.m., 12:30 p.m., 7:30 p.m. SC Theater. Free. (Also on Apr. 4) X5484.

Wed., Apr. 4

o Hon. John V. Lindsay. Law School.

Noon. X5856.

o Downtown LI Business Forum Breakfast. 8 a.m. Univ. Club. \$2. Speaker TBA.

o Lecture: Religious Issues in '84 Elections. 12-1:15 p.m. 261 S.C. X6920.

o Lecture: "William and Mary James: The Force of Making." Speaker: R.W.B. Lewis. Filderman Gallery. 4 p.m. X5454.

o Dinner/Seminar-Campus Catholic Parish. "Sex, Sexism and Responsible Decision Making." Dinner at 6 p.m., Lecture at 7:30 p.m. 1308 Warwick St., Uniondale. Free. X6920.

Thurs., Apr. 5

o French Film: "L'Enfant Sauvage." 10 a.m., 12:30 p.m., 7:30 p.m. SC Theater. Free. X5484.

o Workshop and Conference: Librarians Under Stress. Library. 9 a.m.-4 p.m. Fees. X5963.

o Lecture: "Women and Academe in Sweden." Birgitta Wadell. 1-2 p.m. 143 SC. Free. X5846.

o Weekly Plant Clinic and Workshop. Greenhouse-Gittleson. 12-2. Plants of the Month; Foliage plants for sun and shade. X5516.

o Biographer Eileen Simpson speaks on "Poets in Their Youth" 4 p.m. Filderman Gallery. Free. X5468.

o Play: "The Lady's Not For Burning." NC Theatre Group. 8 p.m. 203 Weed Hall. Through April 13. Free. X5833.

Fri., Apr. 6

o Computer Science Seminar. Dr. Philip

Summer. 205 Monroe. 1:45 p.m. Free. X5560.

o Lecture: Susan Toss Fletcher, Pres., Philadelphia Eagles. 3-5 p.m. Filderman Gallery. Free X5636.

o The Hofstra Quartet. Playhouse. 8:30 p.m. Free with HUID. X6644.

Sat., Apr. 7

o Summer Camps Open House For Parents of prospective campers. Free. X5018.

Sun., Apr. 8

o The American Chamber Ensemble. Playhouse. 7 p.m. Free with HUID. X6644.

Tues., Apr. 10

o Catholic Parish Dinner/Seminar. "Basic Christian Communities." Supper at 6; lecture at 7:30. Free 1308 Warwick St., Uniondale. X6920.

o Drama: 1984. West End Theatre. Through Apr. 12. Free with HUID. X6644.

Thurs., Apr. 12

o Model Seder. 5:30 p.m. Dining Rooms ABC, Student Center. Make Reservations. X6922.

o Plant Clinic and Workshop. See Apr. 5.

Fri., Apr. 13

o Full Faculty Meeting. Monroe Lecture Hall.

Sat., Apr. 14

o "Begin Your Vegetable Garden." Gittleson Greenhouse. \$2. 11 a.m.



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ELS Sponsors Toxic Waste Forum

by Kevin Way & Carl Howard

On Monday, March 12, Hofstra's Environmental Law Society, together with St. John's Environmental and Energy Club, sponsored a symposium on the executive order signed by Governor Cuomo on December 29, 1983 concerning toxic waste disposal and the "community right to know." The symposium was structured to further educate the law students and the neighboring communities about a most current and controversial issue: the frequent discoveries of potentially dangerous toxic waste sites.

The executive order, substantially resembling a bill which died in the Republican controlled Senate, has been laid

determining the type and quantity of the chemicals at those sites.

There are currently 895 identified possible toxic waste sites in New York — 98 of which are in Nassau and Suffolk Counties. The State Department of Environmental Conservation (DEC) expects the order to provide helpful information concerning the chemicals deposited at the known sites as well as possibly leading to sites not yet identified. The information is to be gathered through a questionnaire prepared and distributed by the DEC. Those firms contacted will have 150 days to complete the questionnaire. Once the DEC draws up regulations, the order will have the force of law with penalties including fines of 500

director of the Region 2 Office of the DEC. Though all members of the panel recognized that toxic wastes are an environmental problem and most considered the order to be a positive measure, there was substantial disagreement as to its probable efficacy.

Walter Hang, a chemist from the New York Public Interest Research Group (NYPiRG) and author of the bill rejected by the Senate, argued that many of the problems facing toxic waste clean-up are political in nature. Declaring that the order will "prevent New Yorkers from stumbling on toxic dumps," Hang suggested voluntary industry compliance is not unreasonable due to the desire of industry to protect its reputation.

Robert Youdelman, an attorney and past President of Residents for a More Beautiful Port Washington, indicated that the order only requires disclosure of information that exists. This may present a loophole for industry — if not an incentive to destroy existing records. Youdelman, however, voiced strong support for the order, indicating that any information it generated would benefit the community.

Looking past the compliance aspect of the order were Cyril Moore, acting director for Region 2 of the DEC, and Norman Koudish, a chemical analyst with extensive experience in toxic waste site problems. Moore emphasized the magnitude of the problem and the lack of staff and funding available to his department. He informed the audience that of the estimated 500 million dollars state share needed to clean the existing sites, only 3 1/2 million has been secured through the State's "Superfund." While Moore acknowledged that the information gathered from the order will be beneficial, the question remains as to who is liable for the clean-up in situations where the dumpers are unknown.

Koudish, a chemist stressed that industries have probably not kept accurate records of waste disposal, due in part to the standard practice in past years to discard chemical wastes in the same manner as regular garbage. He also recognized the budget problem involved in toxic waste clean-up. He added that knowing the location of the sites is important, but remedies are impossible until the source of the pollution is eradicated.

Koudish concluded his opening remarks by stating, "...based on my experience...unless someone shows me something to the contrary, I find it hard to believe that we're going to come out of this mess."

Unlike the other panel members, Elliot Weinberg, a chemical industry consultant, and "concerned citizen" denied the existence of any unusual problem. Noting that life does come back to sites "devastated by any means" Weinberg attributed this phenomenon as part of the history of man. "Allaying our fears," Weinberg further claimed that PCBs are not carcinogens and that vinyl chloride is not a health threat. An unconvinced Hofstra student challenged the speaker on the documentation of his PCB claim. Weinberg responded by saying that the documentation was "in his files" and that he would make it available to those interested. A proclaimed realist (implying that Hang and Youdelman, in particular, were not) Weinberg pointed to the increased life expectancy and decline in cancer incidents as evidence of our overconcern with toxic wastes.

Questions from the floor reflected an interest in the legal aspects of the order. Should a company responsible for a small percentage of waste at a particular site be held responsible for the entire clean-up if other responsible parties are unavailable (bankrupt or beyond the jurisdiction of the DEC)? Could (or should) immunity be granted to companies who supply information? Could a system of anonymous offerings of information be developed? The latter questions indicated a belief on the audience's part that knowing where the problems lie is the first step in confronting the problems of toxic waste contamination. The issues of potential liability and funding for clean-ups should not interfere with this all important initial step.

Though the symposium was held at St. John's, Hofstra's representatives comprised a substantial percentage of those in attendance. The officers and members of the ELS as well as Professor Weinberg, a visiting professor from St. John's should be commended for their efforts to broaden our awareness of these legal and social issues in our community.



in the fight to remedy the toxic waste problem as a promising first step by environmentalists and community groups. Requiring some 12,000 industries throughout New York State to furnish any available information concerning their involvement in the manufacturing, transporting or disposing of toxic chemicals since 1952, the order is primarily targeted at discovering the location of waste site throughout the state as well as

dollars a day for non-compliance. A DEC official involved in the discussion expressed skepticism, however, as to the actual levying of fines on industrial firms that will take place.

Chaired by Sarah Meyland, co-director of the state Legislative Commission on the Groundwater Needs of Long Island, the panel group consisted of industry representatives, community groups, and the acting

Twerski Awarded Tort Chair

by Peter W. Shafran

Professor Aaron D. Twerski has been awarded the Siben & Siben Distinguished Professorship of Tort Law, the fifth endowed chair established at Hofstra Law School. Siben & Siben is a Suffolk County law firm specializing in Torts and Family Law. A convocation will be held on May 1, 1984 at four p.m. in the Moot Court Room of the Law School, in honor of Professor Twerski.

"I'm obviously pleased by the recognition," said Professor Twerski, "and it also makes it possible to spend my time researching and writing rather than a lot of other things one might do to augment income. It gives me the opportunity to do what someone in a law school should do." Prof. Twerski has served on the faculty since the Law School's inception and has served as Associate Dean and as Interim Dean of the Law School. "I'm delighted that this professorship has been established," said Dean Eric J. Schmertz, "because of Professor Twerski's national prominence in the tort and product liability fields."

Sidney Siben, a partner in Siben & Siben, will address the convocation together with Jack Farber, President of the National Bank of New York City. Mr. Farber is a benefactor of the University and has provided scholarships for its students. In addition, Judge Sol M. Wachtler, of the New York Court of Appeals, has been invited, at Prof. Twerski's request. "I have high regard for him," said Twerski, "He's a personal friend who knows much of my work." Judge Wachtler "has an excellent reputation as a serious jurist," added Twerski, "I would be proud if he were able to accept."

Professor Twerski recently completed an

analysis of Senate Bill 44, a national products liability bill, for Senator Ernest Hollings' staff, and is currently a consultant to the Plaintiff's Consortium in the Agent Orange litigation. Speaking about his work for Hollings' staff, Twerski said, "It was very enjoyable. you don't have that kind of freedom when you write a brief, there you are an advocate." The classroom becomes a laboratory for ideas," said Twerski, "Many things I wrote, I bounced off my Torts and Products Liabilities classes."

The Distinguished Professorship will give Prof. Twerski the time necessary to produce the type and volume of academic or scholarly work that he feels is necessary to "maintain the academic nature of the institution."

Twerski began his career as a Trial Attorney with the United States Department of Justice, Civil Rights Division where he was involved in the poll tax litigation and in bringing the first Title VII equal employment lawsuits. After one year as a Teaching Fellow at Harvard Law School, Twerski taught at Duquesne Law School in Pittsburgh. Prof. Twerski came to Hofstra Law School in 1972 and has remained here ever since.

At Hofstra, Twerski, as noted, has served as Associate Dean and as Interim Dean of the Law School. He has been a Visiting Professor at Cornell University and Boston University Law Schools. He has been a co-investigator in several major National Science Foundation studies dealing with law and technology. In addition to his scholarly activities, Twerski is heavily involved in Jewish Community affairs. He is Chairman of the Agudath Israel of America Commission on Legislation and Civic Action and serves as a spokesman for the Chassidic community of New York.

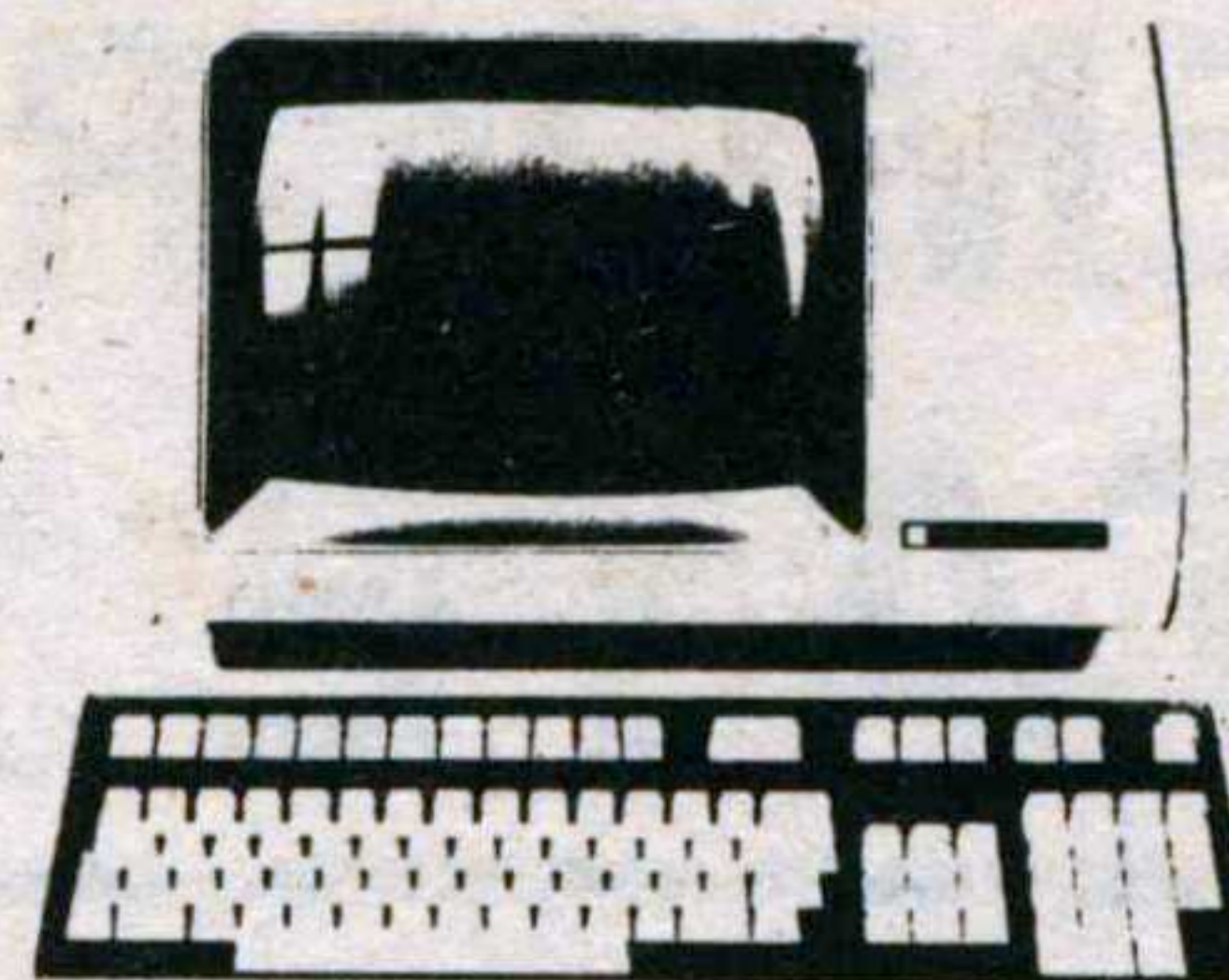
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Hofstra Law School Graduate (Class of '81)



Jeff talking with local residents about their concerns.



DEMOCRAT FOR STATE ASSEMBLY - 52 A.D.

Paid for by the Committee to Elect Jeffrey Golkin State Assemblyman — Perry Golkin, Treasurer

Photos by Photocraft, Brooklyn, N.Y.



Grossman on Economics: WHY, PAUL, WHY?

by Robert Grossman

Lately, as commercial activity has been increasing, there have been more comments by federal Reserve Chairman Paul Volcker about the possible need to increase interest rates to combat an expected inflationary expansion of the economy. While the making of these comments may be intended to create confidence (there's someone at the switch, and don't you forget it) or to convey some other message, the fact is that the method won't work — raising interest rates may do some other things, but it just will not reduce inflation.

Inflation is a product of spending. When total spending in the economy exceeds the total value of goods and services that can be produced at full capacity, prices are bid up, which is inflation by definition. To reduce inflation, spending must be reduced.

The primary means for controlling spending is fiscal policy, implemented through taxes and government expenditures. It can be applied quickly, and has a broad effect throughout the economy by changing spending over the most general range of spenders.

The problem with trying to use fiscal policy measures to control inflation is that the necessary decisions are political. To be rational, it is clear that when spending becomes too great, it must be reduced. But when that requires increasing taxes, the Congress has not been able to act, largely out of the justifiable fear of its members' electoral constituents, who understand that they are already paying more than they want to pay in taxes.

Similarly, Congress has not acted to control the spending which it originates, but, in this case, for the reason that it would thereby shrink its members' power bases, reducing the largess they could distribute and therefore the favors they could curry, as well as diminishing their standing with their dependent constituencies.

Unfortunately, Congress seems ready to act this year to reduce the deficit, the self-proclaimed major economic problem, by raising taxes. But, while it is true that spending exceeds revenue, this is not a major problem now, and will not be until total spending exceeds full employment capacity,

at which time inflation will increase. Rather, our present deficits represent the seed money for greater future employment. Curtailing this spending now would simply retard the rate of economic growth. But the unfortunate parts that Congress seems ready to use the present economic watershed, this period of expanding employment and rising incomes, to raise taxes. If there is any simple lesson for all of us it is to distrust anyone who blindly advocates reducing the deficit, especially by raising taxes.

For there are two fundamental, underlying points which should always be remembered. The first is that our wealth lies in our productive capacity. Controlling the value of that which each of us can produce is the key to our own individual freedom in our society. The degree to which we have less than the full measure of that value is the degree to which we have given a part of our freedom to others. And taxation is no less than giving up a portion of our wealth to the government, so that we no longer have the freedom to distribute that portion which we have relinquished. That freedom now belongs to those who will redistribute it.

The second point is that government is not productive. It adds nothing to our wealth of goods or services. Government can only take from the productive and then redistribute that which has been taken.

Because of the redistribution effect of government, we need to continuously re-examine the role and function we wish government to have. Should it really be more than the things we cannot do for ourselves, providing the means for the settlement of disputes and for the common defense? If it should be more, how much more, given that every program costs us something of our individual freedom? This whole area of concern is most productive for our vigilance.

It appears, however, that Congress is poised to act by raising taxes a significant amount, at least by more than it will reduce spending. If this is true, why is Chairman Volcker calling for more restrictive monetary policy and higher interest rates to reduce inflation, which may not increase for a very long time? Aside from the fact that it is his only tool besides cajoling, there are other effects of tight money that are much greater than its anti-inflationary effects.

When economic activity increases, more money is needed to allow for the greater number of transactions taking place. As the transaction demand increases, two things will happen. First, the velocity, or the number of times we re-use whatever supply of currency we have throughout the economy, will increase. But there are physical limits to this, and so, at some point, we will demand more money than will be available, and the price of money, the interest rate, will rise.

When this happens, not all parts of the economy will be affected in the same way. The primary effects will be in credit sensitive industries, especially housing, industrial and commercial construction, and for new equipment and consumer purchases where credit is necessary. The effects can be mitigated, however, by increasing the supply of money.

The supply of money is regulated by the Federal Reserve Board. When demand for currency and credit increases, as when economic activity increases, expansion by the Board will facilitate growth. And when activity is very great, restriction of money and credit by the Board will inhibit growth. However, although the Board may try to control inflation by restricting money and credit, thereby driving up interest rates, the effect will only be temporary.

When money is scarce, and interest rates and interest rates rise, times may be tough on borrowers, but are correspondingly good for lenders. Over the past several years, rates for savers (who are really lenders to banks and other borrowers) have been substantially higher than now, and those who were able reaped handsome returns. And these returns were so high that they compared favorably with rates throughout the world. And because our rates were higher, a tremendous amount of money flowed into this country for investment at the high rates.

This inflow of cash both strengthened the value of the dollar relative to other currencies, as foreign investors had to convert to dollars to buy dollar denominated debt instruments, and, more importantly, provid-

ed an inflow of cash to our economy as dollars that we spent or invested overseas flowed back. This inflow also worked against the intention of the Federal Reserve Board to reduce cash available for borrowing and thereby reduce economic activity. To counteract this, the Board had to continue to reduce currency and credit to absorb the cash inflow, until the negative effects on credit sensitive industries were very great. Then, two things happened.

First, as the dollar became worth more, foreign goods became more attractive to buyers in this country, thereby producing further slowdowns in domestic industries. But foreign goods became so attractive because of the currency differentials that we as a country could buy so much cheaper overseas that we could, at least to a small degree, play beggar thy neighbor (a good game among countries).

Second, these brakes could not last because of the domestic damage. And therefore the money supply had to be eased. And when it was, the large amounts of currency were just waiting to be invested. The proof is to call your local lender and see just how willing he is, compared to two years ago.

So, the net effect of the Federal Reserve Will contract the money supply and raise interest rates? Clearly, the Federal Reserve either does not want to blatantly announce its real intentions (though it really seems to be working for the benefit of all of us who can take advantage of the improved exchange of the improved exchange rates and/or have money to lend), or it honestly but mistakenly believes it can reasonably control the domestic economy by monetary policy.

... ..

I must apologize for an error in this column last month, in discussing the level of full labor employment under President Carter, the actual level was given as 96 percent. It should have been 94 percent. Thus, when President Carter tried to increase labor employment to a full employment level, he aimed at 95 percent, but bumped into the lower 94 percent limit first, thereby generating a lot of inflation.



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HOFSTRA LAW SCHOOL ALUMNI ASSOCIATION

Student Representatives Needed to Fill
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—Alumni Association By-Laws

If interested, please contact Tom Fendick (3L) or Andy Luskin (2L) or call Pres. Tom Stevens at

(212) 697-3122

Exploiting the Contradictions:

A Discussion with Bill Kunstler

by Barbara Lynaugh

Earlier this semester, attorney William M. Kunstler came to Hofstra to give a guest presentation for the course, Lawyers and Social Change. In what many of the students felt was an inspiring lecture, Mr. Kunstler described the significant role the lawyer can play in American society. His comments are as follows:

I got a letter saying what I should talk about. The letter says, "the emphasis of the course is the role of the lawyer in bringing about law reform through specific litigation. However, I'd like to broaden this emphasis for the class. In addition to your case presentation, I'd like you to discuss your views on the role of the activist/radical/political lawyer." I understood those were all on the same level. She also asked me to talk about cases in which law reform was brought about through specific litigation. Since I don't think it's possible to reform the law, I won't even go into that area. What I'd rather do is do what she suggested secondly, that is, broaden the scope.

I'm going to start with Karl Marx. Not that I am by nature a Marxist, not that I even understand all of Karl Marx, but he said one thing which I clearly understood. In 1856 or thereabouts, he was asked to comment on the 18th Brouaire Constitution of Louis Napoleon. Louis Napoleon had succeeded his uncle after a hiatus period as Emperor of France. It was a disastrous reign in which civil liberties were curtailed everywhere, an invasion of Mexico was attempted and failed, he tried to restore Maximilian to the throne of Mexico and so on. But he did create through his Attorney General or its equivalent a constitution which, on its surface, was the most liberal and fairest constitution in the world. It had portions of the American Constitution in it, it had portions of the unwritten British constitution, and it was, on the surface, a very fair document. In fact, it was so fair, it surprised all of his critics, and it denatured and diffused many of them. But not Brother Karl, who was sitting in the basement of the British museum and was asked to comment on this for a British newspaper. And he did. He wrote a long essay in which he comes to the conclusion that the Constitution is a mythological document. On the one hand it has all these high-blown phrases about the rights of man (and I assume they meant the rights of women as well — at least we can say that). He said that it is up here somewhere. He says that down here, where people live, the relationship between those high-blown words and the people's rights is nil. So he said what they have created is a document that is for public relations purposes only and which can have no effect whatsoever on the men and women in the streets of Paris and the other areas of France. He said there's a gulf between the two, and he says the only way you can make the gulf work productively is for lawyers to exploit the contradiction between the high-blown phraseology and the low-blown actuality.

That is essentially what I think of the law. That it is essentially mythological, but that it is exploitable. While Marx said it much more eloquently than I can, other people have reiterated it in one way or another over the years. For example, when Nehru was the Prime Minister of India, he came to the United States and was met at Kennedy Airport by a large press corps. He was asked by a reporter, "Mr. Nehru, what do you think of the freedom of the press that we have here in the U.S.?" He replied, "Well, if I understand it, it means if you are rich enough to own a newspaper, you can print what you please," which is another way of saying the exactly the same thing. Lastly, Charles Wright, in *The Greening of America* says that in America the law is for the perpetuation of what he calls the corporate state. Anything you can do with it must always be with the understanding that that's what it's designed to do, that that's what its purpose is, and that all you can do is exploit it your way when you can.

Now I will give you the graphic illustration that taught me the truth of all this. In 1968 I happened to be speaking at UCLA Law

School and Charles Garry was then the General Counsel for the Black Panther Party. I was supposedly the General Counsel for the east coast and he was the overall supervisor of our efforts. He came to me to tell me about a situation on the UCLA campus. He said, "the Panthers who get on campus to sell the *Black Panther* newspaper are being arrested by the police who say they don't have a permit from UCLA to do it and that they shouldn't be permitted on the campus if they don't have permission from UCLA." So we filed a federal lawsuit in the Central District of California and we said in essence that if the *San Francisco Chronicle* can have those little boxes and if the *Los Angeles Times* can be sold in the same way, and there was no written permission for anybody from any newspapers, why can't the Panthers sell a newspaper; they're not doing it through boxes, they're doing it through human beings. We had to win the case, no question about it. If we didn't win that case then the law would look like it was an ass, as Charles Dickens often said. Of course, the law is not an ass; Dickens was wrong because it is not an ass as far as the ruling class is concerned. Therefore, it had to make it look as if the Panthers were treated equally because the contradiction would have been too great. Once the contradiction becomes too great, some people start to ask questions about it. If you decide against the Panthers in that case, then you ought to kick the *Los Angeles Times* off the campus, then the *Los Angeles Times* will have some very bad press on the law against them. So we had to win the case. Then they decided that the only way to stop the paper was to murder the Panthers, which is, of course, what they set about doing — murder or arrest them to stop the paper. In any event, that is an example of Karl Marx, of Charles Wright, it's an example of what Nehru meant about the First Amendment applying mainly to those who have the assets and the resources to exploit it.

That's what I think we ought to talk about here. I don't know whether lawyers can be categorized as activist/political/radical. These are terms of the press, and not the terms we use among ourselves in the profession (if indeed it be a profession — I have great doubts about it). What we ought to talk about among ourselves is what do lawyers do who have some sort of conscience of a social nature or an economic nature and who have a desire to do something more than make bucks and live high on the hog while poor people starve all over the world. They want to do something about it and yet stay alive at the same time, not from a poorhouse, but from someplace accessible to the courts.

What do you do? How do you do it? That's a perennial dilemma for everybody. I can remember when I was representing an organization called the White Panthers in Ann Arbor, Michigan. They were the people who led to a very monumental case called *United States v. United States District Court* which my colleague, Arthur Kinoy argued in the Supreme Court — you should all read his book, by the way, *Rights on Trial*, because it goes into a lot of what I'm talking about. In the White Panther case, after we had won *United States v. United States District Court* in the U.S. Supreme Court, John St. Clair, who was then Chairman of the White Panthers (which was equivalent of the Black Panthers but with white people), said to me, "We have an opening for a young lawyer. We will give that young lawyer a brief case, gas money, an eleven-year-old automobile, and all the dope he or she can smoke, and a place to live in our house." A young lawyer by the name of Buck Owens took the job, and for four years he had one hell of a time representing all the drug busts, etc., and today he is a very successful practitioner in Detroit. He took a chance; he gave up what most young lawyers would say would be opportunities to join this firm or that firm or go into government or go into the District Attorney for something that seemed stimulating (and I know was) and which gave him four years of marvelous experience in the criminal courts of Detroit. I say that as a preface to what

you're all going to be faced with. I see some of the ads on the wall: Judge Advocate General is going to be come here, law offices will be coming here, and I'm sure the Nassau County D.A. and Queens County D.A. will be wanting to employ some of you, because they all need lawyers. Believe it or not, lawyers die, grow old, get disease, shoot themselves, get disbarred, or, one way or another leave the profession — either on their feet or on their backs, but they leave. So, they always need more lawyers. You know Chief Justice Burger's remarks; the only thing I've essentially agreed upon with him over many years has been his disdain for the lawyers in the country. I share that with him even though he is ill-motivated; he would like to have more control over who get to practice law and who doesn't. He is essentially right in his criticism of lawyers in this country, and there are 600,000 of them out there doing their dirty work in one way or another. But all of you will have to make some sort of choice on that route, and it's kind of significant how you make it in the beginning. With me, it was not so significant, because I started out my first twenty years as a straight commercial lawyer in New York. So I'm no shining example of a social conscience. Mine came very late in life, after seeing some Freedom Riders arrested in Jackson, Mississippi, in 1961, on June 16, 1961 (somehow you don't forget the dates that matter in your life). From that day on, my life changed rather abruptly, somewhat gradually at first, but then at a much swifter pace. Within two months, I was Dr. King's special trial counsel, because his executive secretary Wyatt Walker had been one of the arrestees during the Freedom Rides. When a year was out I was so kneedeep in the South that I just resigned from my firm. Since that time, I've done virtually nothing but the kind of law that I now realize I should have been practicing twenty years sooner. I'd hate to think where I would have been if the next twenty years — twenty-five now — had been spent in my old law office. I probably would have been dead from the neck up, suffering from a number of fatal diseases of the mind or the spirit and the body.

You will have a more definitive choice; it will not come the way it came to me. You will also have come out of an era which I think was probably — maybe with one exception, although I think it ranks with that — the best time to be alive in this country, the period from 1960 to 1970. There's no question in my mind. The only other one that's comparable would be the Reconstruction Congress after the Civil War, where you had some sort of comparable awakening. The 1960's — you have lived through them or at least have been on the tail end of them — have altered the perspective of many people going into law. It still hangs on. It doesn't have the strength it had in 1970, in 1968, and so on. Harvard University just did a survey of its law school and the change in direction of its law school, and it's unfortunate the way it has changed. But there are still people who want to be lawyers and yet want to be human beings at the same time. It's hard to be both, let me tell you that. When I went into Wounded Knee, I was the chief negotiator for the seventy-one days we

were there. I wasn't in there a week when I saw two young people sitting on a hill outside of the St. Mary's church. I hadn't seen them before, so I asked, "Who are you?" They said, "We're law students, we're here from the National Lawyers Guild to see if we can help." That's the kind of person you had, who would leave school — remember the occupation started on February 27th, the middle of the school year — they would leave school and come to a place as isolated and as dangerous as that, where many people had died or been hurt; they would come in and want to be part of an on-going social movement. This is exactly the kind of people you had; they were not unique in any matter or means. There wasn't a place I went, whether it was Attica yard or Wounded Knee or hundreds of other places where you didn't have people who came out of the law schools and wanted to be more than just money-makers.

Everything will attempt to turn you, those of you who feel like the spirit I'm talking about. Everything will want to turn you, your parents, lovers, husbands, wives, etc. I can still hear my father now, "What did I send you to law school for? How could you come out and not be a Congressman?" This he told me after I had started to horse around in the South, that I had misunderstood the whole purpose of law school, that by this time I should have a substantial bank account, a number of good bluechip securities, several cars, a house in the country, and so on. He said, "You have nothing to show for all that we put into your law school." I said, "Dad, (first of all I went on the GI bill when I got out of the Army so he really didn't do anything for that, but he did help me at Yale as an undergraduate even though I worked the last two years) I said, 'Look at the things I'm doing. I'm feeling alive, I'm doing something exciting now.'" He said, "Yes, but are you making money?" Of course that's the prevailing argument with the family; if you don't make money then you have no outward symbol for the crowd to show that you're worth anything, you're not smart; if you don't make money, you're not shrewd, capable. But there is a different currency. Being what Arthur Kinoy calls "a people's lawyer" or any other romantic title you want to give to what we do has a great deal of rewards, enormous rewards. It'll make you well-known right away to the Bar Association. It will also make you somewhat notorious, but it will bring you great joy and great achievement. You will get your bite into cases that you would never see at the Wall Street firms, you would never see even in smaller firms, because they won't trust the young people with these exciting concepts of law. You'll be handling cases in this area that go to the Supreme Court of the United States. While it's no joy to argue before that bunch of pirates, at least, I guess, it's something every lawyer wants to do at one time or another, and sometimes you can win. If the contradictions are broad enough there, you must win, too. Wherever they are broad enough, you have a good shot at winning. You will try cases that you would never try until you were much older if you go this route.

continued on page 7

ITEM!

Norman E. Kent (Class of '75), the Founding Editor of *Conscience*, was recently interviewed in the February issue of *Student Lawyer*. The article, "Someone Has to Defend the Drug Dealers" featured Mr. Kent and other drug defense lawyers in South Florida. Kent also speaks his mind in this issue — read it on page 9!

ITEM!

Low Revue wants you! The Hofstra tradition will be continued this year — directed at law schools and their faculties, lawyers, judges, and other legal artifacts and elusive concepts. Contact Glenn Berger (3L) or Rick Collins (3L) or leave name and number in SGA Box.

Kunstler Address ...continued

continued from page 6

The question is: how do you go the route? That is the hardest question to answer. The letter from Barbara said what is the role of the activist or whatever you call it lawyer. The role is to save the Constitution where it can be saved and to exploit it where it can be exploited. To exploit the law so that you keep people functioning and you keep the country on its toes. There always must be this friction going on or else this country would become like Nazi Germany overnight. There always must be people who can, in some way or another, support the things that are decent and clean about being alive, and there always must be people who have a little courage and who aren't worried that everything that they say in court will come down against them. These lawyers must always occur. If they're not around, we're at an end.

The itinerant lawyer in American life has been, I think, the stabilizing factor. I think I can say without significant fear of significant contradiction that there's rarely been a momentous case involving human rights in the United States where there has not been the outside lawyer influencing it, whether it be Sacco and Vanzetti, where the lawyer came from California, whether it's Leonard Boudin running around the country or the Harrisburg Eight — Daniel Berrigan and company tried on a conspiracy to kidnap Henry Kissinger in 1970-71 in Harrisburg, Pa. — or whether it's Charlie Garrett, or whether it's the way the country was founded by itinerant lawyers. The first great one, the man who gave the title to the Philadelphia lawyer, was a man named Andrew Hamilton, and he came up to defend an itinerant printer by the name of John Peter Zenger in 1734 when the Attorney General and the Supreme Court of New York disbarred his New York attorneys. Out of Philadelphia came this Andrew Hamilton who was brought here on a barge into New York harbor. He was the Speaker of the Houses of both Pennsylvania and Delaware at the same time, he designed Independence Hall; he was a very talented man. He became Zenger's lawyer and he succeeded in obtaining freedom of the press 50 years before the Constitutional Convention, 53 years to be exact, when he got a jury to acquit Peter Zenger in that famous case. He became the first well-known itinerant lawyer. If you go into the kind of work that we're talking about, you will be itinerant lawyers, too, "have writ will travel" kind of people. I have found that the local lawyers, except in big metropolitan areas — even there you're not too sure — that the local lawyers are somewhat afraid, understandably so. They make their livings here, the judges know them, their kids go to school, they have their own associations; and, unless it's a big enough area which can absorb that, the pressures are very high. In most of the cases that I know of, you will find that the out-of-stater, the itinerant, becomes very important, because he or she can say things that don't imperil their kids in school or their income, to challenge jury systems for racial discrimination where the local lawyer will be a little afraid of doing that. That doesn't mean that every local lawyer is a coward, far from it. It just means that the greater force comes from the outside than from the inside, and that the Bar can't touch any of us in other places. They can hold us in contempt or do a few odds and ends, but they really can't do much more than that. So if you look at all the cases over the last thirty years and think of them — the Harrisburg case, the Chicago Eight, Dr. Spock in Boston, and myriads of others — Rap Brown's trials around the country, Stokely Carmichael, Martin Luther King, these were all out of state lawyers in every instance. Now there is a dirty little decision of the Supreme Court hanging around, a very unfortunate one which almost no one knows about, thank God, because, while it's reported, it doesn't seem to have gotten the attention most hope it would. There was a lawyer by the name of Harold Fahringer, and he defended Larry Flynt for obscenity in Ohio. Larry Flynt has done nothing in his life that I respect except his remarks to the United States Supreme Court. While I think they were a little

chauvinistic, to call eight of them "pricks" right to their faces, I thought he deserved a certain amount of bravado, many of us did. Now all eight of them are not "pricks," of course, there are two or three whom I would throw out of that category, but there's enough on there to make five. In any event, in Larry Flynt's case Fahringer, after trying the first case, was excluded from the second case by a state judge by the name of Leis. After going to the Ohio Supreme Court on the issue and losing, he then filed a petition for certiorari in the United States Supreme Court. The Court by a 5-4 decision came down with the opinion that the state judges could exclude the out-of-state lawyer. This is not so in federal court as we saw in *Bax v. Holder*. Bax was in prison in Terre Haute, Indiana, serving a five-year term for draft resistance. During the service of that time, he was assaulted by prison guards and he kicked one of them in the you-know-what, and he was then indicted on the charge of assaulting a guard, of kicking him in the testicles during the fracas. The case was assigned to Judge Holder, a federal judge. Judge Holder threw me out because he said he didn't like my political views, which had been expressed in a speech the day before at the Indiana University in Bloomington. A mandamus was filed with the Seventh Circuit which held that he could not do that on the federal level. Unfortunately this opinion is not reported; if you'd like copies of the opinion they're over at the Center for Constitutional Rights. After he was ordered to have me try the case, he became represented by every establishment firm in Indiana, at least in Indianapolis — 30 law firms represented the judge and applied for certiorari. Justice Rehnquist stayed the operation of the Seventh Circuit's order ordering my reinstatement, and it went to the Supreme Court. Morton Stavis argued — he is a colleague of mine at the Center for Constitutional Rights. The court granted certiorari — at least four judges thought it was worthwhile — and after the argument they dismissed the judge's petition on the ground that it had been improvidently granted, which was a big, big win. There you win by the Supreme Court saying, "We were wrong in ever taking this garbage." So I was reinstated as his attorney. But it had horsed around so long that a federal judge in Minnesota, where Bax was now confined, decided we better release him on *habeas corpus*, and he was released and never tried on the charge. The charges were dropped, which was a big win for him. So on the federal level, they can't kick you out as long as you meet minimum standards, you cannot be under disbarment charges or things like that, and you promise to support the Constitution of the United States. On the state level, you have that *Flynt v. Leis* case which is still hanging around, which is a very disturbing little case. It was only endorsed on a petition for certiorari, without argument, without briefing of any sort, so it is of dubious value. In any event, the state courts have not really gotten around to applying it except in very few instances. Only once have I been met with it, in Alabama, in a death penalty case, where they took my colleague, Leonard Weinglass, in my place and gave no reason for doing it. So the itinerant lawyer is very important.

There are those among you who may well decide that you want to do socially redeeming work. Most of you, I'm afraid, will not. Despite the intensity of my words or anybody else's, the yielding to economic pressures is a battle that is hard to overcome. The yielding to personal needs, to social or parental forces is very hard to overcome. You've spent four years in college most of you, three years in law school, and here's some idiot who's coming in her telling you to go sell yourself cheaply, in a way, on the economic market. But there are some among you, and it is to those of you that people like myself always look. The rest of you really don't matter in our scheme of things. You matter as human beings, but, since we're not going to see you, and you're not going to be involved in this work, you become ciphers to us in essence. Those of you that feel that you have an urge inside to be worth something to yourself other than

money, those of you will find the way to do it.

It isn't so hard. I have a young man in my office, his name is Ron Kuby (number one in his class at Cornell, he got out last year) who came in the summer before and said, "I'd like to work for you for free; I'd like to do what you do." He went back to Cornell and graduated and he's working with me now. He gets \$250 a week — that's just about \$50 more than the people who take my kids to school. In my later years I fathered two more children, ages five and seven, which just goes to show that you still can remain pretty vital doing this kind of work. In any event, he gets \$50 more as a graduate lawyer than do a number of people who do that little bit of walking the kids over and staying with them for the few hours until we get home. I asked him the other day, I said, "Ron, you work for starvation wages here (we don't pay very much because in many instances we don't charge fees, and where we do, we usually get paid by the largesse of the State, which is \$25 an hour in court and \$15 an hour out of court). He said, "I like the work, and I feel good." Now he won't be at \$250 all of his life. If we strike it rich, as we did last summer with a rather marvelous civil rights case in North Carolina — the first time in my life I made a \$100,000 fee from a civil rights action; never had that happen to me before in forty-some odd years of practice — so we could give Ron a little more from that to sort of even it out somewhat. But, he wants to do the work, he feels it's important to do the work, and he wants to do it; and he's brilliant, and he's good, he's devoted, and that's the way he wants to spend his life. He'll make more, of course as the years go on, there's no question about that; he'll probably get up there in the strata somewhere, but never what he would make with a commercial firm. Any large firm would love to have him, he's that good, number one in his class and as brilliant a young lawyer as you would ever hope for both as a research man and as a man who can try cases. He just passed the bar and he sat through several murder trials with me already and he wants to continue doing it.

There was an article in the *New York Times* the other day on lawyers by a professor of Harvard Law School, which was in the main, bullshit. He tried to say that it doesn't really matter what you do, it's all the same anyway, which I find pure bullshit. I read it anyway, the minute I saw "lawyers," I read anything that says, "lawyers." He said in that article something about a beginning lawyer can make \$50,000 at any of the large firms — that's probably very true. But I know some of those beginning lawyers. I know one in particular who has worked for eight years doing nothing but renegotiate the Ford contract with Ferguson Motors. His job for eight years has been to work on a document that's seventeen pages long and has not yet been signed, but which is the subject of constant negotiations between these two rival corporate giants in the automotive industry. That's what he does. I said, "Aren't you bored?" He said, "I'm bored stiff, but I'm so long in the firm now and I have so much invested in it, and I don't think I can make this kind of money anywhere else" (he's now making maybe \$60,000) "and we've got two kids now, and I've got to pay this school and that orthodontist, etc., and the mortgage on my house in Mamaroneck, and I'm afraid to leave." It's like Pullman porters who were afraid to leave the railroad because they had so much invested in company benefits that they became prisoners of their economic status, they have to stay there. Well, if you get into that too early, that's what you will become — prisoners, and all of these great social drives will dry up. You will become staid, set in your ways, timorous, afraid, cautious about showing your head too high above the crowd, less individualistic, and that's the way you'll live out your lives. Just remember that fifty years from now most of us will be gone. So, if you're going to have fun and you're going to be socially productive to yourself and to others, you've got to do it now. If you get in the rut, you're a goner.

Lawyers can do something. They can't

reform the law — it's unreformable; it's for one thing and one thing only, to perpetuate the system. Just think, the Senate just passed last week an ending of the Exclusionary Rule. Not it doesn't matter how they get the evidence, if they had good faith and believe it was alright to break down the door and get it, it can be admitted in court. It hasn't passed the House, but you know that His Eminence will sign it once it gets to the White House, and the Exclusionary Rule — this great Rule in existence since 1922 — will be out the window. The attacks are everywhere — restore the death penalty, etc. — the emphasis is on narrowing rights in order to keep the system functioning as those who own it want it to function. Lawyers like us are in many ways the only stop-gap to all of this. The ordinary lay person doesn't understand Exclusionary Rule one way or another. That's why the gobbledy-gook works exceptionally well, so when there are all sorts of changes in the law, the lay person doesn't understand it. Therefore, it takes people who do understand these things and understand their impact on social and economic life to go and fight, to alter and change, wherever they can. But, remember, it will not be green pastures. Nobody's going to alter the system, overnight or at long length, short of revolution in this country. That may come some day, who knows, nothing lasts forever. The point is that little bites can be made.

Before I finish I just want to give you some examples, two analogies which don't come from the law at all, which best explains what I think the role of the activist-sort of lawyer is.

The first was the story of Michaelangelo when I went to Florence, Italy. I went into this galleria and there was Michaelangelo's *David* that I had heard about all my life. I looked at the statue and I wondered, "what's so great about this statue? Why is it meaningful?" Then I realized that it's the only *David* portrayed before the killing of Goliath. All the others show David with his foot on the severed head, with his foot held high; it's all done, he's safe. What Michaelangelo was thinking of is that David was making up his mind. He must have been saying to himself, "This big son-of-a-bitch is coming down the hill. Now if I miss, I'm gonna get my butt kicked, and there'll be no David to see the sun set over his flocks. If I get him, I've saved my people. But if I do nothing, no one will know the difference," because there must have been hundreds of shepherd boys on the hills above the Israelites who watched the Philistines coming down. I realized that Michaelangelo was making that sculpture in a point of time before this fateful event to show what a man or a woman must go through sometimes to exhibit the greatest act of courage known. The greatest act of courage known is when you do it when you don't have to and when no one will censor you for not doing it. There is no doubt that if you were on a river bank in front of this whole class and someone was drowning that there would be a number of you who would feel compelled to jump in the water, because if they didn't the peer pressure would be tremendous. But visualize being alone on the bank, no one to see, no reporters, no friends, and that person is drowning in the rapids, you have this moment of decision: "If I don't go in there, no one will know I even had an opportunity to do it; if I do, I could be killed in those rapids. Should my self-interest come over my humanitarian feelings?" That's David. If his self-interest overcame his humanitarian feelings or his feelings that he wanted to do something, who would know the difference, and who would care? Nobody could say, "David, you didn't do anything" when we didn't do it ourselves. That was one thing that was pertinent in my life.

The second thing was the concept of Herman Melville. Herman Melville, when he wrote *Moby Dick* was not writing a whale story. What he was trying to say, I am sure, he was trying to counterbalance good and evil. Ahab is essentially half madman going after what he imagines to be Evil, the great white whale. He gets the white whale, he harpoons the white whale, but the whale takes

Continued on page 8

Kunstler Address ...continued

Continued from page 7

him down, and indeed takes the whole boat down, along with everybody on it except Ishmael. I think what Melville was trying to say is that you bite at Evil in little bites. You get corners of the field. You don't win green pastures overnight or ever, but if you fight the good fight you can make some little inroads. I guess if there are enough little inroads, then those little inroads will add up to significant advances.

I think that when you combine the two, the knowledge that you will be tested somewhere along the line — it may come quietly, it may come loudly — with some people's knowledge or without anyone's knowledge, and that by standing up to that test, there is some little progress along the way, then it will be worthwhile. If you can combine these two in your own lives then perhaps you can reach an understanding with yourself that this is what I want to do. I want to be meaningful, I want to be useful, I want not to come to the end of my life with

the feeling that all I did was make an estate from my quarrelling heirs or whether I want to feel that I left a bigger and better legacy. That is, I guess, a good philosophical underpinning to do the things that you want to do — because you all want to do it, there is no question but that everyone in this room wants to stand up in court and be the hero or heroine that they imagine life has produced in the past. You want to do great things with your life, make it really worth the living, and feel good about yourself. If that feeling is there, and the desire is strong enough, you will work and strive for it. Maybe we're all quixotic about it, I don't know, but Don Quixote is not an unenviable figure. If you want to do it then it's not tilting at windmills. I should end this by saying that that's what I think the role of the lawyer should be, that there are windmills out there that are more than windmills, and they are dangerous. There are places to go, whether it's a watered-down legal services office or some other area where you can get to do the

things you want to do, whether it's banding together, putting all your assets together and starting a practice or whether it's finding some mechanism that will keep you alive and yet let you do the things you want to do. Those of you who say "Nay" to this, I can understand that, and I fully expect that the majority in the long run will say "Nay" to this. But there are some of you who will want

to live for shining moments in your life, more than just winning someone's divorce, or buying someone's house, or doing someone's will, or negotiating someone's contract, practice which is confined to a very limited number of people. You want to do something beyond the scope of a very few limited people. For those, I hope what I've said has some meaning.

Ms. Diane Schwarzborg was recently appointed to Placement Assistant in the Law School's Placement Office. Congratulations and good luck, Diane!

ANNOUNCEMENT

Dean Schmertz has agreed to allow a member of the graduating class to deliver a ten-minute address at the June Commencement exercises.

THE STUDENT COMMENCEMENT SPEAKER WILL BE POPULARLY ELECTED

Any interested third-year student should submit her/his name to the **Conscience** box in the Library. If you want to nominate a speaker, that person must consent, in writing, to the nomination.

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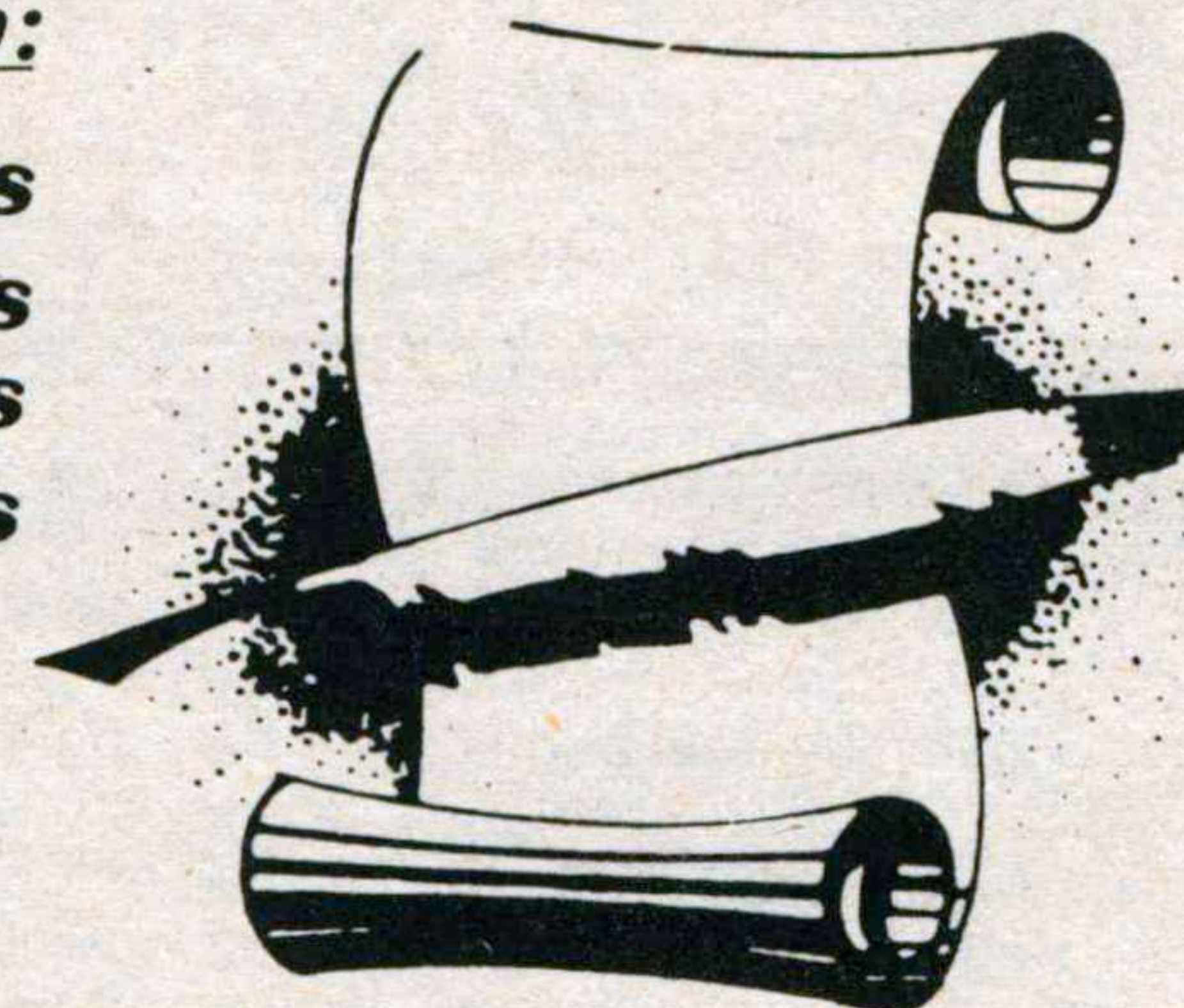
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Emergency Preparedness: Where Will You Go?

by Robert A. Cerro

FALLOUT SHELTER IN BASEMENT: A familiar phrase? Remember those fluorescent yellow and black signs we had all grown accustomed to seeing posted around our campus? The signs with the yellow Three-Triangle Radiation Shield superimposed on a black circle background? The ones sent from Civil Defense in the early 1960's, depicting that product of The Cold War — the all-purpose survival shelter?

What has happened to all of them?

Recently, much public attention has been given to the consequences of poor preparation in the event of a widespread catastrophe. ABC-TV's airing of the television movie "The Day After" caused quite a stir in the minds of those formerly active in the walloping National Civil Defense Program. The eye-opening drama plainly depicted the destruction of a major urban area, and the death of scores of defenseless people — those unprepared for disaster.

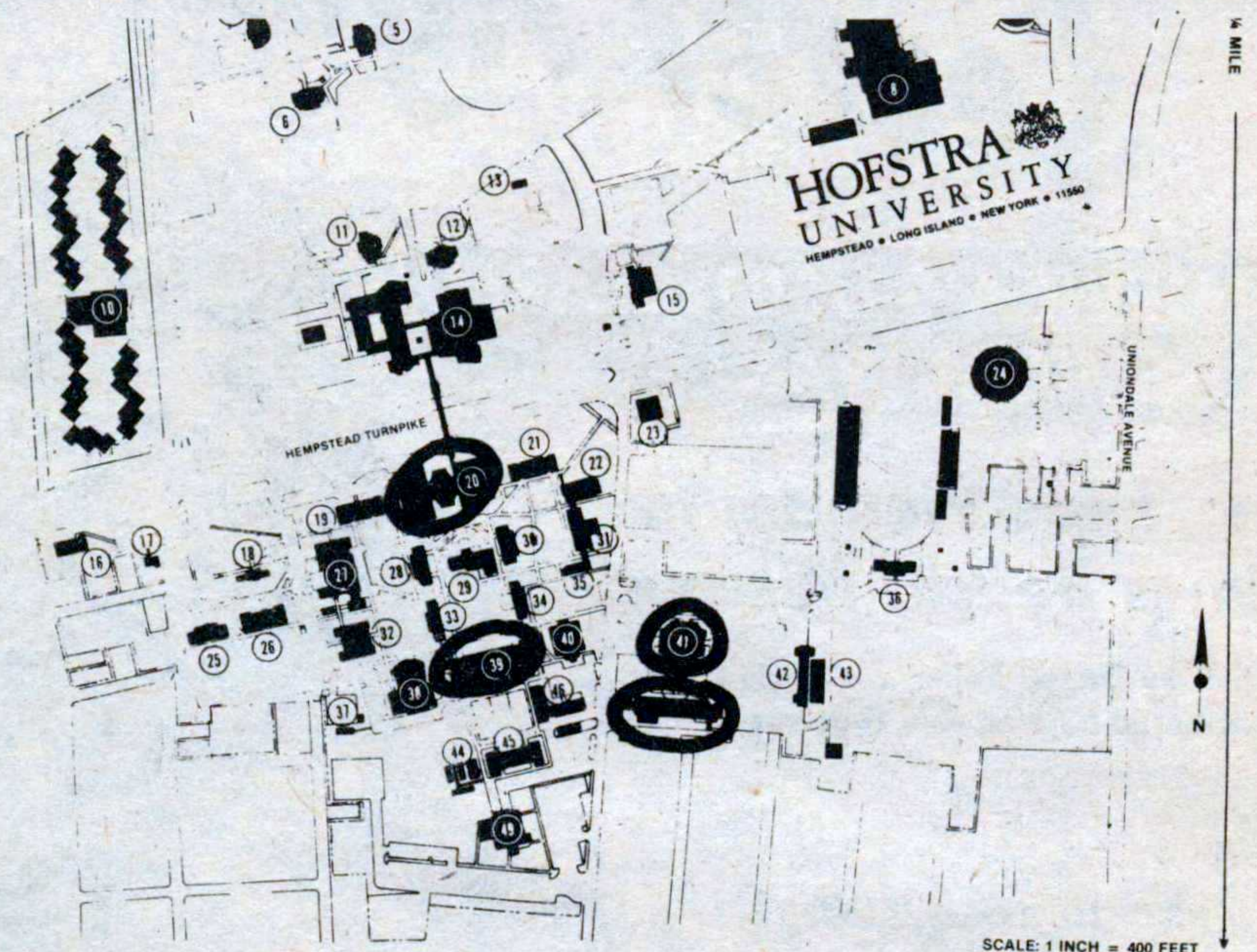
Just how well-prepared is this campus for confronting the effects of a major catastrophe? This Reporter decided to find out. Using both available literature and the knowledge of several prominent figures on the Hofstra Campus, I have constructed a

and drums of stagnant water were discarded following reports that the contents were growing poisonous after twenty-plus years of aging in boiler rooms.

These stocks necessary to prolong human existence following a Nuclear Attack have not been replenished, as the concern for Civil Defense has gradually diminished. At the present time, our fallout shelters at Hofstra University are being used for storage, and in reality, there is no place the general public of the Hempstead area could turn to during Nuclear bombardment.

Fred Nykanen, of Hofstra's Plant Department pointed out that although most campus buildings with a concrete first floor (such as the Law School) will provide safety from Radioactive fallout, the shelters themselves are useless without adequate stocks. If a nuclear weapon were to strike either New York, or Shoreham, our chances of long-term survival would be minimal.

Speaking of Shoreham brings to mind another unthinkable scenario — the accidental exposure to radioactive waste shipped through Nassau County. Now that transporting radioactive waste through New York has been legalized, we are confronted with the possibility of an accident occurring near Hofstra, involving trucks carrying nuclear



were evacuated, and the Nassau County Police Bomb Squad was notified. When it was discovered that there was indeed a real bomb inside the Headquarters, students in surrounding dorms were quietly evacuated, as a precautionary measure. Although the bomb did explode, the Bomb Squad did manage to cover it with a protective Bomb-proof blanket, limiting its destructive force. When the area was declared safe, students returned to their rooms.

Localized accidents, such as those concerning leaking radioactive or chemical wastes, and conventional bomb scares are one category. Susceptibility to nuclear fallout is another. While speaking with Mr. Nykanen of the Plant Department, regarding the locations of our fallout shelters, I noted that many of his fellow staff were listening carefully to our conversation. One gentleman offered his realization of our chances on surviving the nuclear erasure of New York or Shoreham: zero. This appears to be pretty accurate. Let's evaluate the situation, based upon the information provided to me by those in-the-know here on campus.

It is twelve noon, on any given day of the week when classes are in session. The Department of Public Safety receives early warning of, let's say twelve minutes, of an imminent nuclear explosion over New York. The word is given that we are under attack — Where would we go? Some undoubtedly would take to their cars with the hope of reaching home before the bombs fell. But, for those unable to make it home, because of distance or lack of transportation, the only chance to survive would be in a fallout shelter. Frantically, people run amuck on campus looking for that familiar black and yellow sign-but where are they?

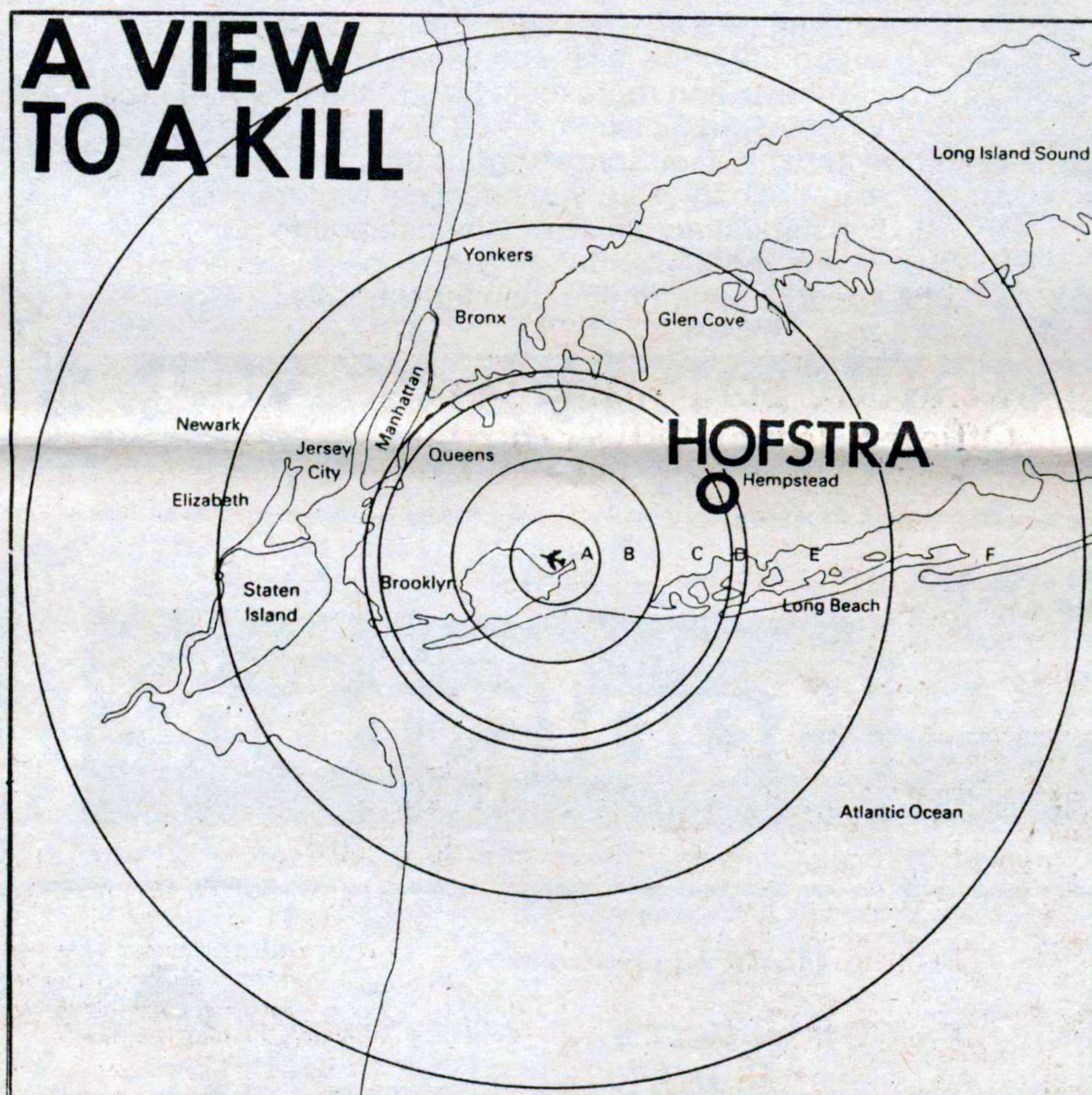
On a warmer day, take a stroll around the main campus. If you're not in a rush for a class, take some time to look for the fallout shelter signs. You won't be looking long. They have all but disappeared from the face of this campus, and for a very good reason:

the Civil Defense program has been deactivated.

Those people frantically searching for a shelter, if lucky, would find one with thick enough concrete walls in the basement of one of the older buildings, the Law School for instance. There, they would congregate in the basement, away from all exits allowing the soon-to-be poisonous air in. Huddled in a tucked-away closet or boiler room, (see diagram) the former students of the former Hofstra University await the explosion. Soon after it comes, the exit doors are locked, keeping out contaminated victims, who would contaminate the basement environment of the Law School.

So far, so good. At least the survivors have a place to stay. But what about food? Searching for those familiar-looking canisters of bread and water seen so often in the movies, only a few can be found. Upon opening them, it is found that what remains in the cans after twenty-odd years is hardly edible, let alone breathable. The survivors are left to watch themselves slowly starve to death, or, worse yet, consume the contaminated foods from Dunkin' Donuts and Falstaff's. Either way, although the radioactive-proof buildings are there, those occupying them are left with a Catch-22, watching themselves from a view to a kill, overseeing their own overkill.

The point is, our "fallout shelters" today are worthless. The remaining signs direct our people to a dead end. The last remaining traces of food and water stocks were removed in 1982, more than twenty years since originally installed. Mr. Crowley explained that the action of removing the supplies from these shelters demanded the removal of the signs. With the deactivation of the Civil Defense program itself, Public Safety, Plant, and the outside government agencies no longer felt the need to maintain our shelters. Until the government feels the need to replenish these shelters, we can only hope we never have to use them.



view of Hofstra's current emergency planning program, dealing with three different scenarios, each of which confront us every day.

The first unthinkable scenario is that of a Nuclear Attack against the New York Metropolitan Area. A 20-megaton device airburst over Kennedy Airport would have a most that effect on the population, not only in the city, but on and around Long Island as well. Within seconds following the initial explosion the area surrounding Hofstra University would become a deadly environment indeed. (See Diagram) Only those fortunate (?) enough to seek appropriate shelter would have any hope for long term survival.

Does Hofstra possess such appropriate shelters? In reality, as you read this article, the answer is no.

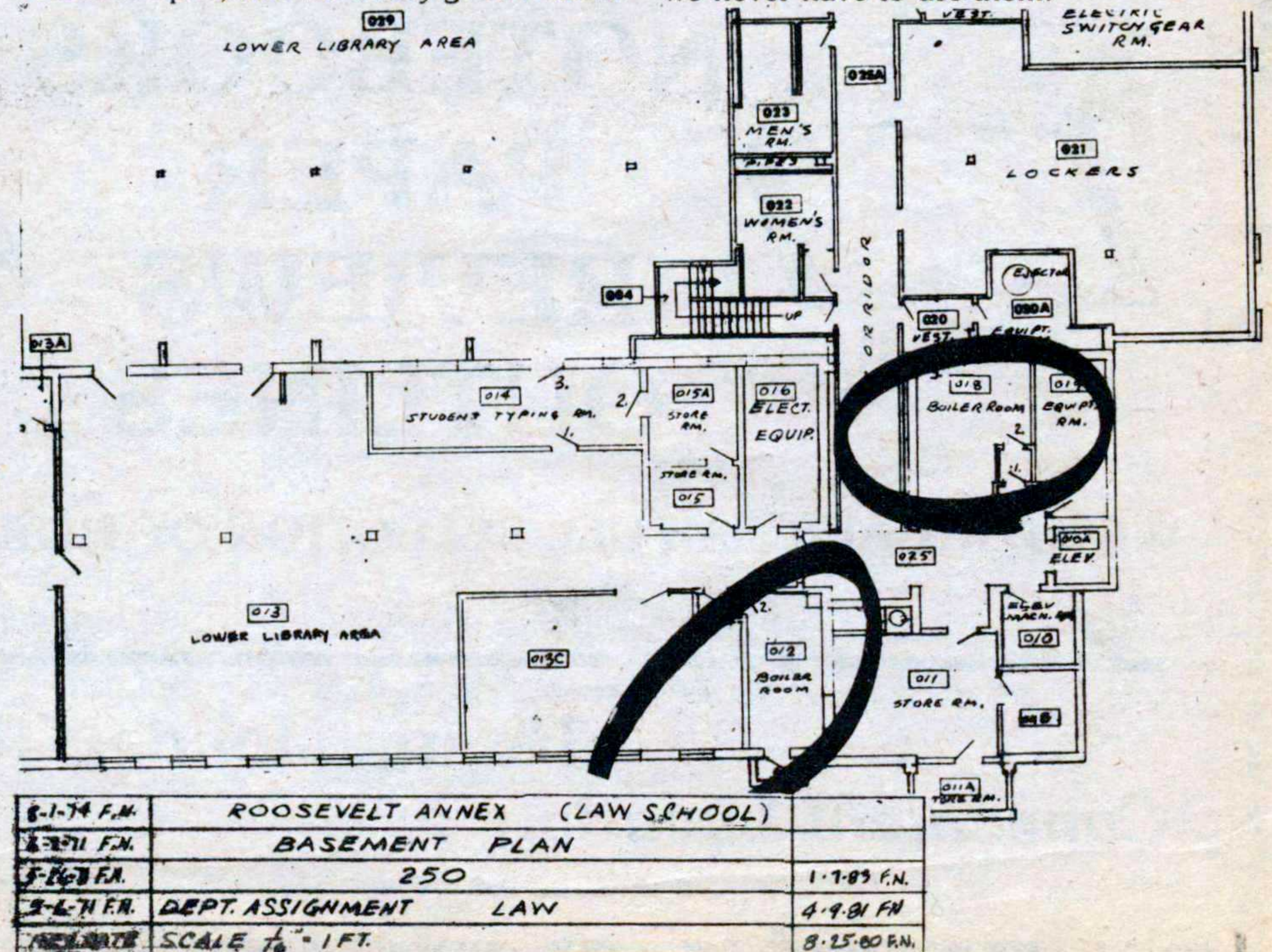
The concrete walls are there, capable of absorbing substantial doses of incoming radiation. However, I have discovered that these shelters no longer are stocked with the fundamental supporters of life: protein and water.

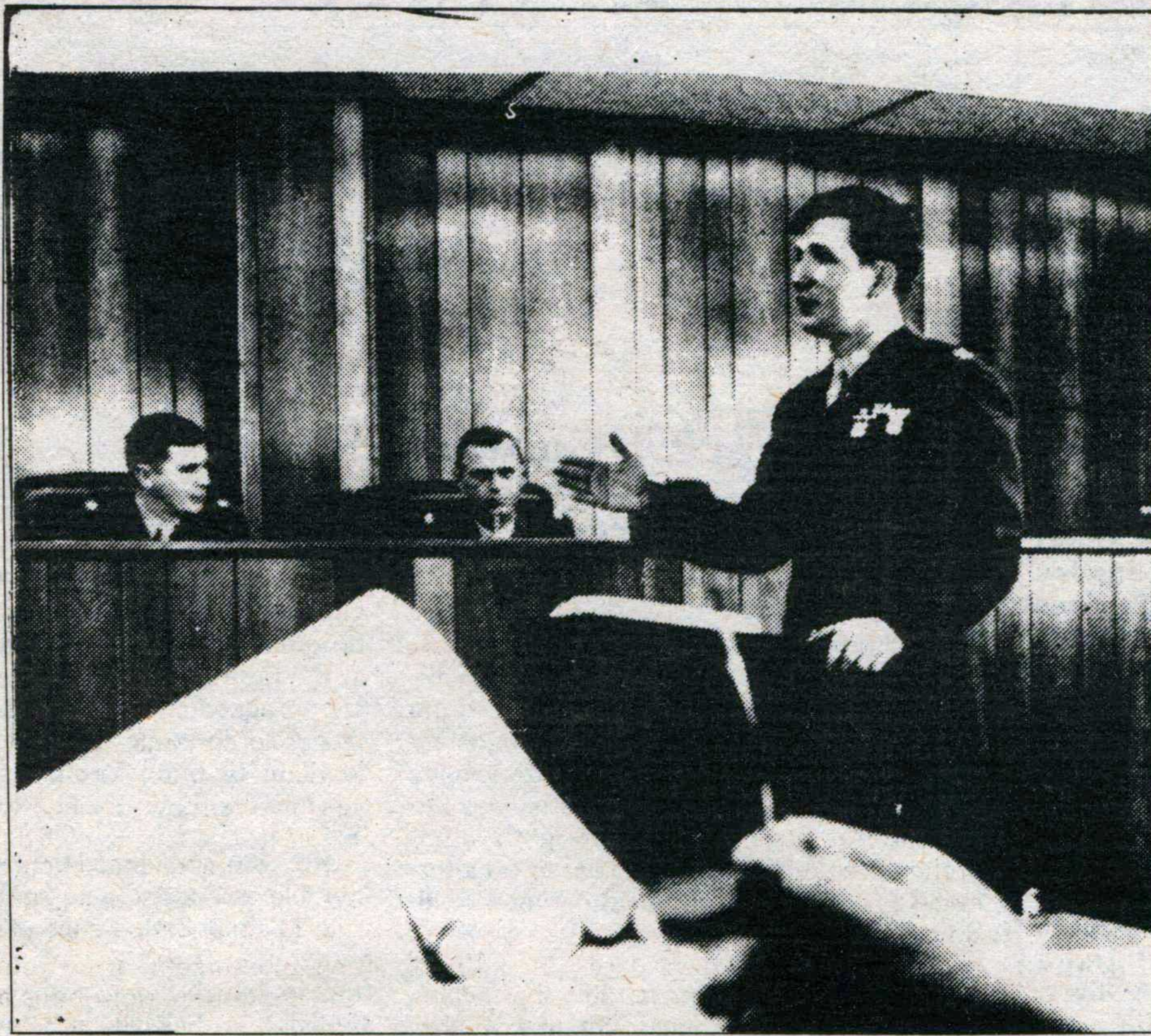
According to Robert Crowley, Director of Hofstra's Public Safety Department, all stocks of food and water were systematically removed from the shelters two years ago. Those appetizing tins of Nabisco Crackers,

waste.

Picture this: Suppose a tanker carrying potentially lethal radioactive waste were to overturn on the Long Island Expressway just north of us, as a southerly wind blew steadily, or worse still, on Hempstead Turnpike. How would Hofstra handle this situation? According to Safety Director Crowley, the Public Safety Department, in conjunction with the Provost, and President of the University, would make a determination of the level of danger existing of Hofstra Students. From that determination, Public Safety would judge what course of action, in accordance with the recommendations of appropriate Health Agencies, would be taken to best insure the safety of the Hofstra population.

The third unthinkable scenario discussed with public safety related to bomb threats. Last semester, a conventional bomb exploded inside the Army Reserve Headquarters on Oak Street. I spoke with director Crowley regarding to procedures the department used in keeping the Hofstra community free of any danger during the crisis. According to Mr. Crowley, the department received an anonymous phone call instructing them that a bomb had been placed inside the Reserve Headquarters. Immediately, the premises





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COMMUNITY FORUM

EDITORIALS:

Electing the Next Supreme Court

While bookmakers have been setting odds on whether Mondale or Hart will capture the Democratic nomination for the Presidency, less short-sighted political and legal analysts have turned to the question of the 1984 election's effect on the future composition of the U.S. Supreme Court. There is a strong possibility that as many as five justices — a majority of the court — will retire by 1989. The consequence of that is that our next President could determine the character of Constitutional interpretation in this country for 25 years or more. Quite a legacy!

The scenario for this judicial turnover was recently sketched in the March 19 issue of the National Law Journal (NLJ). Of the total 93 Supreme Court Justices, only eight have served beyond their 80th birthday. Mr. Justice Holmes, for example, retired when he was 90. Despite the longevity of justices generally, the current ages of five of the Court's members suggest some changes are close at hand: William J. Brennan, 77; Chief Justice Warren E. Burger and Justice Lewis F. Powell, Jr. are both 76; Justices Harry A. Blackman and Thurgood Marshall are 75.

Although the NLJ does a nice job of identifying fourteen popular democratic prospects for upcoming Supreme Court vacancies, less has been publicized about likely republican choices. Concerning the latter, speculation usually ends after mention of "Judge" William Clark — Ronald Reagan's friend who was escalated to California Supreme Court status while Reagan was governor, and who has enjoyed meteoric rise in national prominence having served as Deputy Secretary of State, National Security Advisor, and Secretary of the Interior under President Reagan — and Mr. Edwin Meese 3rd. It may turn out, however, that Mr. Meese's own practices of promoting close friends to government positions, as revealed by Sen. Metzenbaum during Meese's current confirmation hearings for the post of U.S. Attorney General, will put a check on chances of our "enjoying" a future Mr. Justice Meese. Well and good, perhaps. But the trend of the Reagan administration concerning appointment to high government posts is shockingly well established — both for replacements and for initial appointees who had to be replaced. (Recall Messrs. Allen, Donovan, Haig, and Watt among others).

We recommend to our readers the NLJ article as a starting place for information about some of those who are thought to be likely democratic choices to the Court. Additionally, we suggest that the present phenomenon of potential replacement of a majority of the Supreme Court is an important movement for us all to become much better informed about the recent history of Supreme Court decisions as they affect legal doctrine and philosophy. Finally, we submit that members of the legal profession have a unique opportunity to shape opinion on this issue in the upcoming election and that, without overpoliticizing the process of Supreme Court appointments, we should be prepared to examine the implications of such concentrated Court appointment power. The so-called "court-packing" proposal of President Roosevelt in 1937 may be less a part of the dim past than many had hoped.

LETTERS:

To Conscience

To The Editor:

In your previous edition of *Conscience*, Peter Shafran wrote an editorial expressing "great disappointment" in the S.G.A.'s performance this year. We would like to briefly respond.

Peter had not only the right but a duty, as the editor of the law school newspaper, to evaluate our performance. However, he also had the responsibility to sufficiently research his facts before he developed his subjective position and not base his editorial on erroneous information. This is where Peter failed miserably.

If *Conscience* is to be a respected newspaper, diligent inquiry must mean something more than: "It was as if I or an average student off the top of my head would have perceived your performance." (Peter's response to what his editorial standards were). When asked about the Alumni Party for example, he stated, "I really didn't think you guys did too much." When asked about the placement meeting, or first year writing class advocacy meetings, which cumulatively attracted 160 students, he said, "I didn't think they were much." (Peter did not attend either event). In response to our upcoming events, Peter replied, "They didn't happen yet."

We have worked hard and have done our best to fulfill the promises we had made — a more stimulating academic and law school environment. Enclosed in this edition is a list of S.G.A.'s activities which we offer for your

inspection.

Regarding the editorial, it hurts — not the unfounded gossip column of one individual — but that a person who we all believe is sincere and care more than most people about Hofstra Law School, would not even take the time to ask any of us or find out for himself all (or just most) of the facts, before he so absolutely damned our year long efforts.

An editor is a trustee of student opinion and students expect his opinions to be well researched and factually based. In this case, Peter abused his privilege as editor to make uninformed views seem like researched opinions that students can rely on.

It does not bode well for the school or contribute to the growth of *Conscience* as a respected and credible voice of soon to be

members of the legal community.

If our law school is going to strive for a level of excellence then so must our school newspaper, which is widely distributed to the "outside" legal community. We have the right to expect such standards.

Michael Zarin
David Abrams
Cathy Sagos
Laurie Gold
Jane Himelfarb
Donna Simendinger
Joseph Lee
Janice Facibene

Next Conscience Deadline

— April 18

LETTERS: Continued

From Conscience

In the last regular issue of *Conscience* an editorial appeared entitled "S.G.A. Reviewed." In that editorial, this paper offered gut-level impressions about some aspects of present student government activities. Unfortunately, some readers have expressed concern that the editorial was unfair for not having been sufficiently comprehensive and for not being based on information collected through interviews with S.G.A. members.

I regret any misunderstanding that occurred over the perceived intent of that editorial. It was not presented to single out any individual for severe criticism, nor was it motivated by malice. Instead, it was an attempt to highlight some strengths and weaknesses only in a way intended to stimulate voters in this year's election to think critically about many aspects of the S.G.A.

It is unfortunate that a soup-to-nuts review of S.G.A. was not possible in the last issue. There are many projects that the S.G.A. supported and initiated worthy of mention. However, on the eve of an important election, the editors of this paper sought gently to provide a basis for critical assessment of candidates, rather than write to glowing an account of S.G.A. victories—which might only have ended up as someone else's campaigning speech. For the symposia held this

year we are grateful, and believe any Hofstra program created out of whole cloth is a step in the right direction. However, we hope to encourage our S.G.A. and Club representatives to continue to distinguish Hofstra by working to bring forums (such as the Environmental Law Society) to our campus.

My comment that Michael Zarin was an invisible president was probably only half true. Michael Zarin's style of running student government has been effective even if not one in which he constantly stood in the spotlight. I believe he's worked hard to deliver on his campaign promises. However, I wanted to alert voters to the demands of simultaneous membership on law review and S.G.A. Michael Zarin met those demands by giving primary responsibility for many projects to other students. Although in this case we've been well served by this style of management, it's interesting how it is also shrewd politics to avoid responsibility for failure while claiming victory's successes. Future voters will have to be careful of a fast shuffle from a less honorable man.

I hope to have clarified last issue's message and hope we can end a successful year at Hofstra without undue personal attacks or bad feelings.

Sincerely,
Peter W. Shafran

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April, 1984

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Vol. 11, No. 8

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The editorial board is committed to bringing Hofstra Law a competent, informative, lively newspaper of professional quality. We encourage everyone to write letters and articles. All submissions should be typed, triple spaced, with name, phone number and year of graduation. Submissions may be dropped off in our box in the library.

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COMMUNITY FORUM

Conscientious Insurgency . . . A Decade Later

by Norman Elliot Kent

Key West, Florida....A long way from Hofstra, the Harvard of Hempstead, I still find the ocean's blue beckons at a more enticing pace than say, ...Prosser on Torts. Not a striking revelation for any of us perhaps, but since we have chosen as a way of life Man's justice over God's waters, it is worth recording.

A full decade has now passed since I wrote *Conscience* editorials denouncing American militarism, Presidential lawlessness, and excessive trash in the 2nd floor student lounge. So what's new? Is Monroe "my duty is to be my client's son-of-a-bitch" Freedman still a liberal? Is Dave Kadane still generating an electric enthusiasm in his uniquely electric way? Does Burt (he must have grown a beard by now) Agata still walk down the halls talking to his pipe? And does John DeWitt Gregory, whose brilliance resounds in classrooms as generously as the gloss on his globe, still live in Greenwich Village — declaring that "Long Island is a place to die." Is Eric Lane a drive or street in Woodmere? And, come on now, Stuie, "Sweet Stuie" Rabinowitz, really isn't a Dean! And in charge of Vice? Oooh...!

Sure, time passes. But, I see the Dean still complains that the law school newspaper talks too much about what's wrong with the school, and not what's right. So, hey, are you guys nattering nabobs of negativism?

Almost a year has passed since Peter Shafran, your editor, asked me to write this column. Indeed, four months have already gone by since the October *Conscience* Anniversary Dinner I missed. I'm just not sure what someone from the class of '75 should be saying to the class of '85. I mean, many of you were probably nine years old and collecting baseball cards when Robert Kennedy and Dr. Martin Luther King, Jr., were shot. I was in Chicago getting my head beat on and in. We come, I'm afraid, from a different generation. But, perhaps, it is because we are different that we have so much to share. Maybe, you too, liked "The Big Chill."

I see that Professor Kadane is retiring, mandatorily. I recall his meaningful words at

our commencement address "Now you come to the most important part of your legal education" he said, pausing, taking a breath, and finally, continuing: "Making money." It's true that Mr. Kadane has made some money along the way, as we all need to do, but his words were mocking. Dave Kadane is an extraordinary gentleman whose life reflects a never-ending commitment to public service, humor, and honor. Forgive me, Professor, but you are a role model, and your sense of wit and resounding perseverance are what being a lawyer is all about.

We come together as a society not to restrict the rights of any but rather to secure the rights of all. As Americans, we often learn the dreams we hold intimately most personal are nationally — indeed universally — most common.

And we are fortunately free enough to be able to aspire to those goals, to pursue them, to achieve them. But to preserve them, they must be guarded. And who amongst us — more than lawyers, learned professors, and learning students — is better able to guard them? Shall we ask electricians to protect our freedom and attorneys at law to wire a building?

We have chosen a profession that calls us to duty. As I tried to point out ten years ago — in a column kindly reprinted by your editors last month (and, by the way, despite the terrible typos, my name is Norman Kent, not Norman Keent) — we need to have a conscience, we need to be insurgent. We are on the front lines of justice, and as the warriors for the same, we will occasionally be bruised, but more often we shall prevail. But we must stand up and engage the battle wherever it confronts us, be it a classroom or courtroom, as a student or advocate.

The particularity of our political beliefs are not the issue. Beliefs are. There is room for everyone within the democratic circle. Passivity anywhere, however, is the breeding ground for domination everywhere. As free people, we create the world we live in by each and every choice we make everyday. And when we abandon action or choice, we abdicate our right to be

free.

There is still merit to the 60's slogan: "If you're not part of the solution, then you're part of the problem." And for those who disagree with that — who just want to coast by in silent comfort, recall Will Rogers a half-century ago: "You may be on the right track, but if you just sit there, you're still gonna' get run over."

At the moment though, I'm on a boat — you do recall this column's watery beginnings — and it occurs to me, here at sea, that justice is measured only by this thin rod and reel. A lonely boat in a vast ocean, a small piece of ballyhoo placed on an aluminum hook knotted to a nylon string, and I can land, — yes, I can still land — a 600 pound marlin or seven foot lemon shark. (Having had the experience with the latter last year in Bahamian waters, I'm in no rush to encounter it again.)

Wasn't it two young Washington Post reporters that defrocked Reverend Richard the Righteous? Wasn't it Al Lowenstein — a Five Towns activist — who initiated the drive that forced LBJ to go all the way back to Texas? And isn't it activists everywhere that invite (and incite) people everywhere to higher callings. It can be a Lech Walesa in Poland, a Mother Teresa in Asia, or a Phyllis Schaffly or Bob Dylan in America. "Give me a place to stand," wrote Archimedes twenty-four hundred years ago, "and I will move the world." (And if it wasn't Archimedes, who is going to know?)

Where we stand is not nearly as important as that we stand. What we fight for is not nearly as important as that we fight for it. Out of the conflicting and converging ideas we shall build a democracy and rule of law we can be proud of. Under Ronald Reagan, I personally believe Repression has run rampant and Disgrace is having its day. So, I speak up. I protest. Sometimes, I shout. But, I'm reminded of an old Talmudic phrase: "Where reason ceases, shouting begins." Sometimes you have to whisper to be heard.

As a criminal defense attorney in Florida (I still wonder how a Jewish boy from Brooklyn winds up arguing before Judges in such places as Loxahatchee and Bartow),

I've learned that attorneys really can be Liberty's first — and last — champions. I learned long ago that the views I perceived as moderate others think radical.

Said one police officer to me recently: "How can you defend those people and sleep at night. I'd just like to lock them up and throw away the keys."

"Precisely," I responded. "It's because of people like you that I do sleep well at night."

Now, I was a social outcast in Alan Resnick's Commercial Credit Course, but if you want to really learn the meaning of social outcast become a criminal defense attorney. Represent murderers, drug dealers, pornographers and rapists. You will find the waters challenging and turbulent, and you won't need the U.C.C. or F.O.B.

We had a 60's saying I still hold dear: "When you're out smashing the state, kids...keep a song in your hearts and a smile on your lips." And, you know, you need to do that, whether you listen to Anita Bryant's Gospel or Boy George's Culture Club. You need to believe in yourself because rarely is someone else going to do it for you.

Finally — it's time this column ended, if not for you, then for the student who has to type it — *Conscience* is all about asking you to ask yourself. I hope that's what this column has been all about. And I hope it has meant something to you, despite my sidetracked ramblings. The origins of this newspaper's name is two-fold: First, it came from Senator Sam Ervin's relentless questioning of Nixonian conspirators in the Watergate hearings during the summer of '73: "Have you no conscience, sir." We would often hear him rail.

And, secondly, there were George Washington's words in his article entitled "Rules of Civility and Decent Behaviour:" "Labour to keep alive in your breast that little spark of celestial fire called Conscience." Do so. As he implored our forefathers, so I do you. One day you may all think it has been worth it. Maybe. We'll see.

Norman Elliot Kent is the founder of Conscience. He has a criminal defense practice in South Florida.

DEAN'S CORNER:

Dean Eric J. Schmertz

I am pleased to announce, as I believe is indicated elsewhere in this issue of *Conscience* that we are establishing our fifth endowed Professorship — the Siben and Siben Distinguished Professorship in Torts. And I am delighted to announce that Professor Aaron D. Twerski will be the occupant of that Professorship.

The endowment of the Siben and Siben Professorship comes primarily from the Suffolk County law firm of that name and particularly from the firm's founder and senior partner Sidney R. Siben. Appropriately, the firm specializes in tort law. As you all know, Professor Twerski is a nationally renowned scholar and authority in the law of torts and product liability. So, his appointment to the Professorship is a perfect fit.

The Siben and Siben Professorship joins the four others that have been in place — the Edward F. Carlough Chair in Labor Law, the Max Schmertz Distinguished Professorship, the Harry Rains Distinguished Professorship in Alternative Dispute Settlement Law, and the Alexander M. Bickel Distinguished Professorship in Communication Law.

Let me restate why I think the establishment of endowed distinguished professorships is important and good for the Hofstra Law School. First, it brings to us credible at-

tention in legal circles. It demonstrates to the legal community and to the public generally that the teaching disciplines and faculty of the Hofstra Law School are of sufficient excellence to be singled out and identified for distinguished professor status.

The Professorships provide a basis for new scholarly and professional activity in the disciplines involved, to the advantage of our reputation and in the furtherance of knowledge about us. For example, the Carlough Professorship prompted the establishment of the *Labor Law Forum* and sponsors the annual Edward F. Carlough Labor Law Conference. The Max Schmertz Professorship provides the forum for a distinguished lecture series. Last year the Max Schmertz lecturer was former New York State Attorney General Louis J. Lefkowitz, and upcoming in April of this year, the Max Schmertz lecturers will be former New York City Mayor John V. Lindsay and former New York State Secretary of State Basil A. Peterson. Under the Rains Professorship, work is well along in developing courses for our students in alternatives to litigation. In support of that curriculum we have obtained for our use, exclusive of any other law school, the facilities, forums, staff and expertise of the American Arbitration Association, the largest national alternative dispute settle-

ment organization in the country. The Bickel Professorship, inaugurated only a few weeks ago, will be the focal point of scholarship, conferences and new attention to the multifaceted application of the law to the media, to privacy rights, to the First Amendment and to the dramatically increased use of sophisticated communication systems.

These activities, as part of the endowed professorships, increase an awareness of our School, enlarge our influence in the legal community, and dramatically project our initiative. The favorable consequences for our reputation, for recruitment of applicants, for job opportunities for our students and for needed development are manifest.

The Distinguished Professorships provide stability for the incumbent faculty and constitute recognition for the faculty member named to the professorship of his or her good work. It adds additional income to that faculty member's salary and serves as an incentive in the recruitment of legal educators to our faculty.

A program which retains good faculty, which attracts good teachers, which recognizes by title and with additional compensation a law professor's good work and which increases academic activity in particular disciplines can only work to the

benefit of our School, its students and its graduates.

Distinguished Professorships also establish a fraternity of donors who have committed themselves to our School and who, because of their personal or institutional standing, heighten our image. For example, for before his death, Alexander M. Bickel, a member of the Yale Law School faculty, was this country's leading authority on constitutional and communication law. The present identity of his name with the Hofstra Law School honors us, and the fact that the endowment of that Professorship came from a source connected with the Yale Law School, is a further demonstration of how well our work at Hofstra is being received.

If, as I am sure we will, we keep faith with the donors of Distinguished Professorships, we can expect and will earn further support from them and from others who see a sound basis to support what we do.

As Dean, I consider it a principal duty to get the Hofstra Law School better known nationally, to increase respect for our faculty, student body and graduates and to demonstrate to the legal and educational community that we know how to meet standards of excellence. The establishment of Distinguished Professorships serve that end.

Eisenhower Conference

Pre-Conference Event
Wednesday, March 28, 1984
 7:30 p.m.

David Filderman Gallery
 Hofstra University Library, South Campus

The Hofstra University Alumni College Senate presents a Founders' Day Celebration.

THURSDAY, FRIDAY, SATURDAY
 March 29, 30, 31, 1984

Greetings James M. Stuart, Class of '53
 President, Hofstra University

Alumnus of the Year Award Emil V. Cianciulli, Class of '52
 Chairman, Hofstra University Board of Trustees

Addresses Frank G. Zarb, Class of '57
 Hofstra University Board of Trustees
 "Hofstra University during the Eisenhower Era"

Eric J. Schmertz
 Dean, Hofstra University School of Law
 Director, Dwight D. Eisenhower Conference
 "The Making of a Presidential Conference"

Exhibits Advance Showing of the Dwight D. Eisenhower
 Art, Book, and Manuscript Exhibits.

Reception

Thursday, March 29, 1984 Student Center Theater Lobby, North Campus
 9:00 a.m. Registration

10:00 a.m. Opening Ceremonies
 Student Center Theater, North Campus
Welcome Recognition of the Honorable
 Milton S. Eisenhower:
 James M. Stuart, President, Hofstra University

Greetings Eric J. Schmertz, Dean
 Hofstra University School of Law
 Director, Dwight D. Eisenhower Conference
 Joseph G. Astman, Director
 Hofstra Cultural Center
 D. David Eisenhower II

Keynote Address Andrew J. Goodpaster
 General, United States Army (Ret.)
 Defense Liaison Officer and Staff Secretary to
 President Eisenhower, 1954-1961
 Chairman, Dwight D. Eisenhower World Affairs
 Institute, Washington, D.C.
 "Reflections on the Eisenhower Years"

Invitational Address Stephen E. Ambrose
 Alumni Distinguished Professor of History
 University of New Orleans
 "The Eisenhower Presidency: An Assessment"

11:30 a.m. Lunch: Student Center, North Campus

12:30-2:30 p.m.
 Panel I

FOREIGN POLICY
 Dining Rooms ABC, Student Center

David L. Anderson
 Professor of History & Political Science
 Indiana Central University

"No More Koreans: Eisenhower and Vietnam"

J. Gerrit Gantvoort
 Professor of History
 State University of New York at Oneonta

"Lifting the American Iron Curtain:
 Cultural Exchange with the Soviet Union
 and National Security, 1955-56"

In this Conference program the biographical identifications of the speakers, where appropriate, are limited to the Eisenhower years. See *About the Speakers* for more expanded descriptions of their careers.

J.P. Rosenberg
 Professor of Political Science
 Kansas State University

"Dwight D. Eisenhower and the Foreign Policy-Making Process"

Kenneth W. Thompson
 Director, White Burkett Miller Center of Public
 Affairs, University of Virginia

"The Eisenhower Foreign Policy: An Appraisal"

2:30-4:00 p.m.
 Panel II a

THE MIDDLE EAST

Isaac Alteras
 Professor of History
 Queens College/City University of New York

"Dwight D. Eisenhower and the State of Israel:
 Supporter or Distant Sympathizer?"

Phillip J. Briggs
 Professor of Political Science
 East Stroudsburg University

"Congress and the Middle East:
 The Eisenhower Doctrine, 1957"

Alexander M. Polsky
 Princeton University
 and

2:30-4:00 p.m.
 Panel II b:

**THE THIRD WORLD AND
 NON-ALIGNED NATIONS**

Henry W. Brands, Jr.
 Instructor of History
 Austin Community College

"The Specter of Neutralism: Eisenhower, India
 and the Problem of Non-Alignment"

James M. Keagle, Captain, USAF
 Professor of Political Science
 United States Air Force Academy

"The Eisenhower Administration, Castro, and
 Cuba, 1959-61"

Loretta Sharon Wyatt
 Professor of History
 Montclair State College

"Reform, Yes; Communism, No! Eisenhower's
 Policy on Latin American Revolutions"

4:15-6:00 p.m.
 Panel III a

CIVIL RIGHTS

Robert F. Burk
 Professor of History
 University of Cincinnati

"Dwight D. Eisenhower
 and Civil Rights Conservatism"

James C. Duram
 Professor of History
 Wichita State University

"Whose Brief? Dwight D. Eisenhower,
 His Southern Friends, and
 the School Segregation Cases"

Michael S. Mayer
 Professor of History
 University of Alabama

"Regardless of Station, Race or Calling:
 Eisenhower and Race"

4:15-6:00 p.m.
 Panel III b:

ECONOMIC AND SOCIAL POLICIES

Sheri I. David
 Professor of History
 Hofstra University

"Eisenhower and the American Medical
 Association: A Coalition Against the Elderly"

Theodore P. Kovaleff
 Professor of Law
 Columbia University School of Law

"The Politics of Antitrust during the 1950's"

Jared C. Lobdell
 Professor of Economics
 Muskingum College

"Eisenhower, Hoover, Corporatism,
 and the Military-Industrial Complex"

Raymond J. Saulnier
 Professor Emeritus of Economics
 Barnard College, Columbia University
 Chairman, President Eisenhower's Council
 of Economic Advisers, 1956-1961

"Distinguishing Features
 of Eisenhower's Economic Strategies"

6:00 p.m.

Dinner: Student Center, North Campus

7:30 p.m.

Dining Rooms ABC, Student Center

Roundtable

Staff Recollections
 Eisenhower the Politician

H. Meade Alcorn, Jr.
 Chairman, Republican National Committee,
 1957-1959
 General Counsel, Republican National
 Committee, 1959-1961

Robert K. Gray
 Appointments Secretary
 to President Eisenhower, 1958
 Secretary of the Cabinet, 1959-1960

Robert E. Merriam
 Deputy Assistant
 to President Eisenhower, 1958-1961
 Deputy Director of the Budget, 1955-1958

L. Arthur Minnich
 Assistant Staff Secretary
 under President Eisenhower, 1953-1960

E. Frederic Morrow
 Executive Assistant
 to President Eisenhower, 1953-1961

Refreshments

Friday, March 30, Dining Rooms ABC, Student Center,
 North Campus

9:00-10:30 a.m.
 Panel IV a

THE COMMANDER-IN-CHIEF

William B. Pickett
 Professor of Humanities
 Rose-Hulman Institute of Technology

9:00-10:30 a.m.
 Panel IV b

"Eisenhower as Student of Clausewitz"

James D. Weaver
 Professor of Politics
 Marymount College

"Eisenhower as Commander-in-Chief"

REASSESSMENTS

Anthony James Joes
 Professor of International Relations
 Saint Joseph's University

"Eisenhower Revisionism and American
 Politics"

Duane Windsor
 Professor of Administrative Science
 Rice University

"Eisenhower's 'New Look' Reexamined:
 The View from Three Decades"

R. Gordon Hoxie
 President, Center for the Study of
 the Presidency

"Eisenhower and the Rating Game"

10:30-12:00 noon
 Panel V a

THE CANDIDATE

Steve M. Barkin
 Professor of Journalism
 University of Maryland

"Eisenhower and Robinson: The Candidate
 and the Publisher in the 1952 Campaign"

Joseph M. Dailey
 Professor of Communications
 Carroll College

"The Reluctant Candidate:
 Dwight D. Eisenhower in 1951"

L. Richard Guylay
 Director of Public Relations
 for Eisenhower Presidential Campaign,
 Republican National Committee, 1955-1956

"The Eisenhower Campaigns: 1952 and 1956"

10:30-12:00 noon
 Panel V b

**THE WHITE HOUSE AND
 THE FEDERAL SYSTEM**

Gerard E. Giannattasio
 Assistant Law Librarian
 Hofstra University School of Law

Linda R. Giannattasio
 Associate
 Milbank, Tweed, Hadley & McCloy

"Eisenhower, Constitutional Practice
 and the Twenty-fifth Amendment"

Phillip G. Henderson
 Professor of Political Science
 University of Maryland Baltimore County

"Organizing the White House
 for Effective Leadership: Lessons from
 the Eisenhower Years"

Carl Lieberman
 Professor of Political Science
 University of Akron

"The Eisenhower Administration
 and Intergovernmental Relations"

Lunch: Student Center, North Campus

12:00-1:00 p.m.
 1:00-3:00 p.m.
 Forum

**THE SCIENCE ADVISORY COMMITTEE,
 REVISITED**

Lunch: Student Center, North Campus

Moderator/Commentator:
 William T. Golden
 Treasurer and Director,
 American Association for the Advancement
 of Science
 Consultant, U.S. Atomic Energy Commission
 1950-1958

Robert F. Bacher
 Professor Emeritus of Physics
 California Institute of Technology
 Member, President's Science Advisory
 Committee, 1953-1955

Hans A. Bethe
 Professor Emeritus of Physics
 Cornell University
 Member, President's Science Advisory
 Committee, 1956-1960

Emanuel R. Piore
 Vice-President and Chief Scientist, (Ret.)
 International Business Machines Corporation
 Member, President's Science Advisory
 Committee, 1959-1962

Isidor I. Rabi
 Professor Emeritus of Physics
 Columbia University
 Member, President's Science Advisory
 Committee, 1957-1968 (Chairman, 1957)

John Cranford Adams Playhouse, South Campus

3:15-3:45 p.m.

International Address

The Honorable Edgar Faure
 Premier of France, 1952; 1955-1956

3:45-5:45 p.m.
Forum

"Dwight D. Eisenhower and France"

INTERNATIONAL TURMOIL: THROUGH THE EISENHOWER PRISM

Moderator/Commentator:
C.L. Sulzberger
Author and Columnist, *The New York Times*

Barton J. Bernstein
Professor of History
Stanford University

"The Far East: Korea and Indo-China"

Blanche W. Cook
Professor of History
John Jay College of Criminal Justice/CUNY
"Central America"

Robert F. Ivanov
Professor of History
Institute of General History
Academy of Sciences of the USSR
Moscow, USSR

"The Soviet Union"

John J. McCloy
United States Military Governor
and High Commissioner for Germany,
1948-1952

"Germany"

William H. Sullivan
Foreign Service Officer: Japan, Italy,
The Netherlands, Burma, 1950-1959
U.N. Advisor,
Bureau of Far Eastern Affairs, 1960-1963

"The Middle East"

7:00 p.m.

Exhibits

David Filderman Gallery,
Hofstra University Library, South Campus
Reception and Opening of
Dwight D. Eisenhower Art, Book and
Manuscript Exhibits

Greetings

John E. Wickman
Director, Dwight D. Eisenhower Library
Abilene, Kansas

John L. Pendergrass, M.D.

"Eisenhower Political Buttons: A Collection"

8:00 p.m.

Banquet

DWIGHT D. EISENHOWER PRESIDENTIAL
CONFERENCE BANQUET
Student Center Main Dining Room,
North Campus
Black Tie Preferred

Presiding

James M. Stuart
President
Hofstra University

Introductions

Eric J. Schmertz
Dean, Hofstra University School of Law
Director, Dwight D. Eisenhower Conference

Concert

The Cadet Chapel Choir of the
U.S. Military Academy at West Point
Director: John A. Davis, Jr.

Introduction of Banquet
Speaker

The Honorable William J. Casey
Director, Central Intelligence Agency

Banquet Address

The Honorable Clare Boothe Luce
Ambassador to Italy, 1953-1957
"The Eisenhower I Knew"

Saturday, March 31,

8:00-9:00 a.m.

Continental Breakfast

9:00 a.m.

Invitational Address

Susan Eisenhower

"Eisenhower: Public Perception and the Man"

9:30-11:00 a.m.

Panel VI

THE SEARCH FOR PEACE

John Kentleton
Professor of History
University of Liverpool

"Eisenhower, Churchill
and the 'Balance of Terror'"

David F. Schoenbrun
Senior Lecturer
New School for Social Research
News Analyst of Independent Network News

"Eisenhower: 'Man of Peace'"

(From *America Inside Out*, McGraw-Hill,
September 1984)

Donald C. Watt
Stevenson Professor of International History
London School of Economics

"Eisenhower and Churchill:
The Race to the Summit, 1952-54"

11:00 a.m.

International Address

The Right Honorable Lord Harold Wilson
Member, House of Lords
Prime Minister of Great Britain, 1964-1970;
1974-1977

"The World that Dwight D. Eisenhower
Inherited"

11:30 a.m.

Brunch Student Center

12:30-2:30 p.m.

Forum

PRESIDENTIAL BIOGRAPHERS

Robert H. Ferrell
Professor of History
Indiana University

"The Eisenhower We Did Not Know"

Fred I. Greenstein
Professor of Politics
Princeton University

"Eisenhower and the Hidden-Hand Presidency"

Herbert S. Parmet
Distinguished Professor of History
Queensborough Community College/CUNY
The Graduate Center/CUNY

"Adjusting to the Fifties:
A Stevensonian Faces Eisenhower"

2:30-4:30 p.m.
Roundtable:

EISENHOWER:
SOLDIER AND STATESMAN

Arthur H. Dean
Special Ambassador to Korea (for Post-Armistice
Negotiations at Panmunjom), 1953-1954

Lyman L. Lemnitzer
General, United States Army (Ret.)

William B. Macomber
Special Assistant to Secretary of State
John Foster Dulles, 1955-1957
Assistant Secretary of State for
Congressional Relations 1957-1962

Albert C. Wedemeyer
General, United States Army (Ret.)

4:45 p.m.
Forum:

DWIGHT D. EISENHOWER
AND THE PRESS

Moderator/Commentator:
Tex McCrary
Producer, "The President's Week," NBC, 1953
Co-Chairman,
The "Eisenhower Bandwagon," 1952

Charles Collingwood
Special Correspondent, CBS News

Victor Riesel
Newspaper Columnist
Field Newspaper Syndicate

Sarah McClendon
White House Correspondent since the
Roosevelt Administration

6:30 p.m.
Program Closing

Dean Schmertz

6:45 p.m.

Reception
Exhibition Emily Lowe Gallery, South Campus

"Painting as a Pastime"

The Paintings of Winston S. Churchill
An Exhibition organized
by The Royal Oak Foundation

Curated by Edwina Sandys and Celia Sandys

International Honorary Committee
Co-Chairmen
Honorable Milton S. Eisenhower
Ambassador John S.D. Eisenhower

JAMES M. SHUART
President, Hofstra University

ERIC J. SCHMERTZ
Dean, Hofstra University School of Law,
Conference Director

JOSEPH G. ASTMAN
Director, Hofstra Cultural Center

HAROLD A. KLEIN
Deputy Conference Director

NATALIE DATLOF
ALEXEI UGRINSKY
Conference Coordinators

Thursday, Friday, Saturday
March 29, 30, 31, 1984

CONFERENCE PROGRAM AND REGISTRATION

About the Speakers

MEMBERS OF THE EISENHOWER FAMILY:

D. David Eisenhower II
Author, forthcoming three volume biography, *The Eisenhower Years*
(publication of Volume I, Spring 1985)
Lecturer, University of Pennsylvania

Susan Eisenhower
Communications and Public Relations Consultant for profit and non-profit
organizations.

PUBLIC FIGURES AND THE PRESS

H. Meade Alcorn, Jr.
Partner, Tyler, Cooper & Alcorn
General Counsel, Republican National Committee, 1959-1961
Chairman, Republican National Committee, 1957-1959

Robert F. Bacher
Professor Emeritus of Physics
California Institute of Technology
Member, President's Science Advisory Committee, 1953-1955
Member, Atomic Energy Commission, 1946-1949
Head of Experimental Physics Division, Los Alamos Laboratory Atomic
Bomb Project, 1943-1945

Hans A. Bethe
Professor Emeritus of Physics
Cornell University
Member, President's Science Advisory Committee, 1956-1960
Member, Presidential Study on Disarmament, 1958
Director of Theoretical Physics Division, Los Alamos Laboratory Atomic
Bomb Project, 1943-1946

Recipient of numerous science awards including Nobel Prize in Physics, 1967

William J. Casey
Director, Central Intelligence Agency
Under Secretary of State for Economic Affairs, 1973-1974
Chairman, Securities and Exchange Commission, 1971-1973
Former Partner, Hall, Casey, Dickler & Howley

Charles Collingwood
Special Correspondent, CBS News
Chief European Correspondent, 1964-1977

Arthur H. Dean
Partner and Counsel, Sullivan & Cromwell, 1929-1979
Chairman, U.S. Delegation to 18-Nation Disarmament Conference,
Geneva, 1962
Chairman, U.S. Delegation to the Conference on Discontinuance of
Nuclear Weapons Tests, Geneva, 1961-1962
Special Ambassador to Korea (for Post-Armistice Negotiations at
Panmunjom), 1953-1954

Edgar Faure
Attorney. Author. Member of l'Académie française
Mayor of Port-Lesney-Grange-d-Vaivre, 1983.
President of the National Assembly, 1973-1978
Premier of France, 1952; 1955-1956
Deputy of the National Assembly, 1946-1958
Selected Publications: *La Politique française du pétrole* (1939)
La Disgrâce de Turgot (1961)
Philosophie d'une réforme (1969)
*L'Âme du combat; pour un nouveau contrat
social* (1969)
Ce que je crois (1971)

William T. Golden
Treasurer and Director of the American Association for the Advancement
of Science
Vice-President and Trustee, American Museum of Natural History
Consultant, U.S. Atomic Energy Commission, 1950-1958
Member of Taskforce, Commission on Organization of Executive Branch of
the Government (Hoover Commission), 1954-1955
Special Consultant to President Truman to review organization of
government science activities, 1950-1951 (led to creation of President's
Science Advisory Committee)
Adviser to Director of Bureau of Budget on organization of National Science
Foundation, 1950-1951
Assistant to Commissioner, U.S. Atomic Energy Commission, 1946-1950

Andrew J. Goodpastor
General, United States Army (Ret.)
Chairman, Dwight D. Eisenhower World Affairs Institute, 1983.
President, Institute for Defense Analyses, 1983.
Superintendent, United States Military Academy at West Point, 1977-1981
Commander-in-Chief United States Forces, Supreme Allied Commander,
Europe 1969-1974
Member, United States Delegation to the Paris Negotiations with North
Vietnam, 1968
Defense Liaison Officer and Staff Secretary to President Eisenhower,
1954-1961
Commander, 48th Engineer Combat Battalion, 5th Army, 1943-1944

Robert K. Gray
Chairman, Gray & Company
Secretary of the Cabinet, 1959-1960
Appointments Secretary to President Eisenhower, 1958

L. Richard Guylay
Director of Public Relations for Presidential Campaigns, Republican National
Committee, 1956, 1964, 1968

Lyman L. Lemnitzer
General, United States Army (Ret.)
Supreme Allied Commander, Europe, 1963-1969
Commander-in-Chief, United States European Command, 1962-1969
Chairman, Joint Chiefs of Staff, 1960-1962
Chief of Staff, U.S. Army, 1959-1960
Commander-in-Chief, Far East and U.N. Commands, 1955-1957
Commanding General Far East and 8th U.S. Army, 1955
Commanding General 11th Airborne Division, 7th Infantry Division
(in Korea), 1951-1952
Head of U.S. Delegation to Military Committee of the Five (Brussels Pact)
Powers, 1950
Assistant to Secretary to Defense, 1949-1950
Deputy Commandant, National War College, 1947-1949
Commanding General, Allied Force Headquarters England, 1942

Clare Boothe Luce
Member, President's Foreign Intelligence Advisory Board, 1973-1977;
1982-Ambassador to Italy, 1953-1957
Member of Congress, 1943-1947
Author and Playwright
Selected Publications: *The Women* (1937)
Kiss the Boys Goodbye (1938)
Margin for Error (1939)
Slam the Door Softly (1970)

Sarah McClendon
White House Correspondent since the Roosevelt Administration
Founder and Director of McClendon News Service
Publisher of *Sarah McClendon's Report*
Columnist, "Sarah McClendon's Washington"

John J. McCloy
Partner, Milbank, Tweed, Hadley & McCloy
Chairman, American Council on Germany
Chairman, President's General Advisory Committee on Arms Control,
1961-1967
United States Military Governor and High Commissioner for Germany,
1949-1952
President, World Bank, 1947-1949
Assistant Secretary of War, 1941-1945

Tex McCrary
Chairman, Texcomm
Chairman, Estee Corporation
Producer, Congressional Medal of Honor Dedication by President Ronald
Reagan, 1984
Producer, "The President's Week," NBC, 1953
Co-Chairman, The "Eisenhower Bandwagon," (which launched the
Eisenhower Campaign), 1952

William B. Macomber
President, Metropolitan Museum of Art
Ambassador to Turkey, 1973-1978
Deputy Under Secretary of State, 1969-1973
Ambassador to Jordan, 1961-1964
Assistant Secretary of State for Congressional Relations, 1957-1962
Special Assistant to Secretary of State John Foster Dulles, 1955-1957

Robert E. Merriam
Partner, Alexander Proudfoot Company
Deputy Assistant to President Eisenhower, 1958-1961
Deputy Director of the Budget, 1955-1958

L. Arthur Minnich
Foreign Service Reserve (Ret.)
Assistant Staff Secretary under President Eisenhower, 1953-1960
Office of the Chief of Staff of the War Department, 1944-1946

E. Frederic Morrow
Consultant, Retired Banker
Executive Assistant to President Eisenhower, 1953-1961

Emanuel R. Piore
Vice-President and Chief Scientist,
International Business Machines
Corporation, (Ret.)
Member, President's Science Advisory Committee, 1959-1962
Member, National Science Board, 1961
Head, Electronics Branch, Office of Naval Research, 1946-1947
Head, Special Weapons Group, Bureau of Ships, U.S. Navy, 1942-1944

Member, National Academy of Sciences
Member, National Academy of Engineering
Recipient of numerous science awards

Isidor I. Rabi

Professor Emeritus of Physics
Columbia University
Vice-President, International Conference on Peaceful Uses of Atomic Energy,
Geneva, 1955, 1958, 1964, 1971
Member, President's Science Advisory Committee, 1957-1968
(Chairman, 1957)
Consultant, Science Advisory Committee, Ballistic Research Laboratory,
Aberdeen, 1939-1965
Member, NATO Science Committee, 1958
Chairman, Science Advisory Committee, ODM, 1953-1957
Consultant, Los Alamos Science Laboratory, 1943-1945; 1956
Recipient of numerous science awards including Nobel Prize in Physics, 1944

Victor Riesel

Daily National Syndicated Columnist,
Field Newspaper Syndicate
Television and Radio Broadcaster and Commentator
Lecturer at Universities throughout the world
Interviewer of all Presidents since Harry S. Truman including
President Eisenhower
Recipient of twenty-three newspaper awards

Raymond J. Sautnier

Professor Emeritus of Economics
Barnard College, Columbia University
Public Governor, American Commodities Exchange, 1978-1980
Member, The Consumer Advisory Council of the Federal Reserve Board,
1976-1979
Public Governor, American Stock Exchange, 1965-1977
Member Presidential Commission on Financial Structure and Regulation
(Hunt Commission), 1970-1973
Chairman, President Eisenhower's Council of Economic Advisers,
December 1956-January 1961
Chairman, Cabinet Committee on Government Activities Affecting Costs
and Prices, 1959-1960
Chairman, Cabinet Committee on Small Business, 1956-1960
U.S. Representative to the Economic Policy Committee of OECD,
1956-1960
Director, Financial Research Program, National Bureau of Economic
Research, 1946-1953
Selected Publications: *Contemporary Monetary Theory* (1938)
Federal Lending and Loan Insurance, co-author, (1953)
The Strategy of Economic Policy (1963)
Numerous articles for economic journals
Currently at work:
*Toward Stability and Balance: The U.S. Economy under
Eisenhower, 1953-1960* (tentative title)

David F. Schoenbrun

Senior Lecturer, New School for Social Research
News Analyst of Independent Network News
Author, *America Inside Out* (to be published, September 1984)
Chief Washington Correspondent, CBS News, 1960-1964
Chief Paris Correspondent, CBS News, 1945-1960

William H. Sullivan

President, The American Assembly, Columbia University, 1979
Ambassador to Iran, 1977-1979
Ambassador to the Philippines, 1973-1977
Ambassador to Laos, 1964-1969
UN Adviser, Bureau of Far Eastern Affairs, 1960-1963
Foreign Service Officer: Japan, Italy, The Netherlands, Burma, 1950-1959

C.L. Sulzberger

Author
Columnist, *The New York Times*
Overseas Press Club, Award for Best Book on Foreign Affairs, 1973
Recipient Pulitzer Prize citation, 1951
Overseas Press Club, Award for Best Consistent Reporting, 1951
Selected Publications: *What's Wrong with U.S. Foreign Policy* (1958)
A Long Row of Candles (1969)
An Age of Mediocrity (1973)
Seven Continents and Forty Years (1977)

Albert C. Wedemeyer

General, United States Army, (Ret.)
Commanding General, 6th Army, 1949-1951
Deputy Chief of Staff, 1948
Special Ambassador to China and Korea, 1947
Chief of Staff to Generalissimo Chiang Kai-Shek, 1947
Commanding General, 2nd Army, 1946-1947
Commander, China Theater, 1944-1946
General Staff, War Department, served India, China, Philippines
Europe, 1941-1943

Lord Harold Wilson

Member, House of Lords
Member, House of Commons, 1945-1983
Prime Minister of Great Britain, 1964-1970; 1974-1977
Leader of the Opposition, 1963-1964; 1970-1974
Leader, Labour Party, 1963-1976
Selected Publications: *New Deal for Coal* (1945)
In Place of Dollars (1952)
The War on World Poverty (1953)
The Relevance of British Socialism (1964)
The Labour Government, 1964-70 (1971)
A Prime Minister on Prime Ministers (1977)
The Chariot of Israel (1981)

INVITED SCHOLARS

Isaac Alteras

Professor of History
Queens College/City University of New York

Stephen E. Ambrose

Alumni Distinguished Professor of History
University of New Orleans
Dwight D. Eisenhower Professor of War and Peace, 1970-1971
Kansas State University

Selected Publications: *Halleck: Lincoln's Chief of Staff* (1962)
Duty, Honor, Country: A History of West Point (1966)
The Papers of Dwight D. Eisenhower: The War Years,
5 volumes, Assoc. ed., (1970)
*The Supreme Commander: The War Years of
General Dwight D. Eisenhower* (1970)
*Crazy Horse and Custer: The Parallel Lives of
Two American Warriors* (1975)
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Establishment* (1981)
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Selected Publications: *Towards a New Past* (1968)
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Selected Publications: *Crystal Eastman on Women and Revolution*, ed., (1978)
*The Declassified Eisenhower: A Divided Legacy of
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A biography of Eleanor Roosevelt, forthcoming

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Selected Publications: *Peace in Their Time* (1952)
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Dear Bess, ed., (1981)
The Diary of James C. Hagerty, ed., (1983)
Forthcoming: *Truman: A Centenary Remembrance*,
(1984)

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Selected Publications: *Personality and Politics: Problems of Evidence,
Inference, and Conceptualization* (1969, rpt. 1975)
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An Annotated Bibliography*, co-author, (1977)
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Academy of Sciences of the USSR
Moscow, USSR

Selected Publications: *The Struggle of Negroes for Land and Freedom in the
South of the USA, 1865-1877* (1958)
The Civil War in the USA, 1861-1865 (1960)
Abraham Lincoln and the Civil War in the USA (1964)
V.I. Lenin on the United States of America (1965)
The Republican Party of the USA, 1854-1972 (n.d.)
Dwight Eisenhower (1984)

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Selected Publications: *Aaron Burr: Portrait of an Ambitious Man*,
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Never Again: A President Runs for a Third Term (1968)
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Selected Publications: *Principals and Problems of International Politics*,
Co-author with Hans J. Morgenthau (1950, rpt. 1982)
Political Realism and the Crisis of World Politics:
An American Approach to Foreign Policy
(1960, rpt. 1982)
American Diplomacy and Emergent Patterns
(1962, rpt. 1983)
Morality and Foreign Policy (1980)
Masters of International Thought (1980)
The President and the Public Philosophy (1981)
Winston Churchill's World View:
Statesmanship and Power (1983)

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Selected Publications: *Personalities and Policies. Studies in the Formulation of*
British Foreign Policy in the Twentieth Century (1965)
Hitler's Mein Kampf, ed., (1969)
Too Serious a Business: European Armed Forces and the
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COMMUNITY FORUM

THIRD WORLD PERSPECTIVE

China's Quest For Hegemony

by Dennis Warren

As the struggle for geopolitical hegemony on the international scene escalates; spurred by the sharpening of ideological contradictions; one country seemed poised to exploit the situation to the fullest extent—China.

"The sleeping giant," is slowly awakening to the reality of the vicissitudes of global power-politics, and more important, to its potential as a formidable contender for world leadership.

To realize its potential, China has evolved foreign policy measures which are often contradictory and inconsistent. Hence, to appreciate China's approach towards international politics, it becomes necessary to view this policy within the context of its hybrid historical roots Marxism and Maoism.

Neither can China's policy be perceived isolated from the general political ambitions which underscores its enunciation, for like that of every other contemporary state, China's policy strives equally to fulfill its national interests and its political objectives. This policy is formulated with China's self interest paramount; and failure to recognize this can only lead to misinterpretation of the objective realities upon which modern international relations rest.

Thus, the recent arrest by FBI agents of three Chinese nationals allegedly caught stealing technological secrets from a New Jersey enterprise, should hardly come as a surprise to the astute political observer. For

China's search for technology is frantic; the success of its plan for world leadership hinges on the ability to transform its predominantly agricultural economy into a modern industrial one.

But how will industrialization fulfill China's global ambitions? In this regard, the Third World plays a crucial role; for therein lies access to the tactical routes to encircle the United States, and Western Europe, and to thereby conquer the West. This was Lenin's grand strategy for the defeat of imperialism, to enter via the backdoor through Africa, Asia and Latin America.

China, in adopting this strategy, has devised foreign policy measures accordingly. For, since imperialism's defeat cannot be attained through direct frontal assault upon the West, Chinese policymakers contend it must depend instead on quantitative developments, which will give way eventually to qualitative changes, and finally, to worldwide revolution.

Thus, each developing state pulled within the Chinese orbit, represents a quantitative growth, that supposedly enhances world unity against United States imperialism, on the one hand, and Soviet expansionism, on the other.

Directly linked to the simplistic components of China's third World outlook, therefore, is an anti-Soviet tenet. The Soviets are unquestionably ahead of China in the struggle for hegemony in the developing world. Both have therefore become rivals for Third World dominance within the

ideological dictates of communism.

China is aware that Soviet successes in the developing world results from the higher level of economic and industrial development of the Soviet state. This has enabled Russia to extend more economic and military assistance to the Third World; and thereby, to be more effective in carving political influence among these countries.

With this recognition, China turns towards the United States to satisfy its hunger for technology. And the rapport which has emerged in recent years between both countries reflects China's desperation.

Heretofore the non-negotiable principle of orthodox communism was its incompatibility with imperialism. In forging closer ties with United States, while concurrently displaying hostility towards the Soviet Union, China violates its most sacred ideal, and blatantly exhibits its opportunistic tendencies to the world.

But China does this, nonetheless, because the leadership is convinced that only through this means will the state be able to rival the two superpowers in the quest for absolute global power.

The search for technology has to be pursued in the U.S. by whatever means, and the rapprochement between the U.S. and China after years of cold war tension, has to be interpreted as a tactic aimed at procuring technology and computer information which would considerably expand the industrial base of the country.

The United States will be the determinant

of whether this technological transfer occurs. But the United States also has interests to preserve in the developing world, related to its own security and economic dominance. In light of this, how far can the United States go in aiding an ideological foe, which, in the long run, is destined to challenge its authority in the Third World?

Logically, it seems not very far. But as the arrest of the Chinese demonstrates, America may not be in a position to guard against such future occurrences without inflicting restraining against the rights of Chinese residing within these borders. Currently more than 10,000 Chinese students are studying in the United States, where they enjoy virtually unlimited access to American life and expertise.

But it seems the United States is willing to assume the risk of its relations with China despite the obvious motive behind their cordiality, for the United States sees in China, a potential treasure chest. The vast population there represent market forces, which, fully opened to the West, could readily invigorate a sagging capitalist economy, and also provide huge profits for investors. China, so far, has made limited concessions to the U.S. in this regard.

The road towards fulfillment of the strategy of encirclement is not without hazards and hidden obstacles which could severely hinder the Chinese drive for power.

More and more the trend among developing states is to spurn hegemony, whether im-

Continued on page 20

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LIMITED ENROLLMENT

SGA 83/84 Best Foot Forward

by S.G.A. Representatives

We are taking this opportunity to briefly update S.G.A.'s previous and upcoming activities.

We have attempted, and continue to work, to have made this year a profitable one for all of us.

Respectfully, we are seven student representatives, who with generous assistance from numerous people, have tried to creatively implement a maximum number of activities within our collective energies.

PAST & ONGOING EVENTS

(1) **FALL PICNIC AND BARBECUE:** planned as an opportunity to welcome all students back to school, provided a special event for first year students and give the clubs a chance to recruit students...cost over \$800 after subtracting money collected...Dean's office financially contributed to event.

(2) **FIRST YEAR ORIENTATION SESSION:** coordinated panel in room 308 to frankly answer 1st year students' "never get to ask" questions...attended by over 125 students.

(3) **BUDGET PROCESS:** met during summer, number of times to develop clear and practical funding criteria sent four page request for proposals to groups...groups did excellent job in developing comprehensive programs...held marathon funding session — allocated \$15,000...recently held three hour budget monitoring session with groups to re-evaluate whether groups will spend total budget.

(4) **LAW SCHOOL ALUMNI — COMMUNITY NIGHT:** organized this first time Hofstra event where over 50 alumni participated, 100 students and 8 faculty...coordinated with the active support of a group of committed students...hope it becomes annual event.

(5) **CLUB LIASON:** worked actively with groups to support and help them promote law school events...opened door for P.A.D. to have alcohol on school premises after movie...met with Conscience number of times encouraging them to: be more substantive in articles and less purely confrontational, suggested faculty profiles and covering events such as Alumni Night, and reporting more positive happenings at school.

(6) **FIRST YEAR MOOT COURT AND WRITING ADVOCACY:** first year reps organized mass meeting of 1st year students to discuss methods of improving program...attended by over 73 students...resulted in: on-going meetings with appropriate staff, concrete letter of suggested program modifications and program resolution passed at faculty meeting to consider changes.

(7) **MONTHLY FACULTY-STUDENT COCKTAIL PARTIES:** began in February in faculty lounge...attempt to foster greater interaction outside classroom of two sometimes distant parties...wine and cheese served...first event attended by over 50 students and 14 faculty this semester.

(8) **STUDENT MANAGED FACULTY**

EVALUATIONS: after years of discussion, testifying at faculty hearings and general dialogue with the administration, a second draft of a student run Faculty evaluation has been disseminated around the school for comment...this effort is being supervised by S.G.A. and a very dedicated committee of students...hope to begin the evaluation this semester...negotiating with administration for class time and methods for tabulating and disseminating the results.

(9) **CLINIC:** met number of times with clinical staff and student ("CLAC") reps to develop higher clinic visibility in school...clinic table and brochure has been promised for this semester...advocated resumption of tax clinic; Clinic expressed difficulty in locating person to operate a tax section...suggested business-economic development clinic for next year and believe it has been approved.(?)

(10) **STUDENT FEE REFERENDUM:** worked extremely hard in campaigning and receiving overwhelming support for a \$15,000 increase in student fees...have prepared five page memorandum to trustees for voting on the change...trustees have twice postponed general trustee meeting...hope to still get some money this year; however even if starts next year, our effort will have been worthwhile, as increased resources should allow for increased activities and flexibility next year.

(11) **HOFSTRA SYMPOSIA:** originated and negotiated idea with Dean to jointly sponsor and subsidize students who wish to plan issue-related symposia...wrote four page request for proposals and received four student proposals...three were chosen: 1) Peoples Law Day (National Lawyer's Guild) cost over \$800 and attended by over 75 students and 15 practicing attorneys from diverse practices, 2) Environmental Club-sponsored major conference with St. John's environmental club-at St. John's for logistical reasons, however, excellent publicity for Hofstra in general environmental legal community, 3) Republican Shoreham Conference - club in process of developing...hope next year symposia can be repeated with increased student interest and ideas...good for personal contacts and the school's general status in the legal community.

(12) **PLACEMENT MEETING:** co-sponsored with Dean and Placement Office general mass meeting to discuss placement activities...attended by over 80 students...had frank discussion with Dean and Placement Director...S.G.A. has held ongoing meeting with Placement and believe we are beginning to see some results (e.g. 1st year meetings, co-sponsoring "Night with Hofstra Law School," and upcoming alumni panels).

(13) **MONEY MANAGEMENT:** despite fact University has implemented more formalized and chaotic reimbursement process, managing money has been a full time, non-rewarding yet crucial job for S.G.A. Treasurer.

(14) **GRADUATION SPEAKERS COMMITTEE:** discussed with Dean during summer...

both January and June committees now in progress.

UPCOMING EVENTS

It is our hope these activities will come to fruition this semester...actively being pursued.

(1) **"NIGHT WITH HOFSTRA LAW SCHOOL:"** over 600 invitations sent to Long Island law firms to invite to wine and cheese reception at school...attempt to attract and foster stronger ties with smaller Long Island firms...modeled after Alumni night...S.G.A. initiated and sponsored.

(2) **MARCH 22 POOL PARTY:** organized pool party at main campus pool...reserved special area for law school...music, refreshments, water basketball, volleyball, etc.

(3) **ALUMNI LECTURE SERIES:** negotiated with Dean and lecture series staff to allow interested students, for first time, to attend sessions...good opportunity to meet alumni working in areas of your special interest and hear an advanced-practical discussion on the subject.

(4) **100 DAYS TILL GRADUATION:** organized by 3rd year S.G.A. Rep...held at Beverly Hills Cafe to honor those who "selflessly did their time."

(5) **AD/HOC COMMITTEE REPORT:** working to move the process and promote realistic public dialogue on implementing various aspects of the report...plan to upgrade efforts and set the tone especially for next year.

(6) **CONSTITUTION RE-WRITE:** excellent re-write draft written by Craig Heller...will attempt to include amendments in upcoming S.G.A. election...tedious involved process we have been slow to implement.

(7) **FACULTY-STUDENT EVENING LECTURE SERIES:** memo distributed and follow-up meetings to recruit faculty to give 20 students per session wine and cheese "lectures" in areas of faculty-student interest.

In summary, there is still time to participate this semester in planning, attending, or organizing various events. We will finan-

cially and/or logistically support all practical ideas.

It has been S.G.A.'s honor in working with numerous committees and sincere students, faculty, and administration. Many have been overly generous with their time, ideas and concern.

We have tried to serve you to the best of our ability. Thank you for your trust and have a very good remaining year.

Some Random Thoughts:

•Hofstra Law School is a growing entity internally and externally. It's important to keep the momentum as it will directly benefit us all—now and in the future.

•In that sense, there is real responsibility in an S.G.A. position. Please take your vote and the candidate seriously!

•S.G.A. should not be adversarial or passive. If S.G.A. senses something wrong, it should be concrete and positive in exploring solutions. If, there are "perceived insurmountable road blocks," either go around or over them. Trying to just go right through them is a waste of energy and destructive.

•During the campaign, make candidates address what activities they might continue and institutionalize (from last year—Alumni Day, etc.) and what new practical ideas they have.

•Try to build continuity and then progress from there.

•Be creative.

•Develop and articulate thoughtful criteria for allocating the hopefully \$30,000 they will inherit. S.G.A. is the trustee. Maximize the use of this money.

•Don't waste your vote. Commit some time and concern selecting next year's "agenda." It costs over \$18,000 for our legal education, we should do everything to maximize our investment.

(Editor's Note: The "Random Thoughts" section of S.G.A.'s article was published in yesterday's Election Issue without proper citation. S.G.A. was the author. We regret the omission.)

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—Details in Next Issue—



Alumni Profile:

Todd Natkin

by Dennis Warren

Todd Natkin, newcomer to the race for the 20th Congressional District in Westchester, announced recently he was pursuing a campaign based on the deficit to win the primary at the Democratic convention in New York at the end of March.

The 27-year-old lawyer who graduated from Hofstra Law School in 1980, described himself as a moderate democrat "and the only one in the race with enough guts to take a stand on the issue of the federal deficit."

"I have stated repeatedly that when it comes down to specific programs, I am the only one willing to make the cuts needed to reduce the deficit," Natkin declined to say what specific cuts he would make. "But it's hard to imagine a program that is being paid for by the federal government that would not be affected," he said.

"Any sane person cannot disagree that the largest problem facing this nation is the deficit," Natkin said as the deficit grew, it would push up interest rates, and eventually plunge the economy into a deep recession.

"The problem of the deficit exceeds any other issue that I have been asked about on my campaign trail. If it continues unrated, it threatens to put the country into a depression not seen for 50 years," Natkin said. He said such a gap could not be erased immediately. "Our children will be paying it off for the next 40 years."

Natkin said that focusing his campaign on this sore issue has considerably strengthened his chances in the eight-man democratic race. "The issue of the deficit cuts across party, age, ethnic origin, and economic standards. I have received across the board support from every group in this county based on that issue."

Recently his campaign was boosted with the endorsement of the Reve. Dr. David Abernathy Sr. Natkin has also been wooing the Young Democrats of Westchester.

Natkin said he was not impressed by the fact that House Speaker Thomas "Tip" O'Neill endorsed Councilman Peter Peyser. "Tip O'Neill is hardly the most popular man in Westchester so this may work against Peyser," he pointed out.

On the national political scene, Natkin

said he did not feel Reagan's victory was imminent in 1984. He said a recent poll conducted in Washington revealed that 77 percent of the American people feel the deficit is the biggest problem, and that this issue could well determine whether Reagan is given a second chance.

He said that even if Reagan won again, his coat tails would severely shorten, because he would not be able to assert the same authority in Congress.

Natkin, with offices at Madison Ave. in New York, and the Federal Bar Building in Washington, D.C., conducts a general federal practice, with emphasis in the area of aviation and air safety.

He also specializes in Administrative, Regulatory, Anti-trust, Communications and other areas of complex civil litigation. He represented one of the survivors of the Jan. 1982 Air Florida 737 accident in D.C., in a multi-million dollar suit. He confided that the case has recently been settled, but that the verdict was under seal and he could not divulge the outcome.

Natkin is also a private pilot certified to fly complex retractable gear aircraft, type related multi-engine airplanes, and lighter than air (free balloon) crafts.

He is a member of the Commercial Panel of Arbitrators for the American Arbitration Association (National Headquarters) in New York and was consultant to, and received acknowledgment in a biography of President Hoover entitled "Herbert Hoover: A Public Life," written by Prof. David Burner.

Besides the above, Natkin has been involved in the Democratic organization in Westchester, and has served as treasurer to the Eastchester Town Democratic Committee, and was a two-time delegate to the Ninth Judicial District Democratic Party Nominating Conventions.

Natkin feels he has an excellent chance of winning the nomination, which would place him in a position to succeed the veteran congressman, Richard Ottinger, who decided not to seek re-election after more than a decade in the House.

"I look forward to giving the keynote address next year as the newly elected Congressman from Westchester at Hofstra Law School's graduation," Natkin said.

truders as Afghanistan and El Salvador starkly demonstrates.

The developed states must come to realize that there is inevitably one route towards gaining the respect and cooperation of the developing world. Through genuine acknowledgment of their right to pursue an independent course of development, and to reject political manipulation by would-be exploiters.



compiled by a computer and averages reported.

The final evaluation form has been submitted to the faculty and administration, and a response is still forthcoming. If rejected, the Student Government Association itself will take over implementing the evaluation. Let's let the students of the future benefit from our experiences in the past. A complete summary of responses will be ready for student use by fall registration.

ELS Reports

by Susan Arnold and Gary Jones

A group of plaintiffs, including the Foundation on Economic Trends, Environmental Action, Inc., and Environmental Task Force are challenging the procedures for approving experiments involving the deliberate release of genetically altered bacteria into the environment. The plaintiffs are seeking an injunction to prohibit the deliberate release of the bacteria from the laboratory. The experiment was proposed by Dr. Steven Lindow and colleagues at the University of California-Berkeley and is partially funded by Advanced Genetic Sciences Co. of Berkeley. It involves manipulating a bacteria's deoxyribonucleic acid (DNA) so as to inhibit the formation of frost on crops and is tentatively scheduled to take place this spring near Tule Lake, California.

A complaint was filed on September 14th in U.S. District Court for the District of Columbia, No. 83-2714. Jeremy Rifkin, an outspoken critic of "genetic engineering" and president of the Foundation on Economic Trends, asserts in his complaint that the National Institutes of Health (NIH), an agency within the Department of Health and Human Services has violated NEPA (National Environmental Policy Act), CEQ (Council on Environmental Quality), and APA (Administrative Procedure Act) regulations in approving what would be the first such environmental release.

The plaintiffs have alleged that the NIH failed to perform an environmental assessment or prepare an environmental impact statement (EIS) as required by NEPA and CEQ regulations. An EIS was prepared in 1977 on the NIH Guidelines for Recombinant DNA Research that were promulgated in 1976. Rifkin has asserted that a new EIS is required, arguing that the 1977 EIS does not address the issue of a deliberate release into the environment.

Prior to 1982, the NIH Guidelines contained a general prohibition against the deliberate release of recombinant DNA molecules into the environment. The 1982 and 1983 revisions of the Guidelines removed this blanket prohibition and now allow for the deliberate release of recombinant DNA molecules. These revisions constitute major federal actions and under NEPA section 4332 and EIS is required if such actions significantly affect the quality of the human environment.

According to Rifkin's complaint, the most qualified people to make an assessment of the effects of such actions include ecologists, botanists, population geneticists, and plant pathologists. On November 14th, the NIH answered Rifkin's complaint and denied that expertise in these areas is essential to an ade-

quate assessment. The Recombinant DNA Advisory Committee (RAC) approves experiments like these under the auspices of the NIH and has no members who are ecologists, botanists, or plant pathologists. Most of the RAC members are experts in molecular biology or human health.

Other inadequacies are alleged concerning the RAC review procedure. Rifkin claims that the approval procedures are arbitrary and capricious in violation of the APA has noted publicly that the nature and amount of information submitted by a researcher to the RAC is left to the researcher's discretion. Rifkin has also stated that, for the first time, the RAC has gone behind closed doors to consider granting approval for two more deliberate releases. The NIH contends that these sessions must be closed to protect corporate trade secrets and to encourage private industry to voluntarily comply with the Guidelines. Rifkin has formally opposed this practice and on February 6th the U.S. Court of Appeals for the District of Columbia Circuit enjoined the NIH, No. 84-5079, from considering, either in open or closed session, the Lindow experiment during the February 6th RAC meeting. In reversing the district court's order denying injunctive relief, the D.C. Circuit cited the NIH's failure to fully and prospectively demonstrate the need for such a closed session as is required by *Common Cause v. Nuclear Regulatory Commission*, 674 F.2d 921, 928-929 (D.C. Cir. 1982).

Rifkin has also stated publicly that the presence of several industry members on the RAC raises a possible conflict of interest. He argues that it is in the mutual interests of such members to approve such other's experiments and has called for an investigation by the NIH. An NIH spokesman stated in January that an investigation was conducted and no evidence of a conflict of interest was found.

The states of New York and Maryland, and several cities have made the NIH Guidelines mandatory for private firms; however, there is currently no federal legislation specifically regulating recombinant DNA research within private industry. Due to fear of criticism, civil liability, and strict federal legislation that might otherwise result, private firms have generally adhered to the voluntary compliance provision in the NIH Guidelines. In addition to focusing attention on the adequacy of the NIH procedures, the Rifkin suit spotlights the concern over whether a deliberate release should be subject to voluntary compliance or whether some sort of specific federal legislation is necessary to protect the environment. The trial is scheduled to begin in April before District Court Judge John J. Sirica.

The above review was completed for the Environmental Law Society's (ELS) new publication that analyzes recent and ongoing cases which raise environmental issues, and is due out after spring break. Students interested in writing case reviews should call the ELS office at 560-5007 or leave a message in the ELS mailbox located in the Admissions Office.

Third World Perspective

Continued from page 18

posed by either superpower; or by China, the pretender. Increasingly, non-alignment is becoming a viable alternative for many developing countries which have grown tired of foreign domination in its varied forms.

China and all others who frame foreign policy around hegemony are in for an abrupt awakening. Developing states are prepared to fight to defend their sovereignty from in-

SGA Evaluations

Many years down the long road of Hofstra Law School history, a valid and useful course/instructor evaluation has finally been created; compiled by a committed organization under the Student Government Association. Student evaluations of courses and professors have been done in the past, but the results were never easily accessible to students. Individuals often find themselves in a quandary over whether or not to schedule a certain course or instructor. The compiled results will aid students in future selections, as well as providing honest and unavoidable feedback to the faculty and administration.

Prior to the presentation of the final draft of the evaluation form to the Law School faculty and administration, model evaluation forms from the American Association of Law Schools and other law schools around the country were examined. The decision was made to use a multiple choice format with the inclusion of a separate written comment section. Multiple choice responses will be

Working Women's Forum

On March 7, the Women's Center sponsored a symposium entitled "Working on Long Island" in conjunction with the Nassau-Suffolk Women's Bar Association. The symposium was informal, yet informative. Unfortunately, probably due to the late hour of the symposium, no more than twenty students were present to take advantage of the information presented.

The panel was comprised of four women lawyers from various backgrounds. The President of the Nassau-Suffolk Women's Bar Association who was admitted to the Bar in 1950 and returned to law after seventeen years as a homemaker, a June graduate from Touro, a Hofstra graduate who combines law and raising four children and a St. John's graduate who is currently a Deputy in the Nassau District Attorney's office.

These women were not a composite of a typical law school graduate. Therefore, none expected prospective employers to pursue them, instead these women knew that they would have to be assertive in the job search.

In telling the audience about the job search, the advice the panel gave was

realistic because it considered the increased numbers of lawyers and the tight job market.

The following is a list of suggestions presented to facilitate the job search:

1. Network — join an organization where you can meet prospective employers. The various Bar chapters have reduced membership rates for law students.

2. Be visible — join committees of these chapters and make your presence known.

3. Be Persistent — lawyering requires dedication — a prospective employers welcomes evidence of your determination.

4. Investigate per diem positions — this is for the lawyer who does not wish to work five days a week in the same office. There is day to day employment available to persons who have other commitments to maintain.

All four panel members stressed the need for a law student to analyze her personality, along with her legal interests and other commitments to decide what type of working atmosphere would be most suitable.

Then, decide what you want, plan your strategy and go for it full speed ahead and do not give up.

MONEY MATTER\$:

by Dino Kallenekos

As the filing deadline for income tax returns (April 16) gets close, there are some points that the average taxpayer should keep in mind.

First, this year's deadline is April 16th rather than the usual April 15th because the 15th falls on a Sunday this year. With this in mind, you may want to compute your tax liability now to see whether you will be getting a refund or will be forwarding the balance of your tax liability to Uncle Sam. If you are entitled to a refund, there is probably no reason not to file immediately. If you owe the IRS, then you may want to wait until the deadline gets closer before filing. The object of the former is to get your money as quickly as possible and the goal of the latter is to not let go of your money until you have to.

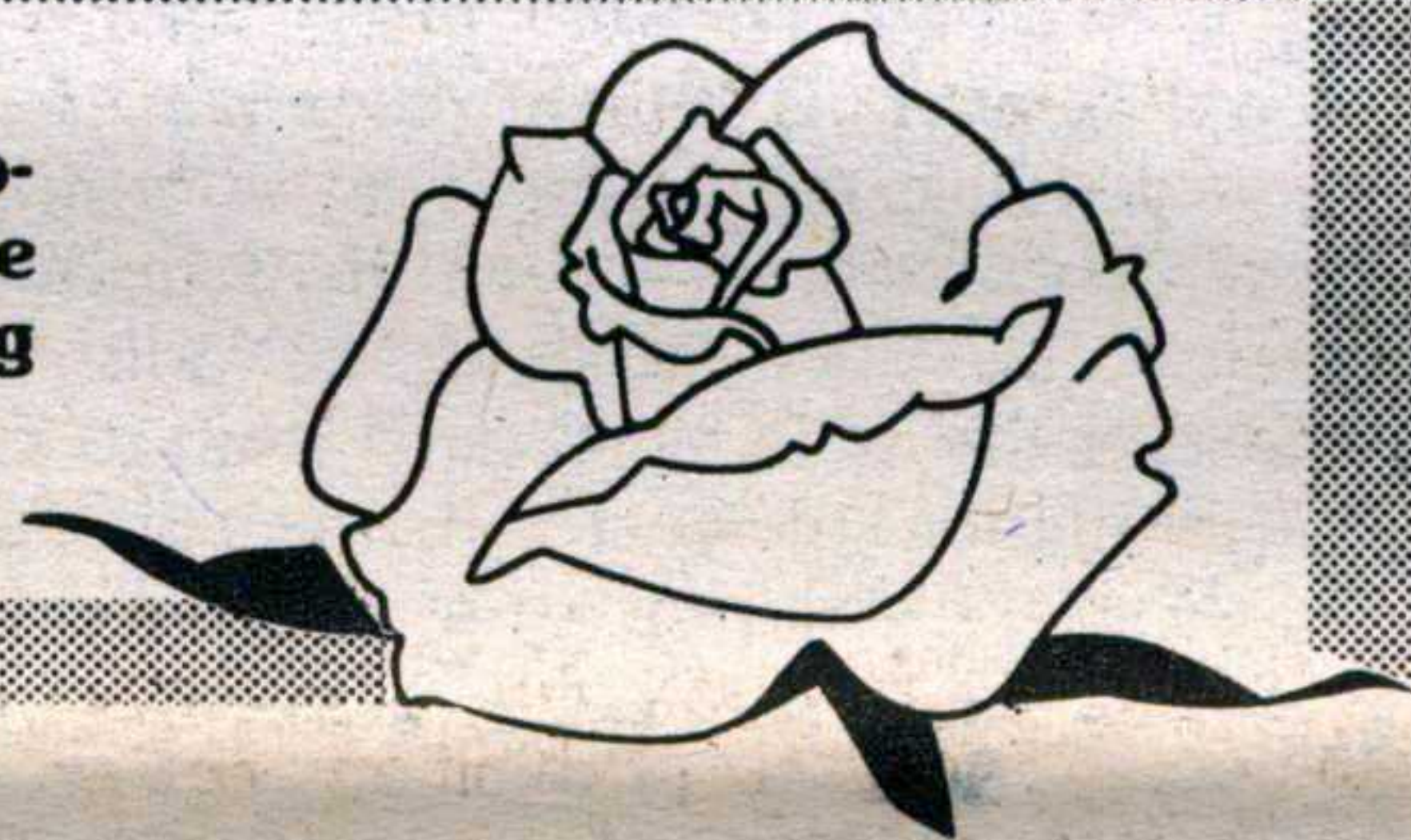
Those of you who will not be able to actually prepare your return before the deadline may be able to get an automatic extension. The extension is not one of paying your tax, but one of filing only. Therefore if you will be owing money, you must pay at least what you owe before filing for an extension. Upon ultimately filing your return, you will receive a refund for any overpayment you may have made. If you have not paid your entire tax liability by April 16, the IRS will charge you interest on the balance. This extension also extends the deadline up to which you can establish an IRA (Individual Retirement Account).

This brings forward the next point. A tax saving IRA, which allows an individual to deduct up to \$2,000 per year from taxable income, may be opened up at a financial institution up to the filing deadline. Contributions to an IRA can be deducted on 1983 income tax returns, regardless of the fact that they were made during the 1984 calendar year.

Some other seemingly trivial but important points include signing the return and keeping a copy of the return. Many returns are mailed to the IRS without a signature and are therefore not accepted. This will delay the processing of your return and subsequently, your refund. Furthermore, you should always keep a copy of your return for at least three years after filing. There are several practical reasons for this. Firstly, the return may be lost and never received by the IRS. Secondly, you will probably need to refer to the tax return when filing for financial aid, credit, etc. Lastly, the IRS may audit your return and you will need your return to prepare for the audit. The IRS has a three year statute of limitations in which it may audit a taxpayer's return.

All in all, a tax return is a once a year hassle to the average taxpayer. However, the filing of a tax return can be no more of a hassle than renewing an automobile registration. All it takes, for most returns, is the ability to carefully read and make simple calculations.

Congratulations to Ms. Jane Thompson on her recent betrothal. The whole staff at Conscience wishes you a long and happy marriage!



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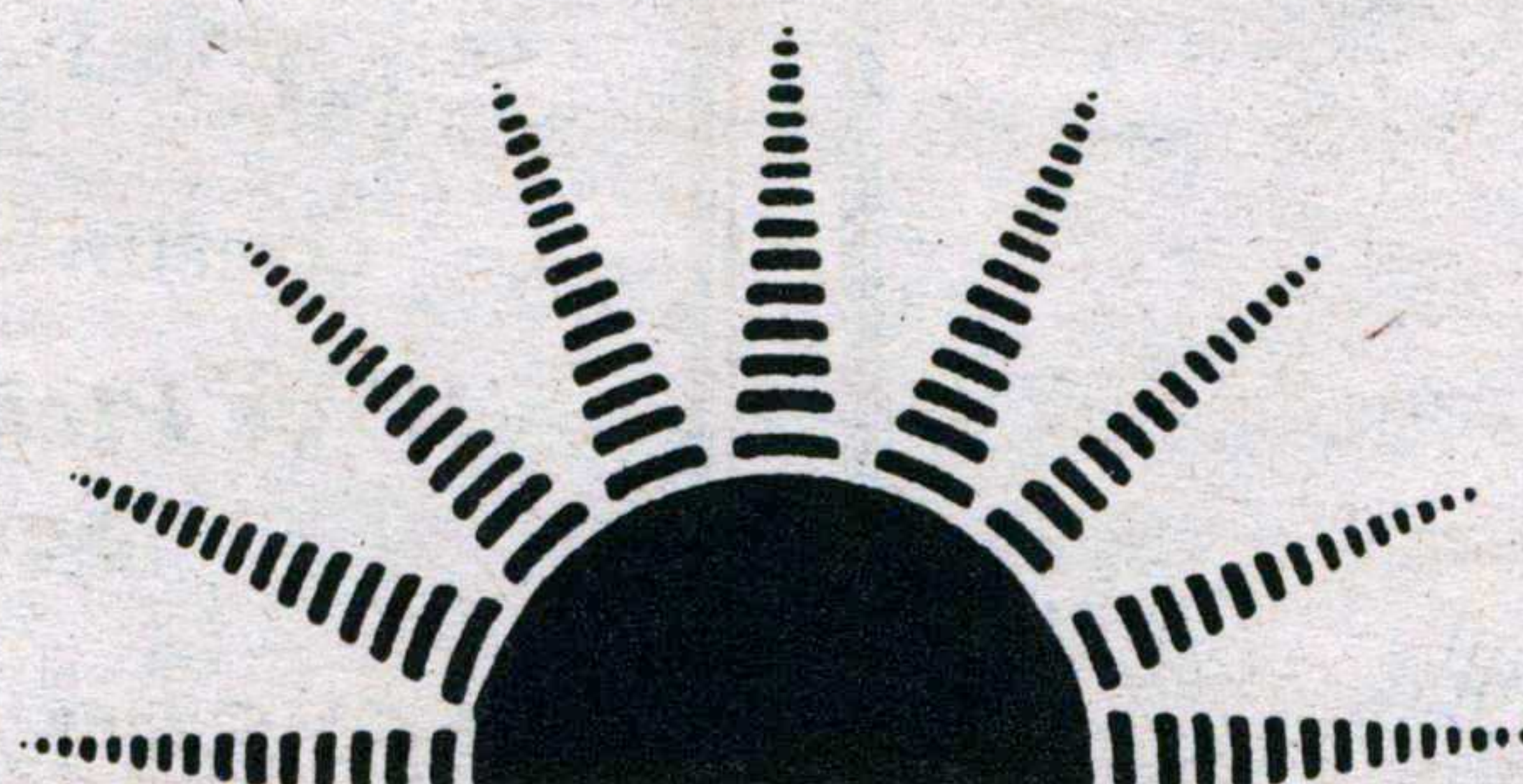
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Legal Briefs...

Should Prayer Amendment Have A Prayer?

by Randy Montellaro

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof...

Religious freedom and an unintrusive government are two principles that lay at the heart of our democratic state. These long standing values are now on a collision course with the advent of the attempted passage of the school prayer amendment. The proposed amendment to the Constitution would permit supposedly voluntary prayer in public schools and overturn Supreme Court decisions of the early 1960's.

The Supreme Court in *Engle v Vitale* and *School District of Abington v Schempp* respectfully held unconstitutional laws requiring that the school day open either with a daily recitation of a prayer drafted by the state, or readings from the Bible. Although participation was voluntary, the *Vitale* Court concluded that the prescribed ceremonies to be religious in nature and in violation of the First Amendment's establishment clause. The *Schempp* Court maintained that the establishment clause requires "a secular legislative purpose, and a primary effect that neither advances nor inhibits religion."

There are a couple of school prayer amendments now pending before Congress that would strike down the decisions of *Vitale* and *Schempp*. A compromise amendment submitted by Senate Majority Leader Howard Baker is given the best chance for passage. The key passages read:

Nothing in this Constitution shall be construed to prohibit individual or group, vocal or silent prayer, in public schools or other public institutions. No person shall be required by the United States or by any state to participate in prayer. Neither the United States nor

any state shall comprise or mandate the words of any prayer to be said in public schools.

To incorporate this amendment into the U.S. Constitution it would first have to be passed by 2/3 of each house of Congress and then ratified by at least 38 state legislatures. By the time this article is published, the amendment may have already been approved by the Senate as the odds for Senate passage are believed good.

A school prayer amendment is not universally supported by all religious groups. It is strongly supported by many fundamentalists and Evangelical Churches, but opposed by major Jewish organizations and the National Council of Churches.

Proponents of a school prayer amendment believe that the Supreme Court has been far from neutral and has not been applying the First Amendment's establishment clause but really a disestablishment clause. In other words, the Supreme Court will and has done anything it possibly can to place obstacles in the paths of those individuals who wish to worship. The Supreme Court, proponents believe, has been willing to champion the rights of a secular minority at the expense of the religious majority. Furthermore, it has been argued that the abandonment of school prayer in the 1960's is responsible for the moral decay of the 1980's.

School prayer opponents state that those who support school prayer are distorting Supreme Court holdings to fit their needs. Harvard Constitutional Law Professor Lawrence Tribe states, "[t]he premise that prayer is not allowed in schools... is a lie. Official, organized prayer is not allowed, true, but kids can pray [silently] if they want" at anytime in school. The Supreme Court has already approved of so-called "released time" programs to allow public school

students, during school hours, to leave school grounds and attend religious instruction. *Zorach v Clauson*. The Supreme Court has also recognized the rights of student groups to conduct religious worship and discussion on public university grounds. The Court realized that the university had made its facilities generally available for the activities of student groups and thus created a public forum. *Widmar v Vincent*. The Supreme Court, I believe, similarly will allow public school children or religious organizations to use elementary or secondary school property, after school hours, for religious purposes. The Supreme Court, when presented with the issue, will realize that *Widmar* should be extended, and that once public school property is used as a public forum no distinction can be made for activities involving political or religious purposes. It is also possible that the Supreme Court will allow a voluntary moment of silence when presented with that issue, especially in light of the recent decision in *Lynch v Donnelly* which has seemingly blurred the line between separation of church and state.

There is even a more fundamental issue that is involved. The "voluntary" nature of a school prayer is overly coercive. Compulsory public education is an enormously coercive exercise of government power as children are inculcated in schools with whatever the state believes wisdom to be at the moment. This coercion is multiplied by the desire of children "to fit in" and not be

different from their peers, plus the tendency of children to harass those that do not. It is of little solace to a child that he is given the "right" to excuse himself from the voluntary school prayer if he is to be branded by his classmates as "not one of us." Children of different faiths, or no faith will thus be compelled to join in involuntarily. A school prayer may also bring to light religious differences and prejudices that otherwise could have remained unknown. Furthermore, as a general matter, the Bill of Rights was not enacted to only protect the majority, but to prevent the enslavement of the minority at the whim of the majority. Unfortunately, many believe the Constitution exists solely for the preservation of their interests and not those of others.

One last point must be addressed. If a school prayer amendment becomes a part of the Constitution, who would decide the wording of the verbal prayer in class? The children, their parents or the teachers? Do not think for a minute that just because the school prayer amendment speaks in terms of allowing both verbal and silent prayers, that a silent prayer will be predominately used. As Rev. Jerry Falwell, leader of the Moral Majority indicates: "We didn't fight for the right to keep silent."

The addition of a school prayer amendment to the Constitution though emotionally appealing to some, would thoroughly undermine the First Amendment and the entire Bill of Rights.

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Legal Briefs...

Prison Law Libraries: Problems With Inmates' Access

by Karen M. Funk

In 1977, the United States Supreme Court in *Bounds v. Smith*, 430 U.S. 817, held that "the fundamental constitutional right of access to the courts requires prison authorities to assist inmates in the preparation and filing of meaningful legal papers by providing prisoners with adequate law libraries or adequate assistance from persons trained in the law" (emphasis added). The Court placed the affirmative duty upon the states to protect the exercise of constitutional rights of indigent prisoners. The question left open after *Bounds* was the scope of this constitutional right. Does this right also extend to women and men incarcerated in the local county and city facilities?

A year after *Bounds*, the Fourth Circuit Court of Appeals in *Williams v. Leeke*, 504 F.2d 1336, held that local jails, incarcerating misdemeanants for terms of up to twelve months, have an affirmative duty to provide inmates with access to adequate law libraries or adequate legal assistance. Some courts, however, have narrowly construed *Williams* to the disadvantage of prisoners. In many cases they do little until they are ordered by a court, after prisoners have successfully brought an action. Of course, money is an important factor here, and even if officials are not contrary to establishing an adequate law library they may lack the funds to do so. That is why court mandates are important. If

a court has ordered the Department of Corrections to set up a law library in a prison, the correctional officials can then ask the legislature or the Governor for the funds to carry out the court's order. They are in a better position to ask for library funds after the court has ordered them to comply.

NASSAU COUNTY FACILITY

The State of New York has established statewide standards for Correctional facilities in Title 9 of the New York Codes, Rules and Regulations (NYCRR) part 7000. The Commissioner of each correctional facility is supposed to enforce these minimal standards. Section 7031.4 (a) states that "...each local correctional facility shall provide prisoners access to current legal reference materials" (emphasis added).

The focus of this article will be on the importance of prisoners' access to the Nassau County Correctional Facility law library. There is little evidence that the law library itself is inadequate. (I was denied my request to see the library and to interview the Commissioner because this issue is in litigation). I did contact the law librarian by phone and asked what legal reference materials were available for inmate use. He stated that they had *New York Supplements*, *Federal Supplements*, *New York State Consolidated Laws*, *New York Digests*, some treatises and form books. He also said that they did not have any *Shepards* at this time, but that they were on order. The only items he did not

mention that are required under §7031.4 (e) are the *U.S. Code Annotated* and the *Federal Case Law Digest*.

The assistance that prisoners receive is from a Law Librarian who is a Correction Officer with minimal training. Most inmates rely on "jailhouse lawyers" who are other inmates called "law clerks." While the adequacy of the law library and the legal assistance received might be debated, the main injustice is reflected in the prisoners' ability to use the law library.

In order to get a feel for the Correctional Facility, I contacted Robert Baubach (Class of '78) from the Nassau Legal Aid Services. Baubach worked on an action against the Nassau Correctional Facility; I also talked with Professor Kadane who was appointed Special Master in the litigation and Cathy Potler of the Correctional Association of New York. Access to the law library is a major problem in Nassau County. The hours of operation are from 9 to 10:30 a.m. and then noon to 3:30 p.m. Under a Federal judgment, inmates are required to have at least two hours of research time each time they are at the Library. We all know how much research you can get done in two hours, even for the most experienced researcher. The inmates sign up on a sheet at 6:30 a.m. requesting to use the law library and then wait to be called. If the inmate is called at 2:30 p.m. they will only have an hour for their research. There have been many complaints that it takes several days to get called to use the library; with some tiers (most sentenced prisoners) complaining it takes two-four weeks. While this situation in the men's section of the jail is intolerable, the women have it even worse. The law library is in the men's section, and in order for a woman to use the law library all the men must be cleared from the area and the woman brought in. With the long waiting lists in the men's section, there is rarely a time which is convenient to bring women

over to use the library. A federal judgment requires that in cases such as this, women should be allowed access during evening hours. This is not done in Nassau.

The population at the Nassau facility on any given day is around 870. A recent court order has put a cap on the population at 808, to be effective March 25, 1984. Approximately 67% of the inmates have been there more than 60 days. The question then becomes whether one of 808 has adequate access to the law library, which only operates five hours a day, under the *Bounds* and *Williams* standards. The bifurcated standard of *Bounds* is to determine whether a duty exists and if so the proper extent of that duty. The duty exists because of the NYCRR standard of access to local jail law libraries. What is the proper extent of that duty? The protection of the indigent inmate's right to access to the library must be balanced against the unique characteristics of the facility. The County has been under severe overcrowded conditions and has used this excuse to justify decreases in all services to inmates. Now with the mandated cap of 808, all services to inmates should meet minimal standards.

Is Nassau County really providing access to the law library when sentenced prisoners have to wait two to four weeks to use the library? While the Nassau County Correctional Facility provides access, the access at best is limited. *Bounds* encouraged states to experiment with new methods to increase prisoner access where it was difficult to provide adequate access. Some suggestions have been: use of paralegals, increased library hours, use of advanced student aid programs, and citizen volunteers. In order for access to be meaningful and not just to fulfill minimum state standards, Nassau County Correctional Facility needs to re-evaluate its present law library procedures to enable increased use. Or will Nassau wait, as many counties do, for a court mandate brought on by prisoner action?

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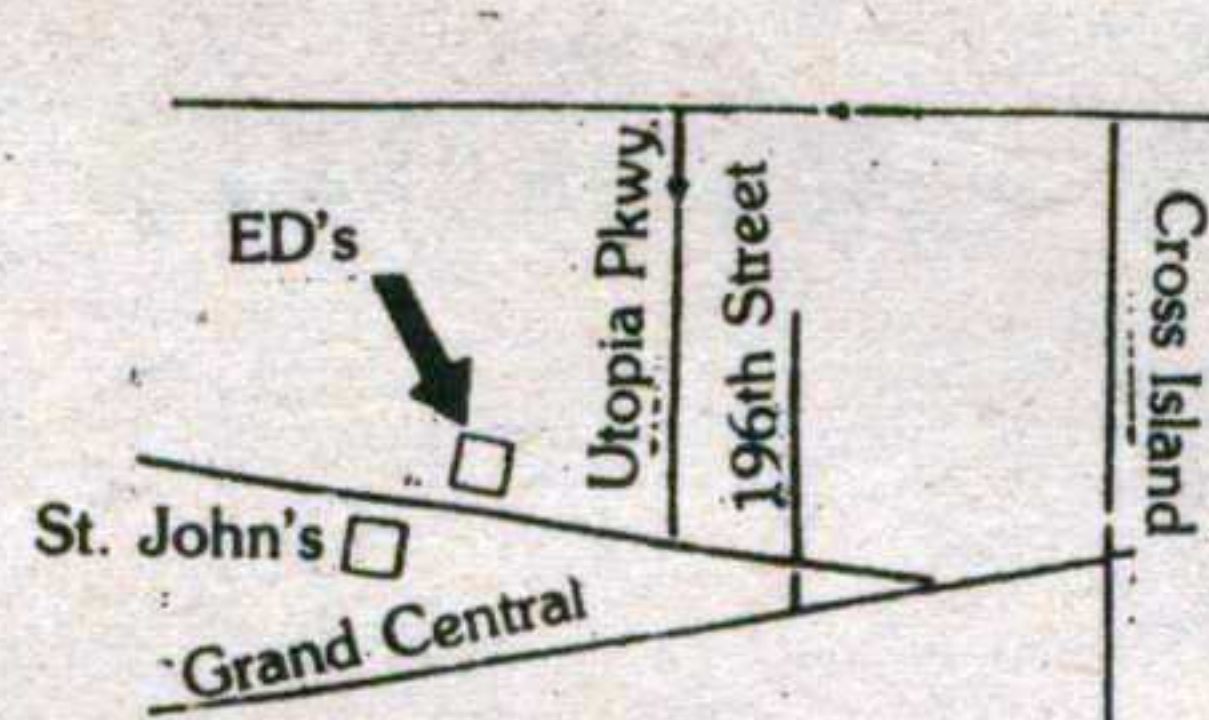
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Get into
shape
for spring.
See
page 26



Creative Cooking

by Tracey Epstein

To complement the Fitness Forum column, I have compiled a list of "hints" for a better body. Follow them, and you will get RESULTS.

1. Don't load up your morning bagel or English muffin with butter and/or cream cheese. That is where all those fat and calories come in. Use a moderate amount of preserves of jam.
2. Don't eat donuts.
3. If you are hungry at 10 am or 3 pm, have an apple, some raisins or juice. Candy and cheese doodles will only make you hungrier. If you know when those munchies usually hit, bring your snack with you to school so that you won't be sucked in by that junk food machine in the lounge.
4. Eat salad with a lowfat dressing or with none at all. There are a myriad of low-cal, lowfat dressings on the market these days. READ LABELS.
5. Cut out the gobs of mayonnaise on your sandwich. Use mustard or lowfat dressing.
6. If you find yourself getting sleepy at certain times of the day, look at your diet. Both sugar and caffeine give you that "high-low" effect, leading you toward the machines for another dose. Take a deep breath, stretch, and drink some water.
7. Replace frying with broiling and baking. Even your favorite eggplant parmesan recipe can be made by baking the slices, without

sacrificing taste. Oil fat calories.

8. Buy some interesting spices and herbs, and experiment. Some suggestions: thyme, cumin, savory, cloves, coriander. Your palate will be pleasantly pleased.
9. Be aware of what you eat. Try writing it down if you are trying to diet, without success. Don't use food as a crutch when you have something that's bothering you.
10. Use yogurt instead of sour cream in your favorite recipes. Add a touch of honey to counteract the tartness.
11. Sherbet is a delicious ice cream alternative, and contains very little fat. Add a scoop to fruit salad for a great dessert. Top with raisins, toasted wheat germ or bran cereal.
12. Use non-stick cookware to cut down the butter and oil you use in your cooking.
13. Eat fresh fruits and vegetables as often as possible; canned and frozen ones are often refined, stripped of their nutrients, and have salt, sugar and chemicals added to them. Fresh is best.
14. Try steaming vegetables, and you'll soon be hooked. In addition to preserving vitamins and nutrients, you will retain the crispness and crunchy texture of the vegetable.
15. Make an omelette with one whole egg plus two egg whites. You'll cut down on both calories and fat, and you'll feel lighter after eating it. There is an equal amount of protein in the yolk and the white.

Cooking Without Julia

by SAZ

*Excuses For The Munchies
(That are Fit For Print):

- 1) You've had a really bad night and need consolation.
- 2) You've had a really great night and want to celebrate.
- 3) It rained.
- 4) It stopped raining.
- 5) The cat ate your Emanuels.
- 6) The dog ate your cat.
- 7) Feel free to add your own excuses.
- 8)

*If you personally can't think of any excuse to munch out, borrow someone else's.

Recipe Difficulty Ratings:

- ***: For those who know how to boil water.
- ** : For those who can boil water but don't know what to do with it afterwards.
- * : For those who should always order out.

Chocolate/Peanutbutter Bars*

one lb. or 18 oz. natural peanutbutter (Smucker's chunky is best)
1/3 cup sugar
2 eggs
approx. 12 oz. milk or semi-sweet chocolate (chips or bar form broken up)

Preheat oven to 350° (1/2 recipe can even be made in toaster oven). Mix by hand, with a wooden spoon, the peanut butter, sugar and eggs until it is a smooth paste. Spread evenly into a 13"x19" pan. Bake approximately 20-30 minutes. Shorter baking time or smaller pan will yield softer cookie. Remove from oven and spread chocolate pieces on top. Cover with foil for 3 minutes. Remove foil and spread chocolate evenly. Let cool and then refrigerate until it can be easily cut into bars (about 1 hour).

Chocolate/Walnut Pie**

1/2 lb. dark chocolate
1/4 cup water
1/2 tsp. instant coffee (optional)
1 cup walnuts (broken pieces)
4 eggs, separated
1 baked 9" pieshell

Melt chocolate in the water in top of double boiler. Let cool 5 minutes, add yolks. Beat egg whites until stiff, add to chocolate and yolk mixture. Spread walnuts on bottom of pie shell, pour chocolate mixture into pieshell. Chill 6 hours or overnight. Also great with a meringue or walnut crust.

Heavenly Cream Cheese Cake**

1/2 cup graham cracker crumbs
4 8-oz pkgs. cream cheese
6 lg. or 8 med. eggs
1 cup sugar
1/4 tsp. salt
1/2 tsp. fresh tamarind
1 1/2 tps. vanilla

Butter the bottom and sides of 9" spring form pan. Dust with graham cracker crumbs, rolling to coat (makes delicate coating instead of heavy crust). Preheat oven to 325°. Place pan in oven for 4 min. to "set" crumbs. Beat cream cheese at med. speed until soft and creamy. Add eggs, one at a time, beating well after each. Gradually add sugar and seasonings. Consistency should be that of thick cream. Pour into pan. Place pan into larger pan that has 1/4" hot water in it. Place in oven and bake approx. 50 mins. or until toothpick comes out clean. Remove from oven and cool away from drafts. Do not unhook spring until cold.

Variation 1: Fruit glaze

10 oz. frozen (or 1 pint fresh) unsweetened berries or 1 8 1/4 oz. can crushed pineapple, undrained
1 tbsp. sugar
2 tsp. cornstarch

Combine sugar and cornstarch over medium heat and bring to a boil; drain fruit and add 1/2 cup liquid to pot, boil 1 min., cool, add fruit and glaze cake when both are cold.

Variation 2:

Melt 4 ozs. semi-sweet chocolate; pour half of batter into pan; drizzle 2 tps. melted chocolate over batter, and swirl with back of spoon. Repeat with rest of batter and chocolate. Bake as above.



Congressman Lent Guest at Community Issue Fest

Congressman Norman F. Lent will be the guest at the ongoing series of "town meetings" sponsored by the Social Action Committee of the South Nassau Unitarian Church in Freeport this winter and spring. The discussion will take place at 11:30 Sunday morning, March 25, 1984, following the regular church services. The Unitarian Church is at 228 South Ocean Avenue, south of Merrick Road.

According to Dr. Jules Goldin, Chairman of the Committee, this year's issue series started in January when Assemblywoman Barbara Patton of the 18th A.D. discussed state and local issues facing Long Island and State residents of all economic levels and ages. The February "issue fest" was devoted to Black History and the racial issues still fac-

ing America and the world. On April 29, also after the regular Sunday Services, the discussion will center on the issue of legal imposition of prayer in public schools in contradiction with the American tradition of separation of church and state and in violation of the Constitution's First Amendment.

Congressman Lent will be questioned on his positions and actions in the Congress in respect to environmental protection, disarmament and avoidance of war, the ballooning national debt and the burden of the interest on middle and low income people, the decline of our roads, bridges, railroads, waterway and the rest of the infrastructure and similar issues considered urgent by members of the community. The public is welcome.

Feds Appeal Ban on Wolf Trapping

U.S. Government attorneys have appealed a court ruling which overturned management rules which would have allowed a sport trapping season on eastern timber wolves in Minnesota. The 1200 or so wolves in Minnesota constitute the last significant population in the lower 48 states and are classified "threatened" under the federal Endangered Species Act (ESA).

"The January decision from the U.S. District Court was so resounding I have every confidence it will be fully upheld on appeal," said Allen E. Smith, President of Defenders of Wildlife, the national conservation organization which has led the challenge of 15 groups against the government wolf trapping plans formally announced last August 10th. "The fact that Secretary of the Interior William Clark is still relying on Jim Watt's advisors concerning endangered species is a throwback," said Smith. "This is a grave mistake and a surprising one when we have been led to believe that the administration was trying to improve the lot of endangered species."

The basis for the appeal is contained in a February letter to the Justice Department from Interior Solicitor William Coldiron who is resigning March 31st. In the past Coldiron supplied legal opinions which were the basis for Watt's radical reinterpretation of department rules and his drastic alteration of offshore oil development, wilderness protection and coal leasing programs.

"Coldiron was one of Jim Watt's worst appointees. The only solace is that his opinions have been overturned so often by the courts," remarked Smith.

The government argued that under the ESA the Secretary of the Interior has the discretion to allow the taking of a threatened species. Judge Miles W. Lord, Chief Judge

of the U.S. District Court in Minnesota wrote, in soundly rejecting the claim, that such discretion exists "only in the extraordinary case where population pressure within the ecosystem cannot otherwise be relieved." The government did not attempt to show, nor does biological data support, such a claim.

The ESA calls for specific actions to protect, preserve and restore endangered species. Legalized killing of wolves does not enhance any of these goals. Judge Lord rejected claims that a sport trapping season in northern Minnesota would increase the value of wolves there. He wrote, "While some may place value on the wolf because of its fur or simply as a game animal, the Endangered Species Act has given the wolf a status much more important — it is a protected animal that all persons must seek to conserve."

The ruling also agreed with plaintiffs that state and federal efforts to prevent illegal killing of wolves were minimal. "The court finds it very difficult to conclude otherwise when almost one-quarter of the wolf population is illegally slaughtered each year."

Some final excerpts from Judge Lord's decision: "Congress [through the ESA] has now mandated that each person who would slay the wolf must stay his hand...An increased 'war on wolves' in northern Minnesota will not be permitted under the law."

Late Friday, March 2nd, the government filed to appeal the U.S. District Court decision to the U.S. Court of Appeals for the 8th Circuit which is based in St. Louis. Mr. Brian O'Neill of the Minneapolis law firm, Faegre & Benson, will again represent Defenders of Wildlife and the 14 other plaintiffs in the case.

ELS Testifies at Toxic Forum

by Barry S. Cohen

On March 7, 1984 several members of the Hofstra Environmental Law Society (ELS) attended a public hearing conducted by the New York State Hazardous Waste Treatment Facilities Task Force. The hearing was one of five held throughout the state in an effort to obtain public views that could assist the Task Force in developing a strategy for the treatment of hazardous waste.

Created by Governor Cuomo in an Executive Order dated September 30, 1983, the Task Force was established in response to New York's increasingly ominous predicament with hazardous waste. Consisting of a diverse membership of environmentalists, industry representatives and state leaders, the Task Force was empowered in Phases One and Two of the Order to collect and analyze data on the state's capability to treat hazardous waste. In the Third and final Phase of the Order the Task Force was instructed to submit a final report to the governor and Legislature recommending a viable state policy for hazardous waste treatment and disposal facilities.

ELS joined others who testified at the hearing and urged the governor to allow the Task Force an additional year to complete

their study. ELS agreed with the majority in attendance that the Task Force should not be rushed into completing the required needs assessment in an area where information is difficult to obtain and often unreliable.

ELS also went on record to express its concern over the health risks posed, in part, by the state's improper management of hazardous waste treatment facilities. ELS member Gary Jones stated that although "the testimony that was given appeared to be valuable to the Task Force," he was "disappointed that more of the public did not attend and participate at the hearing." Jones added that "the public's input is crucial for developing a hazardous waste treatment policy that will protect and benefit all interests within the state."

ELS will continue to attend as many hearings concerning the environment as is feasible. Students or faculty interested in participating in future activities are encouraged to contact the ELS office.

CORRECTION: In our last issue, we stated that Professor Debra Dinowitz graduated from Hofstra undergraduate in 1972. She actually graduated in 1976, and began her three years at Hofstra Law School that same year.

We apologize for our editorial mistake.

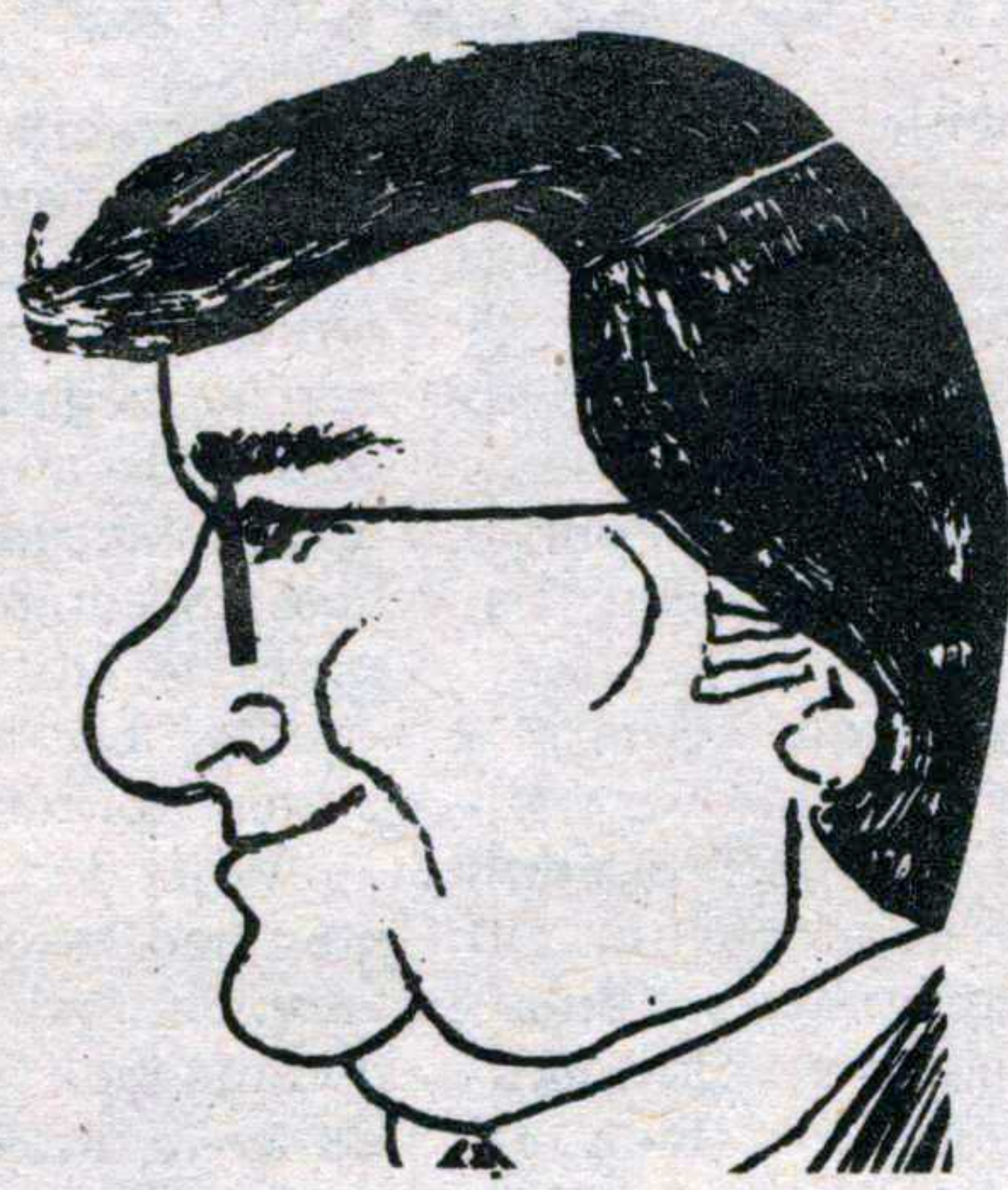
CAN YOU MATCH THE FACE TO THE QUOTE? by Eric Zucker



A.



B.



C.



D.



E.

1. Just one more word on **Pennoyer v. Neff**... Suppose I wanted to serve process against you. I could put ads in the newspapers, or tape a note to your forehead, or yell at you from the top of the highest mountain. But...so what?! Uh,...where were we?

2. One can tell we are beginning to think like lawyers by the warped approach we are taking to the subject matter. What do the fee tail, my students during Moot Court, and the Chestershire Cat have in common? They all were there, began to fade, and then finally disappeared...leaving only...a grin.

3. No! No! No! Where's the tort? This court's retarded! Does this holding bother you? It certainly bothers me. Come on,...THINK! Why do we care if the dog looked like a wolf? So what if the banana was gritty? Maybe I'm nuts, but I think this judge is Meschuga.

4. Unless I say that what you say is incorrect (pause), I am not saying that what you say is not correct (march to end of stage). According to the Model Penal Code (arms extended), we wouldn't need to show premeditation in the "Bang-Bang Maxwell Silver Hammer" case (lean over podium). Maybe he just loved her to death (dramatic exit with coat-tails flying in the air).

5. Questions? Questions? Questions? The answer is both yes and no, and when you can say "yes and no" with conviction, you'll be a fine lawyer. Certainty is not a principle of law and repose is not the destiny of man...Or is it? And if so, why? Of course, I can answer your questions with questions. I'm paid to. And remember, the subject of this class is MONEY. Leave truth and beauty to the social workers. Forget what gives you comfort. Nothing is obvious.

Great Wine in a Humble Flask

Listen my colleagues, and you shall hear,
A story that started my first law school year.
How with a marvelous person I became acquainted,
Miracles aside, it's unlikely he'll be sainted!

Who can forget Dean Freedman's oration,
And the words that he spoke at orientation.
Also on hand was Stuart Rabinowitz,
With whom all the freshmen tried to match wits.

But then to the podium came a figure in black,
With a scraggly beard and a skull-cap,
I turned to the person who sat on my right,
And said, "Seeing this guy makes me feel uptight.
Like a law school professor he sure doesn't look,
Frankly, my confidence in Hofstra's been shook..."

But then from the mouth of this Chasid-garbed man,
Came the tale of the Times v. Sullivan.
And as we all learned of the Times' libel,
The man with the beard asked questions circumscribal.

Some tried to answer and soon were cut down,
In seas of rhetoric swiftly they drowned.
From others' lips the right answers appeared,
As if by magic, like coins plucked from ears.

Who is this fellow with manner Socratic,
Whose speech is punctured by gestures emphatic,
Who never descends into hollow fanfaron...
Said a voice in the crowd, "That's Twerski, Aaron."

"What's a Twerski?" said I, still unbelieving,
Said a man to my left "Looks can be deceiving.
He's not some schlemiel from Moskow or Minsk,
This person is royalty, a veritable prince."

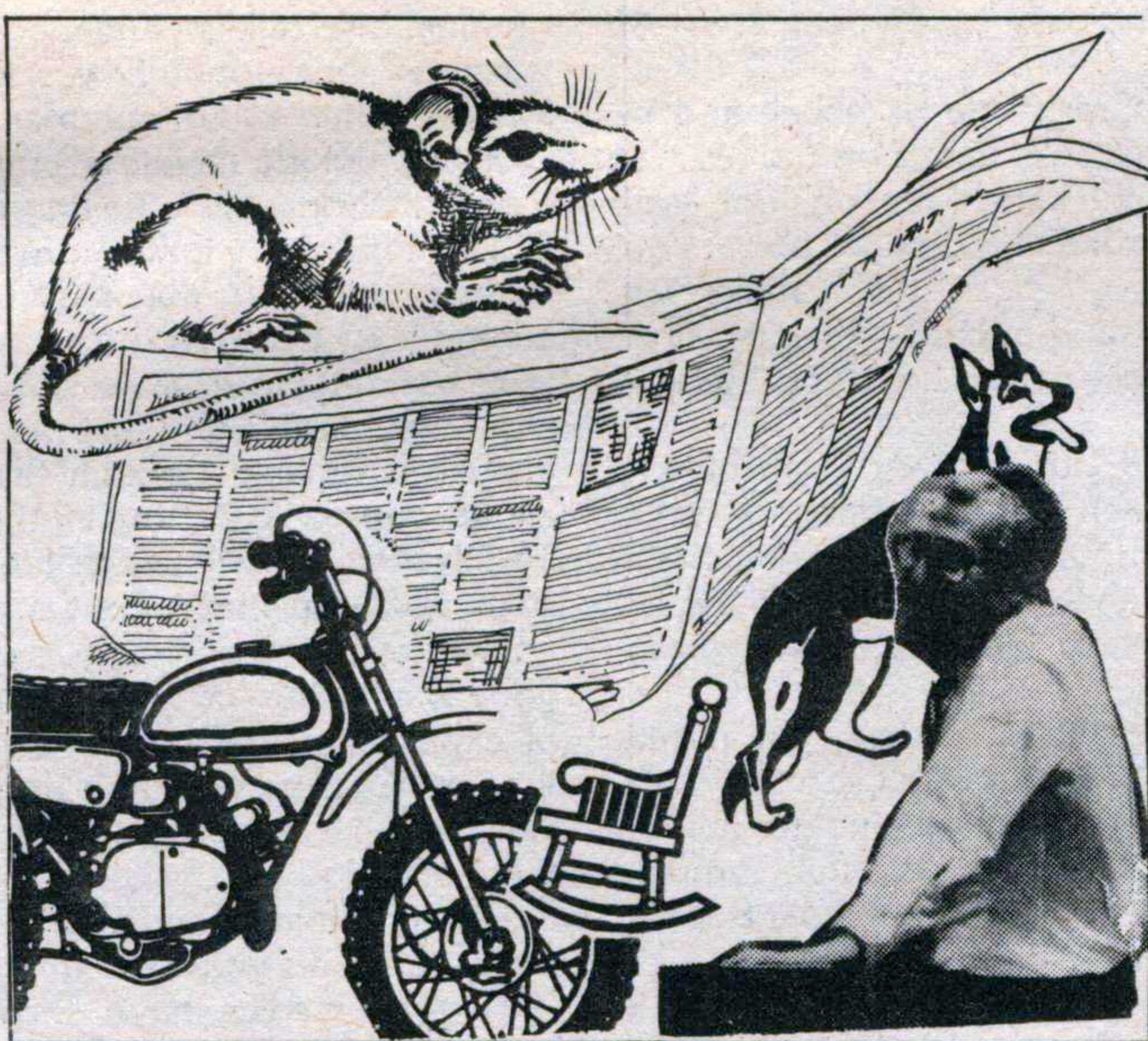
For of finer clay comes the Twerski drove,
With lineage back to the Baal Shem Tov.
But looking him over won't reveal his nobility,
He hides it all under that Twerski humility.

Now once in his Torts class a story he told,
How Brian Dailey, a mere five-year-old,
Intentionally did damage (I don't mean to be unkind),
To plaintiff Ruth Garrat's now-famous behind.
But who could believe it took four weeks of class,
To describe how it was that Ruth fell on her ass.

Next came the case of a dog-lover embittered
At the loss of his pet (called Ranson v. Kitner).
A sorrowful tale how Kitner was shaken
When his favorite pooch for a wolf was mistaken.
I don't mean to imply that Twerk dwelled on it but,
It took six weeks to earn who should pay for the mutt.
Then just to show that he would not be hurried,

The Twerk spent two months on the next case we studied.

That was, of course, the Palsgraf litigation,
A case often-cited throughout the nation.
The words of Cardozo were vibrant and strong,
"Too bad," said Twerski, "Old Benjy was wrong."



Those fireworks were actually hand grenades,
Thrown by some P.L.O. renagades.
Those were the guys who socked it to her,
The Long Island's not guilty—Res Ipsa Loquiter.

At the end of my first year (it seemed like ages),
In the Torts book we'd read only 46 pages.
What did Twerk get for this effort supreme?
A brand new title—Associate Dean.

My next impression of Twerski's ability,
Came in a course called "Products Liability."
Oh, the tales of plaintiffs' woes we heard:
Some were funny, some absurd
Most were just gross, it was no joke,
To find a rodent in a bottle of coke.
A tale everyone in the class would attempt to enjoin,
Was what a Triumph motorcycle did to David Bolm's groin.

But Twerski delighted in telling these stories,
As time wore on, they got more gory.
Fingers and arms, whole bodies it seems,
Would disappear into hypothetical machines.

By the end of the term, with all due respect,

The course had a rather nauseating effect.

The final was even a bigger drag—
I took it with two pens and a brown paper bag.
But reviewing was easy, I had plenty of time,
To read up to page on hundred and nine,

Then after a pleasant summer vacation,
Twerk offered a course with a practical application
"Tips to avoid Conflicts of Law" it was called,
In case you don't take it, here's two I recall:

If you ever cross the Mexican border,
And you are thus subject to Mexican law and order,
Should you run over a Mexican, don't get out,
But back up fast, and really wipe him out!

Another tip which I shall relate,
Was how to have Pennsylvania law govern your estate.
Your home in West Virginia you surely must sell,
Buy a house in Pa., and go there to dwell.
But don't settle down, just set loose some chickens,
And beat it back to West Virginia like the dickens.
Then you should die, and in the end,
Your property by Pennsylvania law will descend.

Fifty-five pages and a hundred tips from the source,
And that was the end of the Conflicts course.
What did Twerk get for doing so well?
You guessed it—a job at Cornell.

Please don't be misled by my flip critique,
for Aaron Twerski is a teacher unique,
He's a poet of law, a donor of knowledge
In whose debt I have been since I came to this college.

And while rules of law from books can be taught,
Only lawyers like Twerski can teach methods of thought.
Let me end my satire with words sincere:
God grant us this rabbi for a hundred more years.

—R. Abrahams
Conscience, March 9, 1976

ANSWERS:

1. D. Diamond
2. V. Jacob
3. E. Twerski
4. B. Gregory
5. A. Mahon

Fitness Forum

by Tracey Epstein &
Rick Collins

PART TWO: THE AEROBIC FORMULA

You can do it! The human body is a remarkable piece of work. It can shed excess, unwanted poundage, it can improve its overall conditioning and health, it can add shape and fullness to deficient areas. But the body can't do a thing without the okay of its partner: the mind. If your mind insists on that fourth helping of Devil's food cake, your body, mute and helpless, will consume it. If your mind doesn't want to exercise, your body won't. If there's something about the way your body looks that you would like to improve, you must first get the mind committed to the task. Be warned: the mind is a cunning trickster, adept at rationalization (i.e. "It's too cold, hot, humid, windy or sunny to go outside and run or cycle," or "I'll binge tonight and start my diet tomorrow"). Don't be fooled. Perhaps the same discipline that got you through four years of college and nearly one to three years of law school can be relied upon here. Try it!

Think positive! While the amount of effort required will depend upon your present condition, everyone can improve their body for the better. The exercise and dietary information we present to you here will do no good unless you choose to follow it. If you're still not committed, picture yourself standing in the buff, in front of a full-length mirror. Do you like what you see? Is there room for improvement? You can do it!

AEROBIC ACTIVITY

Whether or not you are overweight, aerobic exercise is an essential part of any fitness program. (note: before beginning this or any other fitness program, consult your physician). Your body will benefit from aerobics in three important ways: it will increase your capacity to process oxygen, thereby improving your circulatory and cardiovascular health; it will burn up calories while you do it; it puts your metabolism into "high-gear" so that you continue to burn calories at a heightened rate for four hours after exercising. When combined with a proper diet, this sustained fat-burning effect will markedly improve weight loss. Further, vigorous exercise has been shown to decrease the appetite and increase control.

A few facts before we get to the specifics: to achieve this aerobic effect, the exercise you do must be one in which your pulse is heightened (i.e. heart rate should be about 120 beats per minute) for a sustained period of 20 to 30 minutes. You will get results from as little as one hour per week (20 minutes, 3 times per week) - not really an onerous burden, even for a law student.

What exactly can you do? The best kinds of aerobic exercise are those which involve the most muscles simultaneously (like swimming) or that force you to deal constantly with your entire bodyweight (like running) or which impose steady, strenuous exercise (like circuit weight training).

CIRCUIT WEIGHT TRAINING:

This popular form of aerobic activity is especially good because it also has a toning and slight building effect upon all of the major muscles of the body. Most local spas and health clubs offer equipment specifically designed for circuit training, such as Universal and Nautilus circuits. Investing in a spa membership can be a worthwhile decision, provided you stick to the exercise commitment. Circuit training can be done with the equipment at Hofstra's own Physical Fitness Center (North campus), but because the aerobic effect requires minimal rest between exercises there will be problems if the gym is crowded.

Another suggestion: invest in a set of weights for the home. A 110-lb. set of vinyl-covered, sand-filled weights and an exercise bench can be purchased for under \$50. Since the intention here is to achieve an aerobic effect, not to build muscles, you really don't need much poundage. Make sure your weight set includes a long bar (barbell) and two short bars, approximately a foot long each (dumbbells). Beginners should put very light weights on each of the three bars; about 30% of the weight you could handle in each exercise for just one strict repetition.

Exercise and Diet For A New You!

After a three to five minute warmup (see next section), proceed to do the ten exercises below in sequence, resting 45 seconds between each exercise. Each exercise, or "set" should be performed for about 45 seconds; do the movement as many times as you can within those 45 seconds, keeping a pace that is rhythmic and controlled, but energetic.

1) *Alternate dumbbell row*—Grasp a dumbbell in each hand. In the bent-over position, row them up, one at a time (from arm straight with dumbbell on floor, pull up and back until dumbbell is near underarm area). As one is pulled up, the other is lowered. Repeat as many times as possible, then rest 45 seconds. Walk, don't sit. Always use this approach for rest periods.

2) *Dumbbell squat*—Grasping a dumbbell in each hand and holding them at your sides, bend at the knees, keeping the back straight and head up, until your thighs are parallel to the floor. Return to standing position. As on all exercises, do as many as you can in 45 seconds: up, down, up, down, etc. Rest: 45 seconds.

3) *Alternate dumbbell press*—Grasp dumbbells, lift to shoulder level. From this position, alternately press each one overhead. Repeat, etc. Rest 45 seconds.

4) *Crunches*—Lie on your back on the floor, with legs draped over the top of the exercise bench. With hands behind head, "crunch" your torso so that your chest is brought toward your pelvis, then lower. This is similar to sit ups but more effective. Repeat. Rest: 45 seconds.

5) *Barbell bench press*—Lie on exercise bench. Grasping long barbell with a shoulder-width grip, lower it to the chest, then push out until arms are extended. Repeat. Rest: 45 seconds.

6) *Leg raises*—Lie on back on the floor. Put your hands, palms down, under buttocks, lifting legs up and in until knees are near chest. Then lower, without letting legs rest on the floor. Repeat. Rest 45 seconds.

7) *Upright dumbbell rows*—Grasp dumbbells at sides, alternately lifting each one to the chin, then lower. Keep elbows up and out, away from the body. Repeat. Rest: 45 seconds.

8) *Pullovers*—Grasp one dumbbell and interlock fingers of both hands on the bar. Lie on back across the bench, feet on floor. With arms fully extended and dumbbell above you, lower arms straight back until parallel with floor, then raise dumbbell (keeping arms straight) until once again above you. Repeat. Rest.

9) *Dumbbell curls*—Stand, grasping a dumbbell in each hand. Alternately bring each dumbbell up from your side until it is at your shoulder, then lower it while lifting the other. Keep palms facing up at all times. Repeat. Rest.

10) *Jumping Jacks*—Using light dumbbells or with no weight at all, do the traditional movement (arms swinging out and up over the head in semicircles, while jumping upward so that stance is widened). Repeat. Rest.

Conclude your workout by jogging in place for 4 minutes and gently stretching. If your heart is beating hard and you're sweating, good! That means that you have accomplished something, namely, the desired aerobic effect. After a few weeks, begin very gradually to increase the weights. You might also consider going through the circuit twice (but no more than that). If you have the dumbbells but don't have the barbell or bench, substitute push-ups for the bench press, and do the pullovers with your upper back on a chair or stool. If you can't do regular floor push-ups, try doing them by pushing off the third step of a flight of stairs (feet on floor). After a week, use the second step, etc., until you are able to do them on the floor.

JOGGING/RUNNING:

This excellent aerobic activity is easy to do, and requires little investment other than a good pair of running shoes. Although many people prefer running with a partner, still others enjoy the solitude of running alone, after a long day's activities or in the quiet hours of the morning.

The first thing you'll need to do is to buy some running shoes. Do not run in your

high-tops or basketball sneakers. Most of the big lines, such as Nike, New Balance, Saucony or Etonic put out a beginner, intermediate and advanced shoe. A decent quality beginner's shoe will cost between \$20-\$30, an intermediate from \$30-\$50, and advanced can cost upwards of \$50. The best place to buy them is an athletic store; army/navy stores usually don't carry as wide a variety. Look in your local yellow pages under "sporting goods."

"What do I look for in a running shoe?" is an often-asked question. Your needs will vary, depending upon the shape of your foot and the type of running you are going to do. Basically, look for good heel and arch support, so that a minimal amount of shock hits your body as the heel strikes the ground. Recent technological advances have been made, and many companies are offering a wide variety of midsole inserts to increase rearfoot stability. These inserts are made from materials such as polyurethane, and even air. Some companies, such as New Balance, produce shoes of varying widths from AA to D. Certain lines are usually better for people with a narrow foot, or for those with a wide toe box. The best thing to do is to talk with the salespeople, which is why you should purchase your shoes at a reputable store.

Obviously, you must adjust your running clothes to the climate. You do not need to go out and buy an expensive running suit to match your sneakers. You do, however, need a pair of warm gloves, a hat or hooded sweatshirt, and thick socks for winter running. Use the layer effect; if you find that you are too bundled or too cold, you can adjust your layers on your next run. Even on the coldest winter days, Tracey wears a cotton turtleneck, a t-shirt over that, and an insulated sweatshirt on top. Double up your socks and loosen your sneaker laces if you are cold or you find that you are getting blisters. Women — you can buy sport bras in any lingerie store or department. Look for one with a good amount of support, adjustable straps, and make sure it doesn't cut you under the arms or shoulders. For night running, use reflective tape on your outer layer and shoes, or buy a vest that has reflectors sewn into it. For summer running, you probably already have everything you need: a pair of shorts and a t-shirt!

The time of day that you run is a matter of sheer preference. You may find that your energy level peaks in the afternoon, or that your best time to exercise is the early morning. Many people find that morning runs are great for thinking through the day; it also allows you to "get it out of the way" early. The feeling of well-being you desire often stays with you throughout the day. Others find an afternoon or early evening run is a good way to "run off tension." With a little bit of experimentation, you will discover what time of day is best for your unique body and lifestyle. The important thing is to get out there and do it.

Running may seem a "boring" activity to many, but don't knock it until you've tried. Numerous studies have shown that your body produces certain "happy hormones" such as epinephrine, when participating in aerobic activities for sustained periods of time. This explains the "runner's high" which you have probably heard about. It also explains why so many people continue on a running program once they start. Additionally, there is a myriad of styles of small radios and tape players which you can run with, along with an assortment of ways they can be worn. Just think...you can run to the drone of your favorite law professor (or even Sum and Substance) and really use your exercise time efficiently!

For a beginner, we suggest that you use your watch, instead of trying to map out the miles. Try to do ten minutes of continuous jogging, followed by ten minutes of brisk walking. After you have mastered that much, GRADUALLY increase the length and pace of your running. It is important to remember two things: first, increase slowly and don't be overanxious. You will improve your condition, but not overnight. Second, don't sprint, but job; you are not running any races yet.

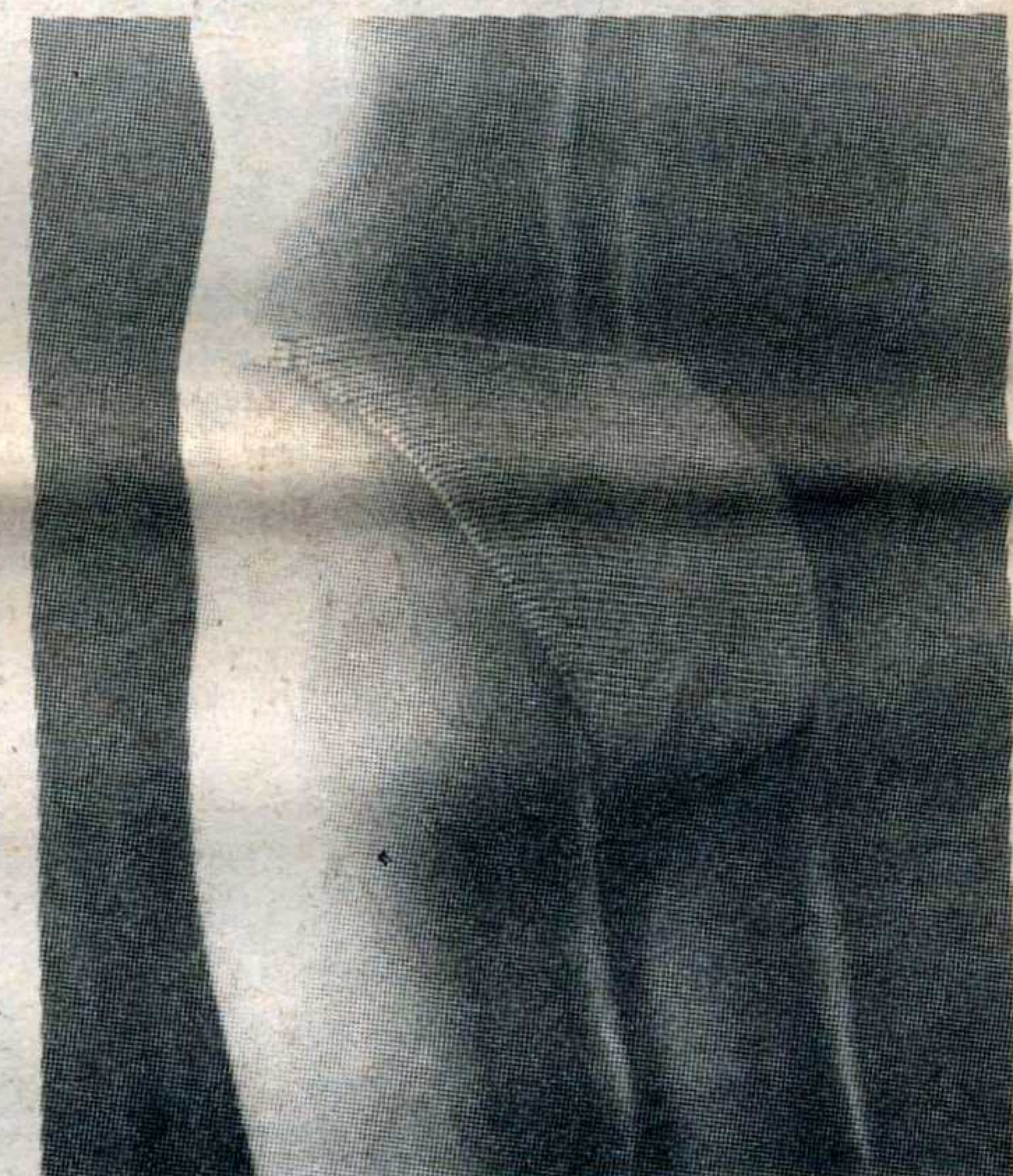
You can run almost anywhere, but this is

also a matter of personal preference. Those with knee problems may prefer the softer surface of a track or grassy park, and this may also help to reduce the shock to your body. On the other hand, many believe an uneven or bumpy surface can be more damaging to the feet and ankles, with greater risk of injury. If you do decide to run on the streets or sidewalks, watch out for pedestrians, yield to all vehicles, and keep the volume of your Walkman low!

The benefits of running are many. Calories burned up translate directly into pounds lost. A half hour of moderate running will burn from 250 to 300 calories, as well as increase your resting metabolism. Many people report an increase in awareness and concentration, and a decrease in tension and anxiety after starting a running program. How can you not feel good when you are doing something good for yourself?

AND MORE...Circuit weight training and running are two excellent ways to get your body into shape, but there are several others. Swimming is a good aerobic activity, but remember the formula — between 20 and 30 minutes, at least three times each week. As a Hofstra student, you have full pool privileges, and no excuse not to take advantage. All you need is a bathing suit, towel and a lock. It is rarely busy during the morning hours. If you can't do the crawl, start with the breast stroke or the backstroke and work up to it. You will get results.

Another way to get your heart going is by doing calisthenics and aerobics. If you can't join a gym or health club, there are



numerous places where you can take cal or aerobics classes. Many are co-ed, and can be had for a modest price. Check your local adult education course. Recently, a number of private organizations and studios have been offering series of classes.

Jumping rope and riding a stationary or regular cycle are additional aerobic activities. Keep that formula in mind, and START NOW!!

WARM-UPS:

Warm-ups are an important part of any exercise. Failure to warm up and stretch your muscles properly will increase your risk of injury. This is especially true for a morning workout; although your body is prone to injury even after a hard day's work — especially if all your work's been done while sitting at a desk! Aside from stretching, you may find that light aerobic warm-up, such as jumping rope or pedaling a stationary bike, helps you ease into your more rigorous routine.

Yes, you CAN do it. Of course, following a regular exercise routine and eating a healthy diet (see next installment of Fitness Forum) does not require becoming a fanatic. Fanaticism of any kind should be avoided, and we do not advocate it. What we do advocate is a positive attitude about yourself and a willingness to expend some effort toward improving your health and physical appearance. In our next installment we will talk about the second and third ingredients in the formula for a new you: your diet, and an aerobic weight training.

Also, we would be happy to answer any question from you concerning diet or exercise. Just drop your questions in the Conscience box, located in the law school library lounge.



Conscience Presents

The First Congressional Lecture Series

Friday, April 13, 1984
4:00 P.M.

Moot Courtroom

Reception to Follow
Meet Your Representative
In Washington

SGA on March 22, 8pm presents a

POOL PARTY At Hofstra



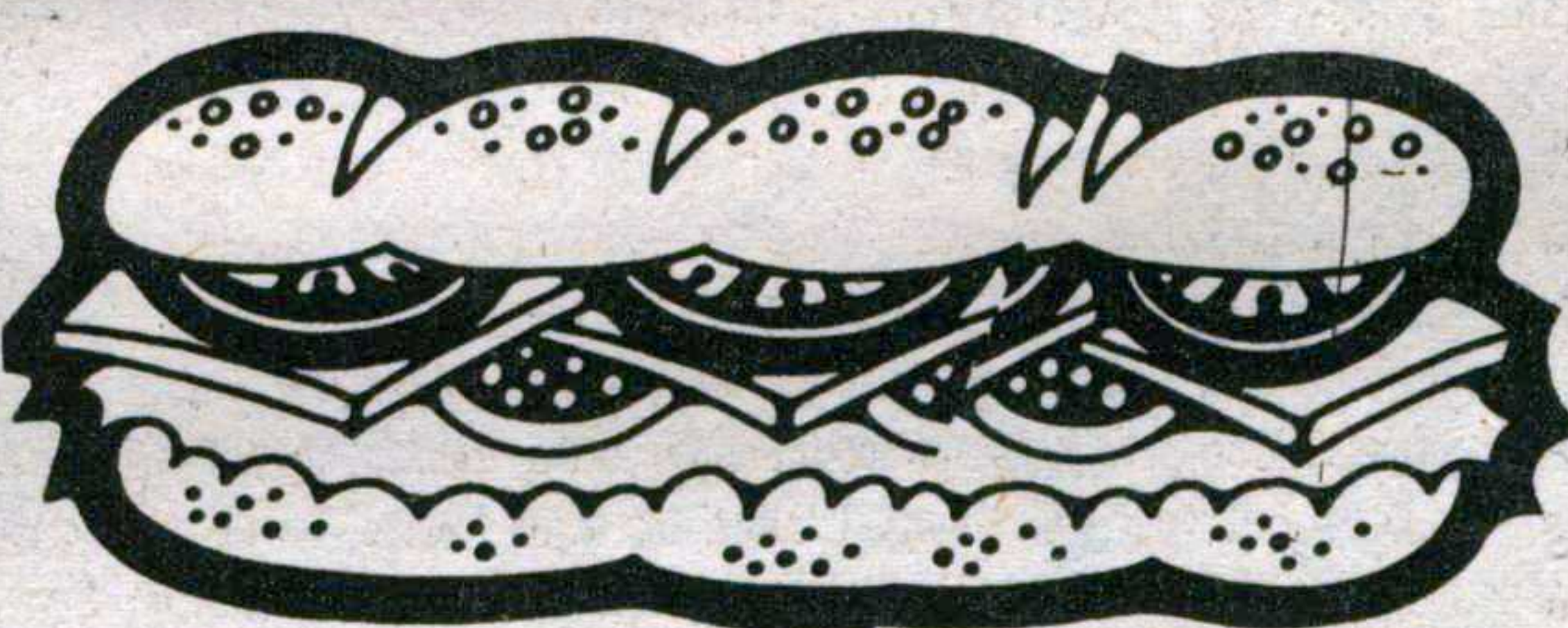
VOLLEYBALL!

BASKETBALL!

WATERPOLO!

DANCING!

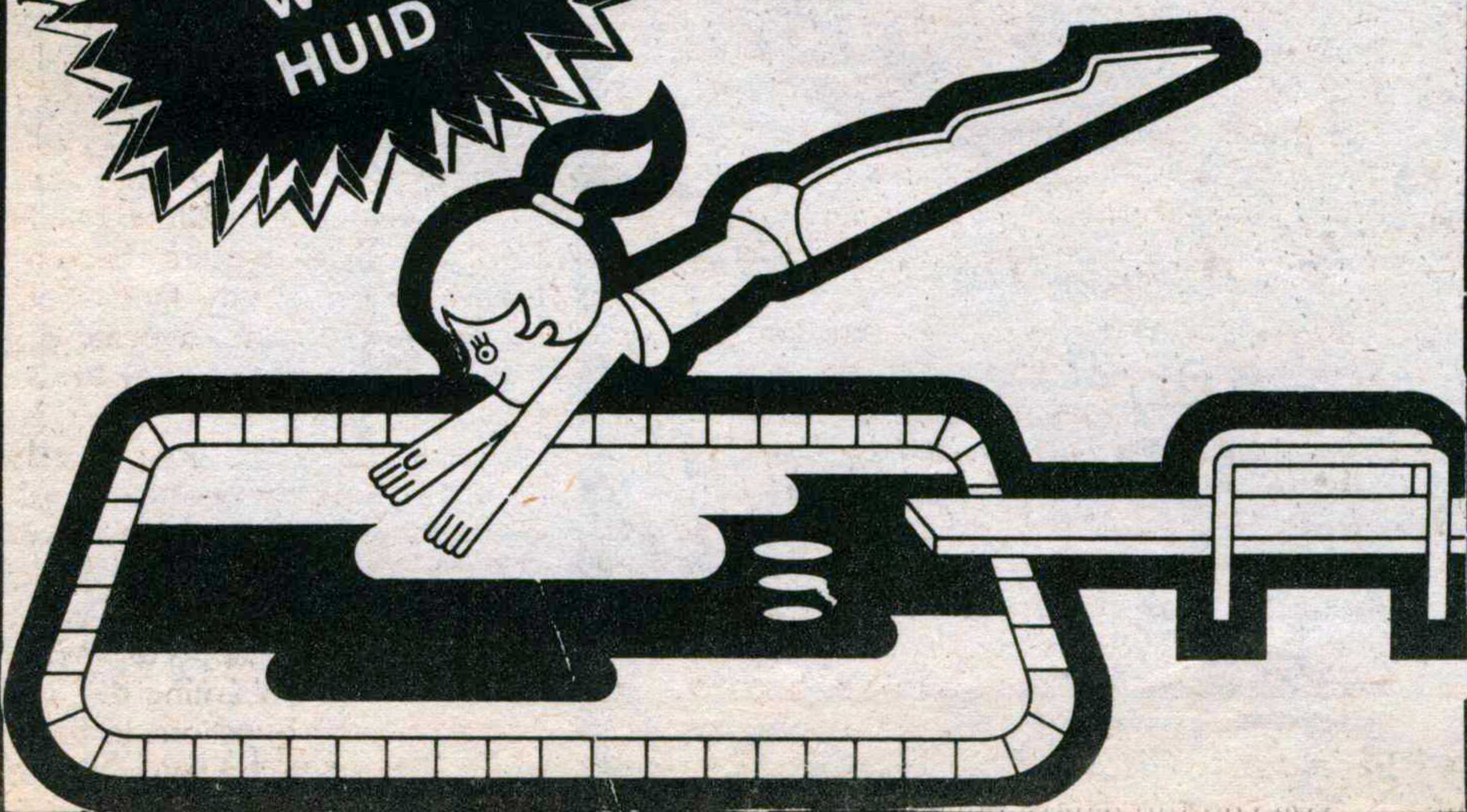
FOOD & SOFT DRINKS AVAILABLE



YOU DON'T HAVE TO GET WET TO HAVE A GREAT TIME!

Free admission with HUID

Lockers available—don't forget shower gear



SPORTS

Intramural Roundup

by Steve "Hoops" Pitcairn

Negli-gents

It all started with a dream. Where do you find nine tall, dark and handsome men with superior intelligence and the athletic ability to carry a basketball team to the Hofstra Intramural Championship? Having failed at NYU, Columbia, Cornell and Georgetown Law Schools, attention was focused on the halls of learning at Hofstra Law School. It was at Hofstra that the dream turned into reality.

It began with eight young men: Denis O'Leary, Ivan Kaufman, Glenn Greenfader, Gary Schwartz, Sean Deverin, Greg Bedell, Cliff Levin and the first year talent of John Scotto. After a few practices together, they realized that an element was missing. They needed leadership and a basketball player with outstanding shooting and dribbling skills. The team desperately cried out for a person that could take these eight mediocre players and form them into one outstanding team. The choice was obvious, only one player fit the bill. The eight players quickly ran up to their one last chance at winning season — luckily, Scott Scher was still available to fill the job.

Under Scott Scher's leadership, the men became a team. Scott helped Glenn to develop his outside shot and Denis to shore up his defensive play.

John, Sean and Ivan learned the fundamentals of basketball from Scott and Greg, Gary and Cliff were progressing dramatically. The players were very grateful to their coach and mentor, and offered lavish gifts and compensation. Scher wouldn't think of it, however, and just said that the drop in his grades at the law school would be worth it, if only the team played well.

Finally the big day arrived. The team was ready for its first game. Despite the fact that Denis was not at the game and despite a final score that left the Negli-gents down by 6 points; the "I" went into the "W" column. After a grueling battle the Negli-gents had won the game on a protest.

The team motto became: "If you can't win on the court, then win in the court."

The strategy payed off. The Negli-gents quickly won their next game. The Legal Eagles watched the Negli-gents' impressive victory and asked for a postponement of the scheduled game between the two teams the following week. Scher said "okay" and commented that he realized the Eagles were running scared.

The next week, the Negli-gents had another impressive victory when the top-rated team in the league forfeited. Scher kept the team calm after their upset victory by giving them the night off from their evening 10 mile jog.

Then, disaster struck! With Coach Scher infirm, the team fell apart and suffered their first defeat that went into the books as a defeat. But Scher having the great presence of mind that has brought him where he is today, pulled the team together and the next week the Negli-gents won on a bye.

With two games left, I encourage all of you to come on down and watch your favorite stars play and bring respect to our law school.

Wailers

The Wailers are a team with a history and a tradition. This is the ninth season of Wailer basketball. The Wailers were founded by undergrad Tower E residents, Doug Stage and Sandy Stoll — who used to call their late night drinking jaunts 'Wailin' — hence "the Wailers."

The Wailer tradition was the entire team went drinking after each game — win or lose — and during the early years legend has it that they went drinking before some of the games.

This year's edition of the Wailers includes six law students: Bernie Davis, Mike Gafy, Jim Goodman, Pete Jordan, Howie Rothschild and Marty Rainbow, team captain and 7 year Wailer vet.

Other links to the past include Sandy (Class of 1978) Stoll and Mark (Class of 1980) Nidle, who are still playing for the squad after all these years.

Amicus Curiae

Originally this team realized that it didn't have much talent, and so their goal was merely to go out and have fun. This goal was put on the back burner when they won their first game. All talk was directed towards making the playoffs, which was a mere six games away. Such talk abated as they promptly lost their next three games by increasingly dissimilar scores. After considering replacing their coach and/or the players, the team has decided to just go out and have fun, thus coming full circle back to their original goal.

Steve Pitcairn ('85) has never played the game of hoops. The only dribbling he does is at the dinner table — not on the court.

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